

EDUCATION

(1950)

DEPARTMENT

SERIES M.S.

Closed

ph

Go . . . no 1472 Edn.

DATED . . . 11. 5. 1950.

pp 1-4, 7-14 of 2nd pp 1-4 of 1st - A

✓ p 1, 7-9, 13, 14 of 2nd
✓ p 1-4, 2nd

Sub

M. F. R. Grant of fee Concession
to pupils coming from outside the

State Sanctioned.

EDUCATION DEPARTMENT.

From The Director of Public Instruction,
Madras.

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

12 NOV 1949

EDUCATION AND PUBLIC HEALTH

Sir, Roc.No.1840-E4/47 dated 10-11-1949.

Sub: Madras Educational Rules - Grant of fee concessions
to pupils coming from outside the province.

88/23
According to foot note vide ii under rule 92 of the
Madras Educational Rules, fee concessions should ordinarily be
restricted to those who are natives of this presidency or are
domiciled therein.

A question has been raised by the Superintendent,
Presidency High School, Egmore whether the following pupils
who are not natives of this province may be granted fee conces-
sions under the rule.

Name of pupil.	Native Place	Period of residence of Parents in Madras.
1. P.M. Annamma	Travancore	7 years.
2. P.M. Mary	"	7 years.
3. V.S. Janaki	Trichur	25 years.
4. N. Sarada	Gorakulam	more than 10 years
5. S. Saraswathi	Rangoon	7 years.

I request to be informed whether fee concessions
may be granted to these pupils under the rule.

Yours faithfully,

M. S. Srinivasan

for Director of Public Instruction.

BR, 10-11.
10/11/49
1949

Edw J.P.H. Depn. (C1)

M.E.R. Grant & fee Concessions to pupils
Coming from outside the Province.

From the S.P.D. No 1820. E 4/4) D. 10. 11. 49.

Memo. No. 881230-1 Edw dated 9. 12. 49

The S.P.D. is requested to
ascertain and report whether the parents or
guardians of the Students referred to in
his letter read above have acquired a
domicile in Quebec. They could have
acquired a domicile in this Province
only by taking up their fixed habitation
here with the intention of making this
their home. Mer residence for a number

22/11
10/12

SEPARATE COPIES

ENCLOSURES

Sir,

No. _____, dated _____, 19

The

To

Telegraphic Address

Post Box _____, (STATION)

(Designation)

From (Name)

Registered

DEPARTMENT.

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

C.T. 32.

4/12/1949. M. P. H. S. W. 3

of years will not suffice. There should be no intention of ~~the~~ going back to their Country of origin. Such intention could be gathered from their Course of conduct in this Country and from the nature of the commitments they have made here.

of
8/12/49.

MM
8/12/49

19
2/12

To

MM
8/12/49
The D.P.G.

Memo No. 88123/49-4C1 Edm., dated 23-1-50

Subj: - M.E.R. Grant of fee
Concessions to pupils from outside
the Province.

Ref: - From the D.P.G., no 1844-Ex/47
dated 10-11-49

Grant. Memo. No. 88123C1-1 Edm.
dated 9-12-49

33
24

113-46

To
The D.P.G.,
Madras

The D.P.G. is requested to
expedite his reply to the memo cited
above.

81
23/1/50
23/1/50

MM
23/1/50

6

Handwritten notes in Tamil script, including dates like 88/12/14 and 88/12/15, and references to 'M.E.R.' and 'M.E.H.'.

C.F. 32 (a).

EDUCATION Department

From (Name)

Designation The Director of Public Instruction,
Station Madras.

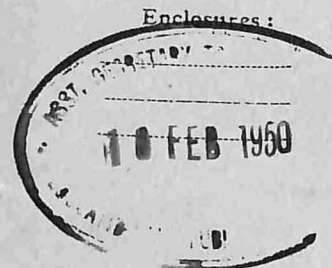
Received Registered

To

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

Enclosures:

Roc No. 1840 EL/47 dated 8-2-1950. 124



Sr.

Sub: Madras Educational Rule - Rule 92 - Grant of fee concessions to pupils coming from outside the province.

Ref: Govt. Memo.No.88123 C1-1 Edn. dated 9-12-49.

10335

The information required in the Government Memo. quoted above is furnished with letter Re.8-25 B/48 dated 4-2-50 of the Inspectress of Girls Schools, III Circle, Madras (Copy enclosed)

Yours faithfully,

S. S. Pantanahin

For Director of Public Instruction.

Xu 62

vs.8.2.

10335

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Subject.

Madras Educational Rule - Grant of fee concessions to pupils coming from outside the Province - Particulars - Submission of-

Particulars.	Name of pupil		
	V.S.Janaki	N.Sharada	S.Saraswathi.
1. Name of parent or guardian.	Sri K.Sankara Menon.	Sri V.Nilakanta Iyer.	Sri S.Seethammal.
2. Native place	Trichur	Ernakulam	Rangoon. ^b
3. Purpose for which the parent came to this Province.	Employment	Education of children due to change of circumstances.	Due to disturbance of Japanese.
4. Period of their stay in Madras	26 years	10 years	6 years
5. Whether they intend returning to their native place.	No.	No.	No.

Re.No. 8--25B/48 dated 4-2-1950.

Submitted to the Director of Public Instruction, Madras with reference to Proceedings Re.No.1840 EA/47 dated 3-1-50.

Sd....
Inspectress of Girls' Schools,
Third Circle, Madras.

/true copy/

D. P. Panchanathan
For Director of Public Instruction.

See 82

8.2.50

14/2 ✓

11/7

E-4P.H(C1)

Memo No. 88123/47-SCI Edn., dated 14-2-50

Sub:- M.E.R - Rule 92 - Grant of fee Concessions to pupils coming from outside the Province.

Ref:- From the D.P.D., No. 1840 EH/47 dated 8-2-50.

15/10/47 ✓

179

199

In the letter of the Inspectress of Girls Schools, III circle, No. 8-25 B/48 dated 4-2-50 sent with the letter of the D.P.D. cited above, ~~information~~ particulars are not available in the case of pupils P.M. Annamma and P.M. Mary. The Director is requested to furnish particulars in the case of these two pupils also.

To
The D.P.D. ✓
Madras

Ext. section
15/3/50

16/2

82
13/2/50
16/4/50

136/2159

EDUCATION DEPARTMENT.

From The Director of Public Instruction,
Madras.
To The Secretary to Government,
Education Department, Fort St. George,
Madras.



Roc.No.1840-E4/47 dated 12-4-1950.

Sir,
Sub: Madras Educational Rules - Rule 92 - Grant of
fee concessions to pupils coming from outside
the province.
Ref: Government Memorandum No.88123/49-5-C1 Educa-
tion dated 14-2-1950.

The particulars called for are furnished in the
reference Rc.No.536/48 dated 10-3-1950 of the Superintendent,
Presidency High School for girls, Egmore copy submitted herewith.

Yours faithfully,

G. O. Panthavan
15/4

for Director of Public Instruction.

BR,14-4-50.

Rs
15/4

Copy of reference Rc.No.536/48 dated 10-3-1950 of the Superintendent,
Presidency High School for girls, Egmore to the ~~Director~~ Inspec-
tress, III Circle ~~Instruction~~, Madras.

Particulars on behalf of E.M. Annamma and P.M. Mary.

- | | |
|---|------------------------------|
| 1. Name of parent | Sri P. Matheew |
| 2. Native Place | Kozhancherry - Travancore. |
| 3. Purpose for which the
parent or guardian
came to this province | Profession sake. |
| 4. Period of stay in Madras | Sixteen years. |
| 5. Whether they intend return-
ing to their native place | No. |
| 6. Remarks | Both the pupils are sisters. |

R.C.No.536/48 dated 10;3-1950.

Submitted with reference to her endorsement Rc.No.8-25/E/48
dated 6-3-1950.

True Copy

G. O. Panthavan
15/4
for Director of Public Instruction.

BR,14-4-50.

Rs
14/4

104 Edu
9 D

MER Grant of fee concessions
to pupils coming from outside
the State - sanctioned

Revised draft

Ref. from the D.P.I. No. 1840 K4/47 & 10 11 48
8.2.50 Edu 12.4.50

Good Memo no 88123 C, / Edu & 9.12.48

Order/MS 1472 dated 11-5-50

The Govt have no objection
to the grant of fee concessions to the
five pupils referred to in the D.P.I's
letter of 10.11.49.

To
Sec DPI
187c

103
9550

MS 6/5/50
P 6550

The Director of Public Instruction,
Madras.
The Secretary to Government,
Education Department, P.W. Secy, Coimbatore,
Madras.

Doc. No. 1840-K4/47 dated 12-4-1950.

Sub: Madras Educational Rules - Para 32 - Grant of
fee concessions to pupils coming from outside
the province.
Ref: Government memorandum No. 88123 C-2-50 dated
12-4-1950.

The particulars called for are furnished in the
reference No. 1840-K4/47 dated 12-4-1950 of the Superintendent,
Presidency High School for Girls, Coimbatore copy submitted herewith.

Yours faithfully,

For Director of Public Instruction.

BN, 14-4-50.

Copy of reference No. 1840-K4/47 dated 12-4-1950 of the Superintendent,
Presidency High School for Girls, Coimbatore to the Madras Education
Department, Madras.

Particulars on behalf of M. K. Annamma and P. M. Mary.

1. Name of parent
2. Native place
3. Purpose for which the
parent or guardian
came to this province
4. Period of stay in this
province
5. Whether they intend to
return to their native place
6. Remarks

Doc. No. 1840-K4/47 dated 12-4-1950.

Submitted with reference to the memorandum No. 88123 C-2-50 dated 12-4-1950.

The copy

For Director of Public Instruction.

BN, 14-4-50.

C.No.88123/49, From the D.P.I., No.1840 E4/47 dated 10-11-49

M.E.R. - Grant of fee concessions to pupils coming from outside the province.

On a question raised by the Superintendent, Presidency High School, Egmore, the D.P.I. enquires whether the five pupils mentioned in ^{his} ~~the Director's~~ letter who are not natives of this province may be granted fee concessions under the Madras Educational Rules.

Under rule 92 of the M.E.R., concessions will ordinarily be restricted to those who are natives of the Madras Presidency or are domiciled therein. It is observed from the Director's letter that the parents of the pupils in question ^{have been} ~~are~~ residing in this Province for ^{over} ~~a period of~~ 7 years and more. Public (General) may be requested to advise ^{whether the} ~~the~~ pupils may be deemed to be natives of this Presidency for all practical purposes.

Public (Ser) Department

Please see the E & P.H. department note above.

Submitted that Provincial domicile qualifications are not prescribed for appointment to the public services in this Province and therefore this department is not in a position to offer any remarks on the question raised in this file.

Rule 10(c) of the General rules prescribes that ~~no~~ no candidate other than a subject of His Majesty domiciled in India shall except with the previous sanction of the Provincial Government be included in the list of approved candidates for appointment to the public services in this Province. The procedure for determining the Indian domicile prescribed therein is explained in G.O.No. 672 Public (Ser) dated 11-3-1949. E & P.H. may be requested to consult Home and Legal in the matter.

The file may be returned to the E & P.H. depart-

E & P.H. No. 88123/49-1C1
16-11-49



P.1470784112

93311
24 NOV 1949

Pub (Ser. A)
4571/49-1
28.11.49.

C.No. 4485
25.11.49.

This is for - B.T.C. ment.
25.11.49
25.11.49

12
28.11.49

E.P.H.

Please see the remarks of
on p.1 ante.
The file may be sent
Legal Departments for remarks.

1/12/49
1/12/49

1/12/49

Home
Legal

88123/49-2C1
1-12-49

124819
6/12

Home Department.

As domicile is ^{determined} under the Indian Succession Act which is now dealt with in Legal, this may be passed on to that Dept.

1/12/49
6-12-49

1/12/49

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1/12/49

LEGAL DEPARTMENT.

Part II of the Indian Succession Act, 1925, relates to domicile. But this ^{part} point will not apply to a Hindu, Muham-
madan, Buddhist, Sikh or Jaina. It will, therefore, be poss-
ble to apply the provisions of the Act only to such of the
pupils who do not belong to any of these religions. Presumably
P.M. Annamma and P.M. Mary are Christians and the others are
Hindus. If so, the former will be governed by the Act while
the domicile of the latter should be determined on principles
of private international law. In practice, however, this makes
little difference as the provision of the Act and the princi-
ples of private international law are the same.

Home W.O.
-124819 F14-1
6/12

ASSISTANT SECRETARY
16267
6 DEC 1949
LEGAL DEPARTMENT

2. Presumably, the pupils are of legitimate birth and are still minors. If so, their domicile will be the same as that of their fathers. Their fathers could have acquired a domicile in this Province ^{only} by taking up their fixed habitation here with the intention of making this their home. Mere resi-
dence for a number of years will not suffice. There should be no intention of going back to the country of origin. Such intention could be gathered from their course of conduct and from the nature of the commitments they have

On these points there is no information in the file. It is, therefore, not possible ^{to say} on the materials available whether the pupils have acquired a domicile in Madras.

ELPH

Legal No. No.
16267/49-1
7.12.49

1/12/49

ELPH

Edw J.P.H. Dept. (C1)

ASSISTANT SECRETARY
95822
8 DEC 1949
EDUCATION AND PUBLIC HEALTH DEPT.

The position regarding domicile may be explained to the S.P.S. and he may be asked to say whether the parents or guardians of the students referred to have acquired domicile in Madras.

A draft Memo is submitted.

1/12/49

1/12/49 3/4
1/12

N.308 [Issued as Memo No. 88123 C1-1 Edw., dated 9-12-49]
From the D.P.I. Roc. No. 1840 E4/47 d 87/50
12-4-50

With reference to para 2 of the Legal Dept's note on pp 2-3 above, attention is invited to the full particulars furnished by the D.P.I. on 9 & 13 cf in regard to the period and purpose of stay in Madras of the parents of the five pupils. It is seen that none of the parents intends returning to his native place.

The file may be sent to Legal for advice as to whether the five pupils referred to may be taken to have acquired any domicile in Madras.

ASSISTANT SECRETARY
6463
27 APR 1950
LEGAL DEPARTMENT

Edw No 88123 3/49.6
25.4.50

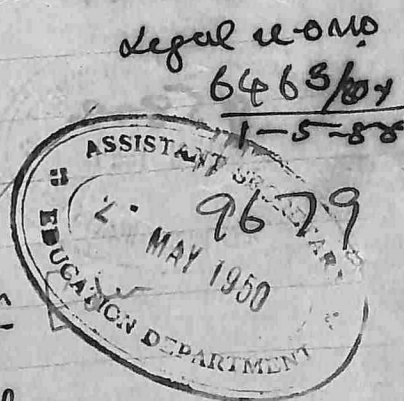
21/4/50
22/4/50

25/4/50

Legal

LEGAL DEPARTMENT

It is seen from pp9&13cf that in none of the five cases is there the intention to return to the native place. The Director of Public Instruction has presumably satisfied himself from the course of conduct in this State and from the nature of commitments made here, that the parties have definitely abandoned their intention of returning to their respective countries of origin and that they intend making this State their home by taking up their fixed habitation in this State. If so, the parties could be said to be domiciled in the State of Madras.



Please see the Legal Deptt note above. The D.P.I may be informed that there is no objection to the grant of fee concessions to the free pupils referred to in his letter on p.1 cf. A draft order is submitted for approval. For order as to circulation to H.M. (L.A.).

H.M. (L.A.)
10/5

