

Law (Education) (1925) Department.

Ord. SERIES.

G.O. No. 473

DATED 3. 4. 1925

[Despatch Abstract.]

Legislative Council Question

Differential rates of fees in
European Schools - Notes recorded

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
8.	1893	4-12-24					
"	197	9-2-25					
"	442	31-3-25					

FURTHER PAPERS.

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

QUESTION.—No.

Council to be held on the 3rd February 1925.

for the meeting of the Legislative

SUBMITTED that two copies of this Question may be forwarded to the

Law (Education) Department.

The Question has been admitted.

G.O. No. , dated

To

The Law (Education) Department.



Legislative Council Question
 Submitted during the meeting of the
 European School. In the morning

24/1/25

Office of the Secretary to the Council Office 4th Decr. 24.

Starred question

Mr. B. Satyanarayan

THE LAW (Education) DEPARTMENT.

4

* 4/58

Will the hon. the Home Member be pleased to state -

(a) whether he has completed his investigations into the grounds on which higher fees are being levied on Indian Boys in European schools;

(b) if so, the result of the investigations and the action, if any, proposed to be taken by the Government; and

(c) if not, when the investigations are expected to be completed?

ASO

Law (Cons) Dept

Attention is invited to the orders issued in G.O. 1893 & 4.12.24. A copy of this G.O. may be placed on the Council Table. The following draft answer is for approval:-

"The investigations have been completed. A copy of G.O. 1893, Law (Ed.), & 4.12.24, which contains the order issued by the Govt. in the matter, is placed on the table."



15/1/25
Please dispatch the answer with copy 2 G.O.

14/1/25

Bhd 15/1/25

35963/24-1
14.1.25

CVV 3.1.25

VTK 7.1

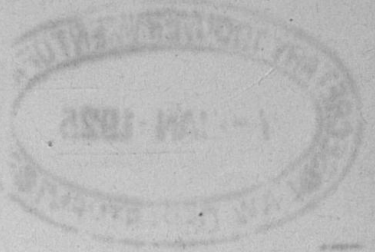
6/1/25

M.R.Ry.Rao Bahadur
V.T.Krishnama Achariyar Avl.,
Secretary to Government,
Law (Education) Deptt.,
Fort St.George.

A circular library stamp from the University of Toronto Libraries. The text "UNIVERSITY OF TORONTO LIBRARIES" is arranged in a circle around the perimeter. In the center, the year "1961" is printed. There is a small handwritten mark, possibly "21", in the upper left quadrant of the stamp.

1053) web

the draft answer approved
on page 2 ante has been withheld
from issue in view of the D.P.J's
objection on p. 3 ante. He states that



in no case is discrimination
made in the rates of fees charged
in European schools, ^{based} on racial
considerations. ~~and the fact that~~
~~the fact that the rates of fees~~
~~charged in European schools are~~
~~higher than those charged in~~
~~non-European schools is purely~~
~~racial - for example, in the~~
~~case of schools numbered~~
~~7 and 13 in that statement,~~
~~it is explained that higher rates~~
~~of fees are charged with a view~~
~~to avoid over-crowding with~~
~~Indian pupils. (No reasons at all have~~
~~been given in the case of Nos. 1, 8, 16 and 17~~
~~of the schools.)~~

Paragraphs 3 & 4
on p. 3 ante

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4

Law (Exm)

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(G) ~~the fact that the rates of fees~~
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~~of the schools.)~~

(G) 1893, 4.12.24, shows that, in
some cases at least, (the discrimi-
nation involved in the levy
of higher fees from non-Europeans
is purely racial - for example,
in the case of schools numbered
7 and 13 in that statement,
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of fees are charged with a view
to avoid over-crowding with
Indian pupils. (No reasons at all have
been given in the case of Nos. 1, 8, 16 and 17
of the schools.)

page 15-16 of (G)

Pages 15-17 of (G)

The Director apprehends that the
effect

effect of the go. would be that such schools as have not hitherto charged higher fees for non-christian non-Europeans will be encouraged to do so and such as do charge higher fees at present will continue to do so. Even if this happens - which is not free from doubt - there may not be much harm done, as govt. can then justify the discrimination by saying that it is not based on racial grounds, but is due either to religious grounds (marking of the endowment ^{to} the school for ^{any} specific ~~purpose~~ ^{race, class} or creed) or to the fact that the pupils are so backward in English as to require special tuition which actually involves extra work or extra expense.

Paragraph 4,
p. 3 ante

It is for consideration whether the go. requires any modification. The case may be circulated to C.

(G)

The D.P.'s arguments in para 4 ~~do~~ do not seem to be sound. The order proposed states specifically that extra fees are to be charged only in cases

page 3 ante

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7.1.25
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where extra work or extra expenditure is involved. The case of schools having endowments set apart for special communities etc has also been clearly mentioned in the ^{order proposed} ~~order~~. The effect of the order would ^{merely} be only to make the position clear.

It does not therefore appear that the order requires any modification.

See
9/1/25

I agree

V.T.K.
9.1

C

I agree. The only addition to the Go. which may perhaps be needed is this: that the D.P.'s letter is a statement of his own advantage. He said his ~~personal~~ advantage might be given to his children of any class or creed for whom there are special endowments or benefactions. His intention was that the advantage should be given only to the extent of the endowment so earmarked. D.P.'s might be informed



Accord? of do
H.
9/1

A draft D.O. to the D.P.

is submitted. It is presumed that the
is not to be modified as indicated
in C's note on page 6 supra. If so,
the answer approved on p. 2 ante may
also be issued.

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V.T.K.
14.1

Law(Education)Department, 7

Fort St. George.

15th January 1925.

D.O.No.3125 B/24-2.

My dear Littlehailes,

Fees charged for Indian pupils in

(G) European Schools-G.O.No.1893, Law(Education), dated 4th
December 1924. Your D.O.No.677 E/24, dated the 6th
p. 2 ante January 1925.

I am desired to say that when Government
(G) stated in paragraph 2 of the G.O. "that advantage might
be given in the matter of fees to the children of any
race, class or creed for whom there were special endow-
ments or benefactions", their intention was that the
advantage should be given only to the extent of the
endowment or benefaction so earmarked. In other respects
no change is needed in the orders issued.

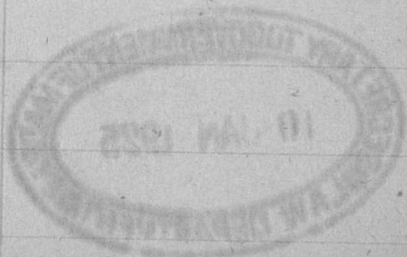
Yours sincerely,

V.T.K.
14-1-25.

To

R.Littlehailes Esquire, M.A.,

Director of Public Instruction, M a d r a s.



European Education.

Levy of higher fees on Indian boys in European schools.

* 4 Q.—Mr. S. SATYAMURTI : Will the hon. the Home Member be pleased to state—

(a) whether he has completed his investigations into the grounds on which higher fees are being levied on Indian boys in European schools ;

(b) if so, the result of the investigations and the action, if any, proposed to be taken by the Government ; and

(c) if not, when the investigations are expected to be completed ?

A.—The investigations have been completed. A copy of G.O. No. 1893, Law (Education), dated 4th December 1924, which contains the orders issued by the Government in the matter is placed on the table.

Mr. S. SATYAMURTI :—“ With reference to the answer to this question, I am referred to Appendix II at page 77. May I ask the hon. the Home Member to say with reference to the first paragraph whether he can give us the number or the nature of cases in which the discrimination cannot be justified on the ground of extra work ? ”

The hon. Sir ARTHUR KNAPP :—“ I am afraid I cannot give the figures. Differential rates have been charged in cases that were said to involve extra teaching work. But I cannot say exactly how many ”

Mr. S. SATYAMURTI :—“ May I ask if the Government have issued orders to stop any such discrimination where it could not be justified on any grounds of extra work ? ”

The hon. Sir ARTHUR KNAPP :—“ That, I think, is clearly the purpose of the order. We have recognized that principle except in cases where there are endowments or benefaction set apart for special classes of children. Apart from that and apart from the cases where it is proved that extra work is involved, it is clear we do not allow discrimination.”

Mr. S. SATYAMURTI :—“ I want some light being thrown on it, Sir. No two pupils could be said to possess the same amount of average intelligence. Then, how is this extra work to be justified in the case of pupils who are so backward in English as to require special tuition ? ”

The hon. Sir ARTHUR KNAPP :—“ I think, Sir, for all practical purposes the position is perfectly clear. The tuition is given in English and generally children with a sufficient knowledge of English are admitted. If it is found that the knowledge of English of a particular pupil is not up to the necessary standard then it would be legitimate to charge some extra amount for the tuition that has to be given. Otherwise we do not recognize discrimination.”

Mr. S. SATYAMURTI :—“ Europeans, for instance, may also be backward in English. May I take it that this extra cost is collected from them as well as from Indian boys ? ”

The hon. Sir ARTHUR KNAPP :—“ It is not the Government that actually collect the charges. All we can say is we shall not allow such fees to be charged except under certain specified circumstances.”

Mr. S. SATYAMURTI :—“ I do not ask the Government to do such a thing. I am only asking if such a fee is being collected from European pupils also whose English knowledge happens to be defective.”

The hon. Sir ARTHUR KNAPP :—“ I can only say that it is hardly possible to go into details like that. We have made it perfectly clear that there should be no discrimination on racial grounds. I may suggest to the hon. Member to accept that without attempting to go further into all these details.”

Mr. S. SATYAMURTI :—“ Sir, the difficulty is that I am very much accustomed to finding Government Orders being flouted by those concerned. I therefore would ask the hon. the Home Member to kindly lay the order on the table of this House making it clear that the Government will not countenance any such discrimination on racial grounds.”

The hon. Sir ARTHUR KNAPP :—“ The responsibility, I think, rather rests with the Inspector than with the Director of Public Instruction.”

Mr. A. RANGANATHA MUDALIYAR :—“ May I know if the extra cost for special tuition is restricted only to English or applies to any other subjects also.”

The hon. Sir ARTHUR KNAPP :—“ Only to English.”

Mr. M. RATNASWAMI :—“ What kind of action do Government propose to take against schools that do not follow this order ? ”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ The difficulty is this. Who is to judge of the additional expenditure ? I am quite sure that there will be a number of cases where this difficulty will arise. I want to know who is to judge and will it not be better that before any extra cost is”

The DEPUTY PRESIDENT :—“ I want to know if the hon. Member is making a speech or asking a supplementary question.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ I am putting a series of supplemental questions in a speech, Sir.”

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of p. 10 infra

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The DEPUTY PRESIDENT:—"I am afraid such a thing is not contemplated by the rules."

Mr. C. V. VENKATARAMANA AYYANGAR:—"May I know whether there is any objection to just lay down a rule by which permission is to be given by the Inspector of Schools or so?"

The hon. Sir ARTHUR KNAPP:—"I am quite prepared to issue some such instruction. But I would like to draw the hon. Member's attention to another side of the matter. If we place too great a restriction on the managers of schools it may be that we shall drive them into refusing Indian pupils altogether. After all, a manager must have some discretion as to choosing his pupils when he has only a limited number of vacancies. It is not desirable therefore to press this particular point too far."

Rao Sahib P. V. GOPALAN:—"Will the hon. the Home Member be pleased to lay on the table of the House a list of European schools which have not got any endowments set apart for European education? In such institutions the Indian boys have to pay double fees. I just want to have a list so that we might know whether we have to pay single or double fees in such schools."

The hon. Sir ARTHUR KNAPP:—"Surely, Sir, it would serve my hon. Friend's purpose equally well if he would select his school and then ascertain what its fees are."

Rao Sahib P. V. GOPALAN:—"May I know, as a matter of fact, Sir, whether there is any single institution which goes under the name of European Association and which does not receive anything either from some Christian Mission or some other association? That has been used by the Inspectors of Schools to shut our mouths?"

The hon. Sir ARTHUR KNAPP:—"I admit that it may be possible that this Government Order may be inoperative because all the schools have endowments. If I find the circumstances as stated by the hon. Member, we will reconsider the Government Order."

Mr. S. SATYAMURTI:—"Is it open to any individual school to do what it likes regarding individual students? May I know whether the Government will view that with equanimity or whether they have any policy regarding the admission of Indian boys into European schools?"

The hon. Sir ARTHUR KNAPP:—"I am not prepared to state a policy but Government will certainly not adopt the course of forcing a student into a school when his knowledge is not sufficient to understand the language in which the subjects are taught."

Rao Sahib P. V. GOPALAN:—"May I ask whether when the circumstances just stated do not exist the Government have any policy to announce in regard to the action to be taken against schools which do discriminate merely on account of race?"

Mr. G. RAMESWARA RAO:—"May I know whether this extra fee for tuition is taken in the lowest class or in all classes?"

The hon. Sir ARTHUR KNAPP:—"The question does not arise."

Rao Sahib P. V. GOPALAN:—"I have got some boys who have got 80 per cent or more than what the European boys in English have got. Are they to be considered backward? I am paying double fees even when they have got higher proficiency in English."

supra.]

G.O. No. 1893, Law (Education), dated 4th December 1924.

The attention of the Government has recently been drawn to the differentiation in the rates of fees charged for European and Indian pupils in some of the European schools in the Presidency. The Government have made careful enquiries and find that, in a few of the cases the discrimination involved in the levy of higher fees from Indian pupils cannot be justified on the ground of extra work which the teachers have to do for such pupils.

2. The Government are unable to countenance a system which discriminates between pupils in the matter of fees on purely racial grounds. They desire to make it clear, however, that this prohibition does not prevent advantage being given in the matter of fees to children of any particular race, class or creed in cases where there are endowments or benefactions set apart for such children which it would not be proper to use for the benefit of others; nor does it bar the levy of extra fees from pupils who are so backward in English as to require special tuition, provided that such special tuition actually involves extra work or extra expense.

3. The Director of Public Instruction is requested to take steps to give effect to these orders.

(By order of the Governor in Council)

V. T. KRISHNAMA ACHARIYAR,
Secretary to Government.

To the Director of Public Instruction.

When given for copying—
When copied—
When examined—
When signed—

192

READ AGAIN G.O. No. , DATED
192

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT ..

LETTER OF GOVERNMENT.

STATEMENT WITH DETT.

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

N.B.—

A = Copy in full.
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