

Education (1950) Department.

Ms. SERIES.

G.O. NO. 3401

Dated

28.12.50.

closed
by
S. S. S. S.

[Despatch Abstract.]

Madras Educational Rules - Children of
Executive officers of Panchayats transferred on
public grounds - Regulation of fees in
Secondary Schools - Orders passed.

Back Papers.

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

Further Papers.

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

From, G. Obalesu, Executive Officer, Panchayat Board, Gooty.

To, The Honorable Minister, Health and Education, MADRAS.

1 SEP 1949

GOVT. OF MADRAS

Gooty. dated 9-9-49.

28 SEP 1949

Exemption under G.O. No. 3533 dated 3-9-30

Sub:- School fees exemption under G.O. No. 3533/dated 3-9-30 Extension to Local Board transferable Officers- Requested.

In obedience to the telegram orders 15-7-49 of the Inspector of Local Boards, I have joined duty as Executive Officer of Gooty Panchayat Board and, am obliged to bring my son who was studying in District Board High School Dharmavaram, along with his family to Gooty, after a great deal of trouble in obtaining transfer certificate with the head master in connection with the payment of school fee for the whole term and who later considered the case under G.O. No. 3533/dated 3-9-30 collecting school fees from June to August 1949 only.

Further the Head Master of Gooty London Mission High School denied the facilities of the G.O. stating the Local Board Government servants do not come under the G.O. No. 3533/dated 3-9-30 which provides exemption facilities only for Government servants, and collected the School fees and all other fees from June to August 49 amount to ;.13-14-0. This is a regular trouble and stands in the way of education of the children of the Local Board transferable servants.

P.T.O.

The Madras Travelling Allowance Rules and Fundamental Rules directly applies and the facilities of the same extended to the Local Board servants but not the Madras Educational Rules, which are very essential to promote the education of the children among the low salaried Local Board Servants who are subjected to intra provincial transfers. It is some thing like unlawful, when the benevolence of law itself is for all, and at least this education rule uniform to all public servants.

In view of the above I request you to be kind enough to treat the Local Board Servants as Government servants for the purpose of education and extend the G.O.No.3533/dated 3-9-40 to the Local Board servants also.

For which act of kindness, I will ever be thankful.

Yours faithfully.

S. Obalesu, 10/2/49

Enclosers:-

Transfer order of to Mr.S.Obalesu, by telegram dated 15-7-49.

Copy of the orders by telegram.

Post copy of

dated 15-7-49.

TELEGRAM

Express

state

President panchayat board
Dharmavaram Anantapur district

Obalesu-posted-Gooty-Ramalingam pillai continues at Dharmavaram -
orders follow

Inspector-Local
(Sd) x x x x x x x x
For Inspector of M.C.&Local Boars,
Madras.1.

trv.15-7.

Post copies: to the president, panchayat board Dharmavaram,
Anantapur district

To Sri.S.Obalesu O/o to the President, Panchayat Board, Dharmavaram
S.Obalesu, C/o to the Executive Officer, Panchayat Board
Renigunts

" P.Ramalingampallia Executive Officer, Dharmavaram
" President, Panchayat Board Gooty Anantapur.

trv.15.7.

/True copy/

S. Obalesu, 10/2/49
Executive Officer,

4/4
Education + P. H. Department
Endorsement 73292/49-101 Edu., dated 6-10-49

Referred to the Director of
Public Instruction for urgent remarks.



9. 10/10/49
Assistant Secretary to Govt.

To The Director of Public Instruction
(with enclosures H/1-4)
in original to be returned
with reply)

From

The Director of Public Instruction,
Madras.

To

The Secretary to Government,
Education Department, Madras.

R.C.No. 3701 B/50 dated 22-8-50.

Sir,

Sub: Fee remissions--Children of local board servants trans-
ferred on public grounds--Executive officers of panchayats.
Ref: Government Endorsement No. 73292/49-1-0-1 Education dated
6-10-1949.



The Inspector of Local Boards who was consulted in the matter
states (vide copies of his letters Rs. 54864/49 dated 14-12-49 and
15-5-50 enclosed) that the cases of Executive Officers of Panchayat
Boards fall under rule 12 of the G.O. No. 4789 I and M dated 1-12-32
and rule 14 of the G.O. No. 3239 L and M dated 12-8-32. According
to this, children of Executive Officers of panchayat Boards can be
eligible for fee concessions in question only in the schools under
Local Bodies, but the school in which the pupils in question joined
is not maintained by a local board and therefore no remission of
fee is permissible under the rules, unless the Government extend the
concession granted in G.O.No. 2269 M., dated 14-7-49 to the ser-
vants of the Hindu Religious Endorsement Board (who are not Govern-
ment servants) to these people.

2. The endorsement quoted above and its enclosures are resubmitted
herewith.

Edu.

The quoted papers
have been called from
the M. R. O. & R. B. May be
seen till 5-9-50.

Yours faithfully,

S. V. Sankaranarayanan
for DIRECTOR OF PUBLIC INSTRUCTION.

C.R.24/8

31/8/50

The records ~~require~~ called for from the MRD have not yet been received. 17

Reminder requisition has been sent to
on 7.9.50. This may ^{continue to be} over till 15.9.50.

Am
8.9.50

$$\frac{875}{875}$$

We had a similar case last week or so and I remember that all the papers had been put up there. This must be put up immediately.

⑤ $\frac{1/8}{9/9/50}$ (P)

G.O. no. 845 and 2429 Edm. referred to above have been put up in another file which is ⁱⁿ ~~under~~ issue. ~~The~~ Time may be given till 30.9.50 to put up this.

Mu
 28.9.30.
 20291

29/9/52

Copy of letter Roc.No. 54864/49 dated 14--12--49 from the Inspector of Municipal Councils and Local Boards, Madras to the Director of Public Instruction, Madras.

[illegible]

Sub: Education--Children of Government servants and the employees of local bodies--Transferred on Public grounds--Regulation of fees in secondary schools.

Ref: Your letter Roc.No. 3701/14/48 dated 14-11-49.

~~*~*~*~*~*

The Executive Officers of panchayat Boards are local boards servants under the disciplinary control of the Inspector of Municipal councils and Local Boards who is the head of a department of Government and they (Executive Officers) are liable to be transferred to any panchayat board in the presidency of Madras. The service conditions of Executive Officers of panchayat boards are similar to those of local Fund Assistant Engineers and the District Panchayat Officers.

I request that the concession in respect of payment of school fees extended to the children of District Board Engineers and Health Officers may be extended to the Children of Executive Officers of panchayat boards also. It may also be made clear whether the concession might be obtained in schools maintained by Government.

/ True Copy/

D. Lautenschlager

For Director of Public Instruction.

C.R. 24/8

Re
280

8

Copy of letter Roc.No. 54864/49-III dated 15--5--50 from the Inspector of Municipal Councils and Local Boards, Madras to the Director of Public Instruction, M a d r a s.

[illegible]

Sub: Education--Children of Government servants and the employees of Local bodies transferred on public grounds--regulation of fees in secondary schools. (6)

Ref: Your letter Rc.No. 3701/D4/49, dated 23--1--50, and 11--4--50.

The case of Executive Officers of Panchayat Boards fall under

Rule 12 of the G.O.No. 4785 L & M. dated 1--12--32 and Rule 14 of the Government Order No. 3239 L & M dated 12--8--32.

/ True Copy/

C.R.24/8

J. P. Santenahie
For Director of Public Instruction.

C.No.25617/50

Education Deptt.(D)

Madras Edl.Rules - Children of Executive Officers of Panchayats transferred on public grounds-Regulation of fees in secondary schools - Orders passed.

Read:From Sri S.Obalesu, Executive Officer, Panchayat Board, Gooty, dated 9-9-1949.

From the Inspector of Ml.Councils and Local Boards No.54864/49 d/14-12-1949.

From the D.P.I. No.3701 E4/50 dated 22-8-1950.

ORDER(Ms) No. 3401 Edn.dated 28.12.50.

The Govt. approve the proposal of the Inspector of Municipal Councils and Local Boards that the concession in respect of ~~cases~~ ^{levy} of fees in secondary schools granted in G.O.No.845 Edn. dated 8-5-1930, to the children of Government servants transferred in the middle of school year on public grounds, be extended to the children of Executive officers of Panchayat Boards.

2. The Director of Public Instruction is informed that no compensation will be payable either to aided secondary schools or to secondary schools under local bodies on account of the loss of fee income resulting from the grant of the concession.

3. This order will have effect from the school year, 1951-52.

To
Sri S.Obalesu,
Executive Officer,
Panchayat Bd.Gooty.

The Inpr.of Ml.Ck. & L.Edo.
The D.P.I. Ml.Cls.
3. S/Cs.

APPENDIX

Edn.Rules-Children of Govt.servants transferred on Public grounds - Regulation of fees in secondary schools - Orders passed.

Read-the following paper:-

From the D.P.I., dated the 2nd June 1929,
Roc.No.1990-D/27.

ORDER-No.845 Edn.dated 8th May 1930.

Under the Madras Educational Rules(Nos.38,85

87 and 91) a pupil who changes his school in the course of a term is liable to pay the full term fee twice over, once to the school which he leaves and later to the one which he joins. Representations having been received that the rules cause hardship to Government servants who happen to be transferred from one station to another in the course of a school term and who are obliged to transfer their children from one school to another, the Government direct-

(1) that the remission or refund as the case may be of fees provided for in rule 91 be granted in the case of such children as a matter of course instead of at the discretion of the controlling authority; and

(2) that fees be levied in the schools which such children join during the course of a term only for the period they attend the school instead of for the whole term.

The pupils in question will pay to the school which they leave fees due to the end of the month in which they leave it and to the school which they join fees from the beginning of the month in which they join, subject to a minimum of one month's fee in either case.

2. The concession will hold good only in the case of secondary schools and should not be allowed to children of Government servants transferred on other than public grounds.

3. The Director of Public Instruction is informed that no compensation will be payable either to aided secondary schools or to secondary schools managed by local bodies on account of the loss in fee income resulting from the grant of the concession.

A provision of Rs. 540 has been made in the current year's budget for any additional teaching grant that may have to be paid to aided secondary schools.

Note ⑧ Education Department (D)
Madras Educational Rules - Fee remissions - Children of Executive officers of Panchayats transferred on public grounds.

From the Executive Officer, Panchayat Board, Gooty,
Dated 9th September 1950.
From the D.P.I., No. 3701 B4/50, dated 22-8-1950.

Under the Madras Educational Rules a pupil who changes his school in the course of a term is liable to pay the full term fee twice over, once to the school which he leaves and later to the one which he joins. But according to rule 91 of the M.E.R. option was given to the controlling authority of a school to return or remit such portion of the term fees as he considered equitable. Representations were received that the rule caused hardship to Government servants who happened to be transferred from one station to another in the course of a school term and who ~~are~~^{were} obliged to transfer their children from one school to another. The Government in G.O. No. 845 Edn., dated 5-5-1930, ordered that the remission or refund as the case might be of fees provided for in rule 91 be granted in the case of such children as a matter of course instead of at the discretion of the controlling authority and that fees be levied in the schools which such children join during the course of a term only for the period they attend the school instead of for the whole term. The pupil was ordered to pay to the school which he leaves fees due to the end of the month in which he left it and to the school which he joined fees from the beginning of the month in which he joined subject to a minimum of one month's fee in either case. This concession was ordered to hold good only in the case of secondary schools and was not allowed to children of Government servants transferred on other than public grounds.

2 In September 1930 the Government considered that local bodies should mutually extend a similar concession to children of such of their employees e.g. District Board, Engineers, Health Officers, as are liable to transfer on public grounds from one local body to another and ordered that a pupil being a child or a ward of an officer or

2
servant of a Municipal Council or a local board studying in a secondary school maintained by a Municipal Council or a local board leaves such school as a consequence of the transfer of the parent or guardian of such pupil from the station on public grounds he should be liable to pay his school fees to the school he so leaves only for the period up to the end of the month in which he so leaves subject to a minimum of one month and he shall be entitled to a refund of a proportionate portion of the term fee, if any, he had already paid.

3 In 1948, the President, Hindu Religious Endowments Board, requested Government that the concession granted to the children of Government servants in G.O.No. 845 Edn., dated 8-5-1930 might be extended to the children of the officers and servants of the Hindu Religious Endowments Board also. The Director of Public Instruction who was consulted had no objection. The Government acceded to the request and orders were issued in G.O.No. 2269 Edn., dated 14-7-1949.

4 In May this year on a request from a Municipal Electrical Engineer the D.P.I. recommended that the concession granted in G.O.No. 845 Edn., dated 8-5-1930 be extended to the children of Municipal Electrical Engineers of the Madras Local Authorities Electrical Engineering Service. The Govt. accepted the recommendation of the D.P.I. and issued orders in G.O.No. 2429 Edn., dated 3-8-1950 extending the orders in G.O.No. 845 Edn., dated 8-5-1930, to the children of the Municipal Electrical Engineers of the Madras Local Authorities Electrical Engineers Service from the school year 1950-51. It was also ordered that no compensation will be payable to aided secondary schools or to schools under local bodies on account of the concession.

5 The Executive Officer, Gooty Panchayat Board requests that local board servants/as Government servants for the purpose of the ^{above} educational concession and extend the orders in G.O.No. 3533 Edn., dated 3-9-30 to the local board servants also. What he evidently means is that the orders in G.O.No.

3
845 Edn., dated 8-5-30, should be extended to the local bodies servants. As a local body servant the Executive Officer is entitled to get a remission of the fees paid and payable from the local body schools alone. Since his son has now joined an aided secondary school the orders in G.O.No. 3533 Edn., dated 3-9-30, is not operative. As stated by the D.P.I. no remission of the fees paid by the Executive Officer, Gooty Panchayat Board, is possible unless the orders in G.O.No. 845 Edn., dated 8-5-30, are extended to the children of local board servants also just as they had been extended to the children of the Municipal Electrical Engineers of the Madras Local Authorities Electrical Engineering Service in G.O.No. 2429 Edn., dated 30-8-50 and to the children of officers and servants of the Hindu Religious Endowments Board in G.O.No. 2269 Edn. dated 14-7-1949.

6 Since the Government do not compensate the managements of aided secondary schools for the loss of revenue sustained by them if the orders as desired by the Executive Officer, Gooty Panchayat Board are issued, it is doubtful whether it would be advisable to go on extending the orders in G.O.No. 845 Edn., dated 8-5-30 to one service after another.

For orders.



Edn. u.O. 25617/50-10
9-10-50

Please see the Edn. note from page 1 ante.

Orders were issued in G.O.No. 845 Edn. dated 8-5-30

directing the remission or refund as the case may be, of fees provided for in Rule 91, to the children of Government servants transferred on public grounds. This cannot be said to be so much a "concession" granted to Government servants, ^{it is only} as the enforcement of a principle of equity which seeks to relieve public servants from the incidence of double payment. ~~No case of compensation~~

~~to the management arises because fees are actually permitted to be levied for the period the pupil actually attended school.~~

It is only fair and proper that this equitable principle is extended to the children of local board and municipal employees. This Department may therefore suggest that the orders in G.O.845 Edn. dated 8-5-30 be extended to the servants of municipal councils and local boards who are transferred in the course of a school term on public grounds. Edn. may be requested to circulate the case to H.M.(L.A.) also. With these remarks the file may be passed on to Fin. U.O.

V.V.
14-10-50
14/10/50

The question in this file is whether the orders in G.O. 845 Edn. dated 8-5-30 may be extended to E.O's of panchayats. The case of other servants of local bodies may be considered, when it is actually raised.

The E.O's of panchayats are low-paid servants and they are liable to transfer from one station to another on public grounds in the same manner as the officers and servants to whom the concession has been granted. This Dept. may therefore suggest that the orders in G.O. 845 Edn. 8-5-30 may be extended to E.O's of panchayats as well. H.M.(L.A.) may also see the case.

Cer
17/10/50

Sec
L.Dor.



24.10.50

Edn. U.O. 25617/50-2D
28.10.50



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Edn. U.O. 25617/50-2D
28.10.50

This may now be sent to Fin for remarks or originally marked.

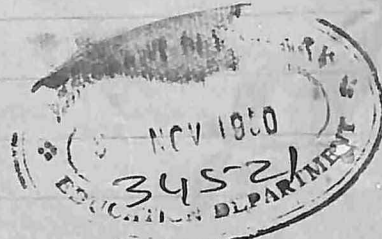
28/10/50
Finance (Accounts).

The facts of the case are detailed in the minutes of the Education Department on pages 1-3. Briefly put the position is this. The Government, under their order No.845,Edn.,dated the 8th May 1930, decided that the remission or refund,as the case may be, of fees provided for in Rule 91 of the Madras Educational Rules be granted in the case of children of Government Servants transferred from one place to another on public grounds, as a matter of course, and not at the discretion of the Controlling authority of the School. This concession has been extended to the children of the officers and servants of the Hindu Religious Endowments Board and the Municipal Electrical Engineers of the Madras Local Authorities' Electrical Engineering Services, subject to the condition that no compensation will be payable to aided secondary schools or to schools under local bodies on account of this concession. In September 1930, the Government had also directed that the local bodies should extend a similar concession to the children of such of their employees e.g. District Board Engineer, and Health Officers as are liable to transfer on public grounds from one local body to another.

The case under reference relates to the grant of the concession allowed under G.O.No.845,dated 8-5-1930, to the children of the Executive Officers of Panchayat Boards who are liable to transfer on public grounds. The Executive Officers are eligible to the concession from the schools run by local bodies and not from other aided schools.

The Education and Local Administration

Department recommends the grant of the concession to the children of the Executive Officers of Panchayat Bds. Finance may agree to the extension of the concessions as proposed, subject to the condition that no compensation will be payable to the managements of the aided schools on account of this concession.



Fin No 90005 Accts-1

Edn. Dept (D)

Though According to M.E.R, a pupil who changes his school in the course of a term is liable to pay the full term fees twice over. In G.O. No. 845 Edn. dt. 8.5.1930, the Govt. ordered that the remission or refund, as the case may be might be, of fees provided for in Rule 91 of the M.E.R, be granted as a matter of course instead of at the discretion of the controlling authority, and the fees be levied in the schools in which such children join during the course of a term only for the period they attend the school instead of for the whole term. This concession was ordered to hold good only in regard to Govt. servants who happen to be transferred from one station to another. In September 1930, the Govt. considered that local bodies should mutually extend a similar concession to children of such of their employees as are liable to transfer on public grounds from one local body to another and in

Compare rule 85
p 20, B.O. No. 157

P 22 of Bk No 151

in G.O.No.3533-Edn., dated 3-9-1930^{govt-7-} ordered that if children and wards of officers or servants of local bodies, studying in a secondary school maintained by a local body, leaves such a school, as a consequence of transfer of the parent or guardian, they should be liable to pay school fees only for the period upto the end of the month they so leave and they shall be entitled to a refund of proportionate portion of the term fees already paid. This concession was made available only in local body schools. It will be seen that the concession allowed in the first G.O. is in respect of all classes of schools, viz., Govt., local bodies and aided, ~~institutions~~ while that in the second G.O. is only in respect of schools under local bodies.

In G.O.No.2269-Edn., dated 14-7-49, the concessions in G.O.No.845-Edn., dated 8-5-1930 to children of Govt. servants, were extended to children of officers and servants of Hindu Religious Endowment Board and in G.O. No.2429-Edn., dated 30-8-50 it was extended to children of Municipal Electrical Engineers of the Madras Local Authorities Electrical Engineers Service. It may be noted that no compensation is paid to schools on account of the loss sustained by them by the grant of the concession.

The proposal is to extend the concession to children of Executive officers of Panchayats. The L.A.Dept. support the proposal. The Finance Dept. also agree to the proposal subject to the condition that no compensation will be payable to managements of aided schools on account of this concession. There are ^{now} ~~about~~ 300 Panchayat officers and it is likely a good number of children of these officers may have to be admitted into aided institutions. If the concession is to be granted, the Govt. will have to face the possibility of aided managements asking for compensation towards the loss of fee income incurred by them by the admission of the children of Panchayat officers in the middle of the term. Again if the concession is granted to Panchayat officers it is likely that ~~all~~ other officers

for example, Commissioners of Municipalities, ~~etc.~~ may ask for the same concession. However, as Panchayat officers are a ~~low~~ ^{low paid} class of subordinates and as the transfers are made ^{to different places} in public interests it seems that the concession may be granted to them in respect of their children specially in view of the fact that the concession has been extended to children of officers of Hindu Religious Endowment Board and to the children of Municipal Electrical Engineers.

For orders as to circulation.



DM
25/11/50

27/11

DM (L & A) 29/11
DM (L & A) 16/12
DM (L & A) 16.12

A draft order is submitted for approval.

DM
20.12.50
21/12/50

DM
27/12/50

27.12

draft
revised
DM

172-1723
214