

(T) (T) E & P.H. (1949) Department.

Ms. SERIES.

G.O. NO. Ms. 29/8 Edn.

Dated

19.9.49.

closed.

Wm

Supdt.

By

[Despatch Abstract.]

Madras Educational Rules - closure of schools - Notice to be given by managements - Rule 54 - Grant-in-Aid code - Rule 36 - Amendments - Issued.

Back Papers.

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

Further Papers.

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

(2)

S. A. H. (131)

W 19/4
Schools - Secondary - Aided - closure of schools or
classes, forms or sections in schools - Procedure
to be followed

From the D.P.D. Rec. 505 D 3/48-3/16-54F

2
19/4/49

Memorandum No. 62321 B, 48-2 Edn. d/18-4-49.

The Govt approve the proposal of the
D.P.D. that managements of aided secondary
schools should give a year's notice to the
Department before closing a school, a class or
a form and that this should be made a
condition of recognition. The Director is
requested to submit the necessary amendments
to the Madras Educational Rules.

2. In regard to ~~closure~~ closure of section

2

it will not be possible to give previous notice to the Dept.
 as the number of sections to be allowed in each class
 or form can be determined only at the beginning of
 each year with reference to promotions & admissions.
 The Director is requested to state whether the managements
 are required to consult the DFO concerned before
 closing down ~~sections~~ sections which were in existence
 in the previous school year giving reasons for such
 closure or whether it will be sufficient to give intimation
 to the DFOs. The Director is requested to state the
 existing provisions whether it requires any modification

11.4.49

To
 The DFO

R.O.C.NO.505-D.3/48

3
 Office of the
 Director of Public Instruction,
 Madras, Dated 9--7--1949.

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



Subject: Schools - Secondary - Aided - Closure of schools -
 Procedure to be followed - Amendment to rules.

R e f: Government Memorandum 62321-B.1-48-2 Edn dated
 18-4-49. pp 1-2 ante

52935
 SVM

I submit the following amendments:

M.E.R.:

13 of BICND
 151

1. The following may be added at the end as a sub-para under rule 54
 of the M.E.R.

"Similarly Schools recognised by the competent authority
 either permanently or on a temporary basis may not be closed unless
 one year's previous notice has been given to the Department communicat-
 ing such intention of closure and such closure shall not be permitted
 except with effect from the end of a school year".

134 of BICND
 10151

2. The following may be added at the end of the 'Declaration' fur-
 nished in the Form of application for recognition - Vide appendix (1)
 at page 32 M.E.R.

"And in the event of the management deciding to "close down
 the school, I agree to give a year's notice to the Department before
 actual closure".

Grant-in-aid Code:

15 of
 BICND 40

Penal measures: The following shall be added as a sub-
 para under article 36(Chapter IV) of the Grant-in-aid Code:-

"Failure to give the one year's notice before closure of a
 school required under rule 54 of the M.E.R. shall be penalised by
 refusal of Grant-in-aid ~~Code~~ due to the school till the date of
 closure".

1345-6 ante 2

With reference to para 2 of the above Government Memo, I may
 state that opening of additional sections or closure of sections is a
 matter entirely within the discretion of managements and they have
 to seek permission of the District Educational Officer only when
 admissions in excess of the regulation number are proposed to be
 made and the existing practice needs no modification.

Yours faithfully,

Chandrasekaran

for Director of Public Instruction.

RVR 9/7/-

9/7

21/1/46

p38

2/1/46

4

(5)

EDN(47)

Schools - Secondary - Aided - closure - Penalty
for failure to give previous notice to the Dept

From the DP 9 No. 515 D.3/48 & 9.7.49

Memo No. 52935 B/49-2 Edn. d/16.8.49.

The DP 9 is requested to report whether it is the intention that the management of an aided secondary school which fails to give one year's notice should be penalised by withholding the grant due at least for the year in which the notice is due but not given. The Director is also requested to report whether the period of one year to be prescribed for giving notice of closure is ~~to be~~ one year previous to the school year in which it is

5 2
proposed to close the school or from the date of
actual closure - It may be made clear whether
the closure of a school in the middle of a school
year is contemplated or not.

15.8.49 16.8.49

Handwritten notes in Tamil script, likely a translation or commentary on the English text above.

Handwritten signature and initials.

Roc. No. 505 D3.48

Office of the Director of
Public Instruction, Madras
dated 1st September 1949.

From The Director of Public Instruction,
M a d r a s.

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

Sir,

Subject: Schools - Secondary - Aided
Schools - Procedure to be followed
Amendment to rules

Reference: Government Memo. 52935-B1/49-2 Edn. dated
16.8.49



The queries raised in the above Memorandum are
answered below:

1. It is the intention that a defaulting management should
be penalised by denial of grants due for the year in which the
notice being due is not given.
2. The period of one year prescribed for giving notice
of closure, is one year previous to the school year in which
it is proposed to close the school.
3. The closure of a school in the middle of a school
year is not contemplated.

I suggest the following addendum to appendix (I)
of the Madras Educational Rules in the place of the addendum
proposed in item (2) of my letter Roc. 505 D3-48 dated
9.7.49.

"And in the event of the management deciding to
close down the school, I agree to give a year's notice to
the Department before actual closure, the closure being
made only at the end of the School year."

Yours faithfully,

Handwritten signature of the Director of Public Instruction.

for Director of Public Instruction

Vk 2.9

Handwritten signature and initials.

MADRAS EDUCATIONAL RULES - Closure of schools - ~~to be followed~~ Rule 54 - Grant-in-Aid Code Rule 36 - Amendments issued.

From the D.P.I., Roc. 505 D3/48 dated 16-8-48, 9-7-49 and 1-9-49.

ORDER (MS) NO. 2918 EDN. DATED 19. 9. 49

The following notification will be published in the Fort St. George Gazette:-

NOTIFICATION.
I

Madras Educational Rules - Rule No.54 - Amendment.

In the Madras Educational Rules:-

(1) in rule 54, the following paragraph shall be added at the end, namely:-

"Similarly, schools recognised by the competent authority either permanently or on a temporary basis shall be closed unless one year's previous notice has been given to the Department communicating such intention of closure and such closure shall not be permitted except with effect from the end of a school year".

(2) in the form of application for recognition prescribed in Appendix 1, in the paragraph headed 'Declaration,' the following shall be added at the end, namely:-

"In the event of the management deciding to close down the school, I agree to give one year's notice to the Department before actual closure, the closure being made only at the end ~~the~~ of the school year."

II.

Grant-in-aid Code - Rule 36 - Amendment.

In rule 36 of the Grant-in-Aid Code, the following shall be added at the end, namely:-

"Failure to give ~~the~~ one year's notice before the closure of a school required by rule 54 of the M.E.R. will entail refusal of grant-in-aid due to the school for the year in which ~~the~~ notice ~~being~~ ^{should have been} ~~is not~~ given"

2. The Government agree with the D.P.I. that, in respect of the opening of additional sections or closure of sections in a secondary schools, the existing practice requires no modification.

To The D.P.I.

The S.G.P. (for pubn. of the notifn. in the F.S.G.G.)

Copy to: C1 Sec. ✓
3 sp. copies.

Education Department.

From

The Director of Public Instruction, Madras.

To

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

Rec. 505 D3/48 dated 16-8-1948.



Sir,

Sub: Schools - Secondary - Aided - Abrupt closure -
action against.

62321
500

Of late certain cases of abrupt closure of schools or classes or forms in schools for very inadequate reasons causing inconvenience to the pupils came under my notice. A few characteristic instances are given below.

1. St. Gemma's Girls High School, Malappuram, under the management of the sisters of charity, was closed with effect from 1st June 1948, due to paucity of funds to run the school on adequate lines. The Girls under instruction had to be absorbed in the Government Training School, Malappuram, with difficulty.

2. The closure of the Veeran Hajee High School, Maraiyur, was threatened on account of some misunderstanding between the correspondent and the local people. The contingency was however averted by the timely action of some local gentlemen who undertook the management of the school. 3. Again St. Antony's Middle School, Adoni, which was also permitted to open Form IV in 48-49, closed down the Middle school and desired reconversion as a Higher Elementary School.

I consider that to check such indiscriminate closure of classes or schools, without due notice to the Department should be properly checked as the interests of pupils in such schools suffer a great deal. I, therefore, suggest that managements may be required to give a year's notice to the Department before closing a school and that this shall be enforced as one of the conditions of recognition Temporary or permanent and that failure to

observe the condition should be penalised by refusal of grant-in-aid due to the school till the date of such closure.

I shall submit the necessary amendment to the Madras Educational Rules if Government approve my above proposal.

Yours faithfully,

M. K. S. S. S. S.

for Director of Public Instruction.

COPY to D Section for file.

k.h.20-8.

ETON (21)

The Director's proposal seems acceptable. For orders whether he may be asked to submit necessary amendments to the Madras Educational Rules. HM (Eon) may see.

10/9/48
19.9.48

20/9/48

Perhaps to instruct to close
for

by
20/9/48
HM (Eon)

TSA
26.9.48

26/9
26/9

Perhaps closing of sections in the school may also be brought in

TSA
26.9.48

with reference to the minutes of HM (Eon) above, it is submitted that the number of sections can be determined only at the beginning of each year with reference to previous admissions. A year's notice cannot be given about this - the D.P. may be consulted whether the management should be required to consult D.P.

before closing down a section which was in existence in the previous school year & obtain his permission or whether it will be sufficient to intimate the fact to the D.P. giving reasons for the closure.

A draft memo is submitted below for approval

10/9/48
11.4.49

11.4.49

(10) 10/9/48

perhaps to instruct to close
for

[P.T.O.]

From the D.P.I., Roc.505 D3/48 dated 16-8-48 and
9-7-49.

EDN. DT

NOTIFICATION.

1013 of PK NO 151

(2) (b) The following ^{shall} will be added at the end,

p 34 of Bk NB 151.

~~The Madras Educational Rules.~~ namely:—

II

(The following will ^{shall} be added as a sub-para under

Rule 36 of the Grant-in-Aid Code; ~~at the end, namely:~~

See notes

2. The Government agree with the D.P.I. that, in respect of opening of additional sections or closure of sections in a secondary school, in the existing practice requires no modification.

To The D.P.I.

The S.G.P. (for pubn. of notifn. in the F.S.G.G)
Copy to C, Section
2 spare copies.

NOTE.

The draft order is in accordance with the Director's proposals. ~~May be circulated to H.M. (E & L)~~ ^{May be circulated to H.M. (E & L)}

~~for approval. Legal may perhaps suggest any improvement necessary in the wording of the Amendment~~

I do not know if A is quite clear. Should it not be 'for the year preceding the date of closure'. Perhaps we should consult Legal.

With reference to Secy's query it is submitted that teaching grants for a particular year is paid in the next year after the actual expenditure as per audited statements is sub. The school will normally be eligible for teaching grants up to the date of closure; the grant for the year in which the school is closed will be paid only in the succeeding year.

The amendment is therefore correct. It is not usual to consult Legal in regard to amendments to the Act which are not statutory.

When where is the penalty if the school is paid a grant while it is open and not paid one, after for the year it is closed.

With reference to the Secretary's remarks above, it is submitted that the teaching grant due to an added Secondary School up to the date of closure will be disbursed to the management even after the closure of the school provided the school is closed with the permission of the Dept. The penalty will be imposed only in cases where the management fails to give the required notice - The amendment provides for it. Legal may see.

LEGAL DEPARTMENT.

The words "till the date of closure" at A on p.1 of the draft may be altered into "for the year in which it is closed" which is the intention - see M on p.2 ante. The other alterations indicated in red ink on the draft may also be made.

The suggestion of the Legal Dept. that the words "till the date of closure" may be altered into "for the year in which it is closed" may be accepted. The other alterations in red ink on the draft may also be carried out. The draft as altered may

