

E & P. A (1945) Department.

Ms. SERIES.

G.O. No.

1066 Rd

13

Dated

16. 7. 45.

[Despatch Abstract.]

College - Engineering - Groundy - Reservation of
two seats for Bessa students - Sanctioned

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Ms	965	Edn	28.6.45				
	911	Edn	16.6.45				
	672	Edn	1.5.44				
	771	Edn	20.5.44				
	1728	Edn	3.8.39				

Further Papers.

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

Government of Orissa.
Development Department.

No. 3606 (S) D.

51742

From

Rai Bahadur P.C. Das, B.A., B.L.,
Additional Secretary to Government.

To

The Secretary to the Government of
Bengal, Education Department/Bombay,
Educational Department/Madras, Education and
Public Health Department/United Provinces,
Education Department/
The Vice Chancellor, Hindu University, Banaras.

Dated Cuttack, the 27th October 1944.

Sub:- Reservation of seats for students from Orissa
in Engineering Colleges.

Sir,

I am directed to request that, if there is
no objection, the Government of Orissa may kindly
be furnished with information on the following
points so far as the Engineering College or Colleges
in your province is concerned.

- (1) Whether some students from Orissa can be
admitted in Engineering Colleges on payment
of usual contribution and also, the number
of seats that may be available for reservation
for the Oriya students.
- (2) The terms and conditions on which the students
may be admitted and trained in your institution
including contribution tuition fees etc.

The Government of Orissa would be very
(much) grateful if the required information is supplied

at an early date.

I have the honour to be,

Sir,

Your most obedient servant,

ADDITIONAL SECRETARY TO GOVERNMENT.

254
26/10

Recd
8/12/44.

Eng. college, Jambay — Reservation of seats
for Grissa students.

Referred to the D. P. J. for reply

early remarks.

Dbl with
J. P. J.

To the D. P. J.
(note it to be made
with reply)

Notes

Eng. college even for Malabar students

30.10.44

much more than
was a hard up for seats in

at an early date.

I have the honour to be,

Sir,

Your most obedient servant,

had to tell her S. of. 2.
recently sent even S.C. S. of. 2. scholars
receiving S. of. 2. scholars
the est. advancement of
could not be admitted
Govt's refusal: should
reply straightforwardly. The
We are referring to a contemplated
into the college next year, in
that would be the first step
May it please?

From
Bai Bahadur P. C. Das, B.A., B.L.,
Secretary to Government,

To

The Secretary to the Government of Madras,
Education and Public Health Department,

06186

Dated, Cuttack, the 9th February 1945.

Sub:- Reservation of seats for students from Orissa
in Engineering Colleges.

Sir,

In continuation of my letter no. 3606(5) dated 27-10-44, I am directed to say that as the Government of Orissa have not yet established an Engineering College of their own, they propose to train a certain number of candidates from the Province in the Engineering College of the Government of Madras on payment of necessary contributions. It is realised that in view of the impending post-war reconstruction schemes, there might be a heavy demand for seats in the Engineering College, but in view of the extreme shortage of Engineering staff in Orissa, Provincial Government would be very grateful if arrangements could be made for admitting at least 3 students from Orissa during the next session.

I am accordingly to request that the Govt. of Madras may be moved their Engineering College to reserve in 3 seats in the next session and communicated to this Government the rate of contribution payable for the cost of training of the students and other terms and conditions, if any.

An early reply will be appreciated.

I have the honour to be,

Sir,

Your most obedient servant,

Secretary to Government.



FROM

Dr. B. B. Dey, D.Sc. (Lond.), F.R.I.C.,
Offg. Director of Public Instruction,
MADRAS.

TO

The Secretary to Government,
Education and Public Health,
MADRAS.

06672

R.C.No. 1217-A/44 dated 14-2-1945.

Sir,

Sub: College of Engineering, Guindy - Reservation
of seats for Orissa Students.

In resubmitting herewith letter No. 3606(5) dated 27-10-1944 from the Secretary to the Government of Orissa referred to me for remarks in Government Endorsement No. 51742-C-1 Education and Public Health dated 30-10-1944, I have the honour to recommend that two seats may be reserved in the Engineer Class of the College of Engineering Guindy for candidates from the Province of Orissa and that these two seats should be allotted over and above the (100 plus 7) seats already sanctioned for the college. This reservation may be subject to the following ^{provisions} conditions.

- (i) that the candidates should be selected by the Government of Orissa from persons eligible for admission according to the college rules;
- (ii) that the Government of Orissa should undertake to pay this Government at the beginning of each academic year a sum of Rs. 700/- per annum for the training of each student or such other amount as may be charged from time to time;
- (iii) that the students will be required to pay any tuition fees to the College, the question of the payment of fees being a matter for adjustment between them and the Government of Orissa; the students will, however, be liable to pay the special fees, such as fees for the Athletic club and the reading room or the deposit for Library books and for instruments etc. according to the college rules;
- (iv) that the students should find their own board and lodging and
- (v) that, if any seats reserved for students from Orissa is not required in a year it will be open to the college authorities to admit a Madras Student.

Similar conditions have been laid down in G.O. No. Ms. 771, Education dated 20-5-1941 reserving seats for students from Ceylon.

2. Reference is also invited to the previous correspondence on this subject recorded in G.O. No. Ms. 1778 Education, dated 3-8-1939.

M. Muhammad
14.2.45-
for Director of Public Instruction

BR. 14/2/45.

Sol
14/2

08130

Government of Orissa
Development Department.

No. 1285(4) D.

11860

From

Rai Bahadur P. C. Das, B.A., B.L.,
Secretary to Government.

To

The Secretary to the Government of Madras,
Education and Public Health Department.

Dated, Cuttack, the 19th March 1945.

Sub:- Reservation of seats for students from
Orissa in Engineering Colleges.

Sir,

I am directed to invite a reference to
this Government letter no. 525(5)-D dated the 9th
February 1945 and to enquire when a reply thereto
may be expected.

I have the honour to be,

Sir,

Your most obedient servant,

Secretary to Government,

(5) that, if any of the seats reserved for students from Orissa is not required in a year, it will be open to the College authorities to admit a Madras student.

2. I am to request you to be so good as to say ~~that whether~~ ^{the arrangement and to} the Govt. of Orissa agree to these conditions.

Y.O.S.

7p
9.4.45

copy to the D. P. S

Government of Orissa.
Development Department.

No. 3126 D.

From

Rai Bahadur P. C. Das, B. A., B. L.,
Secretary to Government,

To

The Secretary to the Government of Madras,
Education and Public Health Department,
Fort St. George.

Dated, Cuttack, the 9th July, 1945.

Subject:- Reservation of two seats in the Guindy Engineering College for the students from Orissa.

Sir,

With reference to your letter No. 51742/C, dated the 10th April, 1944 I am directed to say that the Government of Orissa are pleased to accept the offer of two seats in the College of Engineering, Guindy reserved this year for the students from Orissa.

2. I am to add in this connection that as the Director of Public Instruction, Orissa is not the administrative head of Engineering Education in this Province, the candidates have been selected by the Director of Development (Director of Industries), Orissa. The Government of Orissa trust that the Government of Madras will have no objection to this procedure being adopted in the case of the Orissa students. The candidates have been directed to join the Institution as soon as possible.

I have the honour to be,
Sir,
your most obedient servant,

secretary to Government.

College - Engineering - Guindy - Reservation
of two seats for Orissa students - Sanction
Ref: From the Secy. to the Govt. of Orissa,

Ms 1-2 of not Dev. Dept. No. 3606 (S) D of 27.10.44

Ms 5 CF all in name do No. 525 (S) D of 9.2.45

Ms 7 CF D. P. D. No. 1217A/44 of 14.2.45

Ms 13 CF the Secy. to Govt. of Orissa, Dev. Dept. No. 3126 D of 9.7.45

Order Ms. 1066 Dn. of 16.7.45

The Govt. have decided that two seats should be reserved every year in the Engineer class of the College of Engg., Guindy, for candidates deputed by the Govt. of Orissa. The reservation will be subject to the following conditions which have been agreed to by that Govt.

(1) That the students should be selected by the Govt. of Orissa or the Director of Development (Director of Industries) of the Province from persons eligible for admission according to the College rules;

(2) That the Govt. of Orissa should undertake to pay to this Govt. at the beginning of each ^{academic} year a sum of Rs. 70 for the training of each student or such other amount as may be charged from time to time;

(3) That the students will not be required to pay any tuition fees to the College,

question of the payment of fees being a matter for adjustment between them and the Govt. of Orissa; the students will, however, be liable to pay the special fees, such as fees for the Athletic club and reading room or the deposit for library books and for instruments etc., according to the college rules;

- (4) that the students should find their own board and lodging, and
- (5) that, if either ^{or both} of the reserved seats in question be not required in a year, it will be open to the College authorities to admit a Madras student or students.

2. The two seats reserved in para 1 above will be in addition to the 120 seats fixed for the Engineer class by G.O. No. 911 Sm.

of 16.6.45
 14.7.45
 2
 The Orissa Govt. have stated that the two students for the current year have been selected and instructed to join the college as soon as possible.

51742/44-6 Sm dt 16.7.45

copy to the Secy. to the Govt. of Orissa, Secy. Dept. of Education, Bhubaneswar
 2/ the college reopened after term began on 4th July 1945 and it is therefore of importance that the reserved students lose no further time in joining the college

To
 The D.P.O.
 .. A. Y. Rao Sir
 .. Fin ^{Respd 4.8}
 .. Secy. to the Govt. of Orissa, Secy. Dept. of Education, Cuttack.
 Copy for file.

10
 S.P.H. Dept
 c

pp 1-2 of C 51742/44 From the Govt of Orissa, Secy Dept. No. 3606(S) Dd 27.10.44
 pp 5 of From Do No. 525(S) Dd 9.2.45
 pp 7 of From the D.P.O.; R.C. No. 1217/H/44 d 14.2.45

College of Engineering, Guidy - Reservation of seats for Orissa students

The number of students admitted annually to the Engineer class of the College of Engineering, Guidy, is ordinarily limited to 100. ~~Some~~ seats are reserved for students coming from Indian States and other places as shown below:—

	Number of seats reserved
Cochin State	2
P.O. of Calicut	1
Pudukkottai Sandin	1
Ct M. Station, Bangalore	3
Ceylon Govt	2
S. & East African	2
Cong Administration	1

On 19th Jan 1945, soon after the formation of the new Orissa Province, the Govt of Orissa enquired of this Govt whether some students from Orissa could be admitted into the Engineering College, Guidy. In this Govt letter No. 2910-45, d 26.4.45, the Orissa Govt were informed that two seats would be reserved for Orissa students if that Govt agreed to the conditions specified in the letter. No reply was received from the Orissa Govt.

to his communication the papers were finally recorded - G.O. No. 1778 Edu, d 3.8.29. That Govt now request that three seats may be reserved in the Government College Commencing from the next session and want to ^{be fulfilled} ~~be fulfilled~~ the terms and conditions on which such reservation will be made. The D.O.D. recommends that two seats may be reserved subject to the conditions specified in his letter.

3 The terms and conditions proposed by the D.O.D. follow those laid down in G.O. No. 771 Edu, d 20.5.1941 in the case of students coming from Ceylon. Condition No (ii) suggests that Orissa should pay a contribution of Rs. 700 per annum for each student or such other amount as may be charged from time to time. ~~This condition may be accepted. The other conditions do not call for remarks. If the D.O.D.'s recommendation is accepted the file may be sent to Finance for remarks.~~

There is no uniformity in the rate of ^{contribution} fees charged in the case of students coming from outside the Province. The present rates in the case of these students are as follows:-

- Cochin State - Rs 800 per each student per year
- Madras State and Sandan } do.
- C. & M. Station Bangalore } 1 1/2 times the rates prescribed for all Madras students
- Ceylon } Rs 700 per each student
- South African } - same the rate for all Madras students
- Portuguese } do
- Goa } do

please see next page
I
6-3-45

12 of 5018
331 E
(N)
23-11-41

12 of 5018
331 E
(N)
23-11-41
11-12-41

For orders whether the Director's recommendation in regard to fees may be accepted. The other conditions do not call for any remarks.

Finance may see before circulation.

A. S. M - 1.3.45

The reservation of seats originally started with Madras States and the principle was then accepted that for reservation the State concerned should pay a lump sum roughly representing the cost of educating a student in the Engineering College. That cost was seen to be about Rs. 800 p.a. when the case of Cochin was disposed of in 1932. The same principle was sought to be applied to Ceylon - in 1939: reservation was at first declined to Ceylon but conceded in 1941: the cost this time was reckoned at Rs. 700 instead of Rs. 800 a year per student. That was probably due to the fact that some of the Professors (I.E.S. or 'contract') who were previously on more expensive scales of pay were no longer there and a general lowering of salaries had occurred in 1933 and 1938. That is not of much importance for the present purpose.

Then came the application for reservation on behalf of the Civil and Military Station, Bangalore. The application was discussed and disposed of on certain special grounds arising from the 'retrocession' and fee for an Engineering College (and Medical College) student admitted in Madras under the reservation was fixed at 1 1/2 times the normal tuition fee for a Madras student - pp. 51-52 of G.O. No. 5018-19, P.H., dated 29-11-41.

Later came the cases of African Indian students and ^{Cong} ~~Ceylon~~ students: there the analogy of the Madras Medical Colleges which charge for non-Madrasis twice the usual fee was applied without much examination of the principle which had earlier been applied to the Engineering College. It does not appear to be necessary to reopen these cases ^{unless} ~~except~~ on the ground of its producing a somewhat inconvenient situation in respect of Orissa, as explained below.

2. The discussions of 1937-38 for reserving

ests in the Engineering College for Orissa students was conducted with reference to para 10(3) of Part II of the Third Schedule of the Orissa Order-in-Council. It was then found that the average number of Orissa students admitted into the Engineer class of the college during the three years preceding the "Appointed day" (1-4-36) was less than one. This Government, nevertheless, offered to reserve two seats, subject, inter alia, to Orissa contributing a sum of Rs.550 p.a. for the training of each student or such other amount as might be charged from time to time. Although the offer to reserve seats was made, there has been no acceptance of the offer and consequently no actual reservation. Orissa's right to ask for reservation does not therefore appear to have lapsed under para 10(4) referred to above.

3. As regards the charge to be made for the admission of Orissa students, it is not clear whether the comparison implied in the proviso to para 10(3) should be with reference to outside area students such as those from Bangalore, Coorg and Africa, students whereof are required to pay fees direct to the College, or with students of Indian States and Ceylon, who are required to pay a lump sum contribution on behalf of each student for whom seat is reserved in the Engineering College. The justification for making a comparison with the latter category will be that it is only in their cases Madras has entered into an agreement on the "cost basis", referred to in para 10(3). If that ^{line of reasoning} will be legally valid, perhaps the recovery may be at the rate of Rs.700 per student as proposed by the D.P. ^{not more properly at the rate of Rs 550, originally sent to Orissa in 1937}

4. The file may be sent to Legal with reference to ^{above} and also to the Finance Department.

ASSISTANT SECRETARY I

8 - MAR 1945

LEGAL DEPARTMENT.

I am afraid the position stated at Q on the previous page is not correct. Under paragraph 10(2) of Part II of the Third Schedule to the Orissa Order in Council, the Madras Government is bound to reserve the number of seats specified in clauses (a) ~~or~~ (b) of that paragraph. That paragraph did not contemplate an "offer" to reserve a certain number of seats and an "acceptance" of the offer by the Orissa Government. The Madras Government's letter at pages 14-15 of flag (C) was intended for the information of Orissa as to the number of seats which will be reserved as required by the Order and the charges payable therefor. If Orissa, without sending a reply, had sent two students every year, this Government would have had to receive them in the Engineering College. As Orissa did not send any students to the College as they were entitled to do during the last nine years, Orissa's rights under paragraph 10 have now ceased to exist in virtue of paragraph 10 (4).

The Orissa Government have apparently realised this position and they do not claim any reservation of seats as a matter of right by reason of anything contained in the Orissa Order in Council. That Government request a reservation by negotiation and a mutual arrangement which is entirely independent of the Order in Council. This is clear from the ^{terms of their letter and from} fact that no reference is made to the Order in Council. On the present request to arrive at a mutual arrangement, it is open to the Madras Government to stipulate such terms as they think to be reasonable, unrestrained by anything contained in the Orissa Order in Council. I strongly advise that we proceed on this basis and no reference should be made to the Order in Council.

Per
rt/us

E & P. # Legal No. 1407-1
12-3-45

In the legal view taken above,

we have not to consider the Director's recommendation that two Orissa students may be admitted, in addition to the usual number, and that Orissa may be required to contribute Rs 700 p.a. on behalf of each student. For such amount may be varied (by Govt. of Madras) and may be contributed by the Orissa Government.

14 MAR 1945

10317

1 MAR 1945

EDUCATION AND PUBLIC HEALTH DEPT.

14 MAR 1945

14 MAR 1945

14 MAR 1945

14 MAR 1945

14 MAR 1945

Finance (Exp A)

This Dept may agree to the proposal of the Estt. H
Dept at A on p 5 above, subject to the remark
¹⁸ that twice the rates for Madras Students
6/3/65 may be levied, if that will be higher than
Rs 700 p-a. proposed by the Dir. & of G.O 672 Emd
1-5-uu. The provision at A above does not seem

1.5.41. The proviso at A above does not seem necessary. In the Case of Eootg (R.C. at E) the tuition fee is paid by the student; in the present case, the Grissa Report. propose to pay the fee. The proposal of D.P.D. ~~and with~~ ~~for modification to be made by Sir~~ which is based on the present, in ~~the~~ 7712th. & 20.5.41 may be accepted. M W8

19.3.85. 20.3.85 Public (Elec.) Dept.
(Ed P.H. Secy's note.)
This Dept. may also agree with the ~~proposals~~ at A on
note. The f/b may be returned to E.P.H.

The term "appointed day" referred to in para 10 (4) of Part II of the Third Schedule to the Ombudsman Order in Council is 15th April 1936. In section 4 (2) of the Order in Council, Ombudsman's rights under para 10 ~~was~~ therefore limited on 31.3.1941. This Dept. may agree with you that no reference to the Order in Council ^{need} be made in the reply to the Ombudsman's letter.


23/3/45 C.S. 
 23-345

E. P. H. ~~de~~ Nt

Draft letter to the Govt of Orissa
submitted for app'l. Dr orders a
circulation.

Ans
y.c.c. 65 *Don*

A2

11/10/41

(From a letter no. 51742 of 46-4 3/10/65)

ASSISTANT SECRETARY TO GOVT
21 MAR 1945
CHIEF SECRETARY

26 MAR 1945

12092 Pub (Sta)
LIBRARY, ECON. AND P.
12842/45-1
26/3/45
GOVERNMENT OF MADRAS

6. No: 31844c. From the Govt. of Onia, Dev. Dept No:

3126 D 8 9. 7. 45

Please see the letter from the Govt. of Orissa on page 13 of. In this Govt. letter on page 11¹² of the Orissa Govt. was informed that two seats ^{would} ~~will~~ be reserved for Orissa students in the Eng. College, Guindy, subject to certain conditions and the Orissa Govt. was also asked whether it would agree to those conditions. As regards the first condition the Orissa Govt. states that it is the Director of Industries and not the D. P. S. that makes the selection of students. ^{there,} As far as this Govt. is concerned it does not matter whether ^{it is} the Director of Industries or D. P. S. that makes the selection. Orissa's letter as drafted

would convey the
impression that they
avail the reservation
for our two years: all
the same we will come to
offer him the sum
of reservation each year
leading it to them to
~~avoid of not in~~
~~the future~~ they have
~~been~~ accepted the
offer made

The China Govt. has not specifically stated whether it agrees to the other conditions. Apparently it ~~does agree~~ ^{does}. But it seems better to get a definite assurance from that Govt. to that effect before final order issues in the matter. For order. Subject to approval a draft telegram is subd.

in our letter
with the small
margin - 16.64
p above

for the Engr. class.
Recently, the number of seats in the Eng. College,
dy, was raised to 120. In No. 965 Edr of 28-6-65
seats have been reserved for students from C.P. &
in addition to the 120 seats. The two seats proposed
may be in addition to 122 seats.

16g 2-40

yes

Give Love

3 16/7/40

A draft order is submitted

14.7.45

W. J. P. 1885

to the right of the line of the river.

1825

From the left bank of the river.

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