

Close
1882

8.0.1. II-27-27,361-15-11-45

EPH(1946) Department

ms SERIES.

G.O. No.

8 37 Edn.

Dated

18.4.46

[Despatch Abstract.]

Rules - Educational and medical
institutions under local bodies -
Remissions & refunds of school fees -
Employees of rail ways - Ineligibility -
Amendment - Published

Back Papers

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Ms.	105.	Edu	23/1 67				

Further Papers.

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

No.G.M.62/2/3/470

General Manager's Office,
S.I.Mly., Irichinopoly,
28-11-1945.

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



54432

Education - Secondary - Railway employees
to be treated as Government Servants.

A Permanent Way Inspector of this Railway, who was transferred from Tiruturaipundi to Virudhachalam, admitted his son in Form IV, Board High School, Virudhachalam, on 12-9-45, after paying the fees for the previous months of the academic year viz. June, July and August 1945. Then he has applied for the refund of the fees paid for the back period, representing that he is a Government Servant.

2. The President, District Board, South Arcot, enquires this office whether there is any Government Order or Gazette notification specifically treating the Railway employees as Government Servants. There is no such Government Order or Gazette notification. But there is a notification issued by the Government of India stating that this Railway passed under their management on the 1st April 1944.

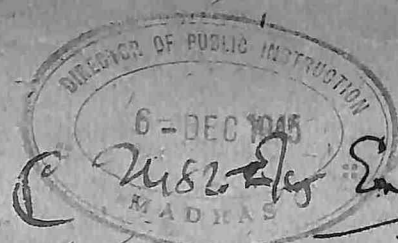
3. I enclose for your information a copy of the notification of the Government of India and a copy of the letter received from the President, District Board, South Arcot.

4. In the circumstances stated above, it is requested that necessary instructions may please be issued to the President, District Board, South Arcot and this office advised.

Encls:2

[Signature]

For General Manager.
Copy forwarded to the President, District Board, South Arcot, for information.



Edn & P.H. Dept

2482-E/45 No. 54432-1 d 4.12.45

Referred to the Director
of Public Instruction for
remarks.

(B.O)

J. B. M. M. M.
Asst Secy to Govt.

wa
30/4

In the Director of
Public Instruction

Office of the
Director of public Instruction,
Madras.

Endorsement R.C.No. 2482-E/45 dated the 24th December 1945.

Resubmitted.

2. The attention of Government is in this connection
invited to their Memorandum No.3581-C.2. Education, dated
15th February 1945.

7. Any Necessary
for Director of Public Instruction.

The Secretary to Government,
Education and Public Health Department.

KAN. 31/12

GOVERNMENT OF INDIA.
Railway Department (Railway Board).

No.F(2)45/NO/(1). New Delhi, dated the 6th September 1945.

NOTIFICATION.

The contracts of the Madras and Southern Mahratta Railway
Company and the South Indian Railway Company were terminated on
the 31st March, 1944, and the said Railways passed under the
management of the Government of India on the 1st April, 1944.

Sd/- F.C.BADHWAR
SECRETARY, RAILWAY BOARD.

No.F(2)45/NO/(1) dated the 6th September 1945.

Copy forwarded for information to the General Manager, S.I./
M.&S.M. Railway Letter No.W.B.886/1/3/130 dated 24/7/45 from
the General Manager, S.I.Railway refers.

Sd/-
Deputy Director, Railway Board.

TMK.

Copy of letter ROC. No.A6-28547/D.B/45 dated 14-11-45 from
The President, District Board, South Arcot, to the General Manager,
S.I.Railway, Trichinopoly.

Sub:- Education - Secondary - Railway employees -
to be treated as Government servants -
authority requested.

One Sri P.V.Krishnaswami Aiyengar, Permanent Way Inspector,
S.I.Ry., who was transferred from Tiruturaipundy to Vridhachalam,
admitted his son, P.K.Rajagopalan, in Form IV, Board High School,
Vridhachalam on 12-9-45 after paying the back fees for the months
of June, July and August 45. He now requests to refund the said
back fees paid by him on behalf of his son, representing that he
is a Government servant, as the administration of the Railways
has been transferred to Central Government.

Please let me know whether there is any Government Order or
Gazette notification specifically treating the Railway employees
as Government servants from the date of transfer of South Indian
Railway, and if so a copy may kindly be sent for reference.

to his letter No.32-A-27/10 of 23-3-1933.

Copy to D.E./MDU for information with ref:

T.N.106 29/11

Encl. 1 sketch

Print No. 106 29/11 is sent herewith as desired.

to his letter No.1.31-27 of 24-3-1933. A copy of blue

Copy to D.E./MDU for information with ref:

4/4

No. G.M. 62/2/3/472

General Manager's Office,
S.I. Rly., Trichinopoly,
28-12-1945.



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

Education - Secondary - Railway employees -
to be treated as Government Servants.
This office letter No. G.M. 62/2/3/470 of 28-11-45.

I have to invite your attention to this office letter
quoted above and to request that a reply may please be sent
early.

NM.

P.V. Krishnaswami
for General Manager.

59888

From T.M. The Assistant Secretary E+PH Dept
To the Deputy D.P. 9

Ref. DP 25 Inst Rcno 24822/45 dated
24.10.45 re. Railway employees who treated as govt
servants for purposes of payment of school fees for
their sons. Reference from General Manager S.P. 1

Please send a copy of Memo no
3581-C-2 Eon D 15.2.45 as the orgl is not readily
available

11811
5.1.46

11811
3.11.46

Please CR P.D. reply to the reqn. in the general

Scott. II-70.

REQUISITION FOR RECORDS.

Madras Government Secretariat E. & P. H. Department B Section Record Issue No. Date

To The Curator, Madras Record Office, Egmore.
The Superintendent, Central Record Branch, Fort St. George.
The Librarian, Secretariat Library, Fort St. George.

The following records are required :—

Serial num- ber. (1)	Nature of record (2) Ordinary or Routine, Memo- randum, En- closure, Semi- official, Lodged papers, etc.	Number. (3)	Depart- ment. (4)	Date. (5)	Whether Orig- inal (O), Sp. copy (S.C.), or Sp. copy with Notes (S.C.N.). (6)	PURPOSE.		If not furnished, reasons. (9)
						Current number. (7)	Year. (8)	
	Memo.	3581-C-2.Ed.		15-2-45.	O	54432B/45.		Not found.

Date 5-1-46.

Signature M. Zacharia,
Designation Clerk, E. & P. H. (B).

ACKNOWLEDGMENT.

Signature

Designation

Received the abovementioned records except items

POST COPY OF TELEPHONIC MESSAGE DATED 9th Jan. 1946.

From



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

Railway Employees to be treated as Government servants
for purposes of payment of school fees.
Reference:—Your telephonic message dated 8.1.1946.

A copy of Government Memorandum No. 3581-C2 Pdn.,
dated 15.2.1945 is herewith submitted.

1838

Doner

For Director of Public Instruction.

KS. 10-1.

Ch

Seperate accunts are maintained
for the orphanage. The accunts
shown in the application relate
to the year 1936-37 ie from
1.4.36 to 31.3.37

3. The detailed working,
to show how the recommended
grant is arrived at, is
shown in a seperate sheet.

R. Ramaswami
11.7.37
Deputy Inspector of Schools,
Tanjore Range.

True copy/Forwarded/ by Order.

Superintendent.

To All Divisional Inspectors of schools
" Inspectresses of girls' schools

Copy to the District Educational Officers
Principals of Government colleges with secondary
schools attached.

Copy to 'H' and 'E' sections (2 copies)

Copy for record.

21/7/37

75 copies

FOR DIRECTOR OF PUBLIC INSTRUCTION.

13
PROCEEDINGS OF THE DIRECTOR OF PUBLIC INSTRUCTION, M A D R A S.
No.No.1900 E/44 Dated 26.2.1945.

MADRAS EDUCATIONAL RULES - SECONDARY SCHOOLS - LEVY
of fees from children of S.I.R. and M & S.M. Railway
employees transferred in the middle of school term -

READ: Govt. Memo. 3581 C-2 Education dated 15.2.1945.

From the Director of Public Instruction, No.No.1900 E/44
dated 13th October 1944

The Government of India have given a ruling that the
employees of the Madras and Southern Mahratta and South Indian
Railways should continue to be treated as private persons for the
purpose of levying hospital charges for their treatment in State
hospitals. The Director of Public Instruction is informed that
applying the principle of that ruling, the school fee concessions
provided by G.O.No.845 Education, dated the 8th May 1930, should
not be extended to the children of the employees of the railways
in question.

M. T. Subramanian
Secretary to Government.

C o p y Communicated.

E. Surya Narayana,
for Director of Public Instruction

P.T.O.

R.c. No 4699-45.

Municipal Office, Mayavaram.
27th November 1945.

Sri S. Sivakkolunthu Mudaliar, B.A.,
Commissioner, Mayavaram Municipality.

To

The Secretary to Government,
Education and Public Health (Education)
Department, Fort St. George,
MADRAS.

Through

The Chairman, Municipal Council, Mayavaram.

Sir,

Sub: Fees - Mayavaram Municipality - remission and
refund in the case of a child or ward of a
Railway employee transferred.

p.t.o.

15-2-
Ref. This office R.C. No. 4699/45, dated 1-8-1945.

I request that the Government may be pleased to communicate orders passed, if any on my reference referred to above.

S.R.27.xi.

S. Siva Cholan the
Commissioner.
28.11.45

Forwarded.

C. N. S. Chel
CHAIRMAN,
Municipal Council.

66 116/12
Memo No. 55220B-1

12.12.45
School fees - Remission
and refund - Child or
ward of Railway employee
transferred.

Ref: From the Commr, Mayavaram
Munay, R.C. No. 4699/45 dated 1-8-45

The Commr, Mayavaram
Munay, is informed that his
letter cited above has not
been received by Govt. He
may send a copy through
the D.D.D.

11.12.45

12/12/45

To the Commr, Mayavaram
Munay (thru the C.M.C.)
Copy to the D.D.D.

Per pd
14-12-45

14/6/45

✓ File No 20605 - Commissioner - Occupancy
✓ File No 20961 - Commissioner - Occupancy
✓ 2 - by request - Mr. P. S.
✓ File No 1475(S) - Rules - Madras Educational
Rules - Rule 24 to Appendix 3 - Sanitary
and health - 6th and 7th - 1942 - Madras
✓ File No 21330(C) - Madras Record Office -
Sanitary Rules - Madras - 1942 - Madras

14/6/45
E4PH(C)

E4PH(C)

R.C. No. 4699/45.

Municipal Office, Mayavaram,
Dated 18th December 1945.

From
Sri S. Sivakkolunthu Mudaliar, B.A.,
Commissioner, Mayavaram Municipality

To
The Director of Public Instruction,
Madras.

Sir,
Sub: Fees - Mayavaram Municipality - School fees -
Remission and refund in the case of child or ward
of a Railway employee.

Ref: This office reference No. 4699/45 dated 24th
July 1945 and Government Memorandum No. 55220-B-1 p. 3 ante
Edn. dated 12th December 1945.

-x-
I enclose herewith the copy of this office letter
No. 4699/45, dated 24th July 1945 for favour of transmis-
sion to Government for orders.

s.r.20.12.

Copy submitted to the Secretary to Government, Education

S. Siva Subramanian
Commissioner.



p.t.o.

18-2-
and Public Health Department, through the Chairman,
Municipal Council, Mayavaram.

R.C. No. 4699-48. H.E.

Municipal Office, Mayavaram,
Dated 24th July 1943.

From

Sri S. Sivakkolunthu Mudaliar, B.A.,
Commissioner, Mayavaram Municipality.

To

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

Through

The Director of Public Instruction,
Madras.

The Chairman,
Municipal Council, Mayavaram.

Sir,

Sub: Fees - Mayavaram Municipality - School Fees - remis-
sion and refund in the cases of child or ward of a
railway servant - Orders solicited.

-x-

14998Kno 157
Under Rule 12 of the rules relating to Educational and Medical
Institutions issued in G.O. No. 4785, L. & M. dated 1-12-32 as
amended, remissions and refund of school fees in municipal insti-
tutions is permissible in respect of a child or ward of an officer
of the Government or Municipal Council or local board transferred
on public grounds.

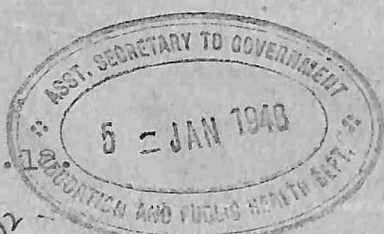
p.t.o.



Now that the management of railways have been taken over by the Government, I request that orders may kindly be issued whether the concessions are applicable in the case of parents employed in the Railway Administration.

S. Siva Pillai

Commissioner.



Forwarded,

Sd C. Kanakasabai Chettiar.

Chairman,
Municipal Council, Mayavaram.

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MAD
R.C.NO.2114-G/45, Dated 3-1-1946.

Submitted to Government with reference to Govt.
Endt. No.55220-B.1.Edn., dated 12-12-1945.
2. Attention is invited to Govt. Memo.No.3581-
C.2.Edn., dated 15-2-1945.

for Director of Public Instruction,
To the Secretary to Government, Edn and Public Health
Department.

E.&P.H.(B.1) Dept.

Sub:- Rules - Educational and medical institutions
under local bodies - Remissions and refunds of
school fees - Employees of railways - ~~Amendment~~
- Amendment - Published.

G.O. No. 1290 837
Ms. Edn. d/ 18-4-46

The appended notifications will be published
in the Fort St.George Gazette.

To the D.P.I.
" Insp. of Ml.Cls.
& L.Bds.
" L.A. Dept.
" S.G.P. for publica-
tion of the notifn. in
the F.S.G.Gazette.
" G. & K. Facomb.

Appendix.

Notifications.

I.
The following draft of an amendment to the rules
relating to educational and medical institutions of
local boards published with the late Local Self
Government Department Notification No.1290, dated the
12th August 1932, at pages 850-852 of Part I-A of the
Fort St.George Gazette, dated the 30th August 1932,
as subsequently amended, which it is proposed to make
in exercise of the powers conferred by sub-section
(1) of section 199 of the Madras Local Boards Act,
1920 (Madras Act XIV of 1920) is hereby published, as
required by clause (a) of section 200 of the said Act,
for general information.

Notice is hereby given that the draft will be
further proceeded with after six weeks from the date
of publication of this notification and that any
objection or suggestion which may be received with
respect thereto before the expiry of the period afore-
said will be considered by the Govt. of Madras.

Draft Amendment. under the heading "A-Education"
in rule 14 of the said rules, for the words "in
the service of the Government" the words "in the
service of the Provincial or Central Government (other-
wise than as an employee in a railway owned by the
Central Government)" shall be substituted.

In rule 12 ⁱⁿ ~~of~~ the said rules, ^{for the words "in the} ~~for the words "in the~~ ^{and brackets,} ~~and brackets,~~ service of the Government" the words "in the service of the Provincial or Central Government (otherwise than as an employee in a railway owned by the Central Government)" shall be substituted.

Fees - Secondary Schools - under local bodies - children
of Railway employees transferred in the middle
of school term. Remission + refund ^{!!} ⁹ ~~in~~ ^{to} ~~the~~ ^{of} ~~the~~ ^{the} ~~middle~~

From the D. B. South Acre to the General Manager Siry
Rec. no A-6-28547/D.B/45 dated 14-11-60

From the General Manager, Siry, no. G.M 62/2/3/420
 End of the DPJ RC no 2482 E/45

From the Commissioner, Mayavaram Muz Re no
4699/45 dated 24.7.45

Endb of the DPJ ac. no 21142/45 dated 3.1.46

Memo. No. 54432 B.1/46-1 Edn. d. 22-3-46

The P. D. B. South Area Commissioner Mayavaram is informed that the employees of the Madras & Southern Maharashtra and South Indian Railways should continue to be treated as private persons for the

purpose of remission & refund of school fees provided
in rule ¹⁴~~12~~ of the rules relating to educational
institutions maintained by District Boards
Municipal Councils
and the concessions are not admissible to them.

148N
9-2-46
14/2/46
14/2/46



note.
Please see the DP2's note on pp 2+20cf. and the
memo on p12 of. The concession of remission & refund
of school fees in educational institutions under the control of
local bodies is admissible only to servants of this Govt
not to servants of Railways as they are the state
M + S M + S. I. Railways as they are the state
and not to central Govt servants as private persons.
148N
9/2/46
14/2/46
14/2/46

To
The D.D.S. South Arcot
Commissioner
Mayavaram Mby
through the chairman
D.P.S.

General Manager
S. I. Ry. Trichy

When the rules shall
be amended, 'Govt.'
will have to include
Central Govt.
20/4/46

Ref A4's minute in the margin on page 2 ante.

The rules in question were issued by this Govt under the
M.L.B. and M.D.M. Acts 1920. The expression 'Government servant'
occurring in these rules should normally be interpreted to mean
Provincial Govt servants only. Attention is solicited to the note
on page 2 n.f of G.O. No 249 Edn dated 19-2-45. It will be seen
that the concessions have been allowed to the children of central
Govt servants also in practice even though it does not appear to
have been specially authorised by Govt. If the position is to
be made clear by amending the rules, then an explanation may be
inserted under rule ¹²~~14~~ of the rules relating to educational
institutions maintained by District Boards as shown below:-
Municipal Councils

Explanation. The concessions shall be admissible to the children
of central Govt servants other than Railway employees "
Legal may be consulted u.o. whether an amendment of the rules is
necessary or whether the matter may be merely regulated by executive
orders.

148N
19-3-46
26/3/46
The draft already approved on
pp 1-2 can be now be held up.
I have come. After come, legal may
see with reference to A. J. S. M. C.
S. J. S. M. C.
21-3-46
Legal Department



Rule ¹⁴~~12~~ of the rules relating to municipal councils
district boards
uses the expression "the Government", whereas in certain
other rules, for instance, rules 2 and 11, the expression
2 and 12

"the Local Government" occurs. Whatever the intention might have
been, "Government" in rules 12 and 14 should be regarded as bearing
its natural meaning and including not only the Provincial, but
also the Central, Government. There is nothing in the reason of
the rule to compel us to put a more restricted construction on
the expression.

As the intention is that the employees of Railways owned

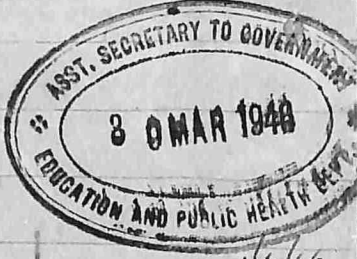
by the Central Government should be denied the fee concession,
an amendment of the rule is necessary. For the words "in the
service of the Government" in Rule 12, the words "in the service
of the Provincial or Central Government (otherwise than as an
employee in a railway owned by the Central Government)" may be
substituted.

K.R. 28/3/46
S

29.3.46 E.P.H. Legal no 2066-1
29-3-46.

E.P.H. Dept. (B.1)

The Legal Dept. are of the view that
an amendment of the rule is necessary as indicated
at 'M' above. Their view may be accepted.



A draft order is subd. for approval.

It may be sent to L.A. for perusal and to Legal
for scrutiny of the draft notification.

2.4.46 L.A. / Legal.

2.4.46 E.P.H. No. 54432/12.1/45-6
4-4-46

The draft order below may
be perused and the file returned to
Legal. u.o.

6.4.46
6.4.46

Legal 9794

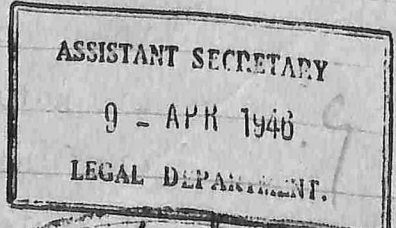
LEGAL DEPARTMENT

L.A. No 9754-1A
8-2-46
16/4

The alterations indicated in red ink on the
draft notifications may be made.

10/4/46 S

10.4.46 E.P.H.
E.P.H. (B.1)



The draft as altered by Legal may now

be issue - for orders as to circulation.

11/4/46
12/4/46

15.4.46 S. 16/4/46

