

Government of Madras.

EDUCATIONAL DEPARTMENT.

Recd.

Revd.

} 1907.

Enclosures

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G.O., No. 331, 31st May 1907.

Educational Rules.

Informing the Director of Public Instruction of the interpretation of Rule 84 (i) of the revised — with regard to the fees levied in schools containing the four lower standards only.

Recd
[]
#00-12-3-04.
Educational (1907) Department.

ORDINARY PRINTED.

G.O., No. 331

DATED 31.5.07

[Despatch Abstract.]

Educational Rules

Informing the D.P.O of the interpretation of Rule 84 (i) of the Revised ~~Examination~~ — with regard to the fees levied in Schools containing the four lower standards only.

BACK PAPERS.

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

FURTHER PAPERS.

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

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EDUCATIONAL DEPARTMENT.

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G.O., No. 331, 31st May 1907.

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Informing the Director of Public Instruction of the interpretation of Rule 84 (i) of the revised — with regard to the fees levied in schools containing the four lower standards only.

GOVERNMENT OF MADRAS.
EDUCATIONAL DEPARTMENT.

READ—the following paper :—

Letter—from the Hon'ble Mr. T. T. LOGAN, B.A., Acting Director of Public Instruction.
To—the Secretary to Government, Educational Department.
Dated—Madras, the 6th May 1907.
No.—Ref. on Cur. No. 1405.

I have the honour to state that there is some doubt regarding the interpretation of article 84 (i), Chapter VI of the Madras Educational Rules. It is not clearly understood whether the headmaster in schools containing the four lower standards only may decide for himself the rates of fees or whether the rates of fees specified in the above quoted article are the prescribed minimum for all schools of this class. The wording of the article might seem to point to the latter interpretation; on the other hand, there is a distinction—whether intentional or not—between “should levy” in 84 (i) and “shall levy” in 84 (ii). Moreover, the intention of paragraph 8 of G.O., No. 509, Educational, dated 31st July 1906, seems to be that the rates at which fees are to be levied may be left entirely to the discretion of the headmaster. This question may be disposed of in connection with my previous reference on Cur. No. 1831, dated 26th April 1907, regarding the levying of fees in schools containing a fourth standard. The same discretionary power therein recommended in the case of schools possessing a fourth standard may also be extended to schools containing only the four lower standards.

Order—No. 331, Educational, dated 31st May 1907.

The Director of Public Instruction will be informed that the rates of fees prescribed in rule 84 (i) of the revised Educational Rules are discretionary. The rule was meant to indicate only the minimum fees which a teacher might fairly ask parents to pay and it was assumed that, with the help of this pronouncement on the part of Government, he would be able to prevail on parents to pay at least those rates. It was, however, intended that the teacher should be left free to dispense entirely with the payment of fees or to accept any fees which parents might be willing to pay.

(True Extract.)

H. D. TAYLOR,
Ag. Secretary to Government.

To the Director of Public Instruction.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 331, EDUCATIONAL, DATED
31st MAY 1907.

[SUBJECT.—*Requesting instructions as to the interpretation of article 84 (i), chapter VI of the Madras Educational Rules.*]

Previous paper.

G.O., No. 509, Educational, dated 31st July 1906.

From the Director of Public Instruction, dated 6th May 1907, No. 1405.

Page 17 of the 1906 edition put up.

Rule 84 (i) of the New Educational Rules says—

“In schools containing the four lower standards only the fees may be appropriated by the headmaster. Except from girls, Panchamas and pupils belonging to the castes and classes declared by the Government to be backward he should levy fees at not less than the following rates :—

									A.	P.
Infant standard	..	..	..	..	..	..	..	..	0	6 a month.
First	..	..	..	..	..	..	..	..	1	0
Second	..	..	..	..	..	..	..	..	2	0
Third	..	..	..	..	..	..	..	..	2	6

2. The Director of Public Instruction (the Hon'ble Mr. Logan) enquires whether under this rule, the headmaster in schools containing the four lower standards only may decide for himself the rates of fees or whether the rates of fees specified in the rule are the minimum rates prescribed for all schools of this class. Mr. Logan observes that the wording of the rule might seem to point to the latter interpretation, but argues that from the use of the expression “should levy” in rule 84 (i), as distinguished from “shall levy” in rule 84 (ii) and from paragraph 8 of G.O., No. 509, Educational, dated 31st July 1906, the intention seems to be that the rates of fees to be levied are to be left entirely to the discretion of the headmaster.

3. In this * rule, as it was originally drafted by the Director of Public Instruction, it was proposed to leave the levy of fees in all elementary schools and the amount thereof entirely to the discretion of the headmaster and to require him to pay into the treasury an amount calculated on the average daily attendance of the pupils at certain specified rates. The rule was, however, subsequently altered by the Director of Public Instruction so as to restrict its operation to schools with only the first four standards. From the Honourable Member's remarks on pages 116 and 117 of K.W. G.O., No. 509, Educational, dated 31st July 1906, it is observed that it was finally decided that the teacher in schools with only the four lower standards should be allowed to appropriate the whole of the fees, making his own arrangements as to these, that Government should merely lay down

4. The use of the expression "should levy" in rule 84 (i) has apparently given rise to this doubt on the part of the Director, and it would perhaps make matters

K. RANGASWAMI AYYANGAR—23-5-07.

C. A. SOUTER—24-5-07.

If the actual levy of the fees is discretionary with the master, the words "not less than the following rates" seem to be inappropriate. If the master can dispense with fees altogether, it would only be logical to allow him to levy, say, half-fees, and if the rates are merely "standard rates which the teacher will feel himself justified in asking" the words "not exceeding" might properly be substituted for not less than"

H. D. TAYLOR—25-5-07.

G. S. F[ORBES]—25-5-07.

H. D. TAYLOR-27-5-07.

K. RANGASWAMI AIYANGAR—27-5-07.

H. D. TAYLOR—28-5-07.

G. S. F[ORBES]—30-5-07.

H. D. TAYLOR—31-5-07.

[G.O., No. 331, Educational, dated 31st May 1907.]

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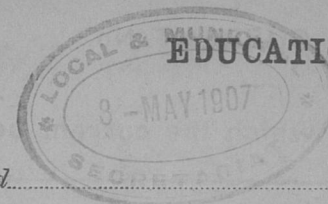
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EDUCATIONAL DEPARTMENT.

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Subject.

Requesting instructions as to the interpretation of Article
84 (i) Chapter VI of the Madras Educational Rules.

ENCLOSURES.

No.

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Ref on Current No. 1 4 0 5/07

Station Madras, Dated the 6th May 1907

From (Name) The Hon'ble Mr. T.T. Logan, B.A.,

(Designation) Agt. Director of Public Instruction,

Madras.

To the Secretary to the Government of Madras,
Educational Department

Sir,

I have the honour to state that there is some
doubt regarding the interpretation of article 84 (i) Chapter
VI of the Madras Educational Rules. It is not clearly under-
stood whether the headmaster in schools containing the four
lower standards only may decide for himself the rates of fees
or whether the rates of fees specified in the above quoted
article are the prescribed minimum for all schools of this
class. The wording of the article might seem to point to the
latter interpretation : on the other hand there is a distinction -
whether intentional or not - between "should levy" in 84 (i) and
"shall levy" in 84 (ii) . Moreover the intention of para 8 of
G.O. No. 509 Educational dated 31st July 1906 seems to be that
the rates at which fees are to be levied may be left entirely
to the discretion of the headmaster. This question may be
disposed of in connection with my previous reference on Cur No.

This current has
been dealt with
separately.

183/1907 dated 26th April 1907 regarding the levy^{ing} of fees in
schools containing a fourth standard. The same discretionary
power therein recommended in the case of schools possessing a
fourth standard may also be extended to schools containing only
the four lower standards.

I have the honour to be,

Sir,

Your most obedient servant,

Arthur Hughes
4-5-7
For Director of Public Instruction.

N.V.S.

10-1-07
4-5-7

Notes connected with 80. No. 3313, dt. 31-5-07.

C. No. 1091

From the

D.P.J.

No. 1405, dated

6.5.1907

SUBJECT.

Requesting instructions as to the interpretation of Article 84(i), Chapter VI of the Madras Educational Rules.

Rule 84(i) of the New Educational Rules

Page 17 of the 1906 Edition, says
pubup.

- " In schools containing the four lower Standards only the fees may be appropriated by the headmaster. Except from girls, and Panchamas and pupils belonging to the Caste and Classes declared by the Govt to be backward he should levy fees at not less than the following rates:—

Infant Standard	-	Anna	$\frac{1}{2}$	a month
1 st	"	"	1	"
2 nd	"	"	2	"
3 rd	"	"	2 $\frac{1}{2}$	"

2. The Director of Public Instruction (the Honble Mr. Logan) enquires whether, ^{under} this rule, the headmaster in schools containing the four lower Standards only may decide for himself the rates of fees or whether the rates of fees specified in the rule are the minimum rates prescribed for all schools of this class. Mr. Logan observes that the wording of the rule might seem to point to the

that... (faint handwritten text, mostly illegible)

1501
T
... (faint handwritten notes)

Vide Article 90 on page 36 of K.W. 80. 509 Ed. 31-7-06.

T

T

the latter interpretation, but argues that from the use of the expression "should levy" in Rule 84(i), as distinguished from "shall levy" in Rule 84(ii) and from paragraph 8 of G.O. No. 509 Ed. Dated 31st July 1906, the intention seems to be that the ^{rates of} fees are to be levied are to be left entirely to the discretion of the headmaster.

3. In this rule, as it was originally drafted by the D.P.I. it was proposed to leave the levy ^{in all elementary schools} of fees, and the amount thereof entirely to the discretion of the head master and to require him to pay into the Treasury of an amount calculated on the average daily attendance of the pupils at certain specified rates. The rule was, however, subsequently altered by the D.P.I. so as to restrict its operation to schools with only the first four standards. From the H.M.s remarks on pages 116 and 117 of K.W. 80. No. 509 Ed. Dated 31st July 1906, it is observed that it was finally decided ~~to allow~~ ^{that} the teacher in schools with only the four lower standards ^{should be allowed to} appropriate the whole of the fees making her own arrangement as to these, ~~and~~ that Govt. should merely lay down that certain fees should be levied, and that "No Compulsory Scale can be laid down". From paragraphs of G.O. 509 Ed. 31st July 1906 it will be clear that

that it was not the intention of Govt. to lay down any Compulsory scale and ^{that} what Govt. did was merely to lay down a scale of fees "which may appropriately be levied."

4. The use of the expression "Should levy" in Rule 84(i), has apparently given rise to this doubt on the part of the Director, and it would perhaps make matters clear, if the word "may" were substituted for "should" in this rule.

Sec.

23-5-07

The above view seems the right one.

Chd
24.5.7.

7 In his note on page 117 of K.W.P. 509 S.D. 22.12.06 the H.M. said "Therefore with, however, be only a standard scale which the teacher will feel himself justified in asking."

If the ~~same~~ actual levy of the fees is discretionary with the master, the word "not less than the following rate" seems to be inappropriate. If the master can dispense with fees altogether, it would be logical to allow him to levy, say, half fees, and if the rate are really "standard rates which the teacher will feel himself justified in asking" the word

'not exceeding' might properly be substituted
for 'not less than'.

'Shall' might be altered into 'may'.

148

26.5.7

AM

The intention was to give a fair
standard scale which the teacher
might use as in dealing with
parents. It was assumed that
with the help of this pronoun-
cement on the part of Govt. the
C. prevail on parents to
pay at least those rates.
But it was intended that
the teacher should be left quite
free to require no fees or
any fees ~~that~~ parents would
pay. I presume that when
the rule was altered the working
was not sufficiently attended to, if
it is open to the misinterpretation
indicated. The D.P. I may be
told that the rates of fees are
discretionary & that the rule
was meant to indicate only the
min^m ~~standard~~ fees which a
teacher might fairly ask parents

Dray. Se

8/7/67

Sept 1898

Handwritten notes at the top of the left page, including "The draft places below is for approval."

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7 5 10 5 P
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200
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ASD
28.1.07

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8/7 207

Long
31.1.07

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C. No. 1091, From the D.F.G., No. 1405, dated 6. 5. 1907.

No. 331, dated 31-5-1907.

१९

The Director of Public Instruction will be informed that the rates of fees prescribed in Rule 84(i) of the revised Educational Rules are discretionary. The rule was meant to indicate only the minimum fees which a teacher might fairly ask parents to pay and it was assumed that ^{the help of} with this pronouncement on the part of Govt, he ^{would be able to} ~~could~~ prevail on parents to pay at least those rates. ~~But~~ It was ^{however} intended that the teacher should be left quite free to require

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13.07

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