Scott II-27—58,004—4-[illegible]-48.

LAPH (1947) Department.

ms SERIES.

①

G.O. NO. 1286 Edn

Dated 19/6/47

Closed
an

order of
[illegible]

[Despatch Abstract.]

Endowment - the Scotland and Brittlestone Prizes - Endowment Fund - Amendment to the Scheme for the administration of the Fund.

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
G.O. (Ms)	1166	Law (Edn)	14-6-30.				

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
M –	14698 F/51-2	Edn.	15-6-51.				

C.F. 30.

EDUCATIONAL **DEPARTMENT.**

F

Received .... 19 . Registered 20 SEP 1945 19 .

②

Subject.

ENDOWMENT - The Scotland and Bittlestone Prizes Endowment fund.

Edn.M(C)

The recs. quoted in this current have been called for from I.C.R.G. Chittoor. Their receipt may be awaited till 25.9.45

41886
21.9.45

MM
21.9.45

22/9/45

ENCLOSURES.
No. ....
....
Spare copies ....

R.O.C.No. 116 E/42

Station Madras, *Dated the* 17th September 1945 19 .

From (Name) Dr. B.B. Dey, D.Sc(Lond) F.R.I.C.,

(Designation) Director of Public Instruction

To The Secretary to the Government of Madras,

EDUCATION AND PUBLIC HEALTH Department.

Sir,

① Ref: G.Os No. 2319 Law (Edn) dated 29th Novr. 1927
② and Ms No. 1166 Edn., dated 14-6-1930.

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para 1, p100f

I have the honour to state that according to the provisions of the G.Os referred to above, the Director of Public Instruction is the sole administrator of the Scotland and Bittlestone Prizes Endowment Fund and the Committee of Elders constituted for the purpose has to recommend candidates for the prizes. Till 1941, the Committee of Elders recommended candidates for the prizes and the prize amounts were sent to the Committee for disbursement to the candidates.

2. In March 1942, the Secretary to the Committee of Elders was requested to state the procedure and principles followed by the Committee of Elders in making their recommendations. The Secretary of the Committee took exception to this reference and interpreted it as questioning the authority of the Committee of Elders. A copy of ~~the~~ his letter dated 21--11--1942 is herewith enclosed for information.

pp 3-4 infra

pp 5-6 infra

3. In July 1943, a notification calling for applications for award of the above prizes was published by the Director in the Fort St. George Gazette (Copy enclosed) This was done by the Director as the Administrator of the Fund, after

2

after duly intimating the fact to the Secretary on 5--6--1943. On 21--7--1943, the Secretary informed me that he would place the matter before the Committee and report their opinion. The Committee met on 8-8-1943 and the resolutions passed by them were intimated to me on 14-9-1943(Copy enclosed) In reply to the above, the Secretary was informed that the Director's intention was not to interfere with or to alter the status or functions of the Committee. The Secretary was also informed that there was no expenditure incurred on the publication of the notification in the gazette and that the Director is competent to incur expenditure on advertisement charges. p. 7 infra

4. With reference to the notification published in the Fort St. George Gazettee, only one application was received and this application was forwarded to the Secretary of the Committee for consideration. Though the Committee of Elders were requested in this office letter dated 13-11-1943 to expedite their recommendations for the award of the prizes for 1942-43 and 1943-44 and though constant reminders were issued on subsequent dates, they met only on 25-1-1945 and forwarded their recommendations for the award of six prizes for all the three years (i.e two for each of the years 1942-43, 1943-44 and 1944-45) These recommendations actually reached me on 16--2--1945. Their recommendations were to award five out of the six prizes to the students of the Mysore University and the sixth prize to a student of the Madras University as they considered the candidates to be the best and deserving in their opinion.

5. With a view to ascertaining whether it will be in order, with reference to the provisions of the scheme, to award the prizes for previous years (Viz 1942-43 and 1943-44) in 1945, I consulted the Government Solicitor in the matter. The Government Solicitor held the view that the award of all the six prizes in 1945 did not appear to be warranted by the provisions of the scheme. Under sub clause (3) of Appendix A of the scheme it is open to the Committee to award additional prizes or prizes in a subsequent year only if the prizes had not been awarded in the previous year owing to the lack of eligible candidates. The reason for the non-award of the prizes in previous years is the failure on the part of the Committee to meet and furnish their recommendations in time. In the light of the remarks of the Government Solicitor, the recommendations of the Committee for 1944-45 alone were accepted and prizes sanctioned by me on 22--5--1945. The Secretary to the Committee of Elders was also informed that it was not open to them to award the prizes for 1942-43 and 1943-44 in 1945. Q/10

6. The Secretary has again taken objection to this intimation and desires that the question of award of the prizes for all the candidates recommended by the Committee for the years 1942-43 and 1943-44 should also be considered on the ground that no time limit is fixed in the scheme for the award of the prizes (Copy of his letter dated 13--7--1945 enclosed) p. 9-10 infra

7. From the tenor of their letter it may be observed that the Committee seem to consider my action as an undue interference with their authority. With a view to avoid any misunderstanding regarding my functions as Administrator of the fund, I think it is desirable that the duties of the Administrator should be defined and necessary amendments to the scheme issued especially with -- reference to the following points.-

1. The authority who should call for applications whether it is the Director or the Committee of Elders.
2. Whether candidates from outside the Universities of this Province are eligible for award of the Prizes and
3. Whether there should be any time limit for the award of the Prizes.

R. Narasimha

For Director of Public Instruction.

P.R.K. 18/9/45.

Sd/ 19.9.45

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③ 3

Copy of letter from M.R. Sampatkumaran M.A., Secretary, Scotland and Bittlestone Prize Committee, Triplicane, 14, A. Sunknar St., Triplicane, Madras dated 21st November 1942 to the Director of Public Instruction, Madras.

Ref: Your letter RC.No.1116-E/42, dated 10-11-1942
Endowment : Scotland and Bittlestone pri-es - Award of

The qestions set forth in the proceedings noted above raise some issues of importance as to the status and functions of the Committee of Elders, of which I have the honour to be the Secretary The Gazette Notification G.O.Ms.No.1116 Edn., dated 14-6-1930 constituting the Committee and prescribing its functions, appoints the Director of Public Instruction as the Administrator of the Endowment and empowers the Committee to recommend candidates for for the pri es in accordance with the scheme detailed therein. The Committee has been acting bonafide in discharging this duty, and believes that it is not accountable tothe Director of Public Instruction for its procedure or recommendations. It is specifically provided in the constitution of the Committee that it shall act in its discretion and "shall not be bound to assign any reason for refusing the certificate of recommendation in any particular case". (Vide appendix A, paragraph ii) Q 9-10 Q/10

It is stated in the Proceedings under reference that the particulars asked for are required in order to enable the Director of Public Instruction "to see how the candidate selected fromamong the candidates deserves the prize". This suggests that the Committee is answerable to the Director of Public Instruction, and that its recommendations are subject to the approval of or reconsideration by the Director. Weregret we are unable to accept this position.

We would gladly furnish particulars of the procedure followed and the candidates whose names were considered, if the same is required

required as a matter of information and if the questions asked had not raised substantial issues affecting the status and functions ~~xx~~ of the Committee. We request you to let me have your considered views in the matter.

Sd- ---------------------
Secretary,
Scotland and Bittlestone Prize Committee.

(TRUE COPY)

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ard of Scotland and Bittlestone Prizes in 1942-43.

The undersigned invites applications up to 1st August 1943 for the award of the Bittlestone prizes during 1942-43.

The conditions of award are as follows :—

1. The applicant must be a Hindu who has passed any of the University examinations (or other recognized public examinations of the year) with Sanskrit as a second or optional language or having passed such examination previously has passed a higher examination in the year of award.

2. Two prizes will be awarded, the first prize being of the value of Rs. 48 and the second prize of the value of Rs. 24. The value of each prize will, as far as possible, be awarded in the shape of books selected by the student and approved by the Director of Public Instruction or in cash.

3. In case more than one candidate competes for the prizes in any one year the order of preference shall be (i) the candidates who have passed the examination of the highest

6

2

importance shall be preferred to the candidates who have passed the others, the examinations being ranked in the following order :—

(a) M.L. degree examination.

(b) B.L. degree examination.

(c) M.A. degree examination in Sanskrit or any equivalent examination in Sanskrit (such as the Siromani or Mahavidvat examinations).

(d) M.A. degree examination in other branches (or other equivalent examinations).

(e) Any other examinations which cannot be passed without previously passing the B.A. examination or the equivalent Vidvat examination.

(f) Any examination (other than the B.L. degree examination) leading to a Bachelor's degree or any equivalent examination in Sanskrit (such as the Vidvat examination).

(g) Intermediate or any other equivalent examination.

Madras,
1st July 1943.

R. M. STATHAM,
Director of Public Instruction.

7

(5)

Copy of letter dated 14--9--1943 from the Secretary, Scotland and Bittlestone Prize Committee to the Director of Public Instruction, Madras.

Ref: Your Proceedings 116 E/42, dated 15-6-1943 and R.C. 116 E/42, dated 14-7-1943.

I beg to inform that at a meeting of the Committee held on 8-8-1943, the following resolutions were passed and I was directed to communicate them to you.-

RESOLUTIONs:-

Read the letters of the Director of Public Instruction dated 5-6-43 and 14-7-1943.

Resolved that the Director of Public Instruction be informed that the funds of the Scotland and Bittlesone Prizes Endowment should not be utilised for any advertisement expenses as there is no provision in the scheme for such an expenditure.

Resolved with reference to the prize amount of Rs 24/- not distributed out of the sum of Rs 71-4-0 received from the Director of Public Instruction along with his letter dated 26-1-1943 No.R.C. 116 E/42 that the said sum of Rs 24/- be applied in awarding an additional prize for the subsequent year as provided in para 3 of Appendix A to the scheme G.O. Ms No. 1166 Education published in the Fort St. George Gazette, dated 14-6-30

Q/10

Resolved that in view of the above resolution the Committee is of opinion that it is not necessary to deposit the amount with the Treasurer of Charitable Endowments

2. Regarding receipt from the Prizewinner, I have with me only the postal acknowledgment fot the money order sent. I regret that the original cannot be sent to you as it is required for purposes of our record. I am however enclosing herewith a -- certified copy of the M.O. acknowledgment.

3. I have been asked to bring to your notice the fact that the last recommendation of the Committee was made in December 1941 Owing to the fact that there was prolonged correspondence arising out of that recommendation the Committee could not make any further recommendations. The correspondence as you may remember ended only towards the end of January 1943. Subsequently when the Committee wished once again to make recommendations you raised other issues and the matter has been kept pending so far. The Committee has now to recommend the award of five prizes in all - two for 1942, two for 1943 and one for 1941 not paid and decided to be award as an additional prize for the subsequent year as per resolution of the Committee reproduced above. The Committee intended at their next meeting to proceed with the award of those five prizes.

THE SCOTLAND AND BITTLESTONE PRIZE COMMITTEE.

14, A.Sunkuvar St,
Triplicane,
MADRAS,
Dated 13th July '45.

The Director of Public Instruction,
Madras.

Sir,

Re: your letters R.O.C.No.116 E/42, dated 22-3-45.

I have to acknowledge the receipt of the two letters bearing the above numbers and thank you for the same.

I am sorry to note that the recommendations of the Committee for the years 42 and 43 have been disregarded. The Committee desire to know under what provision of the scheme sanction is now withheld. With great respect, the Committee wish to point out that the sub-caluse (iii) of Appendix A to G.O.No.1166 L.E. dated 14-5-1930 does not and cannot apply to the present case. It contemplates the award of additional prizes in a subsequent year, when no prizes are awarded in a particular year, for lack of eligible candidates. In fact, the intention behind the very clause quoted by you, is that the prize amount should not lapse for want of eligible candidates in any year. If the policy of the scheme is that the prize amount should not lapse even ~~the~~ for want of eligible candidates, much less can it lapse by reason of some delay in the award of the prizes. The scheme does not lay down that prizes for any particular year sould be awarded before any specified date, not that the Director of Public Instruction should or can override the recommendations of the Committee on grounds of delay.

Q/10

That the D.P.I. also understands it in the same way is clear from his course of conduct all these year, and particularly during the last two years. I would invite your attention to letters as late as 21-7-1944 and 11-1-1945 asking for recommendations for previous years such as 1942-43 1943-44 etc. Even your letter dated 28-2-1945 does not raise any such objection as is now sought to be raised.

17

As regards the delay complained of, while the Committee are anxious to show every courtesy to the D.P.I., they also feel that the complaint assumes that they are answerable to the D.P.I. for their conduct. This would raise once again the question of the

10

3-6 ante

question of the status of the Committee which was referred to in my letter dated 21-11--1942.

Without prejudice to our claim that we are not bound to supply explanations of this kind, I may inform you that the greater part of the delay complained of was due to the controversial issues raised by you subsequent to the award of the prizes for March 42. In a letter dated 7-6-43, the Committee were asked to wait as steps were being taken by the D.P.I. to advertise the prizes. The Committee met on 8-8-1943 to consider the new procedure suggested and passed a resolution thereon which was duly communicated to you. The doubts of the Committee on this and other issues were not cleared till towards the close of the year 1943. It was then deemed advisable to hold the next Committee Meeting subsequent to the publication of the results of the University Examinations held in March 1944. Accordingly the Committee met on 25-1-1945, and had its recommendations for the prizes for 42-43, 43-44, 44-45.

We submit therefore that the position of the D.P.I. is only that of an administrator of the funds and there is no authority in the D.P.I. to disregard or question the recommendations of the Committee of Elders. The delay, if any, in making the recommendations is not due to any default on the part of the Committee to meet every year answering. On the other hand the Committee have been meeting frequently and answering important issues raised by the D.P.I. Recommendations had to be kept pending till the important issues reaised by you had been settled satsifactorily and it is hardly fair that, on the ground that prizes were not awarded earlier, the students who passed during the earlier years and are entitled to get the prizes should be deprived of the prizes intended by the donor.

In the circumstances, I hope that the whole question will be reconsidered by you and that necessary orders will be passed for the award of all the prizes recommended by the Committee.

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13 12/11

Endowments. The Scotland and Billeston Prizes Endowments

⑦

The D.P.I. is requested to furnish a copy of the rules relating to the administration of the fund, which were in force prior to the publication of the notifications [illegible] 2319 Edn. d/ 29.11.27.

1/9 [illegible]

2. It is observed that the notifications referred to above were initiated at the instance of the Committee. In view of this, the question arises whether the amendments proposed by the D.P.I. can be made without reference to the Committee, on the ground that the D.P.I. had since

p. 3 ibid

Become the administration of the fund and whether it will not be necessary [illegible] the Committee (his enquiry, if not available) before the amendments are finally notified. The D.P.I. is requested to offer his remarks on the above points.

Mm
7.11.45

[illegible]
8/11/45

[illegible]
28/11/45

[illegible]
7/11/45

Despd. to The D.P.I.
14/11

55872

R.O.C.NO.116-E/42.

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS, DATED 30-11-45.

(8)

From

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

To

The Secretary to Government,
Education and Public Health Department.

ASST. SECRETARY TO GOVERNMENT
5 -DEC 1945
EDUCATION AND PUBLIC HEALTH DEPT.

SUB:- Endowments - The Scotland and Brittlestone Prizes Endowment Fund Amendments to the Scheme.

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pp 11-12 ante

(J)

With reference to Government Education and Public Health Department Memorandum No.41886-C/45-1, Edn., dated 12-11-45 I have the honour to submit herewith a copy of Proceedings of the Government of Madras, Educational Department, dated 23-2-1872 approving the rules relating to the administration of the fund, which were in force prior to the publication of the notifications appended to G.O.No.2319, Edn., dated 29-11-1927.

2. I have no objection to referring the amendments proposed by me to the Committee of Elders before they are finally approved.

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

R. Narasimha

for Director of Public Instruction.

Sd
4/12

PROCEEDINGS OF THE MADRAS GOVERNMENT, EDUCATIONAL DEPARTMENT, 25rd FEBRUARY 1872.

*****

(U)

No.19. Read the following letter from the Director of Public Instruction, to the Chief Secretary to Government, Fort St. George, dated Madras, 16th January 1872, No.54.

(F)

In connection with Government Order, No.1, of the 4th instant, I have the honour to submit a letter, dated 15th idem from Mr. S.Parthasarathy Aiyengar, and to recommend that sanction be given to the proposals therein contained.

From Parthasarathy Aiyengar, to the Director of Public Instruction, dated Madras, 15th January 1872.

***

(F)

With reference to the Proceedings and Order of Government(No.1) dated 4th January 1872, which you have been pleased to transmit to me with a request that I should "state my wishes on the point referred to by Government, "I beg to express my willingness to adopt the suggestion of Government contained in paragraph 1 of their order above mentioned.

2. To give full practicable effect to the suggestion in question, I think it is only necessary to alter the original scheme in the manner and to the extent shown in the following paragraphs.

3. Two prizes shall be founded and designated, respectively.

1. Teroomalacharyar's Bittleston Prize.
2. Teroomalacharyar's Scotland Prize.

4. The proposed endowment of Rupees 1,200 shall accordingly be split into two endowments each consisting for the present of a four percent.- Government promissory Note for Rupees 600/-.

5. The sum of Rupees 48, which each of these endowments yields once in every two years, shall at each such interval of two years be spent upon the prize in connection with that endowment.

P.T.O.

6) Only one of the two prizes shall be awarded in any single year, and the first prize to be awarded shall be the prize designated Teroomalacharyar's Bittleston Prize, Sir Adam Bittleston being the Judge who first retired.

7) There would thus be some one of these prizes available in each consecutive year.

8) If a duly qualified candidate should present himself either this or next year, I shall be prepared in each of these years to transmit to you any sum that may be necessary to make up the full amount of Rupees 48 required to meet the cost of a prize in each of the said years.

(U) No. 20. Order THEREON, 23rd February 1872, No. 52.

The proposals now submitted are approved.

(True Extract)

R. Narasimhan.

for Director of Public Instruction.

KP. 3-12.

Sd
4/12

Edn Dept (c)

Telephonic Message

From The A.S., Edn Dept

To The Dy D.P.I.

Issued PAG 18/12/45

Refer. D.P.I.'s letter No R.C. 116-E/42 d/ 30.11.45 re. amendments to the Scotland and Bittlestone Prizes Endowment Fund Scheme.

Please state whether the letter of Sri S. Parthasarathi Ayyangar of 24-11-1871 and its annexes, referred to in Edn / Education of 4.1.1872, are available and if so Kindly furnish copies of them.

(F)

p 13 [illegible]

mm
13.12.45

[illegible]
14/12/45

[illegible]
17/12/45

LD
[illegible] (P.C)
18/12/45

Ref. Telephone Message of 18-12-1945 Regarding Scotland & Bittlestone Prize Fund.

Resubmitted (9) 58932

2. A copy of the letter required in the telephone message referred to above together with its enclosures is herewith ~~[illegible]~~ submitted as desired.

R. Narasimhan
24.12.45

~~for~~ Director of Public Instruction

24/12 [illegible] 24-12-45

To
Assistant Secretary to the Govt of Madras.
Edn & P.H. Dept.

ASST. SECRETARY TO GOVERNMENT
26 DEC 1945
EDUCATION AND PUBLIC HEALTH DEPT.

in excess of standard rates.

J. J. Ellis

Correspondent
Meth. Miss. Training Sch.
for Masters, Dharapuram.

To

G. B. Powell Esq., M.A.C.S.I.
Director of Public Instruction, Madras

SIR,

On the eve of the retirement of our ~~estimated~~ esteemed Chief Justice Sir Colley Scotland, I beg to be allowed to send you (with such endorsements and accompanying documents as you may advise) two four percent Government Promissory Notes for the aggregate sum of rupees one thousand and two hundred and to request that these notes may be caused to be taken into Departmental custody and that the interest accruing thereon and on any additions that I or any friends may be able to make to the endowment at a future date will be disbursed by you conformably to the following provisions.

2. A Sanskrit prize shall be instituted under the designation of "Tirumalacharyar's Scotland and Bittlestone Prize". The somewhat unusual length of this designation will I hope be pardoned when it is considered that the prize is intended to serve atonce for a triple memorial i.e., to perpetuate the beloved memories of the several persons viz:-

1. Our excellent Chief Justice Sir Colly Scotland who is now retiring
2. Our Excellent Puisne Justice Sir Adam Bittlestone, who has already retired and whose services, owing to a accident, failed to receive such formal public acknowledgments as they are felt by all to have deserved and
3. My own revered brother, S. Tirumalacharyar, lately a distinguishe vakil of the Madras High Court to whom I owe my all.

3. The value of the Prize shall as far as possible be annually converted into and awarded in the shape of such books as the recipient of the prize may desire to have, and any small balance that may be left after meeting the cost of the books and t expense for procuring them, shall be distributed in cash to the recipient of the prize.

to apply to the Director for the award of the Prize, it shall be necessary:- Firstly that such candidate

4. To qualify a candidate should be a Hindu, who has passed any of the Madras University examinations in Sanskrit in or after December 1871, or who having passed the B.A. examination in Sanskri in or after February 1872, has passed any other University examination higher than the B.A. Examination (as to the mode of procedure when more than one candidate may appear vide appendix A hereof).

Secondly that each such candidate shall produce to the Director of Public Instruction, a certificate of having led a blameless life such certificate to be signed by a Committee of Elders (for full particulars touching the organisation and working of this Committee-vide appendix B).

Thirdly that each such candidate shall along with the certificate aforesaid, tender to the Director a memorandum which shall either state that the candidate does not desire to make any suggestion as regards the selection of the books or shall contain a list of the books he may desire to have accompanied, if possible, with a statement of their prices and the address of the booksellers of whom they can be had, and printed catalogues or other vouchers in support of such statement.

5. The same candidate can entitle himself to receive the prize in successive years by passing a fresh examination and producing a fresh certificate under the foregoing provisions.

6. Appendix C is a letter to you signed by the members of the Committee referred to in Appendix B, indicating their willingness to accept the office assigned to them. If the examinations of December and February next, should produce a candidate for the prize special provision will be made to meet th case.

I have ...
sd. S. Parthasarathy Iyengar
A Vakil of the High Court of Madras.

No. 3 Peyalwar Koil Street,
Triplicane, Madras,
24th November, 1871.

(True copy)
R. Narasimha

Appendix 'A'.

1. If more than one candidate who has passed the required examination should present themselves, precedence shall be given to one of them on the following principles:--

2. He who has passed the examination of the highest importance shall be preferred, the examinations themselves being assigned precedence in the following order - viz

1. The M.L. Examination
2. The B.L. Examination
3. The M.A. Examination in Sanskrit
4. Other branches of the M.A. Examination
5. All other examinations which cannot be passed without previously passing the B.A. Examination
6. The B.A. Examination
7. Other Bachelor's examinations
8. The F.A. examination
9. The Matriculation Examination.

3. Preference as between the examinations grouped underheads IV, V and VII in the last paragraph shall be indicated when necessary by the Committee referred to in Appendix B on a consideration of the individual cases.

4. In the case of candidates, who have passed the same examination, preference shall be given to him who stands highest in such examination either on the whole or in sanskrit alone at the option of the Committee referred to in Appendix B.

signed. S. Parthasarathy Iyengar.

Appendix B.

1. Following the maxim that the highest achievement of legislation consists in imparting to those subject to it not the largest quantum of information, but the highest standard of education in respect of all parts of our nature (for knowledge itself is valuable only as means to an end - that end being the reformation of our lives), and having regard to the fact established by my own experience as well as that of numerous others that the education, which the rising generation is receiving in this country is defective in many important respects, of which it would be too tedius and even impossible fully to describe the details; I propose that a committee of elders shall be constituted for the purpose of exercising censorship as far as possible over the whole life and conduct of the youth seeking to obtain the prize now desired to be instituted.

2. The following gentlemen shall constitute the first members of this Committee

1. M.A.Tiroomalacharyar, B.A., B.L., Tamil and Telugu and Canarese Interpretar in the Madras High Court, Appellate side.
2. M.O.Singaracharíar, Tamil, Telugu, Canarese,..Marata, and Sanskrit Translator in the same court.
3. M.A. Singaracharyar - Assistant Cashier, Madras Bank
4. Myself.

3. The Certificate which this Committee is authorized to give for he puppose of qualifying a candidate to receive the prize in question, hall be in the following form:-

"We are concientiously able to certify that we have known and atched the life and conduct of ------, who passed the ------------ xamination of the Madras University in----- -1872, and that the life and onduct of the said-------have on the whole given us satisfaction.

M

Dated the ------------
Signature xx x x x x x x x x x x
xx x x x x x x x x x x x
x xxxxxxxxxxxxxxx
xxxxxxxxxxxxxxxxxx

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4. The Committee shall not be bound to assign any reason for refusing to grant the certificate in any particular case.

5. Vacancies and casualities in the Committee shall be provided for, and any desirable addition made to their number by the members themselves or the survivors or survivor of them and all changes in the personnel of the Committee shall from time to time be notified by them to the Director of Public Instruction.

6. In the vent (which God forbid) of the committee becoming extinct to the last man without provision for a succession having been made as aforesaid, the Director of Public Instruction shall after making enquiry appoint from among my relatives and friends, who may appear to him to evince a knowledge of or interest in sanskrit law and philosophy a sufficient number of persons for the duty of exercising the censorship and granting the certificate above mentioned.

7. The Committee (if any) which may be constituted by the Director of Public Instruction under the last provision shall in all respects conduct themselves in the same manner as the original Committee.

8. If in any year or years no person(al) shall within fifteen days after the final gazetting of the results of all the University examinations for the season (held successively in December and February) have shown himself to the Director to be qualified to receive the prize under the foregoing provisions, the value of the prize should be left to accumulate for the time being and shall be added when possible to the principal of the endowment unless the Committee shall otherwise direct.

9. The Committee shall appoint one of their members to act as their secretary and such secretary shall be the organ of communication between the committee and the Director of Public Instruction.

10. The Committee shall have the power of adding to or modifying or cancelling any one or more or all of the foregoing provisions.

(signed) S. Parthasarathy Iyengar.

Appendix C.

To
G.B. Powell Esq., M.A., C.S.I.,
Director of Public Instruction, Madras

Sir,

~~Wik~~ We beg to intimate to you that we are willing to accept the office of members of the committee referred to in the foregoing Appendix B.

We have ....
(sd) M.A. ~~Teroomalachary~~ Tirumalachary
M.O. Singhachary
M.A. Singarachary
S. Parthasarathy Iyengar.

No.3 Peyalwarkoil Street,
Triplicane, Madras,
24th November 1871.

(True copy). R. Narasimha

(12)

10
9/2

19 Education & P.H.(C) Department.

Memorandum No. ~~No~~ 41886 C/45-3 Edn. dated 8-2-1946.

ENDOWMENT - The Scotland and Bittlestone Prizes Endowment Fund.

From the D.P.I., No.116.E/42 dated 17-9-1945.

p/p 1-2 ef

p 2 ef

...

With reference to paragraph 7 of the letter cited above, the D.P.I. is informed that the Committee of Elders should call for applications for the award of prizes, that candidates of the Mysore University are eligible for the prizes and that there should be a time limit for the award of prizes. The Director is requested to propose suitable draft amendments to the scheme for the administration of the Fund in consultation with the Committee of Elders.

7/2/46

Repd ICM 11-2-46

To the D.P.I.

~~e~~ B 20/ (13)

O.F. 32.

Educational. Department

From (Name) G.L.Lobo Esq., B.A. (Hons) (Cantab). Deputy Director
Designation of Public Instruction,(In Charge), Office of the
Station Director of Public Instruction,Madras.

Received Registered

To

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

Enclosures: R.O.C. No. 116-E/42 dated 22nd May 1946.

ASST. SECRETARY TO GOVERNMENT
2 5 MAY 1946
EDUCATION AND PUCLIC HEALTH DEPT.

Sir,

Subject:- Endowment - The Scotland and Bittlestone Prize Fund-Amendment to the scheme.

.....

P19cf

27931

p21infra

P19ante

With reference to Government Memo No. 41886 - C 45-3 Education and Public Health dated 8-2-46, I have the honour to enclose a copy of letter dated 22-4-46 from the Secretary, Committee of Elders, The Scotland and Bittlestone Prizes Committee, and to state as follows: --

(2). The amendments suggested by the Committee of Elders relating to the inviting of applications and the eligibility of the Mysore University students for the prizes may be accepted.

(3). With regard to the time limit for the award of the prizes, the time limit proposed by the Committee is two years after the announcement of the results of the University Examination. I am unable to accept the suggestion for the following reasons:

(a). The Committee of Elders do not meet regularly and it has been found by experience in the past that they do not send in their recommendations for the award of the prizes in time. Attention is solicited to para 4 of the Director's letter to Government R.C.No. 116-E/42 dated 17-9-45 wherein the Committee recommended the award of prizes in each of the three years commencing from 1942-43 to 1944-45 in January 1945. It is with a view to making the committee meet regularly and to submit their recommendations in time that Government ordered that there should be a time limit for the award of prizes.

P2cf

Z

(b). With regard to the award of prizes relating to 1942-43, to 1944-45, the Government Solicitor had already stated that their award in January 1945 was unwarranted by the provisions of the scheme and

(c) the scheme itself provides for the ~~xx~~ award of the Scotland Prize and the Bittlestone Prize in alternate years. If the suggestion of the Committee of Elders is accepted and if they be allowed two years time to submit their recommendations, it will naturally lead to complaints and inordinate delay in the award of prizes.

(3). In these circumstances I request that Government may be pleased to fix the time limit as follows:

" The prizes for any particular year should be awarded as early as possible after the results of the University Examination held in March or April are known and in no case be delayed beyond six months after the announcement of such results ". Subject to this modification, the suggestions of the Committee of Elders for amendments to the scheme may be accepted.

(4). If the Government approve of the modifications suggested by me, the Government Solicitor will as usual be requested to draft suitable amendments to the scheme for the administration of the fund.

R. Naras

For Director of Public Instruction,Mad

R

AN/24/5/ Sd/ 24/5 PTO

21

Copy of the letter dated 22nd April 1946 from the Secretary,
The Scotland Bittlestone Prize Committee, Madras, to the
Director of Public Instruction, Madras.

...

Re: Your letter No. R.O.C.No. 116-E/42 dated 25-2-46.
and further to our letter dated 16-4-46.

.....

2/10

I am desired by the Committee of Elders to make the following suggestions for amendment of the Prize scheme on their behalf.

A 1. In para 5 of the Schedule after the words, " Each such candidate ... ... of the year) " , add " conducted by the Universities in the Madras Presidency and the University of Mysore".

.....

B 2. Add at the end of clause 'a' of Appendix 'B' " They will invite applications from suitable candidates, scrutinise them and make their recommendations to the Director of Public Instruction.

C The prizes for any financial year should be awarded as soon as possible after the results of the University examinations held in March of the preceeding and April of the current year are known, and should in no case be delayed for more than ~~2 years~~ six months after the announcement of such results. [If prizes for any year are not recommended within the period stipulated, they will lapse; and the prizes amount will be added to the corpus ".]

Will you please let me know whether our request for reconsidering your decision as regards the recommendations for the years 1942-43 and 1943-44 has been considered ? We are awaiting your reply in this connection to our letter of 13-7-45, and should like to make our recommendations for 45-46 and 46-47 after receiving your reply thereto.

49-10 ante

...

R. Narasimhan

For Director of Public Instruction, Madras.

AN/24/5/

Sol 24/5.

---

71 17/6

17/6

22

⑭

E+O H (137)

Endowment - The Scotland and Bittlestone Prizes Fund - Amendment to the scheme

From the DPI Roc. no 116 E/42 d 23.5.46

Memo. No. 41886 - B1/46-3 Edn dt- 17.6.46.

The DPI is requested to furnish a copy of the opinion of the Govt Solicitor referred to in para 3 (b) of his letter cited above.

17/6

proof

USN 15.6.46

16/6/46

Desp 18-6-46

To

The D.P.I. ✓

23 Cg (15)

C.F. 32 (a).

Education Department		Received	Registered
From (Name)	Dr.S.R.U.Savoor, M.A., D.Sc., I.E.S.,	To	
Designation	Director of Public Instruction,	The	Secretary to Government, Education and Public Health Department, Madras.
Station	Madras.		

Enclosures : Roc. No. 116 E/42 dated 25-6-1946.

Sir,

Endowment - The Scotland and Bittlestone Prize Fund - Amendment to the scheme.

Ref: Govt. Memo No.41886 B-1/46-3 Edn., and P.H. dated 17-6-1946.

ASSISTANT SECRETARY TO GOVERNMENT
27 JUN 1946
EDUCATION AND PUBLIC HEALTH DEPARTMENT
34287

I have the honour to submit herewith a copy of the opinion of the Government Solicitor referred to in para (3) of my letter Roc.No.116E/42 dated 23-5-46.

R. Naras[illegible]

for Director of Public Instruction

p.t.o.

k.h.26-6. SR 26/6

Copy of extract from the letter No.1273 dated 2nd May 1945 of the Government Solicitor, Madras.

-----

xx xx xx xx

The award of six prizes in the present year does not appear to be warranted by the provisions of the scheme. Under sub-clause (3) of Appendix A it is open to the committee to award additional prize or prizes in a subsequent year only if the prize has not been awarded in the previous year owing to the lack of eligible candidates. As the reason mentioned in your letter is the failure of the committee of elders to meet and furnish their recommendations it is not open to the committee to now award the prizes for the three previous years also.

xx xx xx xx

(True Copy)

R. Narasi~~me~~

for Director of Public Instruction

Sol
26/6

Edn (B1)

11
27/7

Endowment - The Scotland and Bottlestone Prizes Endowment Fund - Amendment to the scheme for the administration of the Fund

pp 20-21 + 23-26

From the DPI Ro.C. no 116 E/42 d/ 23.5.46 and 25.6.46

Memo No. 41886-B1/46-4 Edn. dt/- 26-7-46

Ar
26/7

p 110 of (P)

The amendment suggested by the DPI to the proposed amendment to clause (a) in Appendix B to the scheme for the administration of the Scotland & Bottlestone Prizes Endowment Fund that the time limit for the submission of recommendations by the Committee of Elders may be six months instead of two years is accepted.

2. In regard to the award of prizes for the years 1942-3 and 1943-44. the Director is requested to inform the Secretary to the Committee of Elders that the Govt. Solicitor's

2

26

opinion is technically correct and that if the Committee desires that the prizes should not lapse on any account and the prizes amount be added to the Corpus of the Fund, clause (iii) in Appendix A to the scheme will have to be modified suitably with retrospective effect and that the last sentence in the addition suggested to clause (a) in Appendix B. to the scheme will have also to be deleted. He is requested to ascertain whether the Committee want to modify clause (iii) referred to above and to suggest draft amendments to the scheme in consultation with the Govt Solicitor

p21 CF

p.10

KSR
24.7.46

OBM
25/7/46

26.7.

To
The DPI

---

27 93 17

R.O.C.No. 96 E-3/46. Madras, 14th March 1947

From

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

To

The Secretary to Government,
Edn. & P.H. Dept.,

Recd on 20/3/47

SECRETARY TO GOVERNMENT
EDUCATION AND PUBLIC HEALTH
21779
18 MAR 1947

Sir,

Sub: ENDOWMENT - The scotland and Brittlestone Prizes Endowment Fund - Amendment to the scheme for the administration of the Fund.

-----

pp 25-26 ante

With reference to Government Edn & P.H. Department Memorandum No. 41886 B-1/46-1 Edn., dated 26th July 1946, I have the honour to submit herewith a draft notification in duplicate for amending the scheme relating to the above endowment fund prepared by the Government Solicitor, Madras.

p.29 infra

2. I also submit herewith an application signed by me as Administrator of the fund for amending the scheme.

R. Narasimha

For Director of Public Instruction.

SGP
15/3

P.R.K. 15/3/47

To

The Secretary to Government,
Education and Public Health Department.

Under Section 6, 1 of Act of 1890 I being the present administrator of the fund relating to the Scotland and Brittlestone Prizes Fund endowment tenable in the Colleges affiliated to the Universities of this Province and the Mysore State do hereby make an application that the scheme for the administration of the fund be settled in accordance with the terms of the accompanying schedule.

S R U Savoor

Director of Public Instruction.
Madras.

IN THE MATTER OF THE CHARITABLE ENDOWMENTS ACT 1890

and

In the matter of the Scotland and Bittlestone Prizes Endowment Fund at Madras.

**

It is hereby notified that the Government of Madras in exercise of the powers conferred by Section 5 sub-section 2 of the Charitable Endowments Act VI of 1890 has modified in manner mentioned in the schedule hereto the scheme settled by Notification No 542, dated 29th November 1927 published at page 639 of Part I-B of the Fort St. George Gazette, dated 6th December 1927 and further amended by G.O.No. Ms 1166, Education dated 14th June 1930 and that such amended scheme shall come into operation on the day of 194

P9 of (J)
110 of (Q)

THE SCHEDULE ABOVE REFERRED TO

1. The following shall be substituted for clause 3 of Appendix A.

"If in any year no eligible candidates for the prizes are available or if the Committee of Elders constituted under the provisions of appendix B below for any reason has not been able to make recommendations within the stipulated time, it shall be competent for the Committee to recommend the award of an additional Prize or prizes in a subsequent year or to recommend that the unspent amount may be added to the corpus".

P 10 of (Q)

2. The following shall be added at the end of clause (a) of Appendix B.

"They will invite applications from suitable candidates, sertinize them and make their recommendations to the administrator. The prizes for any year should be awarded as soon as possible after the results of the University Examinations held in March or April are announced and should in no case be delayed beyond six months after the announcement of such results".

P10 of (Q)

****

True copy

R. Narasimhan
For Director of Public Instruction

sd/
15/3

IN THE MATTER OF THE CHARITABLE ENDOWMENTS ACT 1890

and

In the matter of the Scotland and Bittlestone Prizes Endowment Fund at Madras.

**

It is hereby notified that the Government of Madras in exercise of the powers conferred by Section 5 sub-section 2 of the Charitable Endowments Act VI of 1890 has modified in manner mentioned in the schedule hereto the scheme settled by Notification No 542, dated 29th November 1927 published at page 639 of Part I-B of the Fort St. George Gazette, dated 6th December 1927 and further amended by G.O.No. Ms 1166, Education dated 14th June 1930 and that such amended scheme shall come into operation on the   day of   194

THE SCHEDULE ABOVE REFERRED TO

1. The following shall be substituted for clause 3 of Appendix A.

"If in any year no eligible candidates for the prizes are available or if the Committee of Elders constituted under the provisions of appendix B below for any reason has not been able to make recommendations within the stipulated time, it shall be competent for the Committee to recommend the award of an additional Prize or prizes in ~~km~~ a subsequent year or to recommend that the unspent amount may be added to the corpus".

2. The following shall be added at the end of clause (a) of Appendix B.

"They will invite applications from suitable candidates, sertinize them and make their recommendations to the administrator. The prizes for any year should be awarded as soon as possible after the results of the University Examinations held in March or April are announced and should in no case be delayed beyond six months after the announcement of such results".

****

True Copy

R. Narasibhu

For Director of Public Instruction

S.Bm 1/4

64 1/4

3

E.& P.H.(G.3)

T.M.

(21)

P.C. to follow.

dp Ds 2/4

Issued. 1/4/47

P27 of

From

The Asst.Secretary, E.& P.H.~~(G.3)~~ Deptt., Madras.

To

The Dy. D.P.I.

Ref:- D.P.I.'s letter Roc.No.96-E-3/46 dated 14.3.47
re. Endowment - The Scotland and Brittlestone
Prizes Endowment Fund - Amendment to the scheme
for the administration of the Fund.

It is presumed that ~~the~~ amendment~~s~~ now proposed by the D.P.I. ~~are~~ to clause (iii) of Appendix A. of [illegible] Notification relating to the Scotland + Brittlestone Prizes Endowment Fund, submitted, only after consulting the Committee of Elders, ~~with~~ reference to the concluding sentence of Govt.Memo.No.41886-B1.46-4 Edn., dated 26-7-46. Please confirm.

Please state whether the Committee ~~was~~ of Elders was consulted by the D.P.I. as ordered in para 2 of Memo no. 41886-B1/46-4 Edn of 26-7-46 and if so to forward to Govt. a copy of the reply of the Committee. W 29.3

P10 of Q

P26 of

DS 29/3/47

pp 25-26 of

AV 29.3.47

E.& P.H.(G.3)

(22)

25/22/4

37

T.M.

From
The Asst.Secy. to Govt., E.& P.H.Deptt., Madras.
To
The Dy.D.P.I.

Ref:-This office T.M. dated 2.4.47 - Endowment - The Scotland and Brittlestone Prizes Endowment Fund - Amendment to the scheme for the administion of the Fund.

Please ~~forward~~ send your reply at an early date.

21.4.47

P35 Cy

Issued 22/4/47

18/4/47

21.4.47

C 62/7/5

39

E.& P.H.(G.3)

P.C. to issue.

T.M.

From
The Asst.Secy, E.& P.H.Deptt., Madras.

Despd 5/5

To
The Dy.D.P.I., Madras.

PP 35 + 37 cf

Ref:-This office telephone message dated 2-4-47 and reminder dated 21.4.47 re.Endowment - The Scotland and Brittlestone Prizes Endowment Fund-Amendment to the scheme for the administration of the Fund.

Issued
SS
6/5/47

Please send your reply ~~at a very early date~~ without further delay.

5-5-47

RS
5/5/47

av
5/5/47

40

Please send a copy of my telephone message referred to [illegible] and let me know the name of the institution in which the prizes were awarded?

The amount has been accepted by A [illegible] after other [illegible] have refused to take it. It is not known in which [illegible] the amount was [illegible] the Director may be asked to furnish a copy of [illegible] referred to [illegible]. The [illegible]

41

Telephonic Message by post dated 1-4-1947.

26552

From

The Director of Public Instruction,
Madras.

To

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

Ref:- Your Telephonic message of date regarding the Scotland Brittlestone Prizes Endowment Fund - Amendments to the scheme.

The Committee of Elders were consulted in the matter. A copy of ~~kn~~ letter dated 31-10-1946 from the Secretary of the Committee is herewith submitted.

R. T. Narasimhan
for Director of Public Instruction

m.k.2/4.

Copy of letter dated 31-10-1946 from the Secretary, The Scotland & Bittlestone Prize Committee.

With reference to your letters dated Roc.No.96-D 3/46, dated 10-8-1946 and 16-9-1946, I am directed by our Committee to write to you as follows:--

In view of the fact that under the present scheme, there is no time limit for awarding prizes and there is no provision for lapsing of the prize amount, we are advised it is not necessary that the proposed amendments should have retrospective effect.

As suggested by you, we consider that clause iii to Appendix A may be amended as follows:--

"If in any year no eligible candidates for the Prizes are available or if the Committee for any reason has not been able to make recommendation within the stipulated time, it shall be competent for the Committee to recommend the award of an additional prize or prizes in a subsequent year or to recommend that the unspent prize amount may be added to the corpus."

In view of the above, the last sentence in the additions suggested to clause (a) in Appenxid B may be omitted.

We are agreeable to the six months' period suggested by you.

If it is considered that it is also necessary to state that the amendments now proposed should have retrospective effect, ~~wex~~ we are also agreeable to that course.

We trust you would agree to the above amendments and remit to us the prize amounts for 1942-43 and 43-44.

/true copy/

R. Narasimhan

for Director of Public Instruc

32

25/4. T.M (by post) of 2[illegible]-4-47

From The A.S. Edn & PH Dept

Despd ✓ to The Dy DPI.

26/4

Sub. Scotland Brittlestone Prizes Endowment Fund - Amendment to the scheme.

Ref. Director's ~~Reg~~ T.M (by post) of 1-4-47

Pl. send a copy of my telephonic message referred to in the Director's T.M. and let me know the name of the institution in which the prizes are awarded.

ES
23-4-47

23/4/47

24-4-47

Note The current has been accepted in A section after other sections have refused to take it. It is not known in which section the orgl. current was xed. The Director may be asked to furnish a copy of A s's T.M. referred to. The draft above is for approval.

ES
23-4-47

23/4/47

43

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, M A D R A S.

POST COPY OF TELEPHONIC MESSAGE DATED 23--4--1947.

(25)

From
The Director of Public Instruction,
Madras.
To
The Assistant Secretary to Government,
Education and Public Health Department.

ASST. SECRETARY TO GOVERNMENT
31476
25 APR 1947
EDUCATION AND PUBLIC HEALTH DEPT.

REF: Your Telephone Message dated 22-4-19[illegible] to furnish a reply to the Telephone Messa[illegible] the amendments to the Scheme relating to Schotland and Brittlestone Endowment Fund.

A reply was submitted to Government on 1-4-47 (Telephone Message by post). A copy of the same is herewith submitted for the information of Government.

R. Narainan

for Director of Public Instruction.

Ram.24/4. sd/24/4

Copy of this Office Telephone Message dated 1-4-1947 to the Assistant Secretary to Government Education and Public Health Department.

REF: Your Telephone Message of date regarding the Scotland Brittlestone Prizes Endowment Fund - amendments to the Scheme.

The Committee of Elders were consulted in the matter. A copy of letter dated 31-10-1946 from the Secretary ~~xx~~ of the Committee is herewith submitted.

Copy of letter dated 31-10-1946 from the Secretary of the Committee.

With reference to your letters dated ROC No.96-E 3/46 dated 10-6-46 and 16-9-46, I am directed by our Committee to write to you as follows:-

In view of the fact that ~~x~~under the present scheme, there is no time limit for awarding prizes and there is no provision for lapsing of the prize amount, we are advised it is not necessary that the proposed amendments should have retrospective effect.

As suggested by you, we consider that clause(iii) to Appendix A may be amended as follows:-

"If in any year no eligible candidates for the prizes are available, or if theCommittee for any reason has not been able to make recommendations within the stipulated time, it shall be competent for the committee to recommend the award of an additional prize or prizes in a subsequent year or to recommend that the unspent prize amount may be added to the corpus."

In view of the above, the last sentence in the additionx suggested to clause(a)in Appendix B may be omitted.

We are agreeable to the six months' period suggested by you.

If it is considered that it is also necessary to state that the amendments now proposed should have retorspective effect, we are also agreeable to that course.

We trust you would agree to the above amendments and remit us the prize amounts for 42-43 and 43-44.

/True copy/

R. Narainan

for Director of Public Instruction.

sd/24/4

(26)

TELEPHONIC MESSAGE DATED 5-5-1947.
(By Post)

From
The Director of Public Instruction,
Madras.

ASST. SECRETARY TO GOVERNMENT
8 MAY 1947
EDUCATION AND PUBLIC HEALTH DEPT.

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

Ref:- Your Telephonic message (by post), dated 24-4-1947 regarding "The Scotland and Brittlestone Prizes Endowment Fund - Amendments to the scheme.

P. 42 ante

38979

A copy of your Telephonic Message, dated 1-4-1947 is herewith enclosed.

P. 46 infra

X 2. The names of institutions in which the prizes for 1945-46 and 1946-47 ~~and~~ are proposed to be given have been called for. They will be submitted to Government immediately on receipt.

R. Narasimha

for Director of Public Instruction

m.k.6/5.

E. & P.H.
g3

The further report mentioned at 'x' above may be awaited till 1-6-47.

Sd
6/5

16/5/47.

p.t.o.

~~6~~ 46

Copy of Telephonic Message dated 1-4-1947 from the Asst. Secretary to Government, Education and Public Health Department, to the Director of Public Instruction, M a d r a s.

Ref:- Director's letter Roc.96 E3/46, dated 14-3-1947 regarding Endowments - The Scotland and Brittlestone prizes endowment Fund - Amendment to the scheme for the administration of the Scheme - Fund. P.217 ante

---

PP.25-26 ante

Please state whether the committee of elders was consulted by the Director of Public Instruction as ordered in Para 2 of Memorandum No.41886 B1/46-4, Edn., dated 26-7-1946 and if so forward to get a copy of the reply of the Committee.

/true copy/

R. Narasimhan

for Director of Public Instruction

sd
6/5

47

E.& P.H.(G.3) (27)

~~4/881/46~~

~~25/6~~ 19/6

Endowment - The Scotland and Brittlestone Prizes - Endowment Fund - Amendment to the scheme for the administration of the Fund.

P9 cf (J)
P10 cf (Q)
PP1-4 cf
PP13-14 cf
PP20-21 cf
P23 cf
PP27-31 cf
PP41 cf & 45 cf

Read:- G.O.No.2319 Law (Edn.) dated 29-11-1927.
G.O.No.1166 Edn., dated 14-6-1930.
From the D.P.I.R.O.C.No.116-E/42 dated 17-9-45.
" " " R.O.C.No.116-E/42 dated 30-11-45.
" " " R.O.C.No.116-E/42 dated 23-5-46.
" " " Roc.No.116-E/42 dated 25-6-46.
" " " R.O.C.No.96-E-3/46 dated 14.3.47.
" " " T.Ms dated 1.4.47 and 5-5-47.

Order/No. 1286 Edn., dated 19.6-1947.

The ~~following~~ appended Notification will be published in the Fort St.George Gazette.

To
Genl DPI (with encl)
" AG (—do)
" Supdt, G. Press for publication of notification etc
3 Spare copies —do—

Despatched
24/6

6/6/47

~~NOTIFICATION.~~ ~~Notification~~

12-6-47

P.T.O.

Appendix — Notification.

Revised draft

In the matter of the Charitable Endowments Act, 1890 and in the matter of "the Scotland and Bittlestone Prizes Endowment Fund at Madras."

Whereas application has been made to the Government of Madras under section 6(1)(a) of the Charitable Endowments Act, 1890 (Central Act VI of 1890), by the administrator of the Endowment Fund known as the 'Scotland and Bittlestone Prizes Fund at Madras' for modifying the scheme settled for the administration of the said Fund published with Education Department Notification No. 137, dated the 14th June 1930, at pages ~~*~~ 384-385 of Part I-B of the Fort St. George Gazette, dated the 24th June 1930, it is hereby notified that His Excellency the Governor of Madras has, in exercise of the powers conferred by section 5, sub-sections (2) and (3), of the said Act, modified the said scheme in the manner set forth in the Schedule below and that the scheme as so modified shall be deemed to have come into operation on the 1st April 1942.

~~*to be filled in by E.& P.H.~~

p 10 of (Q)

Schedule.

p 10 of (Q)

In the said scheme —

(1) to clause 4, the following sentence shall be added, namely:-

"The prizes for any year shall be awarded as soon as possible after the results of the examinations referred to in clause 5 and held in March or April of that year are announced and shall in no case be delayed beyond six months after the announcement of such results";

(2) in clause 5, after the words "any of the University Examinations" the words "conducted by the Universities in the Province of Madras and the University of Mysore" shall be inserted;

(3) in Appendix A, for clause (iii), the following clause shall be substituted, namely:-

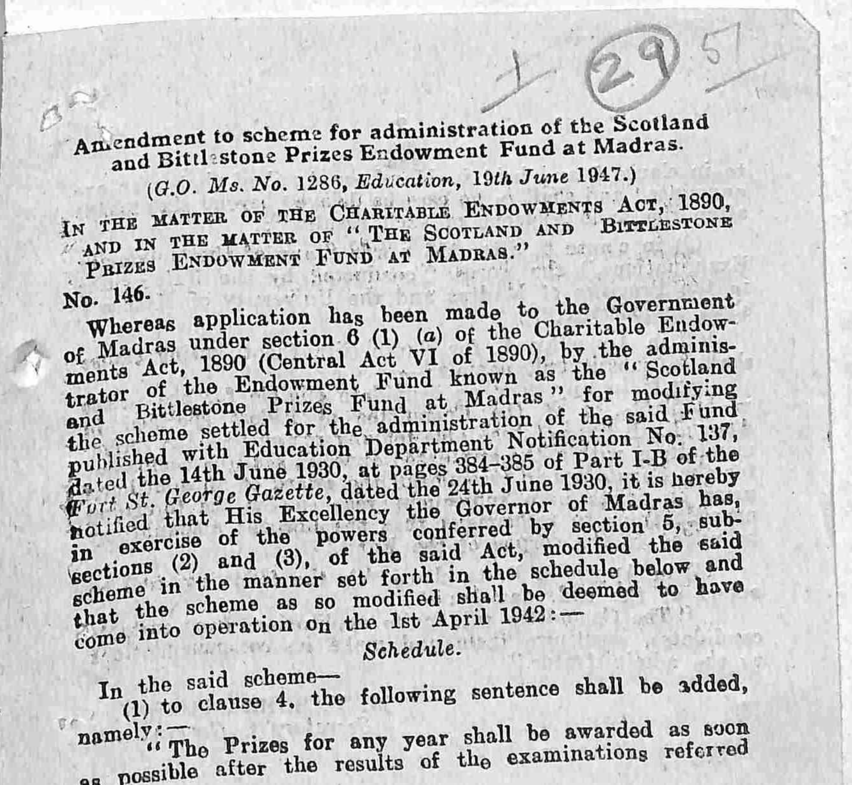
"If in any year no candidate eligible for the prize is available or if the Committee of Elders specified in Appendix B has not been able for any reason to make recommendations within the stipulated time, it shall be competent for the Committee to recommend the award of an additional prize or prizes in a subsequent year (under the foregoing provisions) or to recommend that the unspent amount may be added to the corpus of the Fund." ;

(4) in Appendix B, to clause (a) the following shall be added at the end, namely:-

"The Committee will invite applications from suitable candidates, scrutinize them and make its recommendations to the administrator".

4/6/47

p 1045 (Q)



Amendment to scheme for administration of the Scotland and Bittlestone Prizes Endowment Fund at Madras.

(*G.O. Ms. No.* 1286, *Education*, 19*th June* 1947.)

IN THE MATTER OF THE CHARITABLE ENDOWMENTS ACT, 1890, AND IN THE MATTER OF "THE SCOTLAND AND BITTLESTONE PRIZES ENDOWMENT FUND AT MADRAS."

No. 146.

Whereas application has been made to the Government of Madras under section 6 (1) (*a*) of the Charitable Endowments Act, 1890 (Central Act VI of 1890), by the administrator of the Endowment Fund known as the "Scotland and Bittlestone Prizes Fund at Madras" for modifying the scheme settled for the administration of the said Fund published with Education Department Notification No. 137, dated the 14th June 1930, at pages 384–385 of Part I-B of the *Fort St. George Gazette*, dated the 24th June 1930, it is hereby notified that His Excellency the Governor of Madras has, in exercise of the powers conferred by section 5, sub-sections (2) and (3), of the said Act, modified the said scheme in the manner set forth in the schedule below and that the scheme as so modified shall be deemed to have come into operation on the 1st April 1942:—

Schedule.

In the said scheme—

(1) to clause 4, the following sentence shall be added, namely:—

"The Prizes for any year shall be awarded as soon as possible after the results of the examinations referred

~~52~~

52

to in clause 5 and held in March or April of that year are announced and shall in no case be delayed beyond six months after the announcement of such results";

(2) in clause 5, after the words "any of the University Examinations," the words "conducted by the Universities in the Province of Madras and the University of Mysore" shall be inserted;

(3) in Appendix A, for clause (iii), the following clause shall be substituted, namely:—

"If in any year no candidate eligible for the prizes is available or if the Committee of Elders specified in Appendix B has not been able for any reason to make recommendations within the stipulated time, it shall be competent for the Committee to recommend the award of an additional prize or prizes in a subsequent year (under the foregoing provisions) or to recommend that the unspent amount may be added to the corpus of the Fund."

(4) in Appendix B, to clause (*a*), the following shall be added at the end, namely:—

"The Committee will invite applications from suitable candidates, scrutinize them and make its recommendations to the administrator."

M. V. SUBRAMANIAN,
Secretary to Government.

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39 53

Amendment to scheme for administration of the Scotland and Bittlestone Prizes Endowment Fund at Madras.

(*G.O. Ms. No.* 1286, *Education*, 19*th June* 1947.)

IN THE MATTER OF THE CHARITABLE ENDOWMENTS ACT, 1890, AND IN THE MATTER OF "THE SCOTLAND AND BITTLESTONE PRIZES ENDOWMENT FUND AT MADRAS."

No. 146.

Whereas application has been made to the Government of Madras under section 6 (1) (*a*) of the Charitable Endowments Act, 1890 (Central Act VI of 1890), by the administrator of the Endowment Fund known as the "Scotland and Bittlestone Prizes Fund at Madras" for modifying the scheme settled for the administration of the said Fund published with Education Department Notification No. 137, dated the 14th June 1930, at pages 384–385 of Part I-B of the *Fort St. George Gazette*, dated the 24th June 1930, it is hereby notified that His Excellency the Governor of Madras has, in exercise of the powers conferred by section 5, sub-sections (2) and (3), of the said Act, modified the said scheme in the manner set forth in the schedule below and that the scheme as so modified shall be deemed to have come into operation on the 1st April 1942:—

Schedule.

In the said scheme—

(1) to clause 4, the following sentence shall be added, namely:—

"The Prizes for any year shall be awarded as soon as possible after the results of the examinations referred

56

2

to in clause 5 and held in March or April of that year are announced and shall in no case be delayed beyond six months after the announcement of such results";

(2) in clause 5, after the words "any of the University Examinations," the words "conducted by the Universities in the Province of Madras and the University of Mysore" shall be inserted;

(3) in Appendix A, for clause (iii), the following clause shall be substituted, namely:—

"If in any year no candidate eligible for the prizes is available or if the Committee of Elders specified in Appendix B has not been able for any reason to make recommendations within the stipulated time, it shall be competent for the Committee to recommend the award of an additional prize or prizes in a subsequent year (under the foregoing provisions) or to recommend that the unspent amount may be added to the corpus of the Fund."

(4) in Appendix B, to clause (a), the following shall be added at the end, namely:—

"The Committee will invite applications from suitable candidates, scrutinize them and make its recommendations to the administrator."

M. V. SUBRAMANIAN,
Secretary to Government.

50238 R/45

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(31) 55

C.F. 32 (a).

EDUCATION Department

From (Name) Dr. S.R.U. Savoor, M.A., D.Sc., I.E.S.,
Designation Director of Public Instruction
Station MADRAS.

Received ____________ Registered ____________

To

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

Enclosures:

Roc. No. 96-E-3/46 dated 23rd September 1947.

ASST. SECRETARY TO GOVERNMENT
76887
27 SEP 1947
EDUCATION AND PUBLIC HEALTH DEPT.

P10 infra
PP3-4 infra
PP47-50 K

Sir,

Sub: Endowment - The Scotland and Brittlestone Prizes Endowment Fund.

....

With reference to the post copy of the telephonic message dated 24.4.47 from Government regarding the names of institutions in which the prizes are to be awarded for 1945-46 and 1946-47, I have the honour to submit herewith a copy of letter dated 9-9-47 from the Secretary, The Scotland and Brittlestone Prizes Committee and to state that the stand taken by the committee is untenable.

2. With regard to the award of prizes for the years 1942-43 and 1943-44, I may point out that according to the amended rules to the scheme approved in G.O. Ms. No.1286 Edn, dated 19.6.1947, the prizes cannot be awarded to the students selected for those two years now. The accumulations may be reinvested in Government Securities and be added to the Corpus of the fund, as required in para 8 of the Scheme

P.T.O.

approved in G.O. No. Ms.1166 Edn dated 14.6.1930.

R. Na[illegible]

for Director of Public Instruction.

Ramu.25/9.

COPY OF: THE SCOTLAND BITTLESTONE PRIZE COMMITTEE.

14 A, Sunkuvar Street,
Triplicane, Madras
9th September 1947.

The Director of Public Instruction,
Madras.

Sir,

Re. Your letter R.O.C.96-E 3/46 dated 8.8.1947.

I write to acknowledge the receipt of the printed copy of the notification published in the Fort St. George Gazette in respect of the above Endowment Fund enclosed with your letter under reference.

As regards the names of the institutions in which the prizes for the years 1945-46, 1946-47 are proposed to be given, we do not clearly understand your query.

The prizes are usually remitted to the candidates by Money Order.

We would invite your attention to our longstanding request for ~~xx~~ award of prizes recommended on 23-1-1945.

An early reply is solicited.

Sd/********
Secretary.

(TRUE COPY).

COPY OF: THE SCOTLAND BITTLESTONE PRIZE COMMITTEE.

Madras
13th Feb. 1945.

The Director of Public Instruction, Madras

Sir,

I have the honour to inform you that at a meeting of the Committee of Elders held on 25-1-1945, the following persons were recommended for the prizes noted against their names.

As regards the Second Prize for 41-42, we understand on enquiry, that the deceased nominee for the prize has left behind him a widow and a mother. We are further enquiring the matter and shall pay over the prize money to the legal heir of the deceased advice. after taking proper legal advice.

I shall thank you to let me have your cheque for the payment of the prizes for the years, 42-43, 43-44, 44-45.

Sd/*******

Year.	Name and Examinations Passed.	Address.	Prize.
1942-43	N.S.Krishna Iyengar, B.A. (Sanskrit for Group III) March 42, Mysore University.	C/o N. Rangachar, Retd.Head Clerk Tq. Office, Nagamangalam.	I Rs.48.
	M.A. Singaracharier, B.Sc. (Sanskrit Group II) March 42, Mysore University.	C/o. M.A. Srinivas Iyengar, Lawyer, Hansur.	II Rs.24.
1943-44	S. Thirumalachariar, B.A.(Hons) Madras, (Inter Sanskrit) March 43.	Poonamallix High Road, Madras.	I Rs.48.
	M.K. Srinivasa Iyengar, Tarka Vidvan, March 43, Mysore University.	Arayar, Melkot Temple, Melkot, Via French Rocks.	II Rs.24.

P.T.O.

4 | 46

1944-45.	M.A. Parthasarathy. B.Sc, (Sanskrit Group II) March 44, Mysore University	C/o. Dr. S.S.Jayaraman, Bangalore Nursing. Home, Gandhinagar.	I Rs.48.
	Vidvat Jaggoo Sudarsanachar Sahitya Vidvan, March 44, Mysore University.	Temple Service, Melkot Via French Rocks.	II Rs.24

(TRUE COPY).

R. Narasimhan

For Director of Public Instruction.

Ramu.25/9.

26/9

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(33)

59 | 5

E-P.H-1

Memo. No. 26552 - 1/47A Edn dated 3-10-47.

Sub: Endowment - The Scotland and Brittlestone Prizes Endowment Fund

59/3/10

P1 ante c. no. 76887 From the D.P.I. No. 96-E3/Ub dated 23.9.47).

The D.P.I. is requested to send a copy of his T.M. (by Post) dated 1.4.47) on the subject noted above and also a copy of Govt. T.M. dated 24.4.47) referred to in his letter read above.

(Entry found in Regr but papers not available)

1/10

To
The D. P. I.

29.9.47

30/9/47

3/10/47

A (34) 61 7

C.F. 32.

In reply, please quote number, date and short title.*

Education DEPARTMENT.

Received ____________ *Registered* ____________

From (Name) Dr. S.R.U.Savoor, M.A., D.Sc., I.E.S.,

(Designation) Director of Public Instruction,
Madras.

Post Box ______, (Station) ______

Telegraphic Address ______

ASST. SECRETARY TO GOVERNMENT
16 OCT 194
EDUCATION AND PUBLIC HEALTH DEPT.

82368

To

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

Roc. No. 96 E3/46, dated 14-10-1947. 19 .

Sir,

* Endowment - The Schotland and Brittlstone Prizes Endowment Fund.

ENCLOSURES ______

SPARE COPIES ______ p5 [illegible]

With reference to Government Memorandum No.26552-1/47-A. Edn., dated 3-10-1947, I have the

p.t.o.

8 621/

honour to submit herewith copies of the telephonic messages at pp 9-14 infra mentioned in the above Government Memorandum.

for Director of Public Instruction.

k.n.15-10.

15/10

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63 9

Copy of Telephonic Message (By Post) dated 1-4-1947
from the Director of Public Instruction Madras to the Assistant Secretary to Government, Education & P.H.Department.

Ref: Your T.M. of date regarding the Scotland Brittlestone Prizes Endowment Fund - amendments to the scheme.

The committee of Elders were consulted in the matter. A copy of letter dated 31- 10-1946 from the Secretary of the Committee is herewith submitted.

Note below.

Copy of letter dated 31-10-1946 from the Secretary of the Committee.~~is herewith submitted.~~

With reference to your letters dated Roc.No.96 E3/46 dated 10-8-46 and 16-9-46, I am directed by our Committee to write to you as follows:-

In view of the fact that under the present scheme, there is no time limit for awarding prizes and there is no provision for lapsing of the prize amount, we are advised it is not necessary that the proposed amendments should have retrospective effect.

As suggested by you, we consider that clause iii to Appendix A may be amended as follows:--

"If in any year no eligible candidates for the prizes are available or if the Committee for any reason has not been able to make recommendations within the stipulated time, it shall be competent for the committee to recommend the award of an additional prize or prizes in a subsequent year or to recommend that the unspent prize amount may be added to the corpus."

In view of the above, the last sentence in the addition suggested to clause (a) in Appendix B may be omitted.

We are agreeable to the six months' period suggested by you.

If it is considered that it is also necessary to state that the amendments now proposed should have retrospective effect, we are also agreeable to that course.

We trust you would agree to the above amendments and remit to us the prize amounts for 42-43 and 43-44.

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p.t.o.

64

Copy of Telephonic Message (By Post) dated 24th April 1947 of the Assistant Secretary to the Govt. of Madras, Edn. & P.H. Dept. to the Director of Public Instruction.

Sub: Scotland Brittlestone Prizes Endowment Fund - Amendment to the Scheme.
Ref: Telephonic Message (by Post) from the Director of Public Instruction, dated 1st April 1943.

Please send a copy of my telephonic message referred to in the Director's telephonic Message and let me know the name of the institution in which the prizes are awarded.

(True Copies)

R. Narayanan

for Director of Public Instruction.

15/10

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(36) 65

Post Copy of Telephonic Message dated 26th November, 1947.

Secretary to Government, Education and Public Health Dept. 28 NOV 1947

From

The Director of Public Instruction, Madras

To

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

9365 PP 1-2 ante

Reference:-My letter Roc.No.96-E3/46 dated 23.9.1947 regarding the Scotland and Brittlestone Prizes Endowment Fund.

Kindly let me know whether the prizes for 1945-46 and 1946-47 may be awarded, when the names of institutions in which the prize winners were reading are not furnished to the Administrator of the Fund. The Secretary of the Committee requests early sanction of the prizes.

PP 1-2 ante

2. Final orders with regard to para 2 of the letter referred to above may also be kindly passed.

FOR DIRECTOR OF PUBLIC INSTRUCTION.

ks. 27-11.

27/11

EDN.& P.H.(G3).

ENDOWMENT - Scotland and Bittlestone Prizes Endowment Fund - Award of Prizes.

20/23/2 MN 23/2

C.No. 76887/47. pp1-2 of
p11 of

From the D.P.I., Roc.No. 96-E-3/46 dated 23-9-47.
-do- T.M., dated 26-11-47.

MEMO. NO. 93657/23/47-2 EDN., DATED 20-2-48.

PAO of (Q)

pp49-50 of (K)

The D.P.I. is informed that with reference to the amendment to clause (iii) in Appendix A of the scheme for administration of the Scotland ~~&~~ and Bittlestone Prizes Endowment Fund, issued in G.O. No. 1286, Edn., dated 19-6-47 with retrospective effect from 1-4-42, the lapsed prizes of a year can be awarded in ANY subsequent year, regarding them as "addl. prizes" awarded in that ~~subsequent~~ year. He is therefore requested to sanction immediately the prizes for 1942- and 1943-44.

2. The D.P.I. is also informed that the information regarding the names of institutions in which the Scotl-
-and-

p.t.o. -2-

-2-

and Bittlestone prizes are awarded, called for by Govt. in ~~their~~ the post copy of their telephonic message dated 24-4-47, is not required now.

(K)/42 g

18/2/48

18-2-48

15-2-48

To

The D.P.I.

S/Cs. 2.

Despd

24/2/48

E.H.H. Report (C)

38

Endowments. The Scotland and Bittlestone Prizes Endowment Fund. Amendments to the Scheme.

From the D.P.I. ROC No. 116 E/42 d/ 17.9.45.

Under the scheme approved in Ex. No 1166 Law (Edn.) d/ 14.6.30 the D.P.I. is the administrator of the Scotland and Bittlestone Prizes Endowment Fund and a Committee of Elders constituted under the scheme has to recommend candidates for the prizes. Owing to some differences of opinion between the D.P.I. and the Committee, the D.P.I. considers that the duties of the administrator should be defined and necessary amendments issued to the scheme in respect of the following matters.

para 7-1- p.2 cf

2. Whether the Director or the Committee of Elders is the authority competent to call for applications. Under para 4 of the notification on p.10 of Q the Committee has to recommend candidates for the award of prizes. It does not seem proper to entrust the Committee with the duty of inviting applications; it will result in endless delays. As the Administrator of the fund, it seems that the D.P.I. should invite applications. To this effect a specific provision may be made in the scheme.

P1 a2 - p2 cf

para 4, p 2 cf

3. Whether candidates from outside the Universities of this Province are eligible for the prizes. In Jany. 45 the Committee recommended the award of prizes to five students of the Mysore University. The fund is constituted at Madras and there is no reason why its benefits should be conferred on students from outside the Universities of the Province. The scheme may be amended to bring out this idea.

para 7, 3, p 2 cf

para 4, p 2 cf.

4. Whether there should be any time limit for the award of the prizes: The Committee did not recommend any candidate for the award of prizes during 1942-3 & 1943-4 but in Jany 1945 they recommended 6 candidates for the prizes.

Q/10

Under clause (iii) of Appendix A, if no candidates are available for the prize, the Committee can recommend the award of an additional prize or prizes in a subsequent year. The reason for the non-award of prizes during 1942-3 and 1943-4 was the failure of the Committee to send up their recommendation and not the lack of eligible candidates. The Govt. Solicitor is reported to have held the view that the award of all the six prizes in 1945 did not appear

para 5, p 2 cf

ibid

to

to be warranted by the provisions of the scheme. The award of the six prizes in question seems unwarranted. The rules may be amended so as to provide that prizes not awarded in a particular year for reasons other than lack of eligible candidates shall not be awarded during subsequent years but the amount shall be added to the corpus of the fund. Such an amendment will prevent the Committee from putting off making recommendations indefinitely.

5. After orders are passed on the foregoing paragraphs, the file may be sent to Legal u.o. for remarks and for suggesting suitable amendments to the scheme.

M.M.

BM
28/10/45 S

(1) "A" at J/1: Have you got the rules previously in force. It is important to see, in particular, whether the Committee was itself the 'administrator' of the ~~kind~~ Fund previously. I see that at J/3 they had signed the application for the amendment. (2) Can an amendment now be made without reference to the Committee on the ground that the D.P.I. had become the administrator since. In any case would it not be necessary to consult the Committee (in equity if not in law) and is not a formal application from Somebody necessary before the amendments are finally notified.

(Routine note placed at the bottom of file)

M.V.S.30-10-45.

Item (1) above:

Submitted that the rules referred to are not available. They may be called for from the D.P.I.

Item (2) above:

The D.P.I. is the administrator of the Fund and under Section 6(1)(a) of the Charitable Endowments Act, 1890, he should make an application for a modification of the Scheme settled for the Fund. If it is considered that the Committee may be consulted about the modifications proposed, at least, in equity, it is doubtful whether the Committee would agree to the

p 6 of book part file

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modifications. The D.P.I. may perhaps be consulted.

A draft memo is submitted for approval.

MM
10.11.45

BM
10/11/45 S

pp 11-12 of o.c.

[Memo No. 41886-C/45-1 Edn. d 12.10.45]

From the D.P.I. Roc No. 116 E/42 d 30.11.45

J

U

The rules in force prior to the publication of the notification appended to Govt. 2019 Edn d 29.11.29, are those contained in p.1 of Govt. 52 Edn. d 23.2.1872. At that time the "Committee" does not appear to have been constituted. For orders whether the D.P.I. should be asked to consult the Committee, about the amendments proposed by him.

MM
8.12.45

BM
10/12/45

Please ask the D.P.I. whether the letter of Mr. S. Parthasarathy Iyengar d. 24-11-1871 and its ~~annexes~~ annexures are available - vide G.O. No. 1 Edl. d. 4-1-1872 and if so, get a copy.

F

BM
12/12/45

A draft t.m. is submitted for approval on p. 14 c.f.

MM
13.12.45

BM
14/12/45

BM
17/12/45

p 14 cf

[T.M. to the D.P.I. d 18.12.45]

pp 15-18 cf

C58982 From the D.P.I. d 26.12.45.

~~The~~ Copy of letter of Mr. Parthasarathy Iyengar and its annexes is at pp 16-18 c.f.

A | For ~~orders~~ whether the D.P.I. ~~may~~ should be asked to consult the Committee.

16.1.46 Please see pages 16-18 CF for the original scheme relating to the endowment. The Committee of Elders on whose recommendations the scholarships were to be awarded ~~were~~ was constituted from the very beginning. It would seem that the

p 17 CF

function of the committee was only to recommend candidates for the scholarships.

For orders on 'A' on page 3 ante. para 2, p.13 CF

[illegible]
17/1/46

S

The Committee of Elders as constituted in 1872 was only for furnishing certificates of good conduct. It is only later that it seems to have become a body for recommending awards. There seems to be no harm in relegating them to a subordinate position.

Para 4 at p.16 shows the original idea was to take only Madras University degrees into account. It is not clear that there was any deliberate intention to widen the scope later. But there need be no objection, I think, to make it clear now that only the Madras Univ: is meant.

As D.P.I. is the sole administrator, there is no need I think to consult the Committee, legally. Nor would it be advisable to consult it 'in charity' as it is likely to be obstreperous.

But D.P.I.'s administration has to be subject to formal amendment I believe. He may be asked to ~~[illegible]~~ apply formally for amendment to make it clear that only the D.P.I. should select for applying that the awards should be confined to candidates of the Madras University and that there should be a time-limit.

Legal may kindly advise.

Sd/ 17/1/46

Law. U.O. 41886 c/45-2
17.1.46

A1

ASSISTANT SECRETARY
18 JAN 1946
LEGAL DEPARTMENT.

0 385

LEGAL DEPARTMENT.

The pith and substance of the scheme of the donor as outlined by him in 1871, is that the prizes should be awarded only to candidates who secure certificates from the Committee of Elders referred to in Appendix B (pp.17-18 c.f.). The great importance attached by the donor to these certificates will be clear from paragraph 1 of Appendix B at p.17 c.f. which requires that "censorship" should be exercised "over the whole life and conduct of the youth seeking to obtain the prize". The Committee could refuse certificates without assigning any reasons therefor - paragraph 4 at p.18 c.f. Paragraph 3 of Appendix A also shows that the function of the Committee extends to a consideration of the individual cases. See also the last words in paragraph 8 of Appendix B. The intention seems to have been that the D.P.I. should select candidates for the prizes from out of those who get certificates from the Committee of Elders. Where the Committee confines the issue of the certificates to the number of the prospective prizes, the D.P.I's discretion will, in effect, have disappeared. The Committee has now been functioning for over 70 years and it will not be proper to relegate it to the background now.

B

2. The Madras University in 1871 had jurisdiction over the Mysore area, and it is only in comparatively recent years that a separate University was constituted for Mysore. Having regard to the fact that the donor and the members of the Committee of Elders named by him are all members of the Mandayam Community which has its roots in Mandya in the Mysore State, it will not be right to deny the benefit of these prizes to those who pass the examinations of the Mysore University.

3. Any amendments which may be made now should be consistent with the donor's intention - see s.5 (5) of the Charitable Endowments Act, 1890. It is also desirable to consult the Committee of Elders before any amendments are actually effected

as it plays, and should continue to play, a vital part in the administration of the scheme. Merely "obstreperous" opposition on its part to reasonable and necessary amendments may of course be ignored.

K.M. 19/1/46
s

Legal no 0385-1
21-1-46.

21.1.46 E & PH

Ed & P.H. Dept
c

[Secretary's note at p 4 and Legal note at pp 5-6 above]

The three points raised by the D.P.I. at p 2 c.f. may perhaps be answered as follows:—

1) The Committee of Elders should call for applications for the award of the prizes.

2) Candidates of the Mysore Univy may also be declared eligible for the prizes.

3) There should be a time limit for the award of the prizes.

The Director may be asked to consult the Committee and propose amendments to the scheme on the above lines. For orders.

3563

P

O.S.
5/2

Cva
30-1-46

1/2/46 S

The position I set out at p. 4 was derived from the legal position as it now stands after the amendments previously made & I do not think there is any question of defeating the donor's intentions thereby. Although (reversing the customary roles!) Legal is taking a historical stand & I am taking the legal stand, I have no objection, however, to the Legal dept's view being accepted & directions being given as at 'P' above.

5/2/46 Ar.

P. approved

[Draft copies of [illegible]]

SECRETARY, EDN. AND P.H. DEPT.
GOVERNMENT OF MADRAS
6 - FEB 1946

Issue draft below
7/2/46

(41)

p 19 cf
p 20 cf

Memo no 41886 C/45-3 Edn dated 8.2.46
C. no 27931/46. From the DPI R.O.C. no 1162/42 d 23.5.46

Please see the DPI's reply on pp 20-21 cf. He has agreed to the amendments suggested by the Committee of Elders in regard to the inviting of applications and to the eligibility of the Mysore University students for the prizes. He considers that the time limit of two years after the announcement of the results of the University Exn for the award of prizes suggested by the Committee is not suitable as it will lead to complaints and inordinate delay in the award of the prizes and suggests that it may be fixed as six months. This will ensure the award of the prize before the close of the year in which the results of the University Examinations are announced. The DPI's suggestion may be accepted.

4.6.46

2. The Legal Dept. may perhaps see the case with reference to the amendments suggested by the Committee of Elders as well as by the DPI. They may also be requested to offer their remarks on the question at Z on p. 20 cf as the Committee wants a reply before making recommendations for 1945-6 + 1946-7 - vide last para of the letter from the Secretary to the Committee on page 21 cf

4.6.46

1.6.46

3/6/46

4.6.46

Legal

ASSISTANT SECRETARY
5 - JUN 1946
LEGAL DEPARTMENT.

5 3907

4/6/46

Ed PH (B1)
Ref No. 41886-B1/45-2
4/6/46.

LEGAL DEPARTMENT

The opinion of the Government Solicitor referred to at Z on page 20, c.f. is not in the file. Will E. & P.H. kindly get a copy of that opinion and oblige?

K.R. 12/6/46

E & P.H. Dept.

ASST. SECRETARY TO GOVERNMENT
14 JUN 1946
EDUCATION AND PUBLIC HEALTH DEPT.

Legl no 39071
12.6.46

31795

E & P.H. (B1)

With reference to the Legal Deptt's note above a draft memo to the D.P.I. is submitted below for approval.

15.6.46

16/6/46

[Memo. No. 41886-B1/46-3 Edn dt. 17.6.46
DPI's letter Roc. No. 118 E/42 dt. 25-6-46]

Please see letter from the DPI furnishing a copy of Govt. Solicitor's letter called for by the Legal.

2) May be sent to Legal D.O.

28/6.

28/6/46

28/6/46

Legal

DEPUTY SECRETARY
1 JUL 1946
LEGAL

Legal Department.

Z on page 20 c.f. The Government Solicitor's opinion is technically correct. But it is open to the Government to modify clause (iii) of Appendix A referred to by the Government solictor with retrospective effect so as to permit of the award of prizes as desired by the Committee. If the Government considers that the suggestion made by the Committee is per se not an unreasonable one, an amendment of clause (iii) aforesaid may be ordered. After all, there is no point in hoarding up the prize moneys instead of using them at once, when the demand for education, and yet more education,

29/6

E & P.H. (B1)
No. 41886-B1/46-3 Edn
29/6/46

4595
30.6.46

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is so great.

2. As regards the amendments suggested by the Committee, this Department agrees generally with the remarks of the Director.

3 E.and P.H. will no doubt send the draft amendments as finally settled to this Department for serutiny in the usual course.

K.R. 16/7/46

E & P.H. Dept.

Legl no 4595-1
18.7.46

ASST. SECRETARY TO GOVERNMENT
38950
18 JUL 1946

E & P.H. (B1)

Please see the Legal Deptt's note above. They agree generally with the remarks of the D.P.I. in regard to the amendments suggested by the Committee of Elders on p. 21 cf.

2. Attention is solicited to para 5 of the Director's letter on p. 20 cf. The Committee of Elders want to award the prizes for the years 1942-3 & 1943-4 also in the current year. The Govt. Solicitor had already expressed the opinion that clause (iii) in Appendix A to the scheme for the administration of the Fund does not permit the award of the prizes now. The Legal Deptt point out that the Govt Solicitor's opinion is technically correct but it is open to Govt to modify the clause with retrospective effect so as to permit the award of the prizes as desired by the Committee. According to amendment 2 suggested by the Committee of Elders, if the Committee's recommendations are not ~~not~~ made within the stipulated period, the prizes will lapse and the prizes amount will have to be added to the Corpus of the Fund. The Legal Deptt point out that

Vide p. 21 cf

p10g

p8

p21cf

there is no point in hoarding up the prize amounts instead of using them. It is therefore for consideration whether the position may be explained to the Committee of Elders and clause (iii) may be modified if required by them.

B 26.7.46

A draft memo to the DPI is submitted below for approval.

USR 24.7.46

DM 25/7/46

B 26.7.46

[Issued as Memo. No. 41886-B/46-4 Edn dt-26.7.46] pp 25-26 cf

C No. 21779/47 - From the DPI Roc No. 96 E-3/46 dt-14/3/47 p 27 cf

Please see the concluding sentence of the Govt memo on p-26 cf. The DPI in his reply on p-27 cf, does not specifically ~~say~~ say whether the Committee ~~has~~ ~~been~~ consulted in regard to the amendment to clause (iii) in Appendix A to the ~~who suggested~~ scheme ~~by him~~. It is presumed that the DPI has subd these amendments after consulting the Committee. This may be verified. ~~For the sake of clarification a~~ A draft T.M. is subd. for approval.

dt 29/3/47

29.3.47

av 29.3.47

[Issued as TM dt-1/4/47] p 35 cf

C No. 26552/47 - From the DPI TM dt-1/4/47. p 41 cf

" 38979/47. " " DPI T.M dt-5/5/47 p 45 cf

Please see the TM on p.41 cf. The DPI states that he has subd the amendments after consulting the Committee of Elders. p 41 cf The draft amendments proposed by the DPI

Portion A on p 21 + p 31 cf

DPI may be approved. A draft notification is subd for approval. May be sent to Legal for scrutiny. [In the schedule of amendments subd by the DPI with his letter on p 27 cf, the amendment at 'A' on p 21 cf has not been included. It has been included in view of 'B' on p 5 ante]

dt 20/5/47

av 21.5.47

21.5.47 Legal

Legal Department.

E&PH (G3)

Memo No. 41886 B3/45-4 Edn

22/5/47

5699

ASSISTANT SECRETARY LEGAL DEPARTMENT 22 MAY 1947

The draft notification calls for the following remarks:-

p 1 of the draft

Preamble. This is not (in) the usual form. Further reference is made to the notification containing the original scheme published with Education Department Notification No. 543, dated the 29th November 1927, as subsequently amended by G.O. No. 1166, Law (Education), dated the 14th June 1930. As that G.O. substituted a revised scheme for the original scheme, it is enough if reference is made to the subsequent notification containing the revised scheme.

p 10 of (Q)

pp 1-2 of the draft

Amendment 1. The appropriate place for the words proposed to be inserted is immediately after the words "University Examinations" in clause 5.

p 10 of (Q)

p 2 of the draft

Amendment 3. The portion relating to the award of the prizes within six months of the announcement of the results of the University Examinations can more appropriately go in as an addition to clause 4 of the revised scheme set forth in the Schedule to the notification of 1930. It is presumed that the omission to refer to the other recognized Public Examinations is unintentional. If this is correct, the words "results of the University Examinations" may be changed into "results of the examinations referred to in clause 5".

p 10 of (Q)

A

A revised draft notification incorporating the

G3

necessary amendments in the light of the above remarks is put up at flag (F)

mm 4/6/47 E + P.H.

leg no 5699-1 / 5.6.47

ASSISTANT SECRETARY TO GOVERNMENT
5 JUN 1947
47175
EDUCATION AND PUBLIC HEALTH DEPARTMENT

E.& P.H.(G.3)

Please see the Legal Note on p.p. 11-12 ante. The presumption of that Deptt. at A on p.11 ante is correct. The revised draft of the Legal Deptt. may be accepted. With reference to the portion marked M therein, ~~the~~ necessary particulars have been called for from the M.R.O.Chittoor and they will be incorporated on receipt. The draft is for approval ~~In the meanwhile the file may be circulated to H.M.(Edn.) for approval of the draft notification.~~

Separate note submitted
Since filed

VCS 6/6/47
S.11-6-47

12.6.47

14/6/47

[G.O./Ms.No. 1286 Edn dated 19-6-47] p.47 G.

E.P.H.(A)

Sub: Endowment - The Scotland and Brittlestone Prizes Endowment Fund.

p3-4 c.f. c.no.76887 from the D.P.I. No.96-E3/ub d.23.9.47.
p10 c.f. c.no.93687 from the D.P.I. p.c. of T.M. d.26-11-47.

Please see the D.P.I.'s letter on p3-4 c.f. and his p.c. of T.M. on p10 c.f. The subject matter does not seem to relate to Govt. colleges. G.O. No.1286 Edn. d.19.6.47 referred to on p3 c.f. appears to have been issued in G3 section. The file may therefore be transferred to that section for necessary action.

28.12.47

31/12/47

6/1/48

ASIV / G3

Recd 8/1/48.

43

15 / 17

E.& P.H.(G3).

The Scotland and Bittlestone Prizes Endowment Fund - Award of Prizes.

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C.No.76887/47. P.1-2 c.f. From the D.P.I., Roc.No. 96-E-3/46 dated 23-9-1947.
C.No.93657/47. P.11 c.f. From the D.P.I., T.M., dated 26-11-1947.

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(45)

Please see the letter from the D.P.I. on pp.1-2 c.f. and the copy of letter from the Secy., the Scotland and Bittlestone Prizes Committee at pp.3-4 c.f. Information regarding the names of institutions in which the Scotland and Bittlestone Prizes are awarded was apparently called for in the T.M. at p.42 c.f. of G.O. No. 1286, Edn., dated 19-6-47 with a view to determine the section in which the current has to be dealt with. This information is not necessary now; the prizes are not restricted to students of any particular institution but are awarded to all students who have passed any of the Uty. examinations conducted by the Universities in the Province of Madras and the Uty. of Mysore (or other recognised Public Examns. of the year) with Sanskrit as a second or optional language or having passed any such examn. ~~or~~ previously have passed a higher examn. in the year of award. The D.P.I. may be informed accordingly.

(K)

Rules 5 or 10 of (Q) as modified by the Govt. 51-52 of (K)

2. With ref. to para 2 of the D.P.I's. letter at p.1 c.f., it is submd. that clause (iii) in Appendix A of the scheme for the ~~admn.~~ administration of the Fund was amended in G.O. No. 1286, Edn., dated 19-6-47 and the amendment was given retrospective effect from 1-4-42 only with the specific view of enabling the award of the prizes for 1942-3 and 1943-4 during the current year as desired by the Committee. It is not therefore known how and why the Director considers that the prizes for the two years referred to above cannot now be awarded. According to the amendment to clause (iii) made in G.O. No. 1286, Edn., dated 19-6-47, the lapsed prizes may be awarded in a SUBSEQUENT YEAR. It does not mean that the prizes can be awarded only in the year immediately following the year in which the prizes lapsed as the Director seems to contemplate. It is for orders whether the D.P.I. may be informed accordingly and he may be asked to sanction immediately the prizes for 1942-43 and 1943-44. Legal may see u.o. for remarks.

P10 of (Q)

A P51 c.f. of (K)

B P51-52 c.f. of (K)
Technically following the wording of the amendment; the "Rules" to refers to "additional prizes" awarded in the subsequent year.

* vide p.1 c.f.

ASSISTANT SECRETARY
SA 28
JAN 1948
(G3)
U.O. No. 93657/G3/47-1
LEGAL DEPARTMENT 28/1/48
1136

RS 28/1/48

S.O. 28.1.48

S 28/1 Legal

Legal

28.1.48

[illegible]

LEGAL DEPARTMENT.

The words "a subsequent year" in amended clause (iii) at page 52 of (K) will mean any subsequent year and not necessarily the year next following (~~see in this connection the interpretation of the term 'subsequent offence' in (1943) 1 K.B. 381~~) or "next subsequent". There is therefore no legal objection to the proposal of E. & P.H. Department.

draft

B 6/2

S.

E & P H

E & P H

ASST. SECRETARY TO GOVERNMENT
7 FEB 1948
9897
EDUCATION AND PUBLIC HEALTH

Legal no no 1136/48
6.2.48.

E.& P.H.(G.3)

Please see the Legal note above. That deptt. agreed with the views of this deptt. as p/ ante. A draft memo.to the D.P.I. is submd.for approval.

14/2/48

8.

18.2.48

19.2.48

After issue file with the previous g.o.

20.2.48