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For 6/9.
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Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT
(Education)

G.O. No. 1742, 9th September 1946

Elementary Education Act—Rules—Definition of school-day—Draft amendment—Confirmed.

Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT
(Education)

G.O. No. 1742, 9th September 1946

Elementary Education Act—Rules—Definition of school-day—Draft amendment—Confirmed.

READ—the following paper :—

G.O. No. 84, Education, dated 10th January 1946.

Order—No. 1742, Education, dated 9th September 1946.

In G.O. No. 84, Education, dated 10th January 1946, the Government published for general information and criticism a draft of the amendment to the rules under Elementary Education Act regarding the definition and duration of school-day. No objection has been received to the amendment. The doubt has been expressed whether the recess given within a session of a school-day

should be taken into account or not for calculating the duration of the school-day. The Government consider that the recess should be excluded for the purpose of calculating the duration of school-day. The draft amendment has been altered making the intention clear and it is hereby confirmed.

(By order of His Excellency the Governor)

P. S. VISWANATHA AYYAR,
Secretary to Government.

To all Presidents of District Boards.
" the Executive Authorities of all Municipal Councils (through the Chairmen).
" the Director of Public Instruction.
" the Examiner of Local Fund Accounts.

To the Commissioner, Corporation of Madras, (through the Mayor).
" Inspector of Municipal Councils and Local Boards.
" Legal Department.
" Superintendent, Government Press (for publication of notification).

APPENDIX. NOTIFICATION.

In exercise of the powers conferred by sections 3 (i) and 56 (2) (a) of the Madras Elementary Education Act, 1920 (Madras Act VIII of 1920), His Excellency the Governor of Madras hereby makes the following amendment to the rules published with Law (Education) Department Notification No. 45, dated the 21st February 1922, at pages 146-178 of Part I-B of the Fort St. George Gazette, dated the 21st February 1922, as subsequently amended :—

AMENDMENT.

In the said rules, in the rule under the heading "Section 3 (i)—Attendance at School", for the first sentence, the following sentence shall be substituted, namely :—

"The full school-day shall, as a rule, consist of only five hours of instruction in the prescribed subjects, exclusive of the recess, if any, in the middle of any meeting and of a midday interval of not less than one hour; two meetings of five hours in the aggregate on the same day or of two hours and a half each, on different days may be counted as one school-day."

PRESS SLIP.

ORDINARY.

URGENT (a).

SPECIAL (a).

Edu. & P. H. DEPARTMENT.

Current No. 11856 dated 27-2-1946.
 G.O. No. 1742 dated 9-9-1946

Number of MS. pages sent {
 (b) Correspondence 2 pages
 (c) Notes Nil

Brief subject: Definition of School day - Confirmation
 of draft amendment

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Edu. & P. H. (B2) Dept.

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Asst. Secy. to the Govt.

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Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT
(Education)

G.O. No. 1742, 9th September 1946

Elementary Education Act—Rules—Definition of school-day—Draft amendment—Confirmed

READ—the following paper:—

G.O. No. 84, Education, dated 10th January 1946.

Order—No. 1742, Education, dated 9th September 1946.

In G.O. No. 84, Education., dated 10th January 1946, the Government published for general information and criticism a draft of the amendment to the rules under Elementary Education Act regarding the definition and duration of school-day. No objection has been received to the amendment. The doubt has been expressed whether the recess given within a session of a school-day

should be taken into account or not for calculating the duration of the school-day. The Government consider that the recess should be excluded for the purpose of calculating the duration of school-day. The draft amendment has been altered making the intention clear and it is hereby confirmed.

(By order of His Excellency the Governor)

P.S. VISWANATHANAYAN

~~F. BALAKRISHNA MENON,~~
~~Second Assistant Secretary to Government.~~

To all Presidents of District Boards.
to the Executive Authorities of all Municipal Councils, (through
the Chairmen).
to the Director of Public Instruction.
to the Examiner of Local Fund Accounts.

To the Commissioner, Corporation of Madras, (through the Mayor)
 „ Inspector of Municipal Councils and Local Boards.
 „ Legal Department.
 „ Superintendent, Government Press (for publication of notification).

APPENDIX. NOTIFICATION

In exercise of the powers conferred by sections 3 (1) and 56 (2) (a) of the Madras Elementary Education Act, 1920 (Madras Act VIII of 1920), His Excellency the Governor of Madras hereby makes the following amendment to the rules published with Law (Education) Department Notification No. 45, dated the 21st February 1922, at pages 146-178 of Part I-B of the *Fort St. George Gazette*, dated the 21st February 1922, as subsequently amended:—

AMENDMENT

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In the said rules, in the rule under the heading "Section 3 (i)—Attendance at School", for the first sentence, the following sentence shall be substituted, namely:—

"The full school-day shall, as a rule, consist of only five hours of instruction in the prescribed subjects, exclusive of the recess, if any, in the middle of any meeting and of a midday interval of not less than one hour; two meetings of five hours in the aggregate on the same day or of two hours and a half each, on different days may be counted as one school-day.

Department of Education

EDUCATION AND PUBLIC HEALTH DEPARTMENT
(Director)

G.O. No. 84 Edn., dated 10th January 1946

G.O. No. 84 Edn., dated 10th January 1946

The full school-day shall as a rule, consist of only 5 hours of secular instruction in the prescribed subjects exclusive of the duration of the recess, if any, in the middle of the sessions and of a midday interval of not less than one hour.

23 JANUARY 1946

In the light of the above, the Government will be pleased to alter the amendment proposed in G.O.No.84 Edn., dated 10th January 1946 as follows.

Local Administration Department
(Name) Dewan Bahadur Sri
V. Raghunatha Reddi,
Designation President Dist. Board,
Station Chittoor.

Received _____ Registered _____
To
The Secretary To Government,
Education & Public Health Department
Fort St. George, Madras.

Enclosures: No. R.T.31.2596/46 dated 23rd February 1946

Sir,

Sub: RULES & REGULATIONS--Ele.Education--Defini-
tion of school-day--amendment--alterations
suggested
G.O.No.84 Edn., dated 10th January 1946.

I request that the Government will be pleased to alter the amendment proposed in G.O.No.84 Edn., dated 10th January 1946 as follows.

"The full school-day shall as a rule, consist of only 5 hours of secular instruction in the prescribed subjects exclusive of the duration of the recess, if any, in the middle of the sessions and of a midday interval of not less than one hour".

tms.23/2.

[Signature]
for President.

2
Lan 9. p. 4 ele/11

C. No. 11856^{52.}

Lan no.

Lan date

Referred to the D.P.S. for remarks
at an early date. No receipt of criticisms from
other local bodies may be awaited till 1.4.46.

29/2/46

28/2/46

28/2/46

The D.P.S. (with a
copy of it.)

5th March 1946

14003
Re. No. D7-26057-45.

Nellore District Board Office,
dated 1-3-46.

From

Sri Rao Bahadur P. Govindureddi,
President, District Board, Nellore.

To

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

Sir,

Subject:- Elementary Education - Rules - Definition of school
day - Amendment - Draft published.

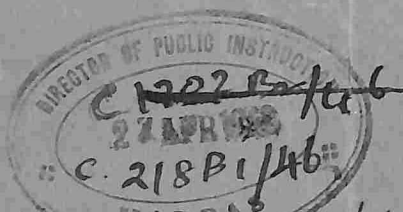
Ref:- G.O. No. 84 Edn., dated 10-1-46.

It is not clear from the draft amendment to "Section
3 (i) Attendance at school" the rules framed under the Madras
Elementary Education Act whether the two and a half hours' session
includes the 10 minutes' interval or not. I am of opinion that
it should be excluded and that this point may kindly be considered
at the time of the confirmation of the draft amendment.

M. V. V. V.

President,
District Board, Nellore.

Copy to the Director of Public Instruction, Madras.
Copy to the Divisional Inspector of schools, Ananthapur.



Inst. No. 11856 B2/46-2 Dated 25/4/46.

Referred to the Director of public instruction for remarks

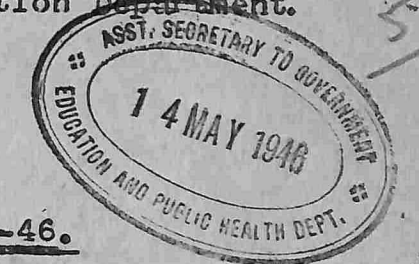
J. B. Menon
Asst. Secy to Govt.

To the Director of public instruction. (with acts to be referred).

Transferred to B1 15/5 Reg. clerk

7/5/46
Sd/-
7.5-cub

Education Department.



From Dr.S.R.U. Savor, M.A., D.Sc., I.E.S.,
Director of Public Instruction, Madras.

To The Secretary to Government,
Education and Public Health Department.

R.C. No. 4301-B/45, dated 10-5-46.

Sir, sub: Elementary Education - School-day maximum number of hours
Proposal to fix - Remarks on further suggestions offered.

25752

14/4/46
11/4/46

In resubmitting herewith Government Endorsement No. 11856-B.2/46-2 Edn., dated 25-4-46, I have the honour to state that the doubt raised by the President, District Board, Nellore may be cleared if the modification of the rule as suggested by the President, District Board, Chittoor, is accepted eliminating the word "Secular" appearing in the latter's suggestion as this word is redundant in view of the words "in the prescribed subjects" appearing in the rule.

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

[Signature]

for Director of Public Instruction.

RR.11/5. sol
10/5.

Director of Public Instruction
The Government of Madras
Education and Public Instruction
G.O. No. 1111-V-46

32722
The Government of Madras
Education and Public Instruction
G.O. No. 1111-V-46
The Government of Madras
Education and Public Instruction
G.O. No. 1111-V-46
The Government of Madras
Education and Public Instruction
G.O. No. 1111-V-46

61
14/6

Q

to suggest a
suitable penalty.

need

Education and P.H. (B2) Dept.

Memorandum No. 11856 B2/46-5

Edn. 14-6-46

ELEMENTARY Schools - Definition of school day.

Ref: Letter from the D.P.I. No.4301.B.45 dated 10-5-46.

It has been suggested that the mere fact that Govt. issue a rule as proposed in the draft amendment published with G.O.No.84 Edn. dated 10-1-46, restricting the school day to a period of five hours will not ensure universal compliance with the rule and that it is necessary to provide for some sort of sanction if a breach of the rule occurs. The Director is requested to state whether it is the intention to ~~include~~ ^{exclude} any day on which the working session exceeded five hours from the total number of working days and if so, whether provision should not be made for it in the rule.// The draft rule does not prohibit the holding of two sessions of ^{aggregating the hours} unequal length in a day eg. 3 hours and 2 hours. The Dir. is requested to state whether the two sessions ~~should not~~ ^{is} each be of 2½ hours duration. // The Director ~~may be~~ ^{is} requested

to report also whether in case a school is closed on an afternoon any day
for some unexpected reason the morning session taken in conjunc-
tion with a session of 2½ hours on some other day may count as
one school day.

OSM
11/6/46

B
13.6.48

To the D.P.I.

Reminded on 20/7

17-6-48

From

Dr. S.R.U. Savor, M.A., D.Sc., I.E.S.,
Director of Public Instruction, Madras.

To

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

Sir,

R.C.No.4301-B/45, dated 6-8-1945.

Sub: Elementary Education - Definition of schoolday.
REF: Government Memo.No.11856-B2/46-5 Edn dated 14-6-1946.

44370

Para 1 of the Memo.

No penal clause is necessary. As this rule is framed under
the Madras Elementary Education Act of 1920, any such breach of the rule
will entail the withdrawal of recognition of the schools under rule 26A
of the Rules relating to the Recognition of schools. In the case of
aided elementary schools, reduction of grant may also be resorted to.

Para 2 of the Memo.

There is no need to be so rigid as to restrict the sessions
to be equal. The equal sessions may be allowed.

Para 3 of the Memo. unequal!

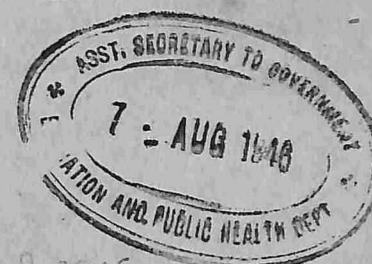
Two sessions of 2½ hours each on different days may be counted
as one school day.

RR.6/8.

sd/
6/8

for Director of Public Instruction.

Education Department.



Ele. Edu. Act. Rules.

Definition of School
day - Draft Amendment.
Confirmed.

Recd

Govt. P. 84 85, 8 10-1-46

G.O.
Press

1742

Edu & P.H. Deptt

Edu. 7. 9. 9. 46

I in G.O. No 84 Edu 7/10-1-46,
the Govt. published for general information
and criticism a draft amendment to the
rules under Ele. Edu. Act. regarding the
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session of a school day should be taken into
account or not for calculating the duration of
school day. The Govt consider that the
recess should be excluded for the purpose
of calculating the duration of school day. The draft
amendment

P.T.O.

amendment has been suitably altered making the intention clear and it is hereby confirmed.

16/5/46
16/5/46

- To all Presidents of District Boards.
- the Executive Authorities of all Municipal Councils, through the Chairman.
- the Director of Public Instruction.
- the Examiner of Local Fund Accounts.
- To the Commissioner, Corporation of Madras, through the Mayor.
- the Inspector of Municipal Councils and Local Boards.
- the Legal Department.
- the Superintendent, Government Press (for publication of notification).

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of the duration of the recess, if any, in the middle of the morning and

16/5/46

C.No. 11856: From the P.D.B. Chittoor, No. R.F. 87. 25-96/46 of 23.2.46

C.No. 14003. P.D.B. Nellore. Re. No. 7. 28057-45 of 1.3.46

Subj:- Rules & Regulations - Re. Govt. definition of school day. Amendment - Draft - Confirmation

G.O. No. 84 Ldn dated 10.1.46 The Government published for information and criticism a draft of certain amendments to the rules framed under the K.L. Govt. Act relating to the definition of school day. The draft was published in the Gazette of the 5th March '46. The time limit of six weeks allowed for the receipt of criticism has expired. Only two criticisms have been received from the P.D.B. Chittoor and Nellore. These say that the recess given within a session should be excluded for the purpose of calculating the duration of school day. The rule as it stands does not take into account the recess like one way or the other. Apparently the recess is also taken into account in calculating the duration. For orders whether the Director should be consulted on the matter or whether the draft amendment may be confirmed as it is. In the former case

The draft amendment on p. 4 CF is for approval. The P.D.B. may be consulted.

19/4/46 S

[Forwarded to Govt. No. 11856 of 25.4.46]

25.7.52, from the D.P., re. No. 130108/45 of 10.5.46

A draft order is submitted

submitted for approval. The file may be sent to the Legal Dept. for scrutiny of the draft.

18/5/46
28-5-46

LEGAL DEPARTMENT

The intention in restricting the school day to "only five hours of instruction" is presumably that any day in which instruction for a longer period has been given should not be reckoned as a school-day. If so, a specific provision to that effect will be necessary.

2. In view of the reference to the recess in the middle of the sessions, the need for the later portion of the rule that two meetings on the same day for five hours in the aggregate may be counted as a school-day, is not clear.

3. The last portion of the rule provides that two meetings of two and a half ^(hours) each on different days may be counted as one school-day. It is perhaps the intention that the meeting on each of the two different days should be for not less than two hours and a half each. If, for instance, there has been one meeting for 3 or 4 hours on one day (interrupted say by an unforeseen cause) and another meeting for 2½ hours on another day, there seems to be no reason why the two days together should not count as one day.

4. E. & P.H. may please consider the above in the first instance and suggest a redraft of the provision to carry out their intentions exactly.

84 P.H. 40-11856 B2/46-3
28-5-46

ASSISTANT SECRETARY
29 MAY 1946
LEGAL DEPARTMENT

A. I understand from Secy. E.P.H. that this is probably the intention.

B

C

18/5/46

ASST. SECRETARY
8 MAY 1946
EDUCATION AND PUBLIC HEALTH DEPT.

29065

Legal 3671-9
28-5-46

"A" on p.2 ante: The intention is that instructions in the elementary schools should not be given for more than five hours and not to exclude the period of period of instruction in excess of five hours for purposes of a school day. Please see the D.P.I.'s letter on p.7 c.f of G.O.84 Edn. dated 10-1-46.

"B" on p.2 ante: Elementary schools work for ^{two} sessions on each day, in the morning commencing from about 9 A.M. to 11-30 A.M. and ^{in the evening for} 2 P.M. to 4-30 P.M. The intention of the rule is to count the sessions on the same day or two sessions on different days as a school day. Each session should not exceed 2½ hours including the period of recess granted in the middle of the session. If the draft amendment suggested by this Department does not bring out ^{the} idea Legal Dept. may kindly be requested to say how the draft amendment should be modified.

"C" on p.2 ante: As already noted above the period of ^{each} session should not exceed 2½ hours. If it is less than 2½ hours it ^{shall be} ignored for purpose of counting as a school day.

Legal may again see for remarks

and advice.

84 P.H. 40-11856 B2/46-4
4-6-46.

S 3889

ASSISTANT SECRETARY
4 - JUN 1946
LEGAL DEPARTMENT.

^{orig.} 3/6/46 Legal
I am afraid that my note has not been understood right by E.P.H. A on p.2 ante: The question which I raised (and which remains unanswered) is what is to happen if the session actually exceeds 5 hours. The mere fact that ^{a rule} ~~the~~ restricting the session to a period of 5 hours, will not ensure compliance with the rule. Just as a penalty is provided for a contravention of law, it seems necessary to provide for some sort of sanction if a breach of the rule made by Govt. occurs. I asked H.

M. V. Subramaniam about this (as noted by me in the margin at page 2), and he told me that it was probably the intention to exclude any day in which the working session exceeded five hours. E.D. Dept in their note on the previous page refer to a letter of the D.P.G. which throws no light whatever on the point I have raised.

B on page 2 ante: The rule as it now stands does not prohibit the holding of two sessions of unequal lengths, say, 3 hours and 2 hours. The note of E.D. Dept on the previous page provides for a statutory prohibition of sessions of unequal length; this is an important matter in which I should have thought that the orders of the Secy in the E.D. G.P.H. were necessary.

C on page 2 ante. Here again, my point has not been clearly understood. Even assuming that the division of the school session into two equal periods of $2\frac{1}{2}$ hours each is incorporated in the rule, a doubt may arise as to the applicability of the rule in a case like the following: Suppose the afternoon session is abruptly terminated, on account of the death of a teacher or member of the managing committee, should the morning session, taken in conjunction with a session of $2\frac{1}{2}$ hrs on some other day, count as one school day or not?

~~to be noted request of~~
K.D. 4/6/46.

Secy, E.P.H.

29970
5/6

Routine

(3)

Legal Dept. notes at 'A' on page 2 ante and 'P'

on page 3 ante. E.D. Schools Shd. work for 220 school days in a year. Each school day Shd. consist of five hours of instruction. The D.P.G. has reported that many schools work for more than 5 hrs a day. He expressed the view that a school day of more than 5 hrs duration would prove detrimental to the health of school children. He therefore suggested that the school day Shd. be for 5 hrs. alone. The draft amendment in this file is to secure the object of the D.P.G.

2. The Legal Dept. raises the question whether any penalty Shd. not be imposed if schools work more than 5 hrs a day. That Dept. has suggested that a day in which instruction is imparted for more than 5 hrs. ~~and~~ Shd. not be counted as school day. If this is done, the result will be that the number of working days will fall short of 220. The sanction of the D.P.G. or Shd. be obtained for condonation of this deficiency.

After competent authority

The refusal of the competent authority to condone the deficiency in the number of working days will have the effect of reducing the grant in the case of schools under private management.

In the case of schools ^{under} local bodies, the refusal will have no effect as the grant paid to the local bodies are lump sums not liable to variations. Thus the suggestion of the Legal Dept. cannot be ^{enforced} ~~operated~~ against schools under local bodies.

A small fine may meet the purpose

Perhaps the recognition of schools may be withdrawn. But this will be too drastic a step. In the circumstances there is no need to consider the question of imposing a penalty for failure to observe the rule. C-tided elementary schools will observe

observe the rule closely as they (suffer a loss of grant) of the question ^{penalty} should be considered, the D.P.G. should be consulted on the point.

4. Legal Dept's notes at 'B' on page 2 ante and 'Q' on page 4 ante. The question raised by the Legal is whether the two sessions in a day shd. be of equal lengths or of varying lengths. This question, it is submitted, is beyond the scope of the present amendment. If the suggestion of Legal shd. be considered, the Director shd. be consulted on the point.

5. Legal Dept's notes at 'C' on page 2 ante and at 'R' on page 4 ante. The point raised by that Dept. is partly met by the second ^{subrule} in para 1 of the existing rules. If the point is to be further investigated

a reference to the D.P.G. is necessary. It may be noted that the stage of the draft amendments published in G.O. at 'Q' may not be confirmed. The draft amendments were scrutinised by the Legal Dept. before publication. It would have been more appropriate if the Legal Dept. raised all these points then. It is not clear why they considered the amendments in order then and raised issues now.

6. It may be noted that the stage of the draft amendments were scrutinised by the Legal Dept. before publication. It would have been more appropriate if the Legal Dept. raised all these points then. It is not clear why they considered the amendments in order then and raised issues now.

we need not provide two exact equal sessions of 2 1/2 hours on each day. we can insist on the aggregate being limited to five hours, excluding exclusive of an interval of not less than one hour, and excluding also of a recess if any in the middle of a session.

The manager may be penalised in many other ways by the Dept.

we should like to see some definite suggestion of Legal Dept. as to the point. Please refer to G.O. at 'Q'.

that this point we can meet by providing for two meetings of not less than two and a half hours each on different days.

18.5.46
1856 B2/46-5
14-6-46

at 11.30 AM. from the D.P.G. Mr. D. 120108/46, 8.8.46. The Director's reply shd. with reference to certain queries raised by Legal. The file may be sent to that Dept. as

8.8.46
9/8/46 / 10.8.46

1856 B2/46-5
10/8/46

5773
11 sub

Legal no 5773-1
22/8/46

Legal

LEGAL DEPARTMENT.

It is not clear whether the intention is that the suggestion of the Secretary, E.& P.H. Department, at M on p.6 ante, viz., that ^{the} two meetings on different days need not exactly be of 2 1/2 hours' duration. If this is the intention, the words "of two hours and a half each" in the draft notification may be omitted.

Subject to the above remark, the alterations indicated in red ink on the draft notification may be made.

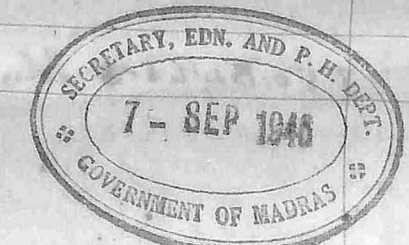
22/8/46 E.P.H.



Edu. & P.H. (B2) Dept.

A above. The intention of the D.P.G. seems to be that two meetings of unequal duration on different days can be counted as a school day only if each meeting is for not less than 2 1/2 hours. In this view no alteration to the draft is necessary for order as to circulation.

21/8/46 / 28.8.46



12.9.46 H.N. (Law)
Ba H.N. (Chy)
7.9.46

844-11826-102
10/8/00

2118

10/8/00 2118-7
10/8/00

10/8/00

844-11826-102

Legal note made at 4:00 PM
The D. B. is in possession of the note that the
two parties on different days but not last
from 2 1/2 hours duration to make one set of
copy. In this case no action need be made
as suggested by legal.

10/8/00

10/8/00 (copy)

10/8/00

10/8/00