

Law Education (1926) Department.

Miss SERIES.

G.O. No.

165

DATED

3 - 5 - 26

[Despatch Abstract.]

Elementary Education Fund.

Expenditure on spinning competition among teachers - debit
to the - Advocate-General's opinion - 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.

B-2-6336/25.

Office of the Collector of
East Godavari, Cocanada.
7th December 1925.

From

H.S. Shield, Esquire, I.C.S.,
Collector of East Godavari

To

37252

The Secretary to Government,
Local Self Government Department,
MADRAS.



Education - Municipal Schools, Cocanada - Expenditure
on prizes in spinning competition - Sanction.
Ref. Cur. No. 2200/25 dated 25-11-25 from the Chairman
Municipal Council, Cocanada.

--:0:--

The Municipal Council, Cocanada, incurred an expense
of Rs. 15-7-6 on account of prizes given to winners in ----
Spinning Competition among the teachers which is said to have
been held with a view to enable them to learn spinning so ---
that when it is introduced in the Municipal Schools no extra
expenditure may be incurred for special teachers.

The auditor having objected to the expenditure, the
council has applied to me for sanction under 53 (6) of Sche-
dule IV of the Madras District Municipalities Act.

I request to be informed whether Government approve of
the proposal to hold Spinning Competition among the teachers
in the Municipal Schools.

A copy of Council's Resolution No. 162 is appended.

C.S./7-12-P.

CSD
7/12

halaparr
For Collector. 8.12.25

Extract from the Proceedings of the Municipal Council, Cocanada,
passed at its meeting held on Monday the 23rd June 1924.

---:0:---

162. Read letter dated 23-5-24 from M.R.Ry. L. Subba Rau
Pantulu Garu, B.A., B.L., Councillor proposing to move the follow-
ing resolutions at the next meeting:---

xx

xx

xx

(ii) Resolved that a competition in spinning among the tea-
chers in the schools under municipal management be held during --
Dusseerah days and that the prizes awarded therefor.

Approved and a sum of Rs. 15/- sanctioned.

xx

xx

xx

(Sd.) K. Suryanarayamurthy.

Chairman,

(True Copy)

C.S./7-12-P.

C No. 37252 from the Collector of E. Godavari No. B-2-6336/25 of 7-12-25.

Memo: 37252-1C Lfm of 19-12-25.

Education - Cocanada - Municipal
Schools - Expenditure on spinning prizes
in spinning competition -
with reference to his. Cur. No.

The Collector is requested
to obtain and submit

22-00/25 dated 25-11-1925, the
Chairman, Cocanada Municipal
Council, is requested to forward
a copy of the audit objection and
the Chairman is also to ascertain
and report whether
spinning has been approved, by
as a course of study, by the

District Educational Council
(As a course of study in the municipal schools
as required by rule 13 of the under
notes (H) & (S) to the rules made under sec 3(V) and
rules¹³ under section 41(2) of the

Ed. Edu Act 1920, published in
G.O. No. 208 Lfm of (Edn) dated
21-2-1922.

DESPATCHED

22 DEC 1925

To

The Collector of East Godavari
No. C.S. Cocanada (from) p. 3. (H)

12-12-25
14/12

MR
18-12-25

Note: Please see the remarks of the D.P.S.
and the further notes
on page 50 of G.O. 2957 Lfm of 22-10-24

1939

B--2--6336/25.

East Godavari Collector's Office

Cocanada, dated 19--1--26.

From



M.R.Ry. Rai Bahadur U. Rama Rao Aml., P.A.,

Ag. Collector of East Godavari, Cocanada.

The Secretary to Government,

Local Self Government Department,

M A D R A S.

Sir,

Education - Municipal Schools - Cocanada - Expenditure

Prizes in spinning - sanction.

Government Memorandum No. 37252--1--C. L. & M. d. 19-12-25.

--O--

The copy of the audit objection called for is herewith submitted. The president, District Educational Council says

that the introduction of spinning in the elementary schools of Cocanada Municipality has been sanctioned by the District Educational Council. A copy of the District Educational

Council's resolution is enclosed.

C.S./19--1--P.

Chalapathi
For Collector
21.1.26

Enclosure I.

Extract from the Audit Notes on the Elementary Educational Accounts of the Cocanada Municipality for the period extending from October 1924 to March 1925.

--O--

Para 3. Sanction wanting.---

Voucher No. 178/E for Rs. 15--7--6. An expenditure of

Rs. 15--7--6 has been incurred on account of prizes given to winners in the spinning competition among teachers. The payment was made to the Secretary Congress Kadhi Bandar. This being an extra-ordinary charge the sanction of the Collector under Rule 53 (6) should be obtained.

The payment was charged off to Elementary Education fund. under Sec. 33 (2) of the Elementary Education Act only expenses incurred on Elementary Education proper may be debited to the fund. (vide also G.O. No. 953 L. & M. dated 8--6--25 communicating the opinion of the Advocate-general in the matter.)

Again the amount sanctioned by the Council in the resolution No. 162 (b) towards the above charge is only Rs. 15/- Please obtain the sanction of the council for the excess payment of Rs. 0--7--6.

Cocanada.

2--8--25.

R. Venkatarama Ayyar,

Dy. Inspector of L.F. Accts

(True Extract).

C.S./19--1--P.

Enclosure II.

Extract from the Proceedings of the District Educational Council, East Godavari, passed at its meeting held at Cocanada on the 25th July 1925.

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VII-b. Read the letter P.C. No. 1657/24 dated 3-5-25 from the Chairman, Municipal Chairman, Cocanada, requesting sanction for the introduction of spinning in the Municipal schools noted below.-----

Boys' schools.

1. Cocanada Higher elementary.
2. Frazerpeta
3. Suryaraopeta
4. Ramaraopeta.
5. Rechupeta

Girls' schools.

1. Suryaraopeta Hindu.
2. Jagannaikpur ..
3. Rama Raopeta ..
4. Temple street ..
5. Tana Office street ..

6. Budam peta
7. Free No. I.
8. Ramakrishnarow peta.

6. Bridge road Hindu.
7. Jagannaikpur Mahomedan
8. Cocanada ..
9. Ramarao peta ..
10. Kothapeta.

Sanctioned.

---0---
(True Extract).

C.S./19--1--P.

Mem o. 40750 A-2
30.3.26

In its resolution No.162, dated 23-6-1924, the Municipal Council Cocanada, sanctioned an expenditure of Rs 15-7-6 on the award of prizes to winners in a spinning competition held among the teachers in the elementary schools under its control. The competition was held with a view to ^{enable} ~~enable~~ teachers to learn spinning and ^{afterwards} ~~give~~ give instructions ~~to the pupils~~ ^{to} pupils. The District Educational Council, East Godavari, has accorded sanction to the introduction of spinning into the elementary schools under the control of the Municipal Council.

2. The Auditor has taken objection ~~to~~ ^{to} the debit of the expenditure to the Elementary Education Fund under the control of the Municipal Council. The D.P.I. also states that the expenditure in question should not be met from the Elementary Education Fund. He points out that teachers are ~~all~~ grown-up men who have already been trained or should have been trained in the art and practice of teaching and that there is no necessity for public funds to pay for prizes which may be awarded to the best competitor among these grown-up men.

3. The Advocate-General is ^{ed} request to advise whether the expenditure in question can be legally debited

to the Elementary Education Fund under
the control of the Municipal Council.

To

The Government Solicitor.

(Memo only).

DESPATCHED

31 MAR 1926

Op No.65



OPINION.

Ref:- Memorandum No.750 A-2

dated 30th March 1926,

Law (Education) Dept.

---:0:---

In my opinion No.15 on the Elementary Education Act dated the 14th of December 1925 on Ref D. O. No.2321/A-1 dated 14th September 1925, I pointed out that the Elementary Education Fund might be used for the purposes of elementary education in general and not merely for instruction of pupils, notwithstanding the definition of "elementary education" in the Elementary Education Act. And the purposes of education according to the District Municipalities Act include the "training of teachers". See schedule IV of the Madras District Municipalities Act V of 1920, rule 40 (b) and 52 (ii) and (iii). The memorandum says that spinning has been admitted as a subject for the elementary education classes. The teacher may be trained in spinning and the prize given for competition may well be deemed as expenditure on the training of the teacher and debited to the elementary education fund. That the teacher has been previously trained in other subjects does not prevent the expenditure of money on his training in a new subject introduced in the curriculum.

(Sd) T. R. V. Sastri

Advocate General.

Madras,
11th April 1926.

(True Copy)

[Signature]
Government Solicitor.

LAW (EDUCATION) DEPARTMENT

From

C. Moresby,

Government Solicitor,

Madras.

To

The Secretary to Government,

Law (Education) Department,

Madras.

Madras 12th April 1926)

Received

No. 780

Forwarded with reference to

Memorandum of Government -

No. 750 A-2 dated 30th March

1926 Law (Education) Department

Madras.

Government Solicitor.

L.S.G. Department.

37252

C.No./from the Collector of East Godavari, B-2-6336
dated 7-12-1925.

" 1939.

---do--- do---
dated 19-1-26.

Subject. Whether the Council can spend on prizes
to winners in Spinning competition -
Cocanada Municipal Council.

The District Educational Council, East Godavari
has approved spinning as a course of study in the
elementary schools under the Cocanada Municipal -
Council. The expenditure incurred by this Council
on prizes in the spinning competition among teachers
therefore seems to be a legitimate charge - vide

notes (4) and (5) to rules framed under Section 3(V)
of the Elementary Education Act issued under G.O.
208 Law(Education) dated 21-2-1922.

2. If the expenditure had been incurred from the
Council's general revenues ^{the} sanction of Govern-
ment would be necessary ^{not} ~~under~~ ^{vide} rule 52(iii) of -
Schedule IV of the Madras District Municipalities
Act, 1920. But ~~as~~ in this case the amount has been
met from the Elementary Education fund. The question
whether the charge is admissible and whether sanc-
tion of Government is necessary or not are matters
for Law(Education) to decide.

3. The auditor's statement that this is an -
extraordinary charge and therefore requires the
sanction of the Collector under rule 53(6) of the
Madras District Municipalities Act is not correct,
as the provisions of the District Municipalities
Act 1920 do not apply to the administration of the
Elementary Education fund. Law(Education) may be

requested to inform the Collector accordingly when they issue orders on the question raised viz., whether the expenditure referred to can be legally debited to the elementary education fund. The file may now be sent to that department ~~for consideration~~ *no*.

T.B.S.
2-2-26
M.P.S.J.
6-2-26

According to the latest opinion of the Adv. Genl embodied in Go no 106 Law (con) dt 25th Jan^y 1926, items of expenditure connected with the course of instruction which the Govt have declared to be 'elementary education' may be debited to the E. E. Fund.

The question in this case whether expenditure on prizes in a Spinning Competition among teachers may be held to be connected with the course of instruction in spinning in the ele^y schools and debited to the E. E. Fund. This is a matter for Law (con) to whom the case may be sent no.

MR L.
24.2.26 25.2.26

Law (Adv. Genl)

The remarks of the D.D. may be omitted (no)

CR
1/3

D.P. Law



Law Edn no 750A
2.3.26
D.P. con 503B/26
3-3-26

I do not consider that this expenditure ought to be sanctioned from the elementary education fund. Competitions between pupils are permissible and prizes may be awarded from public funds to the pupils who ~~do~~ the best work. Competitions among teachers however stand on an entirely different footing. Teachers are all grown-up men who have already been trained or should have been trained, in the art and practice of teaching and there is no necessity for public funds to pay for prizes which may be awarded to the best competitor among these grown-up men. My remarks apply to competitions between teachers in any subject ~~whether~~ the competition is ~~between~~ one in spinning or in Geography or in History or in Vernacular or in any other subject that may be accepted by Government or the D.E.O. as a suitable subject in which instruction is given in an elementary school. If competitions ^{any kind} are held and prizes awarded on the result of these competitions the cost of the prizes should be met from public subscriptions or donations raised for the purpose.



Law Edn 903A
9.3.26

Law (Adv. Genl) Dept

An expenditure of Rs 15-7-6 has already been incurred. The D.P. considers that it ought not to be sanctioned from the E.E. fund. Vide A above. L.P. may consider the question whether the expenditure may be debited to the general revenue of the municipal Council with these remarks the file may be returned to L.P. for

we may agree with the D.P.'s view above. Even assuming that the training of teachers is a legitimate

CR
21/3/26
1/3/26

charge on the elementary E.E. fund, it will be an undue ^{of the meaning} shaming to include the part of prizes at a competition among teachers within the expression "training."

CA
19.3.26

V.TK

29.3

M2

we may make some of our Law. Adv. fund of new one be Curmilla.

On the face of it, the expenditure don't justified - let us wait byel quini. 20/3.

Recd 22/3

Draft Sub?

20
23/3/26
27/3/26

CA
29.3.26

V.TK

9/3



[Memo No 750A-2 of 30.3.26]

[C No 1496A] Opinion of the Advocate Genl No 65-8/11-42

From the Advocate General's opinion on page 9 of it will be seen that there is no legal objection to the expenditure being debited to the E.E. fund. The D.P.S. however considers that for the reasons stated on p.3 ante the expenditure should not be debited to the E.E. fund. As the amount involved is only Rs 15-7-6 and as it has already been incurred, the Govt may perhaps sanction it as a Special Case ^{For} ~~for~~ others.

I think it should not be met from the E.E. Fund.

V.TK

20/4

M2

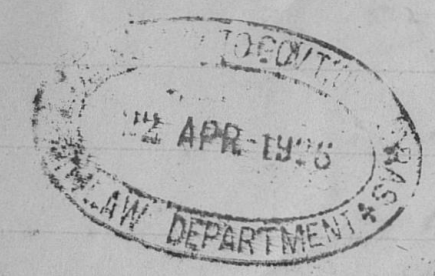
20
17/4/26

20
17/4

CA
17.4.26

In view of the opinion that there is no legal objection, this may be sanctioned as a Special Case.

20/3/26



Draft Submitted

20
27.4.26

CA
28/4

V.TK

30/4

	Date.	Initials.
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When signed	..	
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415-677777
92
415

Elementary Education *Acad*

Expenditure on spinning competition
among teachers - debit to the - Advocate
General's opinion - orders passed
communicated.

READ AGAIN G.O. No., dated 192

” ” ” ” ” 192

READ ALSO :—

C. No. 750 A From the _____, No. _____, dated _____ 192

1496 A

" " " "

192

[illegible]

ORDER.
Mis.

No. 765, dated 3 . 5 . 1926

The Government are pleased to permit the Municipal Council, Cocanada, as a special case, to debit to the E.E.Fund under its control the expenditure of Rs 15-7-6 incurred by it the award of on prizes to winners in the spinning competition among teachers.

DESPATCHED

To **725- MAY 20**

The Collector of E. Godavari
(with refce. to his letter
No. B-2-6334-25, dated 7-12-25
and 19-1-26.)

Copy to the D.P.I. (with copy of
the A.G.'s opinion on page 9
c.f.)

" Exr. of L.F. Accounts (do with
Cops of CF - pages 102 & 103 ✓)

The C.M.C., Cocanada (with copy of
Collector's letter[†] on
pages 1-2 c.f.)

Law (Drafting) Dept. (with copy
of Advocate-General's opinion)

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

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

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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 IN ORIGINAL.

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