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Sectt. II-27-53,001-27-10-47.

E & P. H. (1949) Department.

Ms. SERIES.

G.O. NO. Ms 985 Edm.

Dated 5-4-49

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10/11/49

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[Despatch Abstract.]

M. E. R. - Irregular admission of pupils - Provision for
taking disciplinary action against the headmasters -
Rules 37 and 98 - 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.

Office of the
Director of Public Instruction.
Rc.No.2188-E1/48.

Madras, dated 5th November 1948.

FROM
THE DIRECTOR OF PUBLIC INSTRUCTION,
MADRAS.

TO
THE SECRETARY TO GOVERNMENT,
EDUCATION & PUBLIC HEALTH DEPARTMENT,
MADRAS.

SIR,

SUB: MADRAS EDUCATION RULES - Irregular admission
of pupils - Provision for taking disciplinary
action against the authorities concerned.
@£@

Rule 37 of the Madras Educational Rules
lays down that the headmaster of a secondary school, into
which a pupil is admitted, shall place him in the class for which
he is found fit, provided that in the case of admission from
one recognised secondary school into another, the pupil shall
be admitted into the class or form for which his Transfer
Certificate declares him fit, but shall not be placed in a higher
class or form without the previous permission of the Dt.
Educational Officer. A case in which the provisions of the above
rule were contravened by the headmaster, E.R. High School,
Tiruchirapalli was recently brought to my notice, and it is
briefly this:

It is reported that, V.S. Sethuraman, who was
promoted to V Standard of Malacca (equivalent to Form II of this
Presidency) was studying there till the end of 30-9-1946
when he left for Tiruchirapalli; and that he was admitted
into Form IV of the E.R. High School, Tiruchirapalli in the
beginning of the school year 1947-48, on the ground that on
examination his attainments were found to be more than those
of an average boy of Form IV. Under the rules, the pupil could
have been admitted only in Form III with the previous permission
of the Dt. Educational Officer and not in Form IV. Recognising
however, his mistake in having admitted the pupil straightway
to Form IV, the headmaster requested in June 1948 that his
action in this respect might be ratified. Since one year
elapsed before the headmaster applied for ratification I could
not but condone his action, if it was not to penalise the student
accordingly. At the same time, the headmaster has also been
warned to guard against a recurrence of such irregularities
in future. A copy of my Proceedings Rc.No. 2188-E1/48 dated
17-8-1948 is enclosed.

Some of these cases of irregular admissions
appear to have been made knowingly by the headmaster concerned.
It is desirable, therefore that severe notice should be taken
of such laxity so that it could be kept in check. To this end,
I suggest that rule 37 of the Madras Educational Rules may be
modified so as to make suitable provision for the clause
penalising the headmaster for any irregularity ~~recurringly~~ committed.

I may add that cases are also likely to arise
in which circumstances of the case may justify pupils being
admitted into forms higher than that for which their
Transfer Certificates declare them fit. In such cases of
fitness the rules do not provide specifically for the exercise

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exercise of discretion by the Director; nor is there anything in the rules which bars the exercise of such discretion. I feel all the same that the matter is best put on a clear basis of rules--particularly in view of the fact that in these days of movement of refugees and evacuees many such cases are likely to arise. It is obvious that there is need to vest the Director with the discretionary power to permit admission of a ~~Secondary School~~ any pupil into any form of a Secondary School if the circumstances of the case fully justify it. Suitable provision in the rules to that end appears necessary.

5 I request that the Government may be pleased to approve the above proposals. If they are agreed to, I shall submit a draft of the necessary amendments to the relevant rules.

Yours faithfully,

M. S. S. S. S.

for Director of Public Instruction.

Copy of proceedings Rc.No. 2188-E1/48 dated 17-8-1948.

Sub: Admission - V.S. Sethuraman - E.R. High School, Tiruchirapally.
Read: Endt. Roc.No. 641-B/48 dated 28-7-1948 of the Director of Public Instruction, Madras. Divisional Inspector of Schools, ~~M~~ Coimbatore.

As a special case, the action of the headmaster, E.R. High School, Tiruchirapally in having admitted V.S. Sethuraman into Form IV in 1947-48 is a ratified.

2. As early as 1942, the officers were informed in the Director's Procs. Roc.No.250-E/42 dated 6-2-1942 that standards VII, VIII and IX of the F.M.S. might be considered as equivalent to Forms IV, V and VI of the Province. The pupil could have been straightway admitted into Form II or, with reference to rule 37 of the Madras Educational Rules, the pupil could have been admitted into Form III, with the permission of the Dt. Educational Officers. The Headmaster had also no justification to wait for nearly a whole year before reporting. The headmaster should be warned to guard against a recurrence of such irregularities in future.

/ True copy /

M. S. S. S. S.

for Director of Public Instruction.

Madras Educational Rules - Irregular admission of pupils - Provision for taking disciplinary action against the authorities concerned

From the D.P.D. Memo 2188-21/48 D. 5.11.48

Memo No. 85149 B. 1/48-1 Edn. d/ 9.2.49.

The Govt approve the suggestion of the D.P.D. that Rule 37 of the Madras Educational Rules may be amended so as to enable suitable action being taken against the headmaster for any irregularity knowingly committed by him in regard to admission of pupils into secondary schools and to vest the Director with the discretionary power to permit the admission of any pupil into any form of a secondary school if the circumstances of the case fully justify it. The Director is requested to submit a draft of the amendments to be made to the relevant rules.

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6.2.49

8/1/49

by [signature]

To [signature]
The D.P.D.

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10/2

9/2/49

Education Department.

From

The Director of Public Instruction,
Madras.

To

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

Re. No. 2188 E1/48 dated 26-2-1949.

Sir,

82 MAR 1949

Sub: Madras Educational Rules - Irregular admission
of pupils etc. - Provision for taking discipli-
nary action against the authorities concerned -
Draft amendments to the relevant rules - sugges-
ting.

Ref: Govt. Memo No. 85149 B1/48-1 Edn., dated 9-2-1949.

With reference to the Government Memo cited, I submit
the following for the consideration and necessary orders of
Government.

2. At present there is provision in the Madras Educa-
tional Rules to impose any of the following penalties on
members of the teaching profession in aided and local board
schools.

- (i) Suspension and cancellation of certificates
under Rule 154, M.E.R.
(ii) Declaring a teacher to be unfit to be a teacher, after
due enquiry - Rule 16, M.E.R.

A person may be good at teaching and might have proved to be an
efficient teacher but he may be inefficient as an administrator,
viz. as head of the school. In such cases action under Rule
154 M.E.R. could not properly be taken against the headmaster of
a school. It will thus be seen that there is no provision in the
rules to declare a person holding the post of Headmaster to be
unfit as headmaster if it is found that he is guilty of derelic-
tion of duty or has committed knowingly and wilfully any
irregularity in his capacity as headmaster. Suitable provision
in the rules empowering the Director to take disciplinary action
in such cases, namely, declaring the headmaster to be unfit as
headmaster, would therefore seem necessary.

3. The following draft amendments to the Madras Educa-
tional Rules are submitted for favour of approval.

The present Rule 37 may be re-lettered as 37(a) and
the following added as 37(b) and (c):

"37(b) If any irregularity is committed by the headmaster
of a school in regard to the admission of pupils in a secondary
school, he is liable to disciplinary action;

(c) The Director reserves to himself the power to
permit the admission of any pupil into any form of a secondary
school, if the circumstances of the case justify it."

The existing Rule 98 may be re-lettered as 98(a) and the
following added as Rule 98(b):

"98 (b) If the headmaster of a school is found to be
negligent in the discharge of his duties or is found to have
committed any irregularity the Director may, after enquiry,
declare him to be unfit to be a headmaster for a specified period
or absolutely as the circumstances of the case warrant."

Yours faithfully,

Thiruvananthapuram

for Director of Public Instruction

KHR.28-2.

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E & P.H. (B).

M.E.R - Irregular admission of pupils - Provision for taking disciplinary action against the ^{headmaster} ~~authorities~~ ~~person~~ - Rules 37 and 98 - Amendments - Issued.

From the B.P.G. Re. No. 2188 E, 148 d/26-2-1949.

Order. 985 Edn. dated. 5.4.49
Ms.

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

Notification.

Madras Educational Rules - Rules 37 and 98 - Amendments.

- (1) The existing rule 37 shall be renumbered as rule 37(a) and the following added as ^{rule} 37(b) and (c): -
37(b): If any irregularity is committed by the headmaster of a Secondary school in regard to the admission of pupils in the school, he shall be liable to disciplinary action;
37(c) The Director shall reserve to himself the power to permit the admission of any pupil into any form of a secondary school if the circumstances of the case justify it.
- (2) The existing rule 98 shall be renumbered as rule 98(a) and the following added as rule 98(b): -
If the headmaster of a school is found to be negligent in the discharge of his duties or is found to have committed any irregularity, the Director shall, after due enquiry, declare him ~~to be~~ unfit to be a headmaster for a specified period or permanently as the circumstances of the case warrant.

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4/4/49

p11 of B.M. No 151.

p23 of B.M. No 151 (2)

Ans
ms
8/4/49

To
The B.P.G.
The S.G.P. for
publication in the
F.S.G.G.
C, Section
28/4/49.

30/3/49
30/3/49

1-4-49

Edn and P.H. Department.

B I section.

Madras Educational Rules - Irregular admission of pupils
- Provision for taking disciplinary action against the
authorities concerned -

From the D.P.I. R.C.No 2188 E I/48 dated 5-II-48

The D.P.I. points out that cases of admission of pupils contrary to the provisions of Rule 37 of the M.E.R has come to his notice, and that in order to avoid such irregular admissions it is necessary to amend rule 37 of the M.E.R so to enable suitable action being taken against the headmaster for any irregularity committed in this regard. In the circumstances stated by the D.P.I, his suggestion may be accepted and he may be requested to submit a draft of the amendment to be issued to the above rule to secure the object in view.

2. The D.P.I. at the sametime requests that he may be empowered specifically to ~~admit~~ permit the admission of any pupil into any form of a secondary school if the circumstances of the case justify it as in these days pupils from other provinces seek admission into schools in this province as refugees etc. It is for ~~consideration~~ consideration whether such permission should be given in respect of admissions to Form IV and above. Under the scheme for reorganisation of secondary education certain bifurcated courses have been introduced in selected schools and it is doubtful whether in other provinces such courses have been introduced and whether admission to forms ~~XXXXXX~~ IV and above in respect of the new courses can be permitted based on attainments of the pupils without record from a recognised school that he had actually studied in the form in which admission is sought or in the higher form in case he had completed the study in the lower form. The D.P.I. may perhaps be allowed to exercise such discretion only in respect of

May be permitted.

21-1-49

D.P.I. may be accepted.

It may be presumed that the D.P.I. will consider the points before he takes order in individual cases of admission.

21-1-49

academic
courses.

The file may be circulated to H.M.(Edn) for orders.

USA
10/1/49

21-1-49

S. ^W
H.M.(Edn)

17-1-49

OM
24/1

ISA

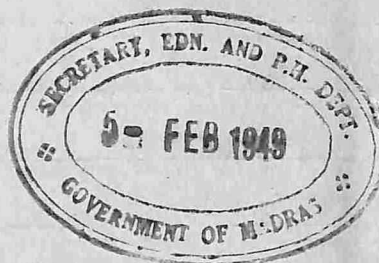
2-2-49

A draft memo is submitted below for approval

USA
6-2-49

W
8/2/49

S. ^W
H.M.(Edn)



[Issued as Memo No. 85/49 B, 1/48-1 Edn d/9-2-49] p 5 of.

C. No. 16296 from the D.P.G. Re. No. 2188 E, 1/48 d/26-2-49. p 7 of.

The D.P.G. has submitted a draft amended amendment to the relevant rules of the M.E.R. A draft order is submitted below. It may be circulated to H.M.(Edn) for approval.

USA
30/3/49
30-3-49

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1-4-49

S. ²
1/0 4/49

14.17 (Edn)

ISA

4.4.49

OM
24/4

