

Local & Munl. (1897) Department.

INDEXED. *CR*

PRINTED.

G.O., No. 2812 M

DATED 16.12.97

DESPATCHED

[Despatch Abstract.]

Accounts

Comm^y to the Munl. Council of Vellore,
G.O. No. 692, Educational, Dated 14th December
1897, stating that Govt^y agrees with the
Director of Public Instruction in thinking
that local bodies have no right to
examine the — of aided schools.

BACK PAPERS.

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

FURTHER PAPERS.

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

Government { 1897 } of Madras. LOCAL AND MUNICIPAL.

Recd.

Enclosures

Regd.

{ 1897. }

Spare copies

G.O., No. 2812 M., 16th December 1897.

DECEMBER.

Accounts.

Communicating to the municipal council of Vellore G.O., No. 692, Educational, dated 4th December 1897, stating that Government agrees with the Director of Public Instruction in thinking that local bodies have no right to examine the — of aided schools.

No. 2812 M., 16TH DECEMBER 1897.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

READ—the following papers :—

From MUHAMMAD HABIBULLAH SAHIB, Chairman, Municipal Council, Vellore, to the Secretary to Government, Local and Municipal Department (through the Divisional Officer), dated 29th July 1897, No. 878.

By desire of the municipal council, I have the honour to solicit the orders of Government on the question raised in the accompanying resolution of the council No. 2, dated 6th July 1897. For the information of Government I beg permission to summarize below the facts which led to this reference. When the financial statement B of the American Mission high school came up before the council for formal sanction, it resolved to request the manager of that institution, through the Inspector of schools, to submit all the original accounts, registers, &c., for scrutinizing the figures contained in the said statement. The council was of opinion that it possessed this power under Rule 1 of the "Printed instructions applicable to the Grant-in-aid Code for 1897-98." Upon my addressing the Inspector of schools in pursuance of the resolution mentioned above, that officer sent me a copy of letter of the Director of Public Instruction, No. 3201, dated 16th March 1896, addressed to the Chairman of the Mannargudi Municipality in reply to a similar reference. The Director of Public Instruction, in the letter quoted above, observes that "the duty of examining the accounts of all aided institutions devolves primarily and solely on the officers of this (Educational) department and not on local boards supplying the funds. If a local board or municipal council has, however, reason to suspect that the accounts of any school are not kept correctly or has come to understand that any irregularities have occurred, the proper course is for the board or council to refer the matter to the Inspector of the circle, whose duty it is to inquire into the case, either directly or through the Assistant Inspector, and make a full report to the local board or municipal council." The municipal council, however, contends that, inasmuch as it supplies funds to the institution, it ought to possess the power of scrutinizing its accounts directly just as it is authorized to do in the case of hospitals as per G.O., No. 1656 M., dated 6th October 1891. Hence this reference.

ENCLOSURE.

EXTRACT from Proceedings of a general meeting of the Municipal Council for the town of Vellore, dated 6th July 1897, No. 13.

Grant 2—Education.

Read letters from the Director of Public Instruction, Madras, and the Inspector of schools, Southern Circle, with reference to resolutions, Nos. 4 and 5, passed by the Municipal Council, Vellore, at its meeting held on the 25th May 1897, as to the examination of accounts by municipal councils of schools aided by them on the salary grant system, as also to the stoppage of grants to the primary and lower secondary departments of the American Mission high school and the Sri Mahant's Hindu Union middle school.

Read also in connection with the above, letter No. 18, dated 26th June 1897, from the Rev. W. J. Chamberlain, M.A., Manager of the American Mission high school, Vellore, forwarding the usual salary-grant bill of the abovenamed school for May 1897 for countersignature and order of payment.

Proposed by M.R.Ry. A. Selvaperumall Chettiyar Avargal and seconded by M.R.Ry. T. Punniyakoti Mudaliyar Avargal that in view of the municipal council being the sanctioning authority in the matter of grants a reference be made to the Government for an authoritative

No. 2812 M., 16TH DECEMBER 1897.

ruling as to whether the council have a right to compel managers of aided institutions to submit their original accounts for their scrutiny under the provisions of the Grant-in-aid Code, and paragraph 1 of the printed instructions applicable to the Grant-in-aid Code for 1897-98.

Resolution No. 13.—Carried by a majority.

2. As the resolution regarding the stopping of the grants pending the orders of Government was passed only on the 25th May last and as its cancellation is not supported by half the number of councillors, the question cannot be re-opened until three months elapse from the date of the original resolution.

M.R.Ry. R. Rajagopaul Nayudu Garu and Subadar-Major Saiyid Sulaiman Sahib left the meeting.

3. The council request the Chairman to ascertain from the manager the qualifications of, and the classes taught by, each of the teachers mentioned in the bill now before them if the information is not available in the office.

Submitted.

(Signed) V. VENUGOPAL CHETTY,
Acting Sub-Collector.

2nd August 1897.

Cur. No. 2586—Rev.

Submitted.

(Signed) S. H. WYNNE,
Collector.

PONNAI,
14th August 1897.

Reference No. 939.

The Chairman is requested to submit at an early date a copy of letter, No. 3201, dated 16th March 1896, from the Director of Public Instruction to the Chairman of the Mannargudi Municipality referred to in his letter read above.

(Signed) G. S. FORBES,
Secretary to Government.

3rd September 1897.

To the Chairman, Municipal Council, Vellore.

From MUHAMMAD HABIBULLAH SAHIB, Chairman, Municipal Council, Vellore, to the Secretary to Government, Local and Municipal Department, dated 28th September 1897, No. 1215.

With reference to your memorandum, No. 939, dated 3rd September 1897, I have the honour to forward herewith a copy of letter, No. 3201, dated 16th March 1896, from the Director of Public Instruction to the Chairman of the Mannargudi Municipality.

ENCLOSURE.

EXTRACT from the Director's letter to the Chairman, Municipal Council, Mannargudi, No. 3201, dated 16th March 1896.

2. The council's resolution to withhold payment of grants due for November 1895 until the manager submits the accounts of the school for the scrutiny of the municipal inspecting school-master seems to be *ultra vires*. The administration of all educational grants-in-aid should be regulated by the provisions of the Grant-in-aid Code. Chapter II of this Code, embodying the "general conditions of aid," expressly requires managers of schools to submit the schools with all registers and accounts to inspection by the officers of the department. Thus the duty of examining the accounts of all aided institutions devolves primarily and solely on the officers of this department and not on local boards supplying the funds. If a local board or municipal council has, however, reason to suspect that the accounts of any school are not kept correctly or has come to understand that any irregularities have occurred, the proper course is for the board or council to refer the matter to the Inspector of the circle, whose duty it is to inquire into the case, either directly or through the Assistant Inspector, and to make a full report to the local board or

municipal council. The deputation of an inspecting schoolmaster or any other officer in municipal employ to examine the accounts of aided schools does not seem to be authorized by the Municipal Act or by the rules framed thereunder, and to such an arrangement managers might rightly object under the provisions of the Grant-in-aid Code. Further such a step seems inexpedient on public grounds.

No. 1055.

Referred to the Educational Department for remarks.

11th October 1897.

(Signed) G. S. FORBES,
Secretary to Government.

G.O., No. 692, Educational, dated 4th December 1897.

Read—the following paper:—

Endorsement of the Local and Municipal Department, No. 1055, dated 11th October 1897.

ABSTRACT.—Referring for remarks letter from the Chairman, Municipal Council, Vellore, requesting an authoritative ruling from Government, as to whether the council has a right to compel managers of aided institutions to submit their original accounts for its scrutiny under the provisions of the Grant-in-aid Code and paragraph 1 of the private "institutions" applicable to the Grant-in-aid Code of 1897-98.

Order—No. 692, Educational, dated 4th December 1897.

The Government agrees with the Director of Public Instruction.

(True Extract.)

(Signed) H. TREMENHEERE,
Ag. Secretary to Government.

To the Local and Municipal Department.
" Director of Public Instruction.

ORDER—No. 2812 M., dated 16th December 1897.

G.O., No. 692, Educational, dated 4th December 1897, read above, will be communicated to the municipal council of Vellore.

(True Extract.)

H. TREMENHEERE,
Ag. Secretary to Government.

To the Chairman, Municipal Council, Vellore.
" all other Chairmen of Municipal Councils.
" all Collectors.
" all Presidents of District Boards.
" the Director of Public Instruction.
" the Educational Department.

Government { 1897 } of Madras. LOCAL AND MUNICIPAL.

Proof for approval.

*Base
Strike off assumed
17/11/98*

*SR
1411*

Recd.

Enclosures

1897.

Regd.

Spare copies

G.O., No. 2812 M., 16th December 1897.

DECEMBER.

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Communicating to the municipal council of Vellore G.O., No. 692, Educational, dated 4th December 1897, stating that Government agrees with the Director of Public Instruction in thinking that local bodies have no right to examine the — of aided schools.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

READ—the following papers :—

From MUHAMMAD HABIBULLAH SAHEB, Chairman, Municipal Council, Vellore, to the Secretary to Government, Local and Municipal Department (through the Divisional Officer), dated 29th July 1897, No. 878.

By desire of the municipal council, I have the honour to solicit the orders of Government on the question raised in the accompanying resolution of the council No. 2, dated 6th July 1897. For the information of Government I beg permission to summarize below the facts which led to this reference. When the financial statement B of the American Mission high school came up before the council for formal sanction, it resolved to request the manager of that institution, through the Inspector of schools, to submit all the original accounts, registers, &c., for scrutinizing the figures contained in the said statement. The council was of opinion that it possessed this power under Rule 1 of the "Printed instructions applicable to the Grant-in-aid Code for 1897-98." Upon my addressing the Inspector of schools in pursuance of the resolution mentioned above, that officer sent me a copy of letter of the Director of Public Instruction, No. 3201, dated 16th February 1896, addressed to the Chairman of the Mannargudi Municipality in reply to a similar reference. The Director of Public Instruction, in the letter quoted above, observes that "the duty of examining the accounts of all aided institutions devolves primarily and solely on the officers of this (Educational) department and not on local boards supplying the funds. If a local board or municipal council has, however, reason to suspect that the accounts of any school are not kept correctly or has come to understand that any irregularities have occurred, the proper course is for the board or council to refer the matter to the Inspector of the circle, whose duty it is to inquire into the case, either directly or through the Assistant Inspector, and make a full report to the local board or municipal council." The municipal council, however, contends that, inasmuch as it supplies funds to the institution, it ought to possess the power of scrutinizing its accounts directly just as it is authorized to do in the case of hospitals as per G.O., No. 1656 M., dated 6th October 1891. Hence this reference.

ENCLOSURE.

EXTRACT from Proceedings at a general meeting of the Municipal Council for the town of Vellore, dated 6th July 1897, No. 13.

Grant 2—Education.

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Proposed by M.R.Ry. A. Selvaperumall Chettyar Avargal and seconded by M.R.Ry. T. Pooniakoty Mudalar Avargal that in view of the municipal council being the sanctioning authority in the matter of grants a reference be made to the Government for an authoritative

ruling as to whether the council have a right to compel managers of aided institutions to submit their original accounts for their scrutiny under the provisions of the Grant-in-aid Code, and paragraph 1 of the printed Instructions applicable to the Grant-in-aid Code for 1897-98.

Resolution No. 13.—Carried by a majority.

2. As the resolution regarding the stopping of the grants pending the orders of Government was passed only on the 25th May last and as its cancellation is not supported by half the number of councillors, the question cannot be re-opened until three months elapse from the date of the original resolution.

M.R. Ry. R. Rajagopaul Naidu and Subadar-Major Syed Sultan Saheb left the meeting.

3. The council request the Chairman to ascertain from the manager the qualifications of, and the classes taught by, each of the teachers mentioned in the bill now before them if this information is not available in the office.

Submitted.

(Signed) V. VENUGOPAL CHETTY,
Acting Sub-Collector.

2nd August 1897.

Cur. No. 2586—Rev.

Submitted.

PONNAI,
14th August 1897.

(Signed) S. H. WYNNE,
Collector.

Reference No. 939.

The Chairman is requested to submit at an early date a copy of letter, No. 3201, dated 16th February 1896, from the Director of Public Instruction to the Chairman of the Mannargudi Municipality referred to in his letter read above.

(Signed) G. S. FORBES,
Secretary to Government.

3rd September 1897.

To the Chairman, Municipal Council, Vellore

From MUHAMMAD HABIBULLAH SAHEB, Chairman, Municipal Council, Vellore, to the Secretary to Government, Local and Municipal Department, dated 28th September 1897, No. 1215.

With reference to your memorandum, No. 939, dated 3rd September 1897, I have the honour to forward herewith a copy of letter, No. 3201, dated 16th March 1896, from the Director of Public Instruction to the Chairman of the Mannargudi Municipality.

ENCLOSURE.

EXTRACT from the Director's letter to the Chairman, Municipal Council, Mannargudi, No. 3201, dated 16th March 1896.

2. The council's resolution to withhold payment of grants due for November 1895 until the manager submits the accounts of the school for the scrutiny of the municipal inspecting school-master seems to be *ultra vires*. The administration of all educational grants-in-aid should be regulated by the provisions of the Grant-in-aid Code. Chapter II of this Code, embodying the "general conditions of aid," expressly requires managers of schools to submit the schools with all registers and accounts to inspection by the officers of the department. Thus the duty of examining the accounts of all aided institutions devolves primarily and solely on the officers of this department and not on local boards supplying the funds. If a local board or municipal council has, however, reason to suspect that the accounts of any school are not kept correctly or has come to understand that any irregularities have occurred, the proper course is for the board or council to refer the matter to the Inspector of the circle, whose duty it is to inquire into the case, either directly or through the Assistant Inspector, and to make a full report to the local board or

municipal council. The deputation of an inspecting schoolmaster or any other officer in municipal employ to examine the accounts of aided schools does not seem to be authorized by the Municipal Act or by the rules framed thereunder, and to such an arrangement managers might rightly object under the provisions of the Grant-in-aid Code. Further such a step seems inexpedient on public grounds.

No. 1055.

Referred to the Educational Department for remarks.

11th October 1897.

(Signed) G. S. FORBES,
Secretary to Government.

G.O., No. 692, Educational, dated 4th December 1897.

Read—the following paper:—

Endorsement of the Local and Municipal Department, No. 1055, dated 11th October 1897.

ABSTRACT.—Referring for remarks letter from the Chairman, Municipal Council, Vellore, requesting an authoritative ruling from Government, as to whether the council has a right to compel managers of aided institutions to submit their original accounts for its scrutiny under the provisions of the Grant-in-aid Code and paragraph 1 of the private "institutions" applicable to the Grant-in-aid Code of 1897-98.

Order—No. 692, Educational, dated 4th December 1897.

The Government agrees with the Director of Public Instruction.

(True Extract.)

(Signed) H. TREMENHEERE,
Ag. Secretary to Government.

To the Local and Municipal Department.
" Director of Public Instruction.

ORDER—No. 2812 M., dated 16th December 1897.

G.O., No. 692, Educational, dated 4th December 1897, read above, will be communicated to the municipal council of Vellore.

(True Extract.)

To the Chairman, Municipal Council, Vellore.
" all other Chairmen of Municipal Councils.
" all Collectors.
" all Presidents of District Boards.

The Director of Public Instruction
Educational Department.

Local & Munl. (1897) Department.

Despatched 15.8.97

Dated

Submitted

Pormai } Collector
14.8.97 }

CURRENT No. 2988M

Reference on Current No. 1589

DATED 3.8.97

From
Mahammad Sahibullah Sahel
Chairman Municipal Council
Vellore

Order

Ref No 939 dt 3.9.97.

The chairman is requested to

submit at an early date a copy of letter
No 3201. dated 16th March 1896, from the
Director of Public Instruction to the
Chairman of the Namagudi Municipi-
-pality, referred to in his letter read
above.

No. 878 of 97

Dated 29th Aug 1897

Received 19-8-1897

Registered 19-8-1897

Enclosures Two 1

Spare copies

SUBJECT.

Requesting an authoritative
ruling from Government
as to whether the Council has
a right to compel managers
of aided institutions to
submit their original accounts
for its scrutiny under the
provisions of the Grant-
in-aid Code + para 1 of
the printed "Instructions"
applicable to the Grant-in-aid
Code of 1897-98.

Submitted.

To The Chairman M.C. Vellore

Depd. 16/9/97

24/8 April 97

15-9-97

TO BE RETURNED
WITH REPLY.

CNO 2986 + 3385 M/97

No 1055 dated 11th October 1897.
Referred to the Educational
Department for remarks.

[Signature]
Secretary to Government

139
11/10/97

The Educational Departt.

Recd 14/10/97

CNO 2986, 3385 + 4216 M/97
Order no 2812 M/16.12.97
Gp. No. 692 Educational, dated
4th Decmber 1897, read above, will be
Communicated to the Municipal
Council of Vellore

15-12-97

139
15/12/97

To The Chairman of Vellore
All other Charities & Municipal Councils
in the District of Vellore
17/10/97

BACK PAPERS.

G.O.	No.	Department.	Date.
10	1656	h	6-10-91
	1077	h	8-7-95

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Local & Munl. (1897) Department.

CURRENT No. 3385 M

From Muhammad Abdullah Sahel
Chairman Municipal
Council Vellore

Order.

No. 1215 of 97

Dated 28th September 97

Received 29 SEP 1897

Registered 29-9-1897

Enclosures one

Spare copies

SUBJECT.

Forwarding with reference to
Memorandum No 939 dated
3rd September 1897, acco of
letter No 3201 dated 16th March
1896 from the Director of
Public Instruction to the
Chairman of the
Mannargudi Municipality

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

copy sent to Press.

16-12-87

Returned for signature.

17-1-98

Despatched in print.

19-1-98

20-1-98

21-1-98

RE-AGAIN G.O. No.

189

Number No.

2986, 3385, 4216. W

A

Pro show please
16/12/87

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DATA

PAYERS NOT FILED OR BEING WAIT FOR IN ORIGINAL

N.B. -

- A = Print in full
- B = Not to be printed
- C = Print abstract only
- D = Print heading only