

Law (Education) (1925) Department.

Misc SERIES.

G.O. No. 1957 *A*

DATED 13-11-25

[Despatch Abstract.]

Elementary Education - Compulsory - Compensation to Managers of
aided schools and other questions relating to Corporation of
Madras - Orders passed.

BACK PAPERS.

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

FURTHER PAPERS.

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

CP 20-41,000-8-9-24.

LAW (EDUCATION) DEPARTMENT.

Received 192 . Registered 192 .

Subject.

L. Cu 2826A
31/7/25

Queries re: certain provisions in the Madras Elementary Education Act in connection with the working of compulsory Elementary Education.



ENCLOSURES.

No.

R.C. No. 1543-B/25.

Spare copies

Station Madras , Dated the 29th July, 1925-192 .

From (Name) R.G.GRIEVE, Esq., M.A., F.R.G.S.,

(Designation) AG: DIRECTOR OF PUBLIC INSTRUCTION.

To The Secretary to the Government of Madras,

LAW (EDUCATION) Department.

Sir,

In submitting herewith a copy of letter G.D.C. No.2963/25 dated 10-7-25 from the Commissioner, Madras Corporation, I have the honour to offer the following remarks on the several points raised therein:-

(i) As regards the first point, under the rules framed under the Madras Elementary Education Act of '20 Elementary Education means education up to and including standard VIII.

As the rules stand at present the levy of fees in standards VI to VIII is inadmissible. [With the introduction of compulsion, if elementary education is defined as education in standards I to V, a child will be compelled to pass through

these

(P.T.O)

Separate copy to be sent to the Director of Public Instruction, Madras.

these standards only. Attendance in higher standards will not be compulsory and there would be no objection to the levy of fees in these standards. But the rules drawn up under Section 3(v) of the Elementary Education Act would require alteration and Elementary education would have to be defined afresh as education up to and including standard V only. The levy of fees in standards VI to VIII is desirable.

2. The presumption contained in para 2 of the Commissioner's letter is not quite correct. As stated above under the present rules elementary education means education up to and including standard VIII. Under Section 50(iv) of the Elementary Education Act further attendance at school shall not be compulsory only if the child has received instruction up to the standard prescribed for elementary education. It therefore appears that a boy who has completed the V standard should study in higher standards till he attains the age of eleven or thirteen as the case may be. The difficulty would disappear if elementary education is defined as education up to and including standard V.

3. In working out the scheme of compulsory elementary education in Municipal areas, it is generally presumed that aided schools will not increase in strength and even if additional accommodation is available in the aided schools, it is not taken into account and the entire responsibility for bringing under instruction the additional number of children of school-age rests with the local authority concerned. As soon as compulsion is introduced, children may flock to the nearest aided school. But it is open to the management to refuse to admit them if their staff and accommodation are insufficient. Similarly if a new Municipal School should be started close to an aided school, the strength in the latter school may fall. In either case the fluctuation is due to extraneous circumstances and it does not appear equitable that the income of the management should be thereby affected. A change in the present procedure does not

appear

appear to be desirable.

4. As regards the last point in the Commissioner's letter, I may state in this connection that the matter was considered by the Rules Committee and it was decided that the period of compensation should be five years, in accordance with Section 26 of the English Education Act 1918. It is impossible to continue paying compensation for an indefinite length of time.

I have the honour to be,

Sir,

Your most obedient servant,

A Rama Ray
for Director of Public Instruction.

M.R.P.30/7.

Copy of letter G.D.C.No.2963/25 dated 10th July 1925 from the
Commissioner, Corporation of Madras, to the Director of Public
Instruction, Madras.

In connection with the introduction of free and compulsory
Elementary Education in four Divisions of the City, sanctioned by
Government with effect from 1st July 1925, I have the honour to
request I may be favoured with your views (obtaining, if necessary,
the views of Government on the following matters:-

1. Section 47 of the Madras Elementary Education Act requires that
no fees shall be charged at any Elementary School in any area affected
by a notification under Section 46. There are a number of Higher
Elementary Schools in the City, with standards 6, 7 and 8 in addition
to standards 1 to 5, and if, as is generally assumed, Compulsory
Elementary Education is to be only upto the 5th Standard (inclusive),
there is apparently no reason why higher elementary schools should
not be allowed to levy fees in Standards 6 to 8.

2. Under Section 49 of the Act, every child of school-age
has to attend an Elementary School in the notified area. An Eleme-
ntary School is defined in the Act as a School/ or Department of a
School recognised as an Elementary School/ under section 41, and
under the Rules framed under the Act "Elementary Education" means
education upto and including Standard 8. It may happen that a child
may complete his education upto the 5th Standard (inclusive) a year
or some years before the completion of the school-age, and it is not
clear whether such a child should be compelled to continue his
studies in a higher elementary school upto the completion of the
school-age. Compulsory Elementary Education, it is generally assumed,
is to be only upto the 5th standard.

3. Under the Notification of Government No.232 dated 23rd
September 1922 embodied in G.O.No.1124, the compensation payable to
an Elementary School for every year of the prescribed period shall
be the amount of fees leviable at the rates specified in the Madras
Educational Rules from the pupils, who actually attended the School
in the last complete year before the introduction of Compulsory
Education. Unless such amount exceeds the amount actually collected
in the said year, when the amount actually collected shall be payable.
This rule apparently ignores any increase or fall in the strength of

schools

schools during the five years (which is the period prescribed by the rules framed under the Act) following the year before the introduction of compulsion, which does not appear to be fair either to the Corporation, which has to pay the compensation or to the school concerned. In some cases, the increase or the fall may be very marked, and the payment of compensation in such cases on the sole basis of the figures of the year preceding the year of compulsion will be unreasonable. This matter was not dealt with by the Government in their order (G.O.Mis.No.951 dated 8th June 1925) authorising the introduction of compulsory Elementary Education and permitting the Corporation to pay the difference between the fees actually collected in schools and the amount payable under G.O.No.1124 out of the general revenues of Corporation.

4. The scheme of the Corporation sent up to Government contained a suggestion that the period during which compensation was payable should be ~~not~~ five years but so long as the school continued in an efficient state. The Government has apparently not considered that suggestion yet.

True Copy/

A. Rama Rao
for Director of Public Instruction.

M.R.P.30/7.



G.D. Form No. 16,
1,000—July 1925.

LAW (EDUCATION)
LOCAL SELF-GOVERNMENT/DEPARTMENT.

Received 192 . Registered 192 .

SUBJECT.

Elementary Education - Introduction of Compulsion in the City - Source of payment of compensation to aided schools.

Enclosures	Govt.
No.....	G.O. C. No. 208 1925.
.....	Madras, dated, the 20th August 1925.
Spare copies.....	From

M. R. Ry. Dewan Bahadur J. Venkatanarayana Nayudu Garu,
B.A., B.L.,
Commissioner, Corporation of Madras.

To
The Secretary to the Government of Madras,
(Law (Education) Local Self-Government/Department.)

Through the President, Corporation of Madras.

Sir,

With reference to G.O. No. Mis. 951, Law (Education) Department, dated 6th June 1925, I have the honour to state that the Council at its meeting held on 28th July 1925 resolved that Government be requested to modify the order referred to above so as to enable the Corporation to pay the whole compensation amount out of the Elementary Education Fund.

The Council also recommend that the rule made by the Government under Section 47 of the Madras Elementary Education Act be amended so as to permit of compensation being paid to elementary schools under private management for

loss of fee income caused by remission of fees so long as they continue in an efficient state as suggested in the Compulsory Education Scheme submitted to the Government and not for a period of five years only as now provided in the rule referred to above. The Council have sanctioned payment of the compensation only for two months provisionally pending orders of Government on the points raised supra. Payments of compensation for loss of fee have accordingly been made for July and August. I request the favour of orders as the payment of the next instalment of compensation is due about the middle of next month.

I enclose a copy of the minutes of the proceedings of the Council on the subject.

I have the honour to be,

Sir,

Your most obedient Servant,

Forwarded.

PRESIDENT.

Commissioner.

M.H.H.
20-8-25.
4-15 P.M.

20/8

Extract from the Minutes of the proceedings of an adjourned General Meeting of the Council held on 28th July 1925.

No.3.

Payment of compensation to Aided Schools.

The following proceedings of the Standing Committee (Education) in regard to the payment of compensation to aided elementary schools in the compulsory area from 1st July 1925 were taken up for consideration :-

I. Standing Committee (Education) dated 3rd July 1925.

"The Committee recommends the amendment of the Rule made by Government under Section 47 of the Madras Elementary Education Act so as to permit of compensation being paid to aided schools for loss of fee income so long as they continue in an efficient state as suggested in the scheme sent to Government and not for a period of 5 years only as now provided in the rule.

The Committee also recommends that the Government be addressed to modify G.O.Mis.901., dated 6th June 1925, in the matter of the source from which compensation money should be paid, so as to enable the Corporation to pay the whole compensation money out of the Elementary Education Fund".

II. Standing Committee (Education) dated 20th July 1925.

"The Committee recommends the payment of compensation to aided schools in monthly instalments as permitted by G.O.No.1124, dated 23rd September 1922, on the basis of the fee income of last year as per the annual returns."

III. Standing Committee (Education) dated 27th July 1925

"In connection with the resolution of 3-7-25, recommending to the Council that the Government be addressed to permit the Corporation to pay the whole compensation money out of the Elementary Education Fund, the Committee would further point out to the Council the provisions of Section 32 of the Madras Elementary Education Act which requires that all contributions made by the Corporation for the purpose of the Act should be credited to the Elementary Education Fund".

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-2- (X)

Rao Bahadur T.Varadarajulu Naidu referred to G.O.No.1124,

(A) dated 23rd September 1922 and G.O.No.961 dated 8th June 1925 (Law Education Department) on the subject. He stated that it was not proper for Government to ask the Corporation of Madras to pay the Managers of aided elementary schools in the area under compulsion special grants equal to the differences between the fees actually collected in the schools and the amounts payable under G.O.No.1124 (Law Education), (G) dated 23rd September 1922, out of the general revenues of the Corporation and not from the Elementary Education Fund under its control. The Corporation has power to pay the full amount of compensation from the Education Fund itself in view of the provisions contained in Section 32 of the Elementary Education Act. He, therefore, moved for the adoption of the recommendations of the Standing Committee, Education, slightly amending one of the recommendations as follows :-

"that compensation be paid to aided schools in monthly

instalments for July and August 1925 as permitted by G.O.

(C) No.1124, dated 23rd September 1922, on the basis of the

full fee income of last year as per their annual returns"

and observed that the two months instalments might not exceed the amount payable out of Elementary Education Fund as per the Government order. He suggested this as an interim measure to satisfy the several aided teacher managers before final orders of Government were received.

Dewan Bahadur G.Narayanasawmi Chetty seconded the motion.

Dr.Swaminathan who was specially invited by the President to offer his opinion, criticised the procedure of worshipping Government orders and remarked that the Government order entirely contravenes the provisions of the Elementary Education Act.

Mr.V.Chakrai Chetty moved the following as an amendment :-

"Pending settlement of the general question of the amount of fee compensation to be paid to Managers of Schools, the monthly instalments of July and August be paid on the basis of the full fee income of last year."

The Hon'ble Mr.G.A.Natesan seconded the amendment.

Mr.K.Vyasa Rao asked what would be the position if the Government refused to accede to the request of the Corporation and

moved

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(8)

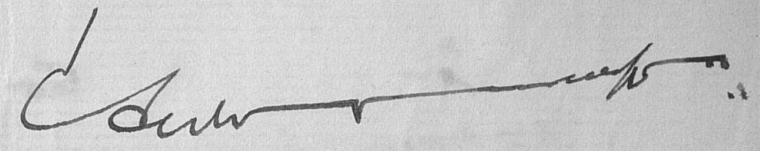
moved to add the words "pending the decision by Government of the fund from which the compensation should be paid" to the proposition moved by Rao Bahadur T. Varadarajulu Naidu.

Mr. V. Chakrai Chetty observed that the idea of Mr. Vyasa Rao was already incorporated in his amendment.

The President stated that the Council might pass the amendment and that any additional funds required could easily be provided for in the Revised Budget.

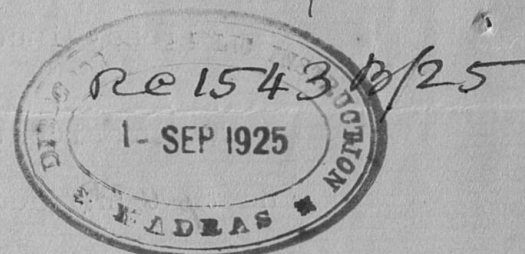
The amendment of Mr. V. Chakrai Chetty was then put to the meeting and carried unanimously, the Government to be addressed as recommended by the Standing Committee (Education) in its proceedings dated 3rd and 27th July 1925.

It was further resolved that compensation at Government rates for be met/~~from~~ the present from the Elementary Education Fund and the balance from General Revenues.


Manager.

M.S.R/21-8-25
12-25 P.M.

n. 2/1/2



(C.No.2876 A). From the Director of Public Instruction, No. R.C.

1543 -B/23. dated 29th July 1925.

Subject : - Working of the compulsory education scheme
in Madras City.

The questions raised in the letter from the
Commissioner, Corporation of Madras, No. 2963, dated
10th July 1925 are noticed below :--

2. ^{Levy} ~~Abolition~~ of fees in standards ^{VI to VIII} ~~6 to 8~~. of Higher
Elementary schools on the introduction of compulsion.

As pointed out by the D.P.I., Elementary educa-
tion has been defined in the rules framed under the
Act, as education up to and including standard VIII.
Until this definition is amended, the levy of fees in
Standards VI to VIII of elementary schools is not
permissible.

3. Exemption from attendance at an elementary
school of a ~~boy~~ ^{when} of school age ~~has~~ completed his
education up to the Vth standard (inclusive)

Section 50(iv) of the Elementary Education Act
provides that attendance at an elementary school shall
not be compulsory, only if the ~~child~~ ^{boy} has received in-
struction up to the standard prescribed for elemen-
tary education. As pointed out above, elementary
education includes education up to and including
standard VIII. A ~~child~~ ^{boy} of school age should therefore
be required to attend an elementary school till he
attains the age of 11(or 13 in the case of Muhamma-
dians).

4. Payment of compensation for loss of fee
income with reference to the actual attendance in
aided elementary schools.

12 of 2028
21.2.22 (I)

What is happening
to the question of the
amendment of this
Act?
VTK
18.8.

5. Period for which compensation should

be paid.

A circular ink stamp from the U.S. Department of Justice. The outer ring contains the text "U.S. DEPARTMENT OF JUSTICE" at the top and "RECEIVED" at the bottom. In the center, the date "20-AUG-1925" is stamped.

with reference to the Secretary's query
on the margin of page 1 ante, attention is solicited
to the notes on pp 2-3 in the linked file from
which it will be seen that the question of
amending the rule defining "elementary edu-
cation" is proposed to be taken up after the
replies of all D.E.C. & the D. Sec. Eds
Boards are received on the question of abolition
of ~~the~~ the difference between elementary school
and the primary depts of secondary schools.

The replies of all the D.E.s & the D^h Sec^y Es^s
Boards have not yet been received.

Her orders as to the issue of the draft is this

I said yesterday
 that realizing the
 Commission will
 be a success
 M2
 for -
 examine
 D. B. 1805

ppb-6cc (C.No. 3235 A). From the Commr., Corporation of Madras, Govt. C.No. 208, dated 20th August 1925.

With reference to the Hon'ble the Minister's remarks on page 3 ante, attention is solicited to the discussion in the Legislative Council reported in the "Hindu" at Flag (D). It will be seen therefrom that Mr. Sami Venkatachalam Chetti urged the desirability (1) of paying compensation to managers of aided schools so long as the schools continued to be efficient and (ii) of meeting the expenditure on account of compensation ^{from} ~~for~~ the elementary education fund. The Corporation has also since addressed the Govt. on the above subject.

In connection with the question of compensation to managers of aided schools, the following points have to be considered:—

(i) whether the amount of compensation should be fixed with reference to the rates of fees prescribed in the Madras Educational rules or with reference to the actual amount of fees collected by the managers;

(ii) whether the compensation should be ^afixed amount calculated on the strength of the aided schools in the last complete year before the introduction of compulsory education or whether it may be allowed to vary according ~~to~~ to the strength of the schools in each year for which the compensation is paid;

(iii) whether the compensation should be paid only for five years or for so long as the school continues to be efficient i.e. for an indefinite period;

(iv) whether the amount of compensation paid should be debited to the Elementary Education fund or to the general revenues of the local body.

2. Clause (i) above - amount of compensation.

On this question the late Secretary Dewan Bahadur Ramachandra Rao wrote as follows and ^(the Hon'ble the Minister) ~~the~~ endorsed it:—

Page 6-10 of cf.



15
In some elementary schools, fees are charged over the standard and suggestions have been made that the compensation should be equal to the actual fee income instead of the estimate of fee income on standard rates as proposed in the draft rule. Section 47 permits us to give a free hand in prescribing how the compensation should be assessed. The real point for consideration is what is the equitable course? In every case where compulsory education has been proposed, I notice that proposals are simultaneously made for the opening of more schools. It follows therefore that the facilities for education are not adequate. So the higher fees by no means betoken any superiority of education imparted. Assume that we started fresh schools and charged standard rates. The chances are that the schools charging the higher fees would be depleted. The question then arises whether, as the incidence of higher fees is due to culpable negligence in not opening enough schools and is thus due to an artificial monopoly, the managers are entitled to the increase. It is quite possible that in another locality even with better paid teachers the fees charged are less; simply because there are more schools or there are fewer pupils. I do not therefore consider that any case is made out for the payment of actual fees realized. Practically also it will be difficult to assess amount, because in elementary schools there are no financial statements, the accounts may be cooked, or on the eve of the introduction of compulsory education the managers may artificially enhance the fees".

In G.O.No. 1124 L.E., dated 23-9-22, it was therefore laid down that "the compensation payable shall be the amount of fees leviable at the rates specified in the Madras Educational Rules." The Municipal Councils of Kumbakonam and Negapatam asked

pp 2-3 of notes to G.O.
No 1124 L.E. 23-9-22

12
G.O. 1454 L.E. 30-11-22
719 L.E. 22-5-22

12
p. 15-27 G.O.
951 L.E. 8-6-25

para 4 of G.O. 1124

12
for a reconsideration of this order, but the Govt. refused to do so. In submitting proposals for the introduction of compulsion the Madras Corporation requested permission, to pay compensation to aided schools at the fee rates now in force. It was found that compensation at the standard rates prescribed by the Govt. would amount to Rs. 16,670 against Rs. 72,648 according to the rates proposed by the Corporation. In view of this disparity it was considered desirable to allow the Corporation to pay compensation at the rates actually in force in the schools affected. At the same time as it was thought that a general amendment of the rule issued in G.O.No. 1124, dated 23-9-22, was not desirable, the Corporation was asked to meet the difference between the standard and the actual rates from its general revenues. As pointed out in the concluding portion of Mr. Ramachandra Rao's note above there are practical difficulties in extending to mufassal schools the system of basing compensation on actual fees. In elementary aided schools under teacher managers, fees are collected in cash or kind and there is no audited financial statement of income of these schools as in the case of secondary schools. In Madras city and in large towns in the mufassal, aided schools may have a recognised rate of fees, but in other places it may not be possible to verify the returns of fee income furnished by managers. Further, if the compensation is enhanced, it will consume an appreciable portion of the funds which will otherwise be available for the expansion of elementary education. It is therefore doubtful whether the system of basing compensation on the actual rates of fees can be extended to schools in the mufassal. The D.P.I. may perhaps be requested to offer his remarks on the point.

3. The payment of compensation is itself a palliative measure. Perhaps a slightly higher rate may be allowed for Madras - a certain fixed rate. Clauses (2) and (3) in paragraph 1 ante.

Attention is solicited to paragraphs 4 and 5 on page 2 ante. It does not seem necessary to modify

proportion of the existing rates added on to provide for the special conditions of Madras. D.P.I. may suggest what that rate should be.

17 7
the existing practice in these respects.

4. Clause (4) in paragraph 1 ante

Debiting of compensation to the Elementary Education Fund.

In the course of the discussion at the meeting of the Corporation held on the 28th July 1925, Dr. Swaminathan remarked that the Govt order directing that the excess compensation over and above the standard rates should be met from the general revenues of the Corporation and not from the Elementary Education Fund, contravened the provisions of the Elementary Education Act. Apparently he based his argument on the provisions of section 33(2) of the Act. This section states that "all expenses incurred on elementary education by the local authority concerned shall be paid out of the elementary education fund." With regard to this it is submitted that the expression "all expenses" in this section should be taken to mean all expenses authorised by the Act or by the rules framed under the Act. The rule framed under Section 47 says that "the compensation payable shall be the amount of fees leviable at the rates specified in the Madras Educational Rules". Any amount paid in excess of the compensation admissible under this rule cannot obviously be debited to the elementary education fund. If necessary, the Law (Drafting) section may be consulted, on this point.

If, however, the statutory rule ~~is amended so as to provide for the payment of compensation at some slightly higher rate than the rates specified in the Madras Educational Rules~~ then the entire amount paid by the Corporation can be debited to the elementary education fund. The question of amending the statutory rule has been noted on in paragraph 2 above.

5. The file may perhaps be sent to the D.P. I no. for remarks in the first instance.

69 CF

Vide No. 1124 23.7.22 (O)

Law (Edn) no 3235 A-1 31-8-25

CR 26.8.25

V.T. 30.8

D.P. I u.o

18 8
U.C. Reply No. 1543 B/25, 4.9.25

(E)
I may in the first place invite the attention of Government to paragraph 4 of Mr. Littlehales's letter to Government R.C.No.977-B/22 dated 18th October 1922 and to G.O.No.1336 Law (Education) dated 6th November 1922. I may say that I hope to visit Kumbakonam this month and will enquire when there what the effect of the orders of Government has been on the elementary schools under private management.

2. The remarks in the Secretariat note on page 16 suggest that in Madras City and in large towns the in/mufassal aided schools may have a recognised rate of fees. This is not the case as in a large city the rate of fees varies from locality to locality and from school to school and my experience suggests that there is no justification for differentiating between the City of Madras in the matter of compensation and schools in Municipal areas and such as are under responsible management e.g. Mission schools. There are, of course, a large number of teacher-manager schools where the income of the manager, apart from grants, comes partly from irregular payments by parents and occasional contributions in kind. In the case of such schools it would be difficult to assess the compensation on actuals. An arbitrary rate such as that laid down in the Madras Educational Rules would probably be the best solution in the case. This is a question which could be examined in connection with the experiment of compulsory education in Saidapet Taluk. Apart from the teacher-manager schools, however, it would be possible in all cases of elementary schools under responsible management whether

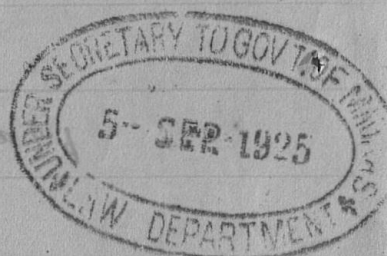
Mission

19 9

Mission or otherwise to arrive at a fairly accurate figure.

I am not therefore in favour either of fixing a uniform rate for Madras City or for differentiating Madras City from urban areas in the presidency and schools under responsible management in rural areas.

NAA
4/9/25



Law (Ed), Dep't

With reference to para 1 of the D.P.D.'s note above, this may perhaps be over till 1-10-25 when the Director may be asked to report the result of his ^{proposed} enquiries as early as possible. The Corporation ^{ap} 8/9/25 asks for early orders on the points raised by it in connection with the payment of Compensation. The file may perhaps be submitted to the Hon'ble the Minister.

L. E. 3375A
5/9/25
7/9/25

Page 7 of 8

Please see 11/2
note on p. 3

8/9
8.9.25

8/9
8.9.25

V.T.K.
9.9

M2

1. The Compensation payable up to five years
2. The School is not entitled to additional Compensation & additional strength provided after the Scheme was introduced.

3. It does not seem the feasible to increase the standard rate, but an addition of ^{fifty} per cent may be paid.

in that area - of these schools for out of station, Please examine this. The Municipality may be asked to pay to the person. D.P.D. is stating that Govt was paying teaching grants.

The Corporation has asked for permission to ~~deb~~ debit to the Elementary Education Fund the entire expenditure incurred by it ~~on~~ the payment of compensation to managers of aided Schools instead of the amount of compensation based on the standard rates of fees as ordered by the Government. The Hon'ble the Minister apparently considers that ^{the} ~~compensation~~ ^{calculated} at standard rates plus 15 per cent of that amount, may be debited to the Elementary Education Fund. It is doubtful whether this will be a compromise. The Corporation bases its compensation on the actual ~~actual~~ fees collected in the aided schools prior to the introduction of compulsion.

p. 6 CF

p. 9 sub

Rs 7112 against Rs 1423.

The difference between the standard rates and the ~~actual~~ actual rates is large and this difference is now met from the general funds of the Corporation. If in order to meet the wishes of the Corporation to some extent it is considered that an excess over standard rates should be allowed to be debited to the Elementary Education Fund, such excess may perhaps be fixed at 25 per cent instead of 15 per cent.

2. It is possible that when compensation is stopped after five years, some of the private managers may close their schools. In that case, the local authority which is responsible for the provision of educational facilities for all children of school age under the compulsory education scheme, will have to establish new schools under public management in place of aided schools ~~then~~ closed. The local authority may require assistance from Government for the opening of such schools. As observed by the Honourable the Minister there will be a saving in the teaching grants by the closure of the aided schools referred to above. Subsidies may be granted to the local authority up to the amount of such savings. This will not throw any additional financial liability on Government.

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21

any local body actually applies for a subsidy ^{the matter} may be further considered. *Finance may in the meanwhile*
see these notes for orders issued on the specific question raised in the file.
3. If the question raised in paragraph

above is not to be ~~considered~~ considered, the draft below is for approval.

18/9/25
8/9
19-9-25

CR
19-9-25

The questions raised in this file should be re-examined as, apart from the case of Madras City, we are proposing to introduce compulsion over a large area (the Saidapet taluk) at an early date. I shall take them in the order in which the Commissioner of the Corporation has stated them.

2. Higher elementary schools:- The result we wish to arrive at ~~is~~ is this:- (i) The expenditure of the elementary education funds of local bodies on such schools should be legal, till we decide the general question of the future of these schools ^{and} (ii) where compulsion is introduced, it ought not to be legally obligatory to remit school fees beyond the 5th standard in such schools.

We have defined "elementary education" as meaning "education up to and including standard VIII" and the expenditure of elementary education funds on classes VI to VIII is legal.

Under section 47, "no fees shall be charged at any elementary school in any area affected by a notification under section 46". "Elementary School" is defined to be ^a school or department of a school recognised as an elementary school under section 41. Under section 41,

p 4 CF

mem M. 15884-1
Q 26-5-25 (u)

p 24-50 208
21-2-22

(I)

Section 3 (vi) of the Act

p 3 of 50 208
21-2-22
(I)

a rule has been issued which says that ~~the~~ "every standard or class above the fourth shall be separately recognised". If classes 1 to 5 alone are recognised as "elementary schools" and classes 6 to 8 are ~~recognised~~ recognised under a separate category as "higher elementary classes", I think the second result aimed at will be secured. This of course is as a temporary expedient till a decision is reached on the general question. School fees need not then be remitted in these classes. The rules under 41(2) may be amended on these lines immediately. - Section 56(2)(b) of the Act.

p 4 of CF

3. The second question raised in regard to children who have completed their education up to the 5th standard (inclusive) before the completion of the school age would be solved by the adoption of the proposal contained in the second paragraph of my note above.

p 4 of 54
CF

4. The third question - and the most important one - is that of compensation under the proviso to section 47. As the rule stands now (i) compensation shall be calculated on the standard rates of school fees (ii) it shall be for the number attending the school in the last complete year before the introduction of compulsory elementary education and (iii) it shall not be paid for more than five years.

40 881
25-7-22

40 1124
23-9-22

(I) p 7 of 208
21-2-22

notes to p 1124
23-9-22

(E) 40 1336 6-11-22

p 5 of notes to
40 881
25-7-22 (m)

When this draft rule was published for criticism objections were received which dealt with the effect the rule as proposed would have on aided schools. The D.P.I. and Mr. Gopalasami Ayyangar also pointed out that this would eventually mean that all elementary education would have to be taken over by public agencies.

We have adopted the position that compulsory

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to go 881 (m)
25-7-22

16 1204
 17 1207
 18 28-8-23

(i) Compensation should be fixed for each school at the time compulsion is introduced after considering its efficiency, the net cost to the management at the time, the fee income to be foregone, the grant-in-aid which the school would receive under the Elementary Education Act and other factors. The compensation and the grant-in-aid under the Elementary Education Act should together, in no case, exceed, say, three-fourths of the cost of maintaining a board or municipal school of the same strength as worked out by the D.P.I.

(ii) The compensation so fixed will not be increased

15 25
but will be liable to be reduced pro rata if there should be a fall in average attendance.
(iii) The compensation should continue to be paid so long as the school is certified by the D.E.O. to be efficient.

5. The D.P.I. has probably examined the question at Kumbakonam by now. The whole file may go to him for remarks on this note and also for advice on the Hon'ble the Minister's minute on page 9. In the meantime, an extract of paragraphs 1 to 3 of this note should go to U.S.(drafting) for remarks and for preparing a draft notification if he agrees with the view I have taken of the law.

V.T.
8.10.

D.P.I u.o

Law (Edn), No. 323542
9.10.25



X. 23944 A
19.10.25

The question has been referred to the Advocate General

But they constitute an important part of the teaching of the school

16 26
U.O.Reply No. 1573/M/28/24

I enclose herewith a note which I wrote embodying the results of my visit to Kumbakonam together with two statements---

I. giving a list of aided schools showing the income from fees in 1921-22, strength and teaching grants paid for 4 years, amount of compensation and (in the margin) schools taken over by the Municipality,

II. indicating the position just before compulsion was introduced and that subsequent to its introduction.

As regards the Secretary's note paragraphs 2 and 3 I agree with his suggestions as a temporary expedient.

With reference to what is stated in line 6 on page 13 n.f. I may remark that there were at the time of the introduction of the Act and are still a number of elementary schools not controlled by public bodies e.g. the Church schools.

I may remark that the Secretary's note involves a change in the teaching grant rules. At present fee income is not taken into account in assessing grants, nor is the compensation paid. A grant is based on the teachers and their qualifications, decreases and increases being allowed for according to efficiency. The Secretary states that compensation should be fixed for each school at the time compulsion is introduced and that the compensation and grants-in-aid under the Elementary Education Act should together in no case exceed say three-fourths of the cost of maintaining a board or municipal school of the same strength. In regard to this I give two examples of municipalities (1) Erode where there is

compulsion

17 29

compulsion for boys and girls and ⁽²⁾the other Tirupur where there is compulsion for boys alone. I enclose a statement indicating the effect of the Secretary's suggestion. The inference from the figures is that probably in no case will the cost to provincial funds of maintaining a municipal school be more than 5 percent at most higher than the cost of an aided school subsidised according to the Secretary's suggestion. It will be observed that in the case of Erode the percentage of expenditure from provincial funds is 64 while the percentage of expenditure from general revenues of the municipality and the education cess is 36. According to the Secretary's suggestion the net expenditure to Government on the maintenance of an aided school will be nearly 60 percent. In the case of Tirupur the percentage of expenditure from Government contributions is 66 and the percentage of expenditure to provincial funds on an aided school would be 60.2 percent. It is suggested that the proposal of Mr. Littlehailes be further examined. Vide para 4 of his letter to Government R.C.No.977 B/22 dated 18-10-1922.

As regards the Secretary's suggestion that there should be a reduction in the compensation corresponding to a fall in the average attendance I doubt the equity of this provision.

Presumably the Secretary's third suggestion is bound up with his first. The Rules Committee appointed in G.O.No.113 L.E., dated 24th January 1921 accepted the position that a compensation should be given for a period of 5 years only.

As regards the Hon. the Minister's minute on page 9 it is suggested that instead of making a general rule to this effect the question may be examined on its own merits with reference to the financial position of the Municipality in each case. In Kumbakonam,

for example,

A 1928 9.5
pp 24-25 infra
But in these calculations, it is assumed that half of the extra cost involved in the payment of higher compensation should be met from Provincial funds and that the total of grants and compensation should be met in every case amount to 3 1/2% of the total of grants and compensation.

A
pp 24-25 infra
1928/10/22
pp 1-3 of 1336/6.11.22 (E)

Page 34 from 819 dated 31.5.21
(X)

18 18. 28

for example, the municipal council is able to maintain the aided schools taken over by it without extra aid from Government. Again if the rate of educational cess is less than the maximum prescribed the local body may be advised to enhance the rate in such cases, which would involve only an equivalent contribution being paid under section 37 of the Act. Moreover there is provision for giving more than half under section 37 in special cases e.g. where a municipal council owing to the closure of aided schools found difficulty in making the necessary provision for elementary education.

naa
17.10.25.

(19) 19 29

Office note.

I enclose three papers regarding the working of compulsion in the Kumbakonam Municipality. These papers show the effect of compensation paid to elementary schools within municipal limits at rates laid down by Government. It will be observed that 14 schools were closed during 1923-24 and taken over by the Municipality of which 6 were subsequently absorbed in other municipal schools. The result is that the total number of municipal schools now existing is 25 with a strength approximately of 2809. At present compensation is paid to 6 schools out of the 15 referred to in (d) Statement II. Of the other 9, 4 are under the Theosophical Trust, 3 are Mission and 2 private. These 9 were not levying fees even before the introduction of compulsion. In effect, I understand, that practically all the boys are now reading in the schools, an attendance committee has been appointed and 5 prosecutions were instituted by this committee and warnings issued to parents. No difficulties have been encountered in the actual working. Of the schools taken over one was a complete elementary school with a total strength of 403 and of 151 in standards 6 to 8 and the strength of these standards is militating against the progress and strength of incomplete secondary schools in the town. The working of compulsion in this municipality is in striking contrast to that in Tanjore. Here an attempt has been made to work it properly, while exactly the opposite has been the case in Tanjore.

The strength of the chakrapani Sannadhi Middle School has fallen from 209 in 20-21 to 48 in 25-26.

[Re Tanjore] - Despite the introduction of compulsion

compulsion the law is not being observed:
fees are still being levied in schools
under private management though this is
illegal, compensation has not been paid by
the municipality under the ground that fees
are still being levied and no attempt
has been made to appoint a standing committee
or to make a real estimate of the additional
provision required for boys in the schools.

It is observed that in 1923-24 and taken over by the municipality
of which 6 were subsequently absorbed in other
municipal schools. The result is that the
total number of municipal schools now existing
is 25 with a strength approximately of 2800.
At present compensation is paid to 6 schools
out of the 11 referred to in (d) Statement II
Of the other 5, 4 are under the Theosophical
Trust, 2 are private and 3 private. These 5
were not paying fees even before the
introduction of compulsion. In effect, 1
understand, that practically all the boys
are now residing in the schools on attendance
committee has been appointed and 5 prosecutions
were instituted by this committee and warnings
issued to parents. No difficulties have been
encountered in the school working. Of the
schools taken over one was a complete elementary
school with a total strength of 403 and of 151
in standards 6 to 8 and the strength of these
standards is sufficient against the progress and
strength of incomplete secondary schools in the
town. The working of compulsion in this
School has fallen municipality is in striking contrast to that in
Tanjore. Here an attempt has been made to work
it properly, while exactly the opposite has been
the case in Tanjore.

Office note

The strength of
the elementary
schools in Tanjore
from 200 in 20-21
to 46 in 25-26.

20

Names of schools	Income from fees collected.			Strength on 31st March				Teaching grant paid during					August
	1921-22			1922.	1923.	1924	1925	1921-1922	22-23	23-24	24-25		
	Rs.	A.	P.										
1. Dabir Street.	150	0	0	48	28	closed	..						
2. Thirumanjana Veedhi.	138	0	0	135	136	closed.	..						
3. Chakrapani Madavlagam.	36	0	0	35	27								
4. Karanakollai Street.	108	8	0	71	70								
5. Kadalangudi Street.	48	0	0	25	32								
6. Banadurai South Street	1,964	8	0	180	175	295	224						
7. Chakrapani South.	200	0	0	95	112	108	123						
8. Nageswaran North.	109	12	0	123	176	100	192						
9. Town Primary.	213	6	0	63	95	148	150						
10. Big Street.	165	0	0	64	87	83	102						
11. Sampradi Vaidyanathan Street.	96	8	0	71	85	74							
12. Kambattavisvanathan North Street.	262	4	0	121	148	162	160						
13. Chunambukkara Street	50	0	0	57	50	58	48						
14. Melacauveri.	202-14	0		195	150	162	144						
15. Yanaiyadi.	680	1	0	224	225	233	242						
16. Kumbeswaran South	1,162	0	0	198	235	312	312						
17. Native Primary.	5,298-13-0			184	169	225	276	-	1009	1148	1284	18615	
18. E.L.M. Morning Star.	760	0	0	23	52	63	70	220	200	254	276	- 7 -	
19. Sowrashttra School.	Free.			80	88	42	45	266	208	222	124	266	
20. Ammankoil Street.	52	0	0	62	55	52	51	128	67	58	60	262	
21. Thirvarankurichi River road.	30	0	0	46	51	86	68	58	67	115	150	37	
22. Palakkarai.	96	0	0	61	92	56	49	156	117	160	97	74	
23. Banadurai North.	60	0	0	55	64	48	47	200	182	149	164	95	
24. R.C. Church Compound.	Free.			111	100	80	100	405	338	326	316	-	
25. R.C. Sembodai.	Do.			28	22	29	32	48	53	48	55	-	
26. E.L.M. Railway.	Do.			63	40	43	52	280	217	218	263	-	
27. Yanakarapalayam Day.	Do.			23	22	16	18	60	67	56	44	-	
28. Do. Night.	Do.			25	25	23	16	30	58	56	40	-	
29. Scavengers' Lines Day.	Do.			22	17	24	17	60	58	56	44	-	
30. Do. Night.	Do.			8	7	17	11	30	48	48	40	-	
31. Kottaiyur Night.	Do.			16	33	61	77	68	75	223	213	-	

11 22 32

II 22 32

(2)

A. On the eve of the introduction of the scheme.

1. (a). No. of Municipal Schools for boys ... 14.

(b). Strength of the above ... 976.

2. (a) No. of aided recognised schools for boys.. 30.

(b). Strength of the above ... 2324.

B. After the scheme (present condition).

(a). No. of Municipal Schools for boys already existing including 3 additional schools opened. ... 17.

(b). No. of aided schools taken over (during 1923-24) ... 14.

(c) No. of those shown under (b) since absorbed in other municipal schools. ... 6.

Total Municipal Schools for boys now existing 25.

Strength of the above ... 2809.

(d) Aided schools for boys now existing ... 15.

Strength of the above ... 930

(e) Indigenous schools ... 8.

Strength ... 290.

C.1. Additional cost involved by taking over the management of aided schools (salaries and rent). Rs.19,900.

2. Amount of compensation paid to existing aided schools levying fees before - 234.
6 required for depressed classes
4 Theosophical
3 Mission
2 Private

Total of C(1) and (2) ... Rs.20,134.

D. Additional cost that would be necessary if compensation alone were paid to the schools taken over. ... Rs.721.

(P.T.O)

1921-22	1922-23	1923-24	1924-25	1925-26	1926-27	1927-28	1928-29	1929-30	1930-31	1931-32	1932-33	1933-34	1934-35	1935-36	1936-37	1937-38	1938-39	1939-40	1940-41	1941-42	1942-43	1943-44	1944-45	1945-46	1946-47	1947-48	1948-49	1949-50	1950-51	1951-52	1952-53	1953-54	1954-55	1955-56	1956-57	1957-58	1958-59	1959-60	1960-61	1961-62	1962-63	1963-64	1964-65	1965-66	1966-67	1967-68	1968-69	1969-70	1970-71	1971-72	1972-73	1973-74	1974-75	1975-76	1976-77	1977-78	1978-79	1979-80	1980-81	1981-82	1982-83	1983-84	1984-85	1985-86	1986-87	1987-88	1988-89	1989-90	1990-91	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98	1998-99	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37	2037-38	2038-39	2039-40	2040-41	2041-42	2042-43	2043-44	2044-45	2045-46	2046-47	2047-48	2048-49	2049-50	2050-51	2051-52	2052-53	2053-54	2054-55	2055-56	2056-57	2057-58	2058-59	2059-60	2060-61	2061-62	2062-63	2063-64	2064-65	2065-66	2066-67	2067-68	2068-69	2069-70	2070-71	2071-72	2072-73	2073-74	2074-75	2075-76	2076-77	2077-78	2078-79	2079-80	2080-81	2081-82	2082-83	2083-84	2084-85	2085-86	2086-87	2087-88	2088-89	2089-90	2090-91	2091-92	2092-93	2093-94	2094-95	2095-96	2096-97	2097-98	2098-99	2099-00	2100-01	2101-02	2102-03	2103-04	2104-05	2105-06	2106-07	2107-08	2108-09	2109-10	2110-11	2111-12	2112-13	2113-14	2114-15	2115-16	2116-17	2117-18	2118-19	2119-20	2120-21	2121-22	2122-23	2123-24	2124-25	2125-26	2126-27	2127-28	2128-29	2129-30	2130-31	2131-32	2132-33	2133-34	2134-35	2135-36	2136-37	2137-38	2138-39	2139-40	2140-41	2141-42	2142-43	2143-44	2144-45	2145-46	2146-47	2147-48	2148-49	2149-50	2150-51	2151-52	2152-53	2153-54	2154-55	2155-56	2156-57	2157-58	2158-59	2159-60	2160-61	2161-62	2162-63	2163-64	2164-65	2165-66	2166-67	2167-68	2168-69	2169-70	2170-71	2171-72	2172-73	2173-74	2174-75	2175-76	2176-77	2177-78	2178-79	2179-80	2180-81	2181-82	2182-83	2183-84	2184-85	2185-86	2186-87	2187-88	2188-89	2189-90	2190-91	2191-92	2192-93	2193-94	2194-95	2195-96	2196-97	2197-98	2198-99	2199-00	2200-01	2201-02	2202-03	2203-04	2204-05	2205-06	2206-07	2207-08	2208-09	2209-10	2210-11	2211-12	2212-13	2213-14	2214-15	2215-16	2216-17	2217-18	2218-19	2219-20	2220-21	2221-22	2222-23	2223-24	2224-25	2225-26	2226-27	2227-28	2228-29	2229-30	2230-31	2231-32	2232-33	2233-34	2234-35	2235-36	2236-37	2237-38	2238-39	2239-40	2240-41	2241-42	2242-43	2243-44	2244-45	2245-46	2246-47	2247-48	2248-49	2249-50	2250-51	2251-52	2252-53	2253-54	2254-55	2255-56	2256-57	2257-58	2258-59	2259-60	2260-61	2261-62	2262-63	2263-64	2264-65	2265-66	2266-67	2267-68	2268-69	2269-70	2270-71	2271-72	2272-73	2273-74	2274-75	2275-76	2276-77	2277-78	2278-79	2279-80	2280-81	2281-82	2282-83	2283-84	2284-85	2285-86	2286-87	2287-88	2288-89	2289-90	2290-91	2291-92	2292-93	2293-94	2294-95	2295-96	2296-97	2297-98	2298-99	2299-00	2300-01	2301-02	2302-03	2303-04	2304-05	2305-06	2306-07	2307-08	2308-09	2309-10	2310-11	2311-12	2312-13	2313-14	2314-15	2315-16	2316-17	2317-18	2318-19	2319-20	2320-21	2321-22	2322-23	2323-24	2324-25	2325-26	2326-27	2327-28	2328-29	2329-30	2330-31	2331-32	2332-33	2333-34	2334-35	2335-36	2336-37	2337-38	2338-39	2339-40	2340-41	2341-42	2342-43	2343-44	2344-45	2345-46	2346-47	2347-48	2348-49	2349-50	2350-51	2351-52	2352-53	2353-54	2354-55	2355-56	2356-57	2357-58	2358-59	2359-60	2360-61	2361-62	2362-63	2363-64	2364-65	2365-66	2366-67	2367-68	2368-69	2369-70	2370-71	2371-72	2372-73	2373-74	2374-75	2375-76	2376-77	2377-78	2378-79	2379-80	2380-81	2381-82	2382-83	2383-84	2384-85	2385-86	2386-87	2387-88	2388-89	2389-90	2390-91	2391-92	2392-93	2393-94	2394-95	2395-96	2396-97	2397-98	2398-99	2399-00	2400-01	2401-02	2402-03	2403-04	2404-05	2405-06	2406-07	2407-08	2408-09	2409-10	2410-11	2411-12	2412-13	2413-14	2414-15	2415-16	2416-17	2417-18	2418-19	2419-20	2420-21	2421-22	2422-23	2423-24	2424-25	2425-26	2426-27	2427-28	2428-29	2429-30	2430-31	2431-32	2432-33	2433-34	2434-35	2435-36	2436-37	2437-38	2438-39	2439-40	2440-41	2441-42	2442-43	2443-44	2444-45	2445-46	2446-47	2447-48	2448-49	2449-50	2450-51	2451-52	2452-53	2453-54	2454-55	2455-56	2456-57	2457-58	2458-59	2459-60	2460-61	2461-62	2462-63	2463-64	2464-65	2465-66	2466-67	2467-68	2468-69	2469-70	2470-71	2471-72	2472-73	2473-74	2474-75	2475-76	2476-77	2477-78	2478-79	2479-80	2480-81	2481-82	2482-83	2483-84	2484-85	2485-86	2486-87	2487-88	2488-89	2489-90	2490-91	2491-92	2492-93	2493-94	2494-95	2495-96	2496-97	2497-98	2498-99	2499-00	2500-01	2501-02	2502-03	2503-04	2504-05	2505-06	2506-07	2507-08	2508-09	2509-10	2510-11	2511-12	2512-13	2513-14	2514-15	2515-16	2516-17	2517-18	2518-19	2519-20	2520-21	2521-22	2522-23	2523-24	2524-25	2525-26	2526-27	2527-28	2528-29	2529-30	2530-31	2531-32	2532-33	2533-34	2534-35	2535-36	2536-37	2537-38	2538-39	2539-40	2540-41	2541-42	2542-43	2543-44	2544-45	2545-46	2546-47	2547-48	2548-49	2549-50	2550-51	2551-52	2552-53	2553-54	2554-55	2555-56	2556-57	2557-58	2558-59	2559-60	2560-61	2561-62	2562-63	2563-64	2564-65	2565-66	2566-67	2567-68	2568-69	2569-70	2570-71	2571-72	2572-73	2573-74	2574-75	2575-76	2576-77	2577-78	2578-79	2579-80	2580-81	2581-82	2582-83	2583-84	2584-85	2585-86	2586-87	2587-88	2588-89	2589-90	2590-91	2591-92	2592-93	2593-94	2594-95	2595-96	2596-97	2597-98	2598-99	2599-00	2600-01	2601-02	2602-03	2603-04	2604-05	2605-06	2606-07	2607-08	2608-09	2609-10	2610-11	2611-12	2612-13	2613-14	2614-15	2615-16	2616-17	2617-18	2618-19	2619-20	2620-21	2621-22	2622-23	2623-24	2624-25	2625-26	2626-27	2627-28	2628-29	2629-30	2630-31	2631-32	2632-33	2633-34	2634-35	2635-36	2636-37	2637-38	2638-39	2639-40	2640-41	2641-42	2642-43	2643-44	2644-45	2645-46	2646-47	2647-48	2648-49	2649-50	2650-51	2651-52	2652-53	2653-54	2654-55	2655-56	2656-57	2657-58	2658-59	2659-60	2660-61	2661-62	2662-63	2663-64	2664-65	2665-66	2666-67	2667-68	2668-69	2669-70	2670-71	2671-72	2672-73	2673-74	2674-75	2675-76	2676-77	2677-78	2678-79	2679-80	2680-81	2681-82	2682-83	2683-84	2684-85	2685-86	2686-87	2687-88	2688-89	2689-90	2690-91	2691-92	2692-93	2693-94	2694-95	2695-96	2696-97	2697-98	2698-99	2699-00	2700-01	2701-02	2702-03	2703-04	2704-05	2705-06	2706-07	2707-08	2708-09	2709-10	2710-11	2711-12	2712-13	2713-14	2714-15	2715-16	2716-17	2717-18	2718-19	2719-20	2720-21	2721-22	2722-23	2723-24	2724-25	2725-26	2726-27	2727-28	2728-29	2729-30	2730-31	2731-32	2732-33	2733-34	2734-35	2735-36	2736-37	2737-38	2738-39	2739-40	2740-41	2741-42	2742-43	2743-44	2744-45	2745-46	2746-47	2747-48	2748-49	2749-50	2750-51	2751-52	2752-53	2753-54	2754-55	2755-56	2756-57	2757-58	2758-59	2759-60	2760-61	2761-62	2762-63	2763-64	2764-65	2765-66	2766-67	2767-68	2768-69	2769-70	2770-71	2771-72	2772-73	2773-74	2774-75	2775-76	2776-77	2777-78	2778-79	2779-80	2780-81	2781-82	2782-83	2783-84	2784-85	2785-86	2786-87	2787-88	2788-89	2789-90	2790-91	2791-92	2792-93	2793-94	2794-95	2795-96	2796-97	2797-98	2798-99	2799-00	2800-01	2801-02	2802-03	2803-04	2804-05	2805-06	2806-07	2807-08	2808-09	2809-10	2810-11	2811-12	2812-13	2813-14	2814-15	2815-16	2816-17	2817-18	2818-19	2819-20	2820-21	2821-22	2822-23	2823-24	2824-25	2825-26	2826-27	2827-28	2828-29	2829-30	2830-31	2831-32	2832-33	2833-34	2834-35	2835-36	2836-37	2837-38	2838-39	2839-40	2840-41	2841-42	2842-43	2843-44	2844-45	2845-46	2846-47	2847-48	2848-49	2849-50	2850-51	2851-52	2852-53	2853-54	2854-55	2855-56	2856-57	2857-58	2858-59	2859-60	2860-61	2861-62	2862-63	2863-64	2864-65	2865-66	2866-67	2867-68	2868-69	2869-70	2870-71	2871-72	2872-73	2873-74	2874-75	2875-76	2876-77	2877-78	2878-79
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33
N o t e.

Almost all the schools taken over were efficient schools. The management of these schools had to be taken by the Municipality since the managers concerned surrendered these schools of their own accord and threatened to close them on the score of their inability to maintain them under the conditions imposed by the scheme. The amount paid to the teacher-managers whose schools were taken over towards the cost of equipment was Rs.6,506/-. Besides, these teacher-managers in addition to their salaries as Municipal teachers at present, are now being paid a recurring personal allowance amounting to Rs.660 per annum.

34
Frode Municipality. Compulsion for boys and girls.

224-25
Total expenditure on the maintenance of 15 Municipal schools (excluding Rs.910 the compensation paid to aided school managers) .. Rs. 25240

Amount met from Government contribution under Section 37 of the proviso thereunder 16230

Percentage of expenditure from provincial funds 64

Percentage of expenditure from general revenues of the Municipality and the Education Cess 36

Average cost of maintenance of a Municipal school 1683

Teaching grant paid to 9 aided ele.schools 2147

Average grant for a school 239

Three-fourths the cost of maintenance of a Municipal Council 1262

The compensation and the grant-in-aid should not exceed three-fourths of the cost of a Municipal School.

Therefore deduct from 1262, the grant payable 1262 minus 239 1023

If the cost of an aided school is restricted to 1262 approximately and the grant of Rs.239 is deducted, the difference of 1023 will have to be made up equally by a local authority and by Government. Presuming Government will have to pay half of the difference of 1023 (511) the net expenditure to Government on the maintenance of an aided school will be 750 (239 plus 511) out of 1262 or nearly 60 per cent. This is slightly less than the cost of a Municipal School. which is 64 per cent.

Tiruppur Municipality (compulsion for boys)

Total expenditure on 7 Municipal schools 9600

Amount met from Government contribution 6350

Percentage of expenditure from Government contribution 66

Average cost of a Municipal school 1372

Teaching grant paid to five schools 1554

Average grant of a school 311

25 35
Three-fourths the cost of maintenance of a
Municipal school

Rs. 1029

Deduct from 1029, the teaching grant of 311

1029
311

718

Amount to be met by Government out of the
difference of 718

359

Total amount to be met by Government out of 1029

670

Percentage of expenditure to provincial funds
on an aided school

60.2 %

22 26 36
Law (Education) Department

A reference has been made to the Advocate-
General on the points raised in paragraphs 2 & 3
of the Secretary's note on pp. 11 & 12 ante.

2. The D.P.I. does not appear to be in favour
of the suggestions made in the Secretary's
note on pp. 14 & 15 ante, or of the suggestion
in the Hon. the Minister's note on p. 9 ante.

3. In his note on p. 14 ante, the Secretary
suggested that the total of the compensation
and the teaching grant paid to ^{an aided} school should
not exceed three-fourths of the cost of main-
tenance of a Board or Municipal school. In his
calculations on pp. 24-25 ante, the Director
has assumed that the total of the grant and the
compensation paid would, in every case, amount
to three-fourths of the average cost of main-
taining a municipal school. This assumption is
not correct. If the amount of compensation
calculated on the actual fees collected in a
school under private management is less than
the amount admissible under the proposed three-
fourths rule, only the amount equal to the fee
income actually foregone will be paid as com-
pensation. The maximum amount of compensa-
tion for loss of fee income payable under the
proposed three-fourths rule would amount to
Rs. 1023, on an average, for each school in the
area of the municipal council, Erode, and to
Rs. 718 in the Tirupur municipality. It is
however not likely that the maximum fee
realised in a school in the above municipal
areas will even approximate to the above
figures. It would perhaps be sufficient to
limit the amount of compensation payable to

27/37

the amount actually realised ^{from} ~~in the shape of~~ fees without any reference to the proposed three-fourths rule. In cases where it is not possible to determine accurately the income realised from fees, the local body may be empowered to determine the amount of compensation ^{in consultation with} ~~with the assistance of~~ the inspecting officers of the department.

4 The Director refers to the recommendation made by Mr. Littlehailes in paragraph 5 of his letter No. 977-B dated 18th October 1922. Mr. Littlehailes recommended that a local body introducing compulsion might be permitted to come to an arrangement on the question of compensation with the managers of the schools and that the maximum amount of ~~the~~ compensation might be fixed on the basis of the audited accounts of the receipts of the managers for the previous one, two or three years. Mr. Littlehailes also recommended that if a municipality could not come to any such agreement, the matter should be referred for the decision of the dept. or of Govt. Managers of elementary schools are not required to maintain accounts of receipts and expenditure, and it is doubtful whether any correct accounts will be forthcoming in the ^{majority} ~~majority~~ of the schools. It is therefore not possible to insist on the production of audited accounts of receipts of fee income. There is, however, no objection to a local body being left to settle the amount of compensation ^{with} ~~the~~ the managers of elementary schools, an appeal lying against the decision of the local body to the Government.

1234
1336
6-11-22 (E)

A

24.10.25

I agree to the proposal at A above & think that it is the only basis on which compensation can be fixed. so as to allow

38

of work being carried on by aided agencies.

The first question raised is under reference to the Adv. Gen.?

V.T.
26.10.

M2



Recd 27/10

The particular reference from the Comptroller may be answered now and suggestions may be put up.

26/10.25

Revised Draft order Submitted. After issue a note will be submitted put up as directed by M2 Draft.

CP
28/10/25
NH
31/10/25

CP
31.10.25

V.T.
2.11

Presumably M2's intention is that his order on page 9 should be embodied in the Draft.

V.T.
2.11

The draft order at flag (Q) is for approval

CP
2/11/25
NH
2/11/25

The order of M2 may be taken whether the draft at (W) or the draft at (Q) should issue

CP
2.11.25

Will the Honble Minister kindly say whether he wishes Draft Q or Draft W to issue? V.T. 3.11

The rules herein fully discuss the points
 raised in the Correspondence from the Resident.
 The D.P.O's note at 16-17 practically
 accepts the suggestions at p. 9.

The result is as follows:

1. That Compensation is payable under
 the rules for five years and under
 the County Compensation-in-aid
 is based on the efficiency of teachers &
 has no direct reference to number of
 pupils attend the School but the rules
 made under the Act provide for payment
 of Compensation based on the School fees
 realised during the last complete year
 before the introduction of Compensation.
2. The Compensation payable is calculated
 according to rates prescribed by the Act
 rules. But in the case of urban cities,
 it may be open to the Corporation to
 give up to 20% more in certain
 cases after a full examination of the
 conditions but a general rule does not
 seem to be necessary.
3. If the existing teacher-managed schools
 close down, the Corporation must open
 new schools. The grant-in-aid

not paid to such schools may be
 payable to the Corporation. This
 is not an additional burden on
 provincial revenues. The D.P.O
 suggests that there is power under
 S. 37 to fine more than equal
 grant and so if the Corporation is
 unable to open new schools, it
 is liable to find for the help
 of the Government for the provision
 of an assurance to the
 extent of existing liability, i.e.
 the amount of grant-in-aid will
 not involve the Corporation in
 liability than now.

4. If the Corporation wants to pay
 more Compensation than suggested
 above, it must pay out of their
 general funds not from Education fund.
5. The rule regarding Standard VI & VII
 will be as arranged by the D.P.O
 of the Corporation. There will
 be no difficulty to reduce them
 to proper Elementary schools up
 to VI Standard. Under the
 existing rules, the question does
 not arise.



10/11/25

With reference to para. 2 of the Hon'ble the Minister's
note on page 29 ante, it is respectfully submitted
that, in para. 4 of G.O. No. 951 of 8-6-25, the
Corporation has already been authorized to pay
compensation equal to the full fee income foregone,
the difference between the amount so paid
and the compensation admissible according to
the standard rates of fees being met from the
general funds of the Corporation. The Corporation
contends that the full amount of compensation paid
should be debited to the Ely Edn Fund and that
no portion should be debited to the general funds.

b. b CF

Orders are requested:-

- (i) whether the amount of compensation to be paid should be restricted to standard rates of fees plus 20 per cent, or
- (ii) whether the full fee income foregone may be paid as compensation at present, the Corporation being permitted to debit to the Ely Edn Fund only such an amount as is equal to the fee income based on standard rates plus 20 per cent. The balance of the compensation paid over, in such a case, has to be met from the general funds of the Corporation

10/11
12/11/25

It is clear of the latter. Please
redraft the draft. It has to go
to Finance for acceptance
with ref. to para. 3.
W. Varadarajulu Nayudu

is pressing for early orders. If para. 3
is retained, it may take some time
for order to issue. It is for order whether
para. 3 may not be taken up separately
+ reference to Finance made thereon, after
the G.O. issues (without it).

I agree
VTK
13.11

Draft retype & sub?
13/11

VTK
13.11

[G.O. no. 1957 of 13.11.25]

~~the Ely Edn Fund~~
The Ely Edn Fund is to be used for the purpose of the Ely Edn Fund. The Ely Edn Fund is to be used for the purpose of the Ely Edn Fund. The Ely Edn Fund is to be used for the purpose of the Ely Edn Fund.

17/11/25

- Please type extracts.
- (1) para 3 of Mr's note
amp. 9 ante
 - (2) para 2 of Mr's note
amp. 10 ante
 - (3) Last para of Mr's note
amp. 17-18 ante
 - (4) para 3 of Mr's note
amp. 29-30 ante

(26)

Law (Education)

DEPARTMENT.

When received for Fair-copying.

When copied

When examined

When signed

When despatched

Date.

Initials.

Elementary Education-compulsory-

Compensation to Managers of aided schools and other questions relating to Corporation of Madras - Orders passed.

Read again G.O. No. 1124, dated 23-9-22. 13/11/25
Read again G.O. No. 1124, dated 23-9-22. 13/11/25
Read again G.O. No. 1124, dated 23-9-22. 13/11/25

READ AGAIN G.O. No. 1124, dated 23-9-22. 13/11/25

READ ALSO:-

C. No. 2826 A From the D. P.I. R.C. No. 1543 B/25, dated 29-7-1925

" " 3235 A " " Commissioner, Corporation Govt. C. No. 208/25 20/8/1925 of Madras

" " " " " " 192

ORDER.

No. 1957, dated 13-11-1925

The Government are unable to accept the proposal of the Corporation of Madras that the entire compensation payable to managers of aided elementary schools based on the actual fees collected in those schools, should be paid out of the elementary education fund.

They are, however, pleased to allow the Corporation to debit to that fund an amount not exceeding 15% of the compensation ordinary admissible under the orders issued in G.O. No. 1124, dated 23-9-22. The appended notification will be published in the Fort St. George Gazette.

2. In his letter to the D.P.I. G.D.C. No. 2963/25 dated 10-7-25, the Commissioner, Corporation of Madras, has raised certain points connected with

the/

p4CF

34 44
the definition of "Elementary education"
and the payment of compensation to
managers of aided schools under the
proviso to section 47 of the Madras
Elementary Education Act. A copy of the
Director's letter read above which con-
tains his views on these points is com-
municated to the Corporation. The Govt.
concur in the views of the Director.

3. If as a result of these
orders it is found that any aided ele-
mentary school is closed and the Cor-
poration is forced to open a school in
its place the Government will be prepared
to consider the question of payment of sub-
sidy to the Corporation not exceeding
the amount of teaching grant paid to the
school ~~is~~ so closed.

V.T.F.
13.11.

[Appendix]

pp 1-3 CF

DESPATCHED

14 NOV 1922

20
The Commissioner, Corporation of
Madras thro' the President,
Corporation of Madras (with
a copy of S.P.'s letter appended)
S.P.
Ex. of L.T.A.
P.D.E.C. Madras } a do.
S.E.P. for publication
of notification in gazette.
Copy for file

Appendix.

Notification;

In exercise of the powers conferred by
Section 56 of the Madras Elementary Educa-
tion Act, 1920, the Govt. (Ministry of
Education) propose to substitute the
following for the addition to the rule
under Section 47 of the Act, which was
introduced by Notification No. 232, dated
23-9-22
published on page 762 of Part I.B. of the
Fort St. George Gazette, dated 26th Septem-
ber 1922. Any objections or suggestions
in respect of the revised rule proposed
will be considered if received before the
15-12-25
1st November 1925.

Revised rule

The compensation payable to an elemen-
tary school under the proviso to section
47 for every year of the period prescribed
shall be the amount of fees leviable at
the rates specified in the Madras Educa-
tional Rules, from the pupils who actually
attended the school in the last complete
year before the introduction of compul-
sory education in the area in which the
school is situated; provided that in the
case of schools in the City of Madras
this amount of compensation ~~shall~~ ^{may} be
increased by ~~20~~ ²⁰ per cent.

If the compensation calculated as
above exceeds the amount actually collect-
ed in the said year the amount actually
collected shall be payable.

Sr
19.9.25

CR
19.9.25

V.T.F.
13.11

When given for copying _____
 When copied _____ } 192
 When examined _____
 When signed _____

READ AGAIN G.O. No. _____ DATED _____
 192 .

CURRENT No. _____

ENCLOSURES TO G. No. _____

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DETTO.

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

N.B.—
 A = Copy in full.
 B = Not to be copied.
 P = Copy abstract only.
 Q = Copy heading only.