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Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Education)

1

G.O. No. 1915, 3rd August 1948

War—Educational concessions to children and dependents of Defence Services personnel—Children and nominees belonging to Marumakkattayam families—Orders passed.

B2-366/50

34

Back papers

GO 610 Edn D/ 20.4.45
GO 120 " D/ 17-1-1946

Government of Madras

2

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Education)

G.O. No. 1915, 3rd August 1948

War—Educational concessions to children and dependents of Defence Services personnel—Children and nominees belonging to Marumakkattayam families—Orders passed.

READ—the following papers:—

G.O. No. 610, Education, dated 20th April 1945.
G.O. No. 120, Education, dated 17th January 1946.

Order—No. 1915, Education, dated 3rd August 1948.

Note (3) to instruction 1 of the instructions appended to G.O. No. 610, Education, dated 20th April 1945, lays down that in the case of a Marumakkattayam family, if the member concerned of a Defence Service has himself no children, he may nominate one person from the family to which he belongs for the concessions admissible under the Government Order. Representations have been made to the Government that where a child is born after the nomination was made, the concessions to the nominee should be continued until the child grows up to school-going age and avails itself of the concessions or until the 'nominee' completes his educational career. The Government have considered these representations and they hold the view that the concessions to the 'nominee' should cease when a child is born to the member who made the nomination. The Director of Public Instruction has been already stopping the concessions to the 'nominees' on the birth of a child to the person who made the nomination. The Government ratify and confirm the practice adopted by the Director.

2. The following points have also been raised in this connection:—

(i) Whether a married 'soldier' having no children can make a 'nomination';

(ii) whether a 'soldier' having a child can make a nomination of some body in preference to his child;

(iii) whether, if the 'nominee' fully utilizing the concessions has completed his or her educational career, the child subsequently born to the 'soldier' will be eligible for the concessions; and

(2a)

M/

(iv) whether, in the case of a 'soldier' having more than one child, all the children should forego the concessions in the event of the soldier having given away the concessions previously to a nominee.

A soldier who is married but has no child can make a nomination. But the nominee will cease to be eligible for the concessions as soon as a child is born to the soldier. A soldier having a child of his own cannot make a nomination of anybody in preference to his own child. All children shall be eligible for the concessions irrespective of the fact whether a nominee has partially or fully availed himself of the concessions already. The concessions will of course be available only to children born before the 28th February 1947.

3. The Director of Public Instruction is informed that the Government do not consider there is any justification to grant the concession to Sri K. Sivaraman referred to in letter No. 584 W2/48, dated 27th April 1948.

(By order of His Excellency the Governor)

M. V. SUBRAMANIAN,
Secretary to Government.

To the Superintendent, Government Press.
,, Director of Public Instruction (with reference to his letters No. 584 W2/48, dated 27th April 1948 and No. 976 W3/48, dated 16th June 1948).
,, Special Officer, Malabar (with reference to his letters No. A. 2035/47, dated 6th February 1947 and No. A.5-9197/47, dated 25th March 1947).
,, Secretary, Madras Provincial Soldiers', Sailors and Airmen's Board (with reference to his letter No. 66R/47 MPB, dated 16th April 1948.
,, Commissioner for Government Examinations.
,, Collectors of all districts.
,, Surgeon-General with the Government of Madras.
,, Director of Agriculture } through the Development Department.
,, Director of Veterinary Services } through the Development Department.
,, Director of Industries and Commerce } through the Development Department.
,, Commissioner of Labour } through the Development Department.
,, Accountant-General (through the Finance Department).
,, Finance Department.
,, Development Department.
To the Revenue Department.
,, Board of Revenue.
,, Public (Military) Department.
,, Local Administration Department.
,, Public Works Department.
,, Special Officers of all District Boards.
,, Commissioners of all Municipalities (through the Chairmen concerned).
,, Inspector of Municipal Councils and Local Boards.
,, Commissioner, Corporation of Madras (through the Mayor).
,, Government of India, Ministry of Education (8 copies).
,, Public Works Department (Information and Publicity).
,, Principal, Government College of Indian Medicine.
,, Civil Liaison Officer, Madras Area, Bangalore.
,, Assistant Director of Recruiting, Southern Area, Poona.
,, Registrar, University of Madras.
,, Registrar, Andhra University.
,, Registrar, Annamalai University.
,, Secretary, Indian National Army Enquiries and Relief Committee, Mount Road, Madras.

B1 1 2(a) (3)

From T. K. Nair,
No.171653, Fitter (discharged),
I. E. M. E., Jubbulpore.
P.O. VALAPAD. South Malabar.

To The Minister for Education,
Madras Government,
MADRAS.

ASST. SECRETARY TO GOVERNMENT
17 JAN 1947
EDUCATION AND PUBLIC HEALTH DEPT.

16 JAN 1947

MINISTER FOR EDUCATION
JAN 1947
GOVT. OF MADRAS

Subject: Appeal against Proceedings of the Special Officer for Malabar District Board cancelling Educational Concessions granted to petitioner's nephew, T. Narayanan, Student, Form IV, St. Seb. Board High School, Valapad, South Malabar.

24 JAN 1947
MALABAR

Sir,

I beg to submit the following for your merciful consideration and orders.

My nephew, T. Narayanan, whom I have nominated to receive the Educational Concessions allowed by G.O. for a nephew or niece under Marumakkathayam on behalf of the soldier rendering war service, is now deprived of the concessions as per the Headmaster's Memo, dated 7-1-47. My nephew has been enjoying the concessions for the last two years and his right to receive the same was not questioned during this period. Ever so many nephews and nieces of soldiers belonging to Marumakkathayam have been receiving and enjoying the concessions and are still doing so.

Not need

(a) A

2. The recent G.O. on the subject, G.O. No.610 Education dated 20-4-45 merely states that a newphew or a niece of a soldier belonging to the Marumakkathayam may be granted Educational Concessions in case the soldier has no children of his own. The Special Officer for Malabar District Board has interpreted this G.O. to mean that the nephew or niece of such a soldier forfeits his or her claim to enjoy the concessions as soon as a child is born to him, irrespective of the soldier's wish to have the concessions continued to the benefit of his nephew. The Headmaster, Board High School, Valapad, has cancelled the concessions enjoyed by my nephew on the strength of the Special Officer's Proceedings, and has issued him memo to say that he should either pay his school fees for the last eight months of this school year as well as his

C1

2035/47.

Edn & P.H. Dept (C1)

Endt No. 3264 C, -1/47 d 22.1.47

03136

Referred to the President District Board Malabar for remarks.

ASST. SECRETARY TO GOVERNMENT
12 FEB 1947
12127
EDUCATION AND PUBLIC HEALTH DEPT.

Asst. Secretary to Govt

28/1/47

To

The President ~~District~~ Board
Malabar.

Ref B5. 2035/47.

Resubmitted.

2. The pupil in question was not granted Educational concessions with reference to note (3) to Para 1 (5) of ~~the~~ G.O. No. 610 Education and Public Health dated 20.4.45, as the soldier, who belongs to the Marumakkathayam family, has himself a child.

C. Parameswaran Pillai 5/2/47

For Special Officer.
Malabar District Board

5/2/47.

5/2

GO 1541 Edn
28.9.45

5

Edn and P.H. Dept

329 C
28/3

Memo 3264 C1 – 2/5) Edn dt 28-3-47

War. Educational concessions.
Grant to a nominee of a soldier
Petition from Sri T. K. Nayar
dy 12.1.47.

The petitioner is requested to report very urgently ~~whether~~ the year in which educational concessions were sanctioned to his nephew, T. Narayanan, and also the year in which a son was born to him.

29/3

26/3/47

27/3/47

To Sri. T. K. Nayar
No: 171653 Fitter (discharged)
I. E. M. E. Jubbalpore
Post. ~~Valpalpad~~ ~~Walbay~~ Valapad, South Malabar

Note – After getting this information a regular note will be put up discussing the points raised in the Routine note.

P.T.O.

12

Edn & P.H.
Cl.

[Issued as Memo no. 3264-Cl-2/47 dt. 28-3-47; dt. 12-3-48 and 8-4-48.]

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⑧5 7/8

C.F. 32 (a).

Local Administration Department

From (Name) E.W. Bouchier Esq., O.B.E., I.C.S.,

Designation Special Officer, District

Station Board, Malabar, Calicut.

Received .... Registered ....

Asst. Secretary to Government, Education and Public Health Dept. 20 MAR 1947

To

The Secretary to Government,
Education and Public Health
Department, M a d r a s.

Enclosures:

No. A.5.9197/47 dated 25th March, 1947

24860

Sir,

FEES - Educational concession - Military - Nephew of soldiers belonging to Marumakkathayam family, having children - Eligibility - Orders sought.

One T. Narayanan, student of the Board High School, Valapad, and nephew of one T.K. Karunakaran Nair, a discharged soldier, was enjoying military concession for the last two years. But with reference to note (3) to para 1(5) of the G.O.No.610, Education dated 20-4-45 this concession was discontinued as the soldier has a child of 6 years. The soldier appealed against this order to the Government. In reply to Endorsement No. 3264-C-1-1 of 1947 Education dated 22-1-47, the Government were informed of the circumstances under which the concession was stoped. (a)

P.4 cf

2. The soldier, Sri T.K. Karunakaran Nair also sent in a petition to the Collector of Malabar who has sent it

to

~~4~~ 8 ~~6~~

to me for remarks basing his recommendation on G.O.No.695 Education, dated 11-5-1942, which says "In the case of a Marumakkathayam family if the soldier has himself no children eligible for concession the concession can be granted to one nominee of the soldier..." The District Educational Officer, North Malabar, on a similar reference made to him by the headmaster, Board High School, Quilandy, is also of the view given by the Collector.

3. Note (3) to Para 1(5) of G.O.No.610 Education dated 20-4-45 is clear on the point. It is true that G.O.No.695 Education dated 11-5-42 mentioned that if there is no child eligible for concession, the concession can be given to a nominee of the nephew group. But the instructions in G.O.No.610 Education dated 20-4-45 are the latest orders and they do not seem to permit such concessions. Without an amplification of instructions in G.O.No.610 Education, dated 20-4-45 the concession cannot be allowed. I request that early orders clarifying the point may be passed.

26/3/47

For Special Officer.

P.R.P.26.3.

26/3

E & PH dept C

A reply to the memo on page 11 ante may be awaited

6-4-47 8/4/47 10/4/47

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9 ~~15~~ Edn & P.H. Dept (C)

Memo. No. 3264 C1-1 3 Edn d 1.3.48

21
1/3

War Educational Concessions

Grant to a nominee of a soldier

The attention of Sri T.K. Nayar is invited to Govt Memo No. 3264 C1. 2/47. Edn d 28.3.47 on the subject ~~referred to~~ noted above and he is requested to forward his reply to it at an early date.

1/3/48

p11 c/f

To
Sri T.K. Nayar
No. 171653
Fitter (...)
IEME, Jubbalpore.
Valapad, S. Malabar

Copy to the Special, Dt. Board, Malabar (with copy of Memo No. 3264 C1/47-2 Edn d. 28-3-47) w.r.t. his letter No. A5. 9197/47 d 25-3-47

p11CF

~~8~~ 16

Memo no. 3264-Cl-4-Edn dt. 8.4.48 Edn & P.H. Cl.

17 (8)

DP 8/4/48

War - Educational Concessions - grant to a nominee of a Soldier.

03 14/4

The attention of Sri. T. K. Nayar is invited to Govt Memo no. 3264-Cl-2/47 Edn dt. 28.3.47 & the reminder there on dt. 1.3.48, on the subject noted above, and he is requested to expedite his reply in the matter.

P 11 CF.
P. 15 CF.

8/4/48

To 7.4.48. 8.4.48

Sri. T. K. Nayar

No. 121653 Fitter
(discharged)
I E M E Jubbalpore
Valapad. S. Malabar.

13 Enamakkal,
8-2-48

From :-
K. Sivaraman Nair,
Kanhirghat House,
P.O. Enamakkal, Via Chowghat

(9)

To
The Chief Secretary to the
Govt. of Madras, Madras

ASST. SECRETARY TO GOVERNMENT
11 FEB 1948
CHIEF SECRETARIAT

ASST. SECRETARY TO GOVERNMENT
16 FEB 1948
EDUCATION AND PUBLIC HEALTH DEPT.

Sir,

I beg to state the following for your kind consideration and favourable orders:-

I am a student of Sixth Form, St. Joseph's High School, Pavaratty South Malabar. I have been enjoying military educational concessions for the last four years. For my education, I am solely depending upon my uncle who is a Jamadar in the military service and who is at present in the fighting front in Kashmir.

As usual, this year I applied to the Dist. Educational Officer (S) Malabar, Calicut through the Head Master of my school for granting me educational concessions. I had attached to my application all the required certificates. Now the Head Master tells me that the Dist. Edl. Officer has rejected my application stating that I am not eligible for the concessions because my uncle on whom I am depending has got a child and that according to para 3 of G.O. No. 610

P.T.O.

11535

Pub(Ed.D)

18/2/48

Note 3 under sub-para (5) of para 1 in the App to (a)

~~14~~
12

education and Public Health dated 20.4.45,

I am eligible for the Concessions only if my uncle who is in the Defence Service has himself no children.

In this connection I beg to state that the child of my uncle is aged only one year and three months and he is not of school-going age. It is rather a painful thing to deny of the Military Edl Concessions just for the reason that my uncle has got a child who is not of school-going age and who is not nominated by my uncle, especially when I am the only nominee of my uncle to enjoy the military educational Concessions on his behalf. Taking for granted that my claim is just and reasonable, the Dist. Edl Officer further told me that he cannot do anything in my case until & unless in para 3 of G.O. No. 610 Edn and P.H. d/ 20.4.45, a clause "of school-going age" is added after the words "has himself no children", by the Govt. of Madras.

Hence I humbly request you to kindly issue necessary orders to enable me to enjoy the Concessions. I enclose herewith the following certificates.

1. Poverty Certificate L. Dis. 5181/47 d/ 4/9/47 of D.T. Chowghat. p. 15 infra
2. A certificate from the village Headman stating that my uncle has no children of school going age. p. 17 infra
3. Form of application for Concessions. p. 19 infra

Yours obediently,
Sivaraman Nair

15

L.Dis. 5181/47

Schedule I

(10)

Certify that K. Sivaraman Nair a student of VI Form St. Joseph's High School Pavaratty is the direct nephew of K. Madhavan Nair who is [illegible] serv in the defence services in connection with the war of 1939 — 1945 and is too poor to continue his studies without the Concessions taking into account the financial circumstances of the family.

I have satisfied myself that the soldier's pay in the defence service ~~did~~ does not exceed Rs 200/- a month.

C. S. Nayar 4/ix
Dy Tahsildar

Chowghat

27/8

~~16~~ 19

~~11~~

(11) 17 ~~15~~

ഈ അംശം ഒളവണ്ണം ദേശത്തുള്ള കോ
നാരിയമ്മകുടെ [illegible] വാൾ കൈവശം [illegible]
യവൻ നായരെന്ന [illegible] ംസം [illegible]
ന്റെ പ്രായത്തിൽ [illegible]
ല്ലെന്നു ഞാൻ സാക്ഷ്യപ്പെടുത്തിയിരിക്കുന്നു

ഒളവണ്ണം
24-9-47

K. Kandunni നായർ
അധികാരി.

FORM OF APPLICATION.

1. Name of school . . .	St Joseph's High School, Pavaratti
2. Name of student . .	K. Sivaraman Nair
3. Class or form in which reading 1945-46.	V form
1946-47.	VI "
1947-48.	VI "
1948-49.	
4. Whether the student has remained in the same class for more than two years.	no
5. Whether in receipt of any concession or Government or other scholarship at present.	no
6. Name of the soldier on whom the student is dependent with the initials clearly written.	K. Madhavan Nair
7. Relationship of the soldier to the Student. If he is a brother information as to whether the student is the direct brother of the soldier should be given and support by a certificate from a competent Revenue authority.	Nephew
8. Whether the soldier has been enrolled under the Indian Army Act with liability to serve overseas in a theatre of war.	yes
9. Date of enrolment of the soldier.	26-2-1942.
10. Whether the soldier is making remittances to his family.	yes, still in service
11. Date of discharge of the soldier.	
12. Whether poverty certificate is attached and whether it bears the date and seal of the office of the officer issuing the certificate.	yes yes
13. Whether in the case of Marumakkathayam family concession has been claimed only for one nominee.	yes, only for one nominee
14. Whether in receipt of the Educational concession in 1946-47 and if so the number and date of the order.	yes R.O.C. No. 624 W/46 11-12-1946
15. Remarks :-	

K. SivaRaman Nair.
Signature of the student.

Station Pavaratti
Dated 29-9-47

Signature of the Headmaster.

13 ~~193~~ 21 Edn & PH.
C1.

54
13/3

War. Edl. concessions – children and dependents of Soldiers.

PP.167 cf.

From Sri. K. Sivaraman Nair. d/. 8.2.48.

Endt: 11535. C1.1.48 Edn d/. 12.3.48.

Referred to the Director of Public instruction for remarks.

E.R. 15/4/48

Cf
10/3/48.

12/3/48

To
16/3/48
The D.P.I. (with cf. in original to be returned with reply).

9/ (14) 23 ~~12~~

C.F. 32.

Education. Department
From (Name) Sri D.S.Reddi,M.A.(Oxon)
Designation Director of Public Instruction.
Station Madras.

Received Registered

To

The Secretary to Government,
Education & Public Health Dept.,
Fort St. George,
Madras.

Enclosures:

No. Roc.584.W.2/48 dated 27--4--1948. 194 .

Sir,

Sub: War - Educational concessions to children and dependants of soldiers - K.Sivaraman Nair - student, St. Joseph's High School, Pavaratty.
Ref: Government Endorsement No. 11535-C1-1-48 page 21 ante
Education, dated 12--3--1948.

*****

ASST. SECRETARY TO GOVERNMENT
32358
MAY 1948
EDUCATION AND PUBLIC HEALTH DEPT.

pages 13-20 ante

In resubmitting herewith the papers forwarded with the Government Endorsement referred to above, I have the honour to state that the criterion for the award of the educational concessions in the case of Marumakattayam family is that "if the member concerned of a Defence service has himself no children, he may nominate one person from the family to which he belongs for the concessions." As Mr. K. Madhavan Nair has a child, he cannot nominate the student in question for the award of the educational concessions. Therefore K. Sivaraman Nair is not eligible for the award of the educational concessions with reference to Note (3) under sub para (5) of para 1 in the Appendix to G.O. No. 610 Education, dated 20..4..1945.

page 21 ante

page 1 of (a)

2. The plea is put forward that the child of the soldier is an 'infant' and not of school-age. The orders as they stand at present do not make a distinction between children who are reading in school and those who are not. Similar cases have been disallowed by me. The amendment or amplification to the rule is a general question. I shall examine this if the Government desire me to do so.

M/
S/

3. As the pupil has been in receipt of the concessions till now and as he has come to the end of his school course in 1947-48, I recommend that as a special case the concessions may be allowed to the pupil for the year 47-48.

T/

R.S.Vmmambal
30.4.48

For Director of Public Instruction.

TSN
3/5/48

Gr.30.4.48.

8
30/4.

2

From,
Sri.C.A.Warrier, Retd. Inspector of Police, Tirtala. Subscriber No. 74[illegible]. to the "Madras Information"

To
The Director of information and Publicity,
Fort.St. George, Madras.

ASST. SECRETARY TO GOVERNMENT
19 FEB 1948
EDUCATION AND PUBLIC HEALTH DEPT.

a/25

Sir,

In G.O. [illegible]0.d/ 20-4-45, the Govt.had ordered some Educational Concessions to the children and dependants of Ex-Soldiers among which Ex-soldiers who follow Marumakkathayam Law of inheritance, could, under note ~~2~~3 to para.1, nominate a nephew if the ex-soldier has himself no children. In Edu. rule ~~note~~.5 to para.3.of the same G.O. it is stated ~~that~~ that students once admitted to the concession will be allowed to retain them throughout their studies,which may include more than one course of studies. Several complts. are comming to notice where the present Educational authorities, are now withdrawing the concessions already granted, for the simple reason that a baby is born to the ex-soldier and this, they do on the strength ~~of~~ of note ~~2~~3. of para1.of the G.O.mentioned above and ignoring Edu. rules ~~note~~.to para3. and the succeding Edu. rules ~~notes~~ 6 to 9. which make it still more clear that the birth of a baby cannot be the criterion for withdrawing the concession once granted. It strikes me as reasonable that in any case, the concession once granted should be allowed to continue atleast till the ex-soldier's own child begins to attend school and claim the concession. Otherwise, the grant of the concession does more harm and disappointment than good, as it may involve the breaking up of the educational career of the boys in the middle of the course.

Clarification is reqired if the interpretation given by the Educational Authorities is correct and if it is not against the spirit of the G.O. An early reply will be helpful to very many poor students in this district where alone Marumakkathayam Law of inheritance is in vogue.

yours obedtly
C.A.Warriar
15-2-48

p.138 (a)
122 & 6
A
p.[illegible] (a)
p.[illegible] (a)
p.[illegible] (a)
B
D

Pub (Edn) Dept
E&P.H. Dept. u.o.

17.2.48
Ka 17.2.48
18.2.48

~~2~~ 26

~~9~~ (16) ~~8~~ 27 ~~2~~

ASST. SECRETARY TO GOVERNMENT
EDUCATION AND PUBLIC HEALTH DEPT.
- MAR 1948

16624

To,

The Secretary to the Govt. of Madras,
Education Department
Fort St. George, Madras.

Sir,

Subject- War Educational Concession- G.O.610 d/20-4-45. C.Ramchandran- IV.Form- A.V.High School, Ponnani. (a)

P. 31 infra

I beg to submit this appeal against the order of the Director of Public Instruction passed in his L.Dis. 3256- W2/47 dated 13-12-47, on my petition dated 7-12-47. A copy of my petition and the Director's order thereon, enclosed herewith (and flagged X A and XX B) contains the history of the case.

page 29 infra
X (flag shown red)

page 106 (a)
page 207 (a) A

I respectfully submit that the Director's orders based on note ~~2~~ 3 of para.1 of G.O.No.610 d/20-4-45 can apply only to fresh applications and not to cases where the concession had been once ~~grn~~ granted. Note.5 under para 3.of the same G.O. wherein it is clearly stated that students once admitted to the concession will be allowed to retain them throughout their studies which may include more than one course of study, is clear on the point. It is too much to ~~be~~ suppose that the Govt. would have expected the soldier or ex-soldier to remain a bachelor until the student completes his education, when ~~th~~ this G.O.was passed.

page 207 (a) B

The succeeding notes 6 to 9 to para.3 of the same G.O. make it still more clear that the birth of a baby to the soldier is no criterion for withdrawing or cancelling the concession once granted. The only bar can reasonably be when I have a child of school-going age and he is enjoying the concession, and not when one is born.

The Govt. have ordered these concessions evidently as a financial relief to the war-returned soldiers. The birth of a ~~by~~ baby is only an addition to my cost. It is therefore clear that Govt could not have intended the interpretation given by the Director and his present order in my case seems to be contrary to the spirit of the instructions issued by the Govt. and involves a great hardship ~~&~~ to the boy who is now reading in the IV.Form as the only course left open to me will be to discontinue his studies from next year.

I therefore pray that the concession granted may be ordered to be continued as per note 5 under para 3. of G.O.610/45.

Palladam
18-2-48.

Yours obediently
C Rama Hriar page 208 (a)
Ex-Soldier, Central Excise.

C. Rama Harriar,
Inspector of Central Excise,
Palladam,
Coimbatore Dt.

2p.

(17) 29 ~~5~~

From,
C.R.Warriar, Central Excise, Palladam.
To,
The Director of Public Instructions, Madras.

Sub:- School fees- Exemption- Military Concession- C.Ramachandran IV.Form- A.V.High School- Ponnani.

Sir,

My nephew Rama chandran, a student in the IV.Form of A.V.High school, Ponnani, has been enjoying exemption from school fees for 46-47 in view of my Active service during the last world War no.2. The Headmaster of the said school has now called upon this boy to pay fees for the current year (47- 48) on pain of expulsion from school in case of default on the ground that a baby has been born to me. He has for his authority quoted the Proceedings of the Director(L.Dis 190- W.2/47 d/8-7-47, communicated in D.E.O's L.Dis.107-W/47 dated 17-7-47. I have arranged payment of the fees from June onwards under protest. The demand of fees has apparently been ~~made~~ based on note.3 to para.1. communicated as appendix notification to G.O.610.d/20-4-45 wherein it is stated that if a member of a Marumakatayam family has himself no children, he may nominate a nephew.

page 1 of (a)

As I was solely responsible for the education of this nephew whose father had died even before I joined the Military service, without making the slightest provision for his maintenance, I nominated him for the concession. To deprive him of this concesion for the mere reason that a baby has been born to me is, I submit, doing me an injustice which the rules could never have intended. It may be quite reasonable to stop the concesion if I claim the same also for a baby of mine and not when one is born. The use of the word ' children' in the note referred to can only mean children of school-going age and not a baby at birth.

page 208 (a)
ibid
A

I beg also to ~~point out~~ draw your kind attention to Sub-rule note.5 ~~un~~ under Para.3 of the same G.O. wherein it is clearly stated that students once admitted to the concession will be allowed to retain them throughout their studies which may include more than one course of study. The succeeding Sub-rules ~~notes~~ 6.to 9. make it still more clear that birth of a baby is no criterion for withdrawing or cancelling the concession once granted. The only bar can reasonably be when my pay exceeds Rs/200- or when I have a child of school going age and he is enjoying the concession.

The Govt. have oredered these concessions evidently as a financial relief to the war-returned Soldiers. The birth of a baby is only an addition to my cost of living and now throw upon me the additional burden of paying the fees of my nephew who was once granted the concession, is only defeating the very purpose for which Govt. ordered the grant of this concession.

In the circumstances mentioned above, I pray that the Head-Master may be ordered to allow my nephew the concession he was allowed so far and to refund to me the fees that was unjustly demanded and paid under protest. The favour of urgent orders is requested as my means are too limited to continue payment of the same in future months as well. It will be cruel to have to discontinue the boy's studies at this stage, which will be the only course left for me if the concession is withdrawn.

yours obedtly
(Sd. C.R.Warriar.

(True Copy)

Proceedings of the Director of Public Instruction, Madras.
L.Dis.3256-W2/47 dated 13- 12- 1947.

Sub:-Educational Concessions to children and dependants of soldiers-
C.Ramachandran- IV.Form- A.V.High School, Ponnani.

Read- Petn.dated 7-12-47. from C.R.Warriar, Ex-soldier, Central Exc
Excise, Palladam.

The petitioner is informed that the criterion for the grant of Educational concessions in the case of Marumakkathayam family is that 'if a member concerned of a Defence Service has himself no children he may nominate one person from the family to which he belongs for the concession.'. As the petitioner has himself a child, he cannot nominate his nephew for the award of the concession. As such the student in question is not eligible for the award of Educational concession under G.O. 610.Edn.dated 20-4-45. ⓐ

(Sd. N.Subramannia Ayyar.
For Director of Public
Instruction

(True Copy).

~~8~~ 32

---

9 | Madras Provl. S. S & A Board
Madras

33 9

C.F. 98.

ASST. SECRETARY TO GOVERNMENT
EDUCATION & PUBLIC HEALTH DEPT.
6 FEB 1948

__________ DEPARTMENT

REMINDER. __________ Branch.

To The Secretary to the Govt of Madras
8791 Education & Public Health Dept,
Fort St. George,
Madras

I have the honour to invite / ~~am directed to invite~~ / ~~invite~~ attention to this office letter

No. 66-R/45/MPB, dated 15th Jan 48 and ~~to request that the reply to it may be expedited~~ request that this reminder may be returned at once with information as to—

(1) the stage at which the matter now is,

(2) the date by which a reply may be expected, and

(3) the circumstances which have caused the delay.

Office of the MPSS&AB

Station Madras.

Dated 4.2.48

N. R. Satyam
for Signature.
Secretary,
Madras Prov. S. S. & A. Board.
Designation.

Recd 4/2

SUBJECT.

War - educational concessions in the case of Marumakkattayam family. Certain information requested.

[P.T.O.

34

REPLY.

To The

35

Highcourt Buildings.

C.F. 98.

DEPARTMENT.

REMINDER. II Branch.

To The Secretary to the Govt. of Madras,
Education & Public Health Dept.,
Fort St. George, Madras

ASST. SECRETARY TO GOVT. EDUCATION & PUBLIC HEALTH DEPT.

14394

I have the honour to invite ~~am directed to invite~~ attention to Prov. Bd's No. 66-R/45/HPB, dated 15-1-48 & Reminder on [illegible]-2/48 and ~~to request that the reply to it may be expedited~~ request that this reminder may be returned at once with information as to—

(1) the stage at which the matter now is,

(2) the date by which a reply may be expected, and

~~(3) the circumstances which have caused the delay.~~

Office of the MPSSA Bd,

Station Madras,

Dated 26-2-48

Signature. N. R. Satyam

for Secretary, Madras Provincial Soldiers, Sailors & Airmen's Board.

Designation.

A 28/2

SUBJECT.

Educational Concessions in the case of Marumakkathayam family — certain information requested —

P.T.O.

C. 93.

REPLY. II

To The

C. No. 3196 C1/48.

~~39~~ 9/4

37

19

Edn & P H.
C1.

Letter No. 3196-C1.1.48 Edn. dt. 8.4.48.
Ref.

DP 8/4/48

To

The Secretary, Madras Provl. Soldiers, Sailors & Airmen's Board.

Appd 12.4.48

Sir,

War - Edl. concessions in the case of Maparumakkathayam family.

PP. 1 & 3 CF. Your Exchange Reminders dt. 4.2.48 & 26.2.48.

I am directed to request ~~that~~ you to send a copy of your ~~original~~ letter no. 66-R/45-MPB dt. 15.1.48, ~~may be sent to this depth~~ as it ~~has~~ is not ~~been separately~~ traceable ~~here~~.

Y.O.S.

7.4.48.

7/4/48

8/4/48

Note:

~~44~~ 38

Note:

There is already a case pending in this deptt relating to the same subject. The original of the letter from the Secretary Madras Prl. S. S. & A. Bd. is not traceable. A copy of it may be called for. ~~Action will be taken as soon as a decision is arrived at in the pending case.~~ The draft overleaf is for approval.

7-4-48 7/4/48

letter
L.F. above

---

(20) 39 ~~45~~

From
Major K.V.Sankunny Nayar,
Secretary, Madras Provincial
S.S.&.A.Board, Madras 1.

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

No. 66-R/ 47 0MPB Dated 16th April 1948.

Sir,

Sub:- War-Educational Concessions in the case of Marumakathayam family.

Ref:- Your letter No. 3196-C 1-1-48 dated 8th April 1948. p 13 ante

ASST. SECRETARY TO GOVERNMENT, EDUCATION AND PUBLIC HEALTH DEPT.
22 APR 1948
29282

A copy of Provincial Board's letter No. 66-R/45/MPB dated 15-1-'48 is enclosed herewith. p 17 infra

An early reply in the matter is requested as the case is outstanding from a long time.

Your obedient servant,

Secretary,
MADRAS PROVINCIAL S.S. & A. BOARD

TSN 22/4/48

K.R.C. 16/4.

Copy of ~~this office~~ letter No.66-R/45/MPB dated 15th Jan. '48 from the Secretary, Madras Provincial S.S. & A. Board, Madras to the Secretary to the Government of Madras, Education and Public Health Dept., Fort St. George Madras.

(21)

Sub: Educational Concessions in the case of Marumakathayam family-certain information requested.

It has been asked as to whether or not a nephew or a niece of a soldier following Marumakathayam family is eligible for educational concessions under G.O. No. 610 Education dated 20th April 1945 in cases where:-- (a)

(1) the soldier is married but has no children.

(2) the soldier is married and has children, but not of school going age.

May a ruling please be given on the above.

R.A.D.

(22)

46673

C/

ASST. SECRETARY TO GOVERNMENT
EDUCATION AND PUBLIC HEALTH DEPT.
1 MAY 1948

DIRECTOR OF PUBLIC INSTRUCTION
MAY 1948
MADRAS

C 976 W3/48

From

P.I. Balakrishna Menon,
(Ex-service man)
"Govinda Vilas"
Post. Eranhipalam, (S.Malabar)

To

The Secretary to Government,
Educational Department,
MADRAS.

ASST. SECRETARY TO GOVERNMENT
EDUCATION AND PUBLIC HEALTH DEPT.
20 JUN 1948

Sir,

33797.

With profound respect I beg to submit the following for your gracious consideration and sympathetic orders.

2. While serving in the last Great World War as Havildar Clerk, in consistence with the G.O. No.610 dated 20-4-45 I applied for fee concession for my nephew-as he was totally dependant on me,-P.I. Gangadaran, now in sixth form, Malabar Christian College, Calicut.

(a)

3. Accordingly after minute and protracted enquiries by all authorities concerned in sanctioning the grant of fee concession, concession was granted from 1945 onwards. He enjoyed concession for two years.

4. Now, at the end of the second year, I am informed by the afore-said institution that fee concession granted to my nephew has been cancelled by the Educational Department and that I should repay forthwith the concession enjoyed so far. I am also informed that if repayment is delayed the S.S.L.C. book of the boy will be withheld.

5. I submit that I have not in any way violated the G.O. that allowed fee concession to the dependant of a soldier. I also submit that my humble request for fee concession for my nephew, who was entirely dependant on me for his education, was granted after

TSN
7/5/48

a thorough sweeping enquiries by the authorities regarding the bonafide of my application.

6. In these circumstances I pray, orders may be issued soon to continue the fee concession as has been done hitherto.

I beg to remain,
Sir,
Your most obedient servant,

Calicut,
4th May, 1948.

Copy submitted to:--
The Director of Public Instruction, Madras.

Dp 18/5/48

Education and Public Health Department

Memorandum No: 33797/48-1-Cl Edn dt. 18-5-48

~~Refer~~ Referred to the Director of Public Instruction for remarks.

Assistant Secretary to Government.
13/5/48

To the Director of Public Instruction

G.F. 32.

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

Cl ______ DEPARTMENT.

Received ______ Registered ______

From (Name) Sri.D.S.Reddi, M.A.(OXON)
(Designation) Director of Public Instruction,
Post Box ______, (Station) MADRAS.
Telegraphic Address ______

ASST. SECRETARY TO GOVERNMENT
21 JUN 1948
EDUCATION AND PUBLIC HEALTH DEPT.

45234

Enclosures ______

Spare Copies ______

~~Encls not Received~~
20/6

Encls Subsequently Received

To

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

Rc. No. 976 W3/48, dated 16-6- 1948

Sir,

SUB:- WAR - Educational Concessions to the dependants of Ex.Army men - Petition from P.I. Balakrishna Menon, Eranhipalam, for continuance of Educational Concessions to his nephew - requested for.

REF:- Govt. Endt. No.33797/48-1-Cl Edn., dated 18-5-48.

****

In resubmitting herewith the papers received with the Govt. Endorsement cited above, I have the honour to state as follows:-

The petitioner belongs to a Marumakkathayam family and he has children. With reference to note 3 of para 5 of Govt. Order No.610 Edn., dated 20-4-45, his nephew, P.I. Gangadharan cannot be awarded the educational concessions. In this connection, I invite your kind attention to the remarks submitted with my letter Roc. No.584 W2/48 dated 17-4-48 on a similar request from K. Sivaraman Nair.

p 23 ante

K Subramaniar
FOR DIRECTOR OF PUBLIC INSTRUCTION.
18/6.

Enclos:.

MDS
18/6

Main File
Submitted on
7-7-48

Edn & P H Cl.

The question of allowing the educational concessions in the case of Defence Service personnel who belong to Marumakkathayam family, is ~~seperate~~ seperately under consideration. This may lie over till a decision is arrived at on that file.

13/7/48.
13/7/48

please issue T.M.
22/6/48.

page 1 cf.

P.C. DSM
20/6/48

Edn & Pu
C1.

24

T.M. (By post.)

From
The Asst. Secretary to the Govt.
Edn & P.H. dept.

To
The Director of public Instruction.

War - Educational concessions in the case of students who belong to Marumakkathayam Family - Your letter no. Rc 97603/48 dated 16-6-48 - Non-receipt of Enclosures.

---

please send the enclosures referred to in the first sub-paragraph of your letter read above, as they have not been received ~~along with the letter~~.

21-6-48.

21/6/48

DSM
22/6/48

486

9 49/(23)

Ref-A-5-9197/47.

Malabar District Board Office,
Calicut dated 21st July 1948.

55254

From

N. S. Arunachalam Esq., O.B.E.,I.C.S.,
Special Officer.

To

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

Sir,

ASSISTANT SECRETARY TO GOVERNMENT
24 JUL 1948
EDUCATION AND PUBLIC HEALTH DEPT.

FEES - Educational Concession - Military
Nephew of soldiers belonging to Marumakkathayam
family having children - Eligibility - Orders
Sought.

(i) This office Ref.A.5.9197/47 dated
25th March 1947.

I request the early orders of Government on the above reference.

21/7

For Special Officer.

T.a.k.n/22-7

50

E&P H Dept.
C1.

Orders have already been issued in the matter - (G.O. in manuscript has been despatched to the DPI &c.) This may be added to the main file.

per 6/8/48

6/8/48

G.O. is being sent to the press.

E. & P. 28 (C1) 51

SUB;- War - Educational concessions to children and dependents of Defence Services personnel - Children and nominees ~~of Defence personnel~~ belonging to Marumakathayam families - orders passed

READ AGAIN:- G.O.No.610, Education, dated 20--4--1945.
G.O.No.120, Education, dated 17--1--1946.

ORDER (PRESS) NO. 1915 EDN., DATED 3.8.48

Issue in Section

p10NF

p9NF

Note (3) to instruction 1 of the instructions appended to G.O.No.610, Edn., dated 20--4--1945, lays down that in the case of a Marumakathayayam family, if the member concerned of a Defence Service has himself no children, he may nominate one person from the family to which he belongs, for the concessions admissible under the G.O. Representations have been made to the Govt. that where a child is born after the nomination was made, the concessions to the nominee should be continued until the child grows up to school-going age and avails itself of the concessions or until the 'nominee' completes his educational career. The Govt. have considered these representations and they hold the view that the concessions to the 'nominee' should cease when a child is born to the member who made the nomination. The D.P.I. has been already stopping the concessions to the 'nominees' on the birth of a child to the person who made the nomination. The Govt. ratify and confirm the practice adopted by the Director.

2. The following points have also been raised in this connection:-

(i) Whether a married 'soldier' having no children can make a 'nomination';

(ii) whether a 'soldier' having a child can make a nomination ~~voluntarily~~ somebody in preference to his child;

(iii) whether, if the 'nominee' fully utilising the concessions has completed his or her educational career, the child subsequently born to the 'soldier' will be eligible for the concessions; and

(iv) whether, in the case of a 'soldier' having more than one child, all the children should forego the concessions in the event of the soldier having given away the concessions previously to a nominee.

p 9 NF

A soldier who is married but has no child can make a nomination. But the nominee will cease to be eligible for the concessions as soon as a child is born to the soldier. A soldier ~~being~~ having a child of his own cannot make a nomination of anybody in preference to his own child. All children shall be eligible for the concessions irrespective of the fact whether a nominee has partially ~~has partially~~ or fully availed himself of the concessions already. The concessions will of course be available only to children born before the 28th February 1947.

3. The D.P.I. is informed that the Govt. do not consider there is ~~not~~ any justification to grant the concession to Sri K.Sivaraman referred to ~~the~~ in letter, ~~of the Director~~, No.584 W2/48, dated 27-4-48.

p 23 CF

OSM
20/7/48

W
21/7/48

To The S. G. P.

3/8/48

The D.P.I. (w.r.t. his letter 584 W2/48, dt.27-4-48 & 976 W3/48, dt.16.6-48.)
The S.O., Malabar, (w.r.t. his letter A.2035/47 dt.6.2.47 & A5.9197/47, dt.25-3-47.
The Secretary, M.P.S.S.& A. w.r.t. his letter 66R/47 MPB, dated 16-4-48.

3/8/48

~~Secretary to Government.~~

To ~~the Director of Public Instruction.~~ stet.
" Commissioner for Government Examinations.
" Collectors of all districts.
" Surgeon-General.
" Director of Agriculture
" Director of Veterinary Services
" Director of Industries and Commerce
Commissioner of Labour
(through the Development Department.)
" Accountant-General (through the Finance Department).
" Finance Department.
" Development Department.
" Revenue Department.
" Board of Revenue.
" Public (Military) Department.
" Local Administration Department.
"

To the Public Works Department.
" Special Officers of all District Boards, ~~[illegible]~~
" Commissioners of all Municipalities (through the Chairmen concerned).
" Inspector of Municipal Councils and Local Boards.
" Commissioner, Corporation of Madras (through the Mayor).
" Government of India, Ministry of Education (8 copies).
" ~~Director of Information and Publi~~city. P.W.D. (I.&P.)
" Principal, Government College of Indian Medicine.
" Civil Liaison Officer, Madras Area, Bangalore.
" Assistant Director of Recruiting, Southern Area, Poona.
" Registrar, University of Madras.
" Registrar, Andhra University.
" Registrar, Annamalai University.
" ~~Secretary, Madras Provincial Sailors', Soldiers' and Airmen's Board.~~ stet
" Secy, Indian National Army Enquiries and Relief Committee
Mount Road,
Madras.

G.O. sent to the Press on 3/8/48
Proof Recd on 14/8
Proof Corrected & sent on 16/8
under [illegible]

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already sent to the press
awaiting proof

PRESS SLIP.

57 (22)

Scott. II-22—9,000—19-10-39.

161
66 Pub.

~~ORDINARY.~~ URGENT (a). ~~SPECIAL (a).~~

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Current No. 3264 C1/47, dated ....194 .
G.O. No. 1915, dated Edn dt. 3.8.48 194 .

Number of MS. pages sent
(b) Correspondence........
(c) Notes / Complete G.O.

Brief subject War - Educational concessions to children and dependants of Defence Services personnel. Children and nominees belonging to Mammickathayam families - orders passed.

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(b) Each letter, memorandum, or order, or set of orders, in the file of correspondence should be headed in succession with the Roman numeral I, II, III, etc., the number being written in red ink or blue chalk above the item. The particular papers to be printed in the special issue-copies should be indicated by the Roman numeral (I, II, etc.) by which that item had been headed in the correspondence file. All matter, including marginal remarks or references, to be printed should be written in ink and matter which should not be printed should be encircled. Initials and signatures that are not quite legible should be re-written distinctly.

(c) For rules regarding printing of notes, see the chapter on printing and proof correction in the Secretariat Office Manual.

(d) The number of copies and the details of distribution should be filled in by the Superintendent or clerk concerned.

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4
185
107
15
378

INSTRUCTIONS FOR THE PRESS.

47

(a) If, in the opinion of the Superintendent of the Press, a paper has been marked special of urgent unnecessarily, he should send the Press slip to the Assistant Secretary with a remark to that effect.

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(c) Signature copies of letters to the Secretary of State or to the Government of India should be printed on hand-made paper.

(d) This slip should be returned by the Press to the Secretariat when proofs are furnished: it will be sent back to the Press when proofs are returned corrected and should be finally returned to the Secretariat when struck-off copies are supplied.

(e) The names of the Secretary and Ministers or Advisers should be printed in full when they occur on the right hand side, only the first time when they appear on the left side, the initials alone being printed later.

[P.T.O.

TO PRESS, MADRAS, GOVT.

54

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Rajat J Swadoss ……Supt.	Rajat J Swadoss ……Supt.	……Supt.

SPECIAL INSTRUCTIONS.

Certified in accordance with G.O. No. 60 Edn. dated 12-1-43

Asst. Secretary to Govt.

To
SGP

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Rajat J Swadoss

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23

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Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT

(Education)

13 AUG 1948

55

G.O. No. 1915, 3rd August 1948

War—Educational concessions to children and dependents of Defence Services personnel—Children and nominees belonging to Marumakkattayam families—Orders passed.

READ—the following papers :—

G.O. No. 610, Education, dated 20th April 1945.
G.O. No. 120, Education, dated 17th January 1946.

Order—No. 1915, Education, dated 3rd August 1948.

Note (3) to instruction 1 of the instructions appended to G.O. No. 610, Education, dated 20th April 1945, lays down that in the case of a Marumakkattayam family, if the member concerned of a Defence Service has himself no children, he may nominate one person from the family to which he belongs for the concessions admissible under the Government Order. Representations have been made to the Government that where a child is born after the nomination was made, the concessions to the nominee should be continued until the child grows up to school-going age and avails itself of the concessions or until the 'nominee' completes his educational career. The Government have considered these representations and they hold the view that the concessions to the 'nominee' should cease when a child is born to the member who made the nomination. The Director of Public Instruction has been already stopping the concessions to the 'nominees' on the birth of a child to the person who made the nomination. The Government ratify and confirm the practice adopted by the Director.

2. The following points have also been raised in this connection :—

(i) Whether a married 'soldier' having no children can make a 'nomination';

(ii) whether a 'soldier' having a child can make a nomination of some body in preference to his child;

(iii) whether, if the 'nominee' fully utilizing the concessions has completed his or her educational career, the child subsequently born to the 'soldier' will be eligible for the concessions; and

RR

56

(iv) whether, in the case of a 'soldier' having more than one child, all the children should forego the concessions in the event of the soldier having given away the concessions previously to a nominee.

A soldier who is married but has no child can make a nomination. But the nominee will cease to be eligible for the concessions as soon as a child is born to the soldier. A soldier having a child of his own cannot make a nomination of anybody in preference to his own child. All children shall be eligible for the concessions irrespective of the fact whether a nominee has partially or fully availed himself of the concessions already. The concessions will of course be available only to children born before the 28th February 1947.

3. The Director of Public Instruction is informed that the Government do not consider there is any justification to grant the concession to Sri K. Sivaraman referred to in letter No. 584 W2/48, dated 27th April 1948.

(By order of His Excellency the Governor)

M. V. SUBBAMANIAN,
Secretary to Government.

To the Superintendent, Government Press.
,, Director of Public Instruction (with reference to his letters No. 584 W2/48, dated 27th April 1948 and No. 976 W3/48, dated 16th June 1948).
,, Special Officer, Malabar, (with reference to his letters No. A. 2035/47, dated 6th February 1947 and No. A.5-9197/47, dated 25th March 1947).
66R/47 ,, Secretary, Madras Provincial Soldiers', Sailors' ~~and~~ Airmen's Board (with reference to his letter No. 66R/47 MPB, dated 16th April 1948.
,, Commissioner for Government Examinations.
,, Collectors of all districts.
,, Surgeon-General with the Government of Madras.
,, Director of Agriculture } through the Development Department.
,, Director of Veterinary Services } through the Development Department.
,, Director of Industries and Commerce } through the Development Department.
,, Commissioner of Labour } through the Development Department.
,, Accountant-General (through the Finance Department).
,, Finance Department.
,, Development Department.

To the Revenue Department.
,, Board of Revenue.
,, Public (Military) Department.
,, Local Administration Department.
,, Public Works Department.
,, Special Officers of all District Boards.
,, Commissioners of all Municipalities (through the Chairmen concerned).
,, Inspector of Municipal Councils and Local Boards.
,, Commissioner, Corporation of Madras (through the Mayor).
,, Government of India, Ministry of Education (8 copies).
,, Public Works Department (Information and Publicity).
,, Principal, Government College of Indian Medicine.
,, Civil Liaison Officer, Madras Area, Bangalore.
,, Assistant Director of Recruiting, Southern Area, Poona.
,, Registrar, University of Madras.
,, Registrar, Andhra University.
,, Registrar, Annamalai University.
,, Secretary, Indian National Army Enquiries and Relief Committee, Mount Road, Madras.

Not issued

(29) Edn and P.H Dept

Memo

War. Educational concessions.

Petition from Sri T. K. Nayar, Valyalpad
South Malabar dt 12.1.47.
Endt of the Special Officer, Malabar
Dt. Board No. 2035/47 dt 6.2.47

The Special Officer, Malabar Dt. Board, is informed that the educational concessions may be granted to the nephew of Sri T. K Nayar. if his child is not getting the concessions.

2. The petitioner is referred to the Special Officer Malabar Dt. Board for orders.

To the Special Officer
Malabar Dt.
Board.

" Petitioner
[illegible]

By
17/8/47

17/3/47

Note The nomination of a nephew is in lieu of a child of the soldier. As the nephew was all along getting the concessions and as the soldier says that he won't claim concessions for his child there seems to be no objection to the concession

p 25 cf of
G.O. No. 695 Edn
11-5-42
(21)

2 Continued to the nephew.²

lmy
17/3/47

N.K.
17/3/47 S

Secy's query on page 1 of the Dep' ~~[illegible]~~ on the next page

The wording in (a) seems to differ from the previous wording of the corresponding rule. Was it deliberate?

MVS
19/3/47

Orders regarding the grant of the concession to the nominee of the soldiers were first passed in G.O. No: 695 Edn dt 11.5.42. These orders were based on the 1914-18 war concessions. please see ~~[illegible]~~ p. 3 out of the G.O. In G.O. No: 610 Edn dt 20.4.45 all the concessions granted for the last war were issued in a consolidated form. It was not the intention to change the ~~[illegible]~~ scope of the concessions granted to soldiers belonging to Marumakkathayam families. Please

~~4~~ 2

see page 26 CF of GO No: 610 Edn dt 20.4.45.

19/3/47

OSD 20/3/47

S

I find the words ( ) is the same. What is the authority for the present interpretation? Where is the GO of 2/1/43 referred to on 4/2u?

21/3/47

(4) GO No: 12 Edn dt 2.1.43 is placed below.

The original orders about Marumakkathayam families and the ~~[illegible]~~ orders about the same in the consolidated order are as follows:-

(2) In GO No: 695 Edn dt 11.5.42

In the case of Marumakkathayam families if the soldier himself has no children eligible for the concessions the concessions may be granted to one nominee of the soldier provided the nominee is a member of the Marumakkathayam family to which the soldier belongs and is too poor to continue his or her studies without the concessions.

~~3~~ 5

(3) In GO No: 610 Edn dt 20.4.45

In the case of a Marumakkathayam family if the member concerned of a Defence Service has himself no children he may nominate one person from the family to which he belongs for the concessions &c.

Submitted that there is no particular authority for the interpretation. In this case the soldier was allowed to nominate one person from his family and he exercised ~~have been born~~ to him ~~a child~~ that right. Subsequently a child ~~seems to have~~ got ~~[illegible]~~ It does not seem equitable ~~[illegible]~~ to deprive the nominee of the concessions simply because of this event. We don't know whether the child will ever claim the concessions. Further the soldier has himself ~~promised~~ that he won't claim the concessions for the child. For orders. It seems that the concession may be allowed to a nephew so long as a son of the soldier

22/3/47

6 ✓ [illegible] is not ~~gr~~ in receipt of the concession at the same time.

[illegible] 24/3/47

S. The intention obviously [illegible] the child should be [illegible] [illegible] only in the absence of a

A/ [illegible] (1)(?) [illegible] [illegible] accrues.

child a nominee [illegible] [illegible]

If at the time of a nomination [illegible] continue no child, it would be inequitable subsequently to [illegible] the concession until the child is [illegible] but 'eligible' (cf. the note) [means] 'when born' [illegible] [illegible]

B [illegible] [illegible] [illegible] [illegible] nominee [illegible] [illegible] child [illegible] 'eligible' [illegible] [illegible] the child [illegible] [illegible] the concession [illegible] [illegible] [illegible] nominee [illegible] [illegible] [illegible] concession [illegible].

[illegible] 26/3

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page 5 c.f. [Memo No.3264-C1-2/47, Edn., dated 28--3--1947]

pages 7-8 c.f. From the S.O., Dt. Bd., Malabar, No.A5-9197/47, dated 25--3--1947.

pages 13-19 c.f. From K.Sivaraman Nair, Eriamakkal, petition, dated 8--2--1948.

page 21 c.f. [Endorsement No.11535-C1-1-48, Education, dated 12--3--1948]

page 23 c.f. From the D.P.I., Roc.No.584-W2/48, dated 27--4--1948.

page 25 c.f. From Sri C.A.Warriar, Tirtala, petition, dated 15--2--1948.

pages 27-31 c.f. From Sri C.Rama Warriar, Palladani, petition, dated 16--2--1948.

pages 39-41 c.f. From the Secretary, M.P.S.S. & A. Bd., No.66-R/47/MPB, dated 16--4--1948.

***

This file relates to the interpretation of note (3) to rule 1 of G.O.No.610, Edn., dated 20-4-1945, relating to Marumakathayam families, and started with the petition of one, Sri T.K.Nair, on pages 1-3 c.f. Secy. raised some queries, in this connection - vide pp.3, 4 and 6 ante. With a view to putting up a regular note with reference to Secy.'s queries, the petitioner was asked for information about the year of the birth of his son and the year of the grant of concessions to his nephew. In spite of several reminders, the petitioner has not yet cared to answer.

page 1 of (a)
pages 1-3 c.f.
pages 3, 4 & 6 ante
Note on page 6 c.f.
Memo on page 5 c.f.
pages 9 & 11 c.f.

2. In the meantime, several representations on the same subject have been received - vide pp.13-20 and 25-31 c.f. The S.O., Dt. Bd., Malabar, has made a reference on the continuance of the concessions to the nephew of the petitioner, T.K.Nair, referred to in the previous paragraph. The Secy., M.P.S.S. & A. Bd., too, has asked for a ruling on two points put to ~~by~~ him presumably by interested claimants for the concessions. One of the representations - on pp.13-20 c.f. - was referred to the D.P.I. He has replied in his letter at page 23 c.f.

pages 7-8, 13-20, 25-31 & 39-41 c.f.
pages 7-8 c.f.
pages 1-3 c.f.
page 41 c.f.
pages 13-20 c.f.
Memo on page 21 c.f.
page 23 c.f.

3. The D.P.I. has ~~himself~~ given the ~~ruling~~ interpretation that according to note (3) to para.1 of the instructions appended to G.O.No.610, Education, dated 20-4-1945, the nominee of a 'soldier' belonging to the Marumakathayam family should cease to get the concessions, immediately a child is born to the 'soldier'. He states that accordingly he has disallowed the continuance of the concessions in many cases.

paras 1 & 2 on page 23 c.f.
pages 1-2 of (a)
M on page 9 c.f.

I would say that technically this was correct.
[illegible]

But the ~~meaning~~ interpretation is not free from doubt. In the original rule, the wording is: " if the soldier has no children eligible for the concessions", whereas the underlined portion does not find a place in note (3) to para 1 of the instructions in (a). The contention of the petitioners seems to be that the underlined portion omitted in the subsequent G.O. was intended to mean that the nominees should continue to get the concessions until the child (whether born already, or subsequently born) becomes of school-going age. Be that as it may, some of the petitioners point out to sub-paras (5) to (9) of para 3 of the instructions in (a) and contend that once the concessions are granted, the holder should continue to get them till the completion of his or her educational career, as they cannot be withdrawn except for the reasons mentioned in sub-paras (6) to (9) of the same para. But it appears that this contention cannot be held to be valid in the face of the defenite provision that a nominee cannot get the concessions if the soldier has a child, and logically, in a case where there was originally no child, the concessions should cease immediately after a child arrives. Even for the other contention relating to the omitted clause "eligible for the concessions", it is submitted that the clause need not necessarily mean " of school-going age". As noted by Secy. at 'A' on page 6 ante, the intention obviously was that only in the absence of a child, a nominee should be accepted. If, however, the contention of the petitioners is accepted, a point can be stretched and it may be said that even though a child becomes of school-going age, if it is not admitted into a school, or even if it is admitted, if it does not avail itself of the concessions, the nominee should continue to get the concessions. This could never ~~has~~ have been the intention of the Government. In spite of all these arguments, as stated at 'B' above ~~on page 8 ante~~, the meaning and the intention of the note (3) to para 1 of the instuctions in (a) are not free from doubt, as it does not give a definite answer to any of the issues raised. Attention is, in this connection, invited to the points of doubt raised by Secy . also at 'B' on page 6 ante. The points on which clarification is

A

B

I think my [illegible] the reference to the conditions of eligibility & not the basis of eligibility. This may be a [illegible] weakening of equity & [illegible] does not necessarily follow as a justification of the [illegible] of this [illegible] of the present rule.

page 2 of (a)

and 'A' & 'B' on page 29 c.f.

page 2 of (a)

Note (3) to para 1 of the instructions in the Appx. on p. 1 of (a)

Vide 'A' above

Please see my remarks above.

Please see above. I think the note meant [illegible] is [illegible] does [illegible] both [illegible] points [illegible] to be decided.

32

required are:-

(i) whether a married 'soldier' having no child at all can make a nomination;

(ii) whether a married 'soldier' having a child can make a nomination voluntarily in preference to his child;

(iii) whether the concessions to the 'nominee' should be continued until the child already or subsequently born to the 'soldier' becomes of school-going age, or is actually admitted into the school and avails itself of the concessions;

(iv) whether, if the nominee fully utilising the concessions has completed his or her educational career, the child subsequently born to the 'soldier' would be eligible for the concessions;

(v) whether, in the case of a soldier having more than one child, all the children should forego the concessions in the event of the soldier having given away the concessions previously to a nominee.

4. The above points do not appear to have been examined at any time. The D.P.I. has suggested that he will examine the question of amending the rule, if the Govt. desire him to do so. There is no doubt that the rule should be made more specific on the points raised above and should be revised accordingly. It is therefore submitted for consideration whether this note may go to the D.P.I. u.o. for examination of the various points raised and ~~for~~ making suggestions to amend the rule.

5. In para.3 on page 23 c.f., the D.P.I. has recommended that the concessions granted to the petitioner, K.Sivaraman Nair, may be given for 1947-48. But a decision on this recommendation will depend on the answers to the various points raised in the foregoing paras, and should be applied to the other petitioners as well. A consideration of the Director's recommendation may therefore await the receipt of the proposals to be called for from him with reference to the previous paragraphs.

27/5/48

28/5/48

X

My answers would be:- point (i) on page 4 c.f. 'A' on page 6 ante No.

A

Only the latter [illegible] would arise [illegible] right

B

Please see below.

C

Point newly raised

Please see below.

We are not accepting the proposal to amplify the rule to make nominees eligible until the child reaches school-age. So I do not think a reference to D.P.I. is necessary.

pages 13-19 c.f.

The D.P.I. has already discharged [illegible] & we are proposing [illegible] there is no justification for treating this as a special case

3264 C1/47.

'A' at p. 9 ante:- We may reply, to confirm, the practice already adopted by the D.P.I., i.e. that when a child is born the concessions to the 'nominee' should cease.

K

'B' at p: 9 ante:-

No concessions will be available for children born after 28.2.47 (H/1). Even within that date, cases where children were born after a nomination has been made would have been dealt with as indicated against A above. So in practice cases of this kind are likely to be few. In view of this, and in view of the fact that the ulterior is that children should have the primary consideration, the answer to the question may be 'yes'.

Z

'C' at p: 9 ante - The remarks under 'B' above are pertinent here. All the children would be entitled to the concessions irrespective of a 'nominee' having fully or partially availed himself of concessions previously.

Pub: (Mil.) & Fin: may see.

1/6/48

Pub: (Mil:)
Fin:

Edn & PH. u.o.
3264/47-5-C1)
1-6-48.

Under Secretary
[illegible]
2631
Public (Military) Department

Public (Mily) Dept.

The notes of E.&P.H. dept. on pp 7-10 above may be perused. This dept. may agree with the views of E & P.H. Secy. at portions marked X in the margin on p 9 ante and at Z on p10 ante and the file ~~may be~~ passed on to Finance.

12.6.48.

15/6/48

15.6.48

Pub (milly) u.o 2631/48.1
17.6.48

Additional Deputy Secretary
44812
17 JUN 1948
Exp.C.
Finance Department

Fin (Exp-C).

Please see the note of E & P.H. from page 7 above. Note (3) to rule 1 in the Appendix to G.O. No. 610 Edn. dated 20-4-1945 confers a privilege on a member ~~concerned~~ of a Defence Service belonging to a Marumakathayam family to nominate one person from the family to which he belongs, if he has himself no children. It is subd. that the condition in the Note that "if the member...... has no children" can refer only to the point of time at which the nomination is made and there is no specific provision either in this Note or anywhere else in the rules in the said Appendix that a nomination so made shall become null and void in the event of a child being born to the member subsequently (or the concessions to the nominee shall cease from that date). Finance may accordingly agree to action being taken as at K on p. 10 above.

VKK
23.6.48. The views of the E & P.H. Secy at X on page 9 & Z on page 10 above, may also be agreed to.

24.6.48

25.6.48

E & PH.
C1.

Asst. Secretary to Government
26 JUN 1948
Education and Public Health Dept.

Fin. u.o. 44812 Exp. C-1
25-6-48.

47099

Please see the notes of Pub (Milly) and Finance from page 10 (bottom) ante. These departments have agreed with the views of the Secretary at portions marked

P.T.O.

marked 'X' on page 9 ante and at 'K' and 'Z' on page 10 ante.

A draft order is submitted. For orders as to circulation.

16-7-48.

20/7/48

K. (G.)

ISA
2-8-48

[Issued as G.O. No. 1915 Edn 3-8-48]

SECRETARY, EDN. AND P. H. DEPT.
9 AUG 1948
GOVERNMENT OF MADRAS

29
23/7