

The Kerala Education Act – 1958

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Before India's independence from United Kingdom of Great Britain, Kerala had been divided into three regions- Travancore, Cochin and Malabar. The Travancore and Cochin were princely states whilst Malabar was under direct British administration being the part of Madras presidency. Travancore and Cochin joined together in 1949. The Kerala state was formed in 1956 on linguistic lines by merging Malabar with Travancore-Cochin. It led to the separation of the four Tamil speaking taluks from Travancore-Cochin decreasing the Christian population in Kerala. While the amalgamation of Malabar into Travancore-Cochin increased the number of Ezhava and Muslim populations. The newly created Kerala inherited most of the features of the community-oriented politics of Travancore-Cochin. In this background, the first general election was held to the Kerala State Legislative Assembly in 1957 and Communists came out victorious and formed government. The creation of the government by the Communists in Kerala was a unique event because in all other States and at Centre the Congress Party had been well entrenched as a ruling party. The Communist Government was presented with a number of issues, which the previous regimes had failed to resolve because of the continuous instability of the governments or stiff opposition from the vested interests. The most prominent among these was educational reforms.

The Kerala Education Bill was the most controversial piece of legislation introduced by the first Communist government in Kerala. The Bill originated mainly out of the personal initiative of the Education Minister Joseph Mundasserry and of the then Secretary of Education P.K.

Nambiar. The managers of private schools hired and fired the teachers according to their will. Out of about 10000 schools in the state as many as

6000 to 7000 were under private managements and of these private schools 2200 were controlled by churches and priesthood. Successive regimes from the strongest Dewan of Sir C.P. Ramaswamy in 1946 to Panampilly ministry in 1955 had introduced many reforms which were all frustrated by the opposition of Christian managers. The Kerala Education Bill piloted in the assembly aimed to democratise the school education in Kerala. It aroused opposition from all communities and anti-Communist forces in the state. The private managements exploited the communal and religious sentiments of the people and won over all the political groups that were opposed to the communists. It brought direct confrontation between the government and the anti-Communist forces. The opposition that started with the deputation and protest meetings grew up to a mass movement.

When the Communists came to power in Kerala in 1957 the primary and secondary school systems in Kerala were suffering from many drawbacks. Firstly, the managers of private schools saw their schools as profitable business concerns. Appointments to schools became a sort of an auction, the job going to the highest bidder¹. Unqualified and under qualified teachers were often appointed as teachers. The teachers were in fact paid out of the government grants-in-aid given to the managements, yet the government had no voice in their appointment or service conditions. Secondly, in Travancore and Cochin areas where there was no direct payment of teachers' salary, the teachers were never paid regularly and fully. Many managers compelled teachers to sign receipts for more than the amount they would actually receive. These practices increased as the salary of teachers was enhanced by the government. Therefore, the teachers demanded for the direct payment of the salary.

Thirdly, there was hardly any accepted service conditions for teachers and they had no security of service, no provident fund benefit etc. A teacher could be dismissed on the flimsiest of grounds and without notice². The managers ignored the claims of seniority and efficiency in matters of

promotion. Fourthly, the communal agencies preferred men of their communities as teachers³. Convent schools invariably appointed nuns and thus denied opportunity to the laity. This aroused bitterness among men of other communities. Fifthly, certain schools lacked sufficient equipment and were inefficient. Managers did not keep school-records properly and systematically. There were instances of misappropriation of funds and property. Teachers indulged in political and other activities, leading sometimes to chaos within the campuses.

The state of affairs had drawn the attention of the previous governments. But these governments had been failed to make any basic reforms for the last ten years either because of pressure from anti-reform forces or because of their short duration⁴. Members of the Assembly had expressed concern about the plight of teachers in private schools and demanded improvement in their pay scales and conditions of service. Joseph Mundassery, the Education Minister, personally interested in the matter and wanted to make legislation as early as possible.

The Kerala Education Bill aimed to improve the general education and the working conditions of the teachers. The minister made wide consultations with regard to the provisions of the Bill before the final draft was prepared. He held two conferences with teachers and managers and consulted the leaders of the legislative parties of the Congress and the Praja Socialist Party to ascertain their views. A copy of the Bill was sent to the central government for its approval. The latter made a suggestion regarding the provisions for compensation, which was included in the Bill. Furthermore, an assembly Select Committee on the Bill including five

Congressmen, two representatives of PSP and other opposition groups like the Muslim League toured the State to gauge public opinion on the Bill. Among the members of the Select Committee were P.T. Chacko, leader of the Congress opposition in the State Assembly and the PSP leader Pattom Thanu Pillai⁵.

The original Bill contained 36 clauses divided into three parts: General, Compulsory Education and Miscellaneous. The general part contained all the controversial provisions. The most important among them may be examined. The Bill sought to impose certain responsibilities on managers of private schools such as to maintain records and properties of their schools and submit a list of such properties to the concerned authority⁶. Provisions were made in the bill to ban the transfer of schools' property and from closing down schools except in the prescribed manner. The Bill also prescribed fine and imprisonment in case of failure to comply with these provisions⁷.

Secondly, the bill aimed to improve the status of teachers by regulating their appointment and conditions of service. The teachers of the private schools were to be appointed by the managers from the list of qualified persons prepared by the Public Service Commission of Kerala⁸. Provisions were made in the Bill for the direct payment of the salary of the teachers. The teachers would get pension, provident fund, insurance and other benefits as enjoyed by their counterparts in government schools⁹. The managers would hand over to the government all fees collected in schools and receive from government grant for maintenance or other purpose.

Thirdly, the Bill empowered the government to take over the management of any school for a period not exceeding five years if the manager failed to comply with the Act or in the public interest¹⁰. Minority schools were kept out of this provision. The Bill intended the permanent takeover or the nationalization of any category of aided schools for (a)

standardising the general education in the state (b) improving the level of literacy in any area (c) effectively managing the aided educational institutions in any area (d) bringing education of any category under state control¹¹. In case of temporary take-over, the managers would be eligible for rent according to local rates and, in case of permanent take-over; they would be eligible for compensation according to market value.

Fourthly, the Bill provided the creation of Local Educational Authorities composing of official, nominated and elected elements for the purpose of associating people with the administration of education¹². The Bill also provided for the creation of a State Education Advisory Board in order to advise the government on matters relating to educational policy and administration.

The Bill was introduced in the legislature on 7th July 1957¹³. After discussion, the Bill was referred to Select Committee consisting of 19 members including the Education Minister as its chairman. The report of the Select Committee was presented to the State Assembly by the Education Minister on 24th August, 1957. It modified nineteen sections, added five and dropped two. The most important changes may be noted. Firstly, the committee relaxed the penalties on the managers¹⁴. Secondly, it provided that Public Service Commission would make a state-wise list and district wise list of candidates to appoint as teachers¹⁵. Thirdly, it extended to the private schools the same pay scale and service conditions as existed in the government schools. Fourthly, the managers were given the right of appeal against the order for temporarily taking over schools. The committee stipulated that such take-over should be effected only after passing a resolution to that effect by the Legislative Assembly. Fifthly, it added that the provisions of the Act should not apply to schools other than government schools and those recognised and aided by the government¹⁶. Thus the management of the aided schools got the option to run the institution as a

recognised school without government aid after the Act came into force. Sixthly, it provided that the properties attached with the religious institutions should be avoided during the take-over of the schools. Lastly, the committee made provisions for free and compulsory education to all children between the ages of six and fourteen throughout the state within a period of ten years from the commencement of this Act¹⁷. There were four dissenting notes to the report of the Select Committee-one of them signed

by a member of the Muslim League, another by the Congress members and two others submitted separately by the two representatives of the PSP.

The Education Bill was sent to the Governor for his approval after its passage in the State Assembly. But the Governor reserved the Bill for the consideration of the President of India under Article 200 of the Constitution of India at the instance of the state government. This was done to expedite the process of the passage of the Bill. The President referred the Bill to the Supreme Court of India on the advice of the union cabinet under article 143 of the Constitution. This was the first time since independence that the President of India had sought the advisory opinion of the Supreme Court on a matter of legislation¹⁸. The President raised the question whether certain specific clauses of the Bill had violated articles 14, 30, or 226 of the Constitution¹⁹. The Supreme Court, in its opinion given on 17 May 1958, classified the disputed clauses into three: those that were totally destructive of Article 30(1) of the Constitution; those that were reasonable regulations and hence fully permissible; and those that were permissible under the circumstances but appeared “perilously near violating” the right of administration²⁰.

The President returned the Bill to the Governor under Article 201 of the Constitution for reconsideration by the Assembly. The President did not suggest any specific amendments to the Bill; but broadly stated that suitable and necessary amendments might be made in the light of the opinion of the

Supreme Court²¹. The Governor forwarded the Bill to the Assembly with a message dated 8 July 1958. The state government revised the Bill in the light of the judgement of the Supreme Court. The Assembly took up consideration of the revised Bill on 24 November 1958 and discussed it for about fifteen hours in five days. The opposition demanded that the Bill would again be referred to a select committee. But the Speaker ruled that it was not proper and unnecessary at this stage²². Fifteen members including the Minister took part in the general discussion. The Opposition demanded

liberal changes whereas the government insisted that it would make only the least that were required to make the Bill constitutional. Thirteen amendments of which five were moved by the Minister and the rest by the opposition. The house accepted amendments moved by the Minister on sections 2, 14, 15, 20 and 26. The most important among them was the insertion of a definition of “minority schools” in section 2 and the exemption of minority institutions from the application of sections 14 and 15. It defined “minority schools” as schools of their choice established and administered, or administered, by such minorities as have the right to do so under clause (1) of article 30 of the Constitution²³. The Bill was finally passed on 28 November 1958 and assented to by the President on 19 February 1959.

All the Christian Churches in Kerala opposed the Bill. Among them the Catholic Church was the most vehement because they ran the largest number of private schools in the state. The opposition of the Catholics commenced long before the Bill was introduced in the state Assembly. When the proposals were made known in May 1957, uproar was heard among the Catholic hierarchy²⁴. At every stage of the bill, they organized resistance against it with a view to getting it withdrawn or suitably amended. In their struggle they mustered the support of all anti-Communist

parties, groups, individuals and institutions and resorted to all conceivable means including violent ones.

The Catholic hierarchy made well-concerted efforts to attract the support of the laity in its favour even before the slapping of the bill. The bishops of Changanassery, Quilon and Trivandrum met at Changanassery on May 19, 1957 and decided to chalk out a detailed programme of agitation against the Bill and to raise a fund of two lac rupees for financing it²⁵. The participation of Cheriyan Kapan, MP and a top Congress leader, in this meeting was very significant.

The faithful, according to the instructions of the hierarchy, on June 10, 1957 formed a Private School Rights Defense Committee to carry on an agitation against the Bill²⁶. The PSRDC demanded of the government not to introduce the bill in the legislature without circulating it first for eliciting public opinion. The All Kerala Catholic Congress by a resolution urged the government not to include any provision in the proposed Bill that might infringe the rights of minorities to preserve their religion, culture, language and script guaranteed by the Constitution. The church apprehended that the Bill might endanger its existence and the right of parents to educate their children in a Christian atmosphere. But the bill had no such motive. Further the bill was projected as violating the fundamental rights of citizens. This added strength to the cry of religion-in-danger²⁷.

As soon as the Bill was published on 7 July 1957, the Catholics intensified their agitation. Protest meetings increased in number and frequency. A Catholic meeting held at Trichur on July 9, 1957 decided to hold hartal on July 12, 1957 in the diocesan educational institutions and industrial establishments in protest against the Bill²⁸. The Vicar General of the diocese issued a circular to these institutions reminding them of their duty as loyal members of the church to make the proposed hartal a success. A similar decision to observe hartal on July 13, 1957 was taken in the Palai diocese as well.

The hierarchy was determined to oppose the bill with all its strength including religious appeal. The meeting of archbishops and bishops held at Kottayam on 7 July 1957 formed an action committee, the Kerala Catholics Bishops Education Action Committee. It authorised the laity to form the Christian Education Action Committee and called upon the faithful to observe July 27, 1957 as Prayer Day in disapproval of the Bill²⁹. The laity followed the call of the clergy. Hartals, demonstrations and protest meetings were held. Resolutions, denouncing the bill passed in the protest meetings, were sent to the President, Union Home Minister, State Governor and the State Education Minister. Fr. Vadakkan, a Catholic priest and a well-known anti-Communist, went to the extent of calling upon the faithful to defy the law, unless the Bill was withdrawn³⁰.

The Bill was referred to a Select Committee on July 20, 1957. The hierarchy adopted a new strategy to enlist the support of the poorer and uniformed sections against the Bill, as the Committee was to meet at Alwaye to collect evidence on it. Several Catholics were brought to Alwaye from the adjoining Christian pockets like Palai, Todupuzha and Muvattupuzha to give evidence to the Select Committee against the bill. But only a few could give evidences. Majority of the witnesses who gave evidence against the bill was Catholics. There were teachers and individuals who gave evidence infavour of the bill³¹. A mass petition signed by one million Catholics, demanding the withdrawal of the bill, was submitted to the Governor³². Similar petition was also sent to the Secretary to the State legislature.

When it became clear that the bill would become an Act, the hierarchy converted the agitation, till now directed against bill, to overthrow the government. The Catholic daily, the Deepika, in an editorial on 14 August 1957 under the caption "Education Bill-A Political Dynamite" urged the laity to direct the agitation against the government in power rather than making attempts to get the bill amended³³. A deputation of the KCEAC

met the Chief Minister and requested him to withdraw the bill or to circulate it to elicit public opinion³⁴.

The CEAC decided to hold a demonstration before the Assembly as the bill would be taken up for reconsideration in the light of the report of the Select Committee³⁵. The clergy exhorted the laity to participate in the demonstration to atone their sins as a means to get salvation³⁶.

About 70,000 people demonstrated before the Legislative Assembly on 26 August, 1957 and demanded the withdrawal of the bill and central interference to prevent the deterioration of law and order in the state and to restore the sense of security³⁷. As the bill was put through the legislature, the Catholic finalised a programme of direct confrontation with the government. The Deepika in an editorial "What Next?" on 1 September 1957 spelt out in clear terms the steps to be taken in this direction i.e., to form a volunteer force with a prescribed uniform to protect private educational institutions, to raise necessary funds to finance the agitation, to organise a prayer campaign by the Christians and Muslims, and to continue the agitation with more strength³⁸.

The KCBEAC and CEAC intensified the agitation when the bill was finally passed by the Assembly on 4 September 1957. They condemned it as autocratic and unconstitutional and telegrams in large numbers were sent to the President, the Governor and the Union Home Minister requesting them to withhold the assent to the bill³⁹. The CEAC asked private schools to observe hartal on 9 September 1957 as a protest against the bill⁴⁰. All other Christian denominations except Marthoma Council supported the hartal⁴¹.

The implementation of the order of direct payment of salary to the teachers on 12 October 1957 added fuel to the fire. Under this order the headmasters were empowered to sign salary bills instead of school managers. The managers opposed the order on the ground that the government was trying to take away the powers of managers and to enforce sections of the Education Bill even before it became law⁴². The managers

filed writs in the High Court and argued that the order was unconstitutional⁴³. But the Court pronounced “He who pays the piper has not only the right to order the tune but also to see that payment reaches the piper”⁴⁴.

It was in these circumstances the bill was reconsidered by the Legislative Assembly in the light of the opinion of the Supreme Court. The Bill was finally passed in the Assembly on 28 November 1958. The amended Bill excluded minority schools from the operation of sections 14 and 15 of the Bill⁴⁵. But the Christians were not satisfied with this as the Education Minister did not care to define in the amended Bill who the minorities were in spite of insistent demand in the Assembly. The Minister, however, maintained that Christians and Muslims were not minorities in the state, but at the same time, he refused to define it in the Bill⁴⁶. The real minorities according to him, who would not be affected by the Bill, were Anglo Indians, Gujarati and Jews⁴⁷. But the opposition was sure that Christians and Muslims too were minorities according to the opinion of Supreme Court and, therefore, the Bill could not affect schools belonging to these communities. But the Supreme Court opined that the real import of Articles 29(2) and 30(1) seemed that they really contemplate minority institutions with a sprinkling of outsiders admitted to it⁴⁸. It does not mean that all schools run by minorities were minority schools⁴⁹.

No change was made in the Section 11 of the Bill which took away the powers of the managers to select and appoint teachers according to their will. By now the agitation took a new turn as the attention of the Christians, particularly Catholics, became the overthrow of the government rather than seeking amendment in the Education Bill. A conference of the Catholic Bishops of India was held in Bangalore on December 4, 1958. The Most Rev. James Robert Nox, the Vatican Ambassador in India was present. The conference seriously considered about ‘material and spiritual ways to overthrow the communist government in Kerala. During its fifty hour long

deliberations the conference spent most of the time to discuss reports on the communist danger in India, especially the communist danger in Kerala state. The conference sharply criticised the Kerala Education Bill and expressed its serious concern⁵⁰. Many suggestions were made to fight and defeat communism in Kerala⁵¹. A Catholic congress held in Kanaykumari in the same month, gave a call to defend religion against communism “dedicating their life to the cause of religion”. Bishop of Kottar who inaugurated the congress asked the believers in Christ to cast aside their petty differences and try to stand united dedicating their lives to the cause of their religion against various opposing forces such as Communists, DMK and DK⁵².

The President gave assent to the Bill on 19 February 1959 and it became law. It infuriated the Catholics. The Kerala Catholic Bishops’ Conference met at Ernakulam in March 1959 and called up the laity to take all necessary actions uniting with other communities to change the harmful clauses of the Kerala Education Bill⁵³. According to this decision to unite with other communities against the government, a convention of Christian and Nair school managers was held at Perumna on March 20, 1959. The convention formed an Action Council to fight the Education Act and close down schools with Mannath Padmanabhan, the NSS leader, as President, Fr. Mannanali as Convener and V.O. Abraham as Treasurer. It was also decided to organise volunteer corps around each school to defend their schools.

The Christians were warned, by several means, of the danger of the continuance of the communist regime, that the Fundamental Rights of citizens would disappear, that Kerala would be converted into a police state on the communist mode, that laws would be applied in such a way as to discriminate against non-communists, that faith in God and moral values would become a mockery in the emerging class struggle, and that rule of violence would cause disappearance of opposition parties.

All these apprehensions were unfounded as, according to Mar Theophelus of the Marthoma Church, the Christians in Kerala after independence had not faced “any threat, direct or indirect” from the communists⁵⁴.

The Nair Service Society, organisation of Nairs, initially supported the Bill. The provisions for Local Educational Authorities and for imposing restrictions on the power of the judiciary, in particular, alone were objected by the NSS⁵⁵. Mannath Padmanabhan, the NSS leader, declared solid support to the Bill⁵⁶. He further added that the Bill had the support of three-fourth of the population and would strive for the passage of the Bill⁵⁷. The NSS Council echoed the same view. The Council demanded that the government should have control over the appointment of teachers⁵⁸. The NSS supported the Bill for the following reasons

Firstly the Nairs would get a larger quantum of posts by securing appointments in the Christian managed schools. Secondly, the Nair leaders were jealous of the growing influence of Christians in the field of education. They were also rueful that the Christians were getting a lot of money from government by way of grant to their schools. So they would have been glad to see the latter's power in the field being curtailed. Thirdly, they thought that their interest would be safe in the hands of the CPI since the latter depended partly on their votes⁵⁹.

But the NSS, later on, turned against the government and joined hands with the Christians in condemning the Bill. This volt-face on the part of the NSS was the result of the following developments. The publication of the Kerala Agrarian Relations Bill 1957 on 18 December 1957, which seemed to hit the Nairs' basic economic interests. The request of the NSS for permission to start an Engineering college at Palghat was rejected. Again, the demand of the NSS to put an end to the policy of communal reservation in public appointments was not granted. They also felt that the revised Education Bill, while exempting minority schools from the applicability of

sections 14 and 15 of the Education Bill, had discriminated against the Nair community. The Catholics, on the other hand, understood that since they were only a minority they were not able to carry on the fight successfully by themselves⁶⁰. They were also aware of the fact that the communist government would never yield to any amount of pressure on their part⁶¹. They did not have, at first, any plan to launch a liberation struggle to overthrow the government. They planned to carry on the agitation until the next general election⁶². As the hostility of the NSS against government grew stronger the Catholic campaign associated itself with that of the NSS. From December 1958 onwards both Nairs and Christians shared common platforms in their struggle against the government.

Mannam declared that 94 percent of the teachers of private schools would support the managers in the agitation against the Education Bill⁶³. In a letter dated 25 March 1959 Mannam requested the Chief Minister to withdraw the Education Act and to introduce another bill equally satisfying the managers and teachers⁶⁴. He informed that we would enter into a direct struggle with the government if our demands were not met⁶⁵.

The SNDP supported the Bill because the Ezhavas would get a proportion of the teaching posts in all private schools through the principle of reservation for backwards. It suggested that the managements should be free to appoint anybody from the proposed register prepared by the Public Service Commission and no school might be taken over without sufficient reason and giving notice.

The Indian Union Muslim League opposed the Bill for the first time on 12 July 1957⁶⁶. They leveled the charges of 'religion in danger' and 'the infringement of fundamental rights' against the government. But the Bill was acceptable to IUML on the amendment of provisions affecting minority rights and managers' privileges⁶⁷. It further demanded to restrain the power of the judiciary to issue injunctions and to prevent the interference of political parties in the running of schools⁶⁸.

Nevertheless, the Chandrika, the League mouthpiece welcomed the modified Bill by the Select Committee and hoped that the amended Bill might be acceptable to all and that the agitation raised against it might soon be called off⁶⁹.

The IUML was doubtful about the intentions of the Bill in terms of the interests of minorities, for it still contained provisions empowering the government to take over any category of aided schools⁷⁰. Therefore, by a resolution, it appealed to the State Governor and the President to withhold their assent to the Bill.

When the President referred the Bill to Supreme Court, the counsel for the League argued that the provision empowering the government to take over any category of aided schools violated minority rights.

Outside the Assembly the attitude of the League was one of anti-government. However it did not forge any alliance with the opposition parties⁷¹. But it cooperated with the Joint Standing Committee of the Congress and the PSP to call for a hartal on 5 April 1959 as a protest against the governments' non - acceptance of the report of Andhra Rice Deal Inquiry Committee⁷². This may be considered as the first signal for the involvement of the League in the direct action against the government.

Among the political parties the Congress leaders P.T. Chacko and Panampilly Govinda Menon joined the agitation against the Education Bill even before KPCC decided to join it. P.T Chacko, the opposition leader, joined with the agitation because he was a close associate of Catholic Church. Panampilly Govinda Menon had a different reason. He aimed to topple the government and to become Chief Minister⁷³.

It was for the first time KPCC passed a resolution on July 5, 1957 and called to observe July 20, 1957 as Education Day against the Bill. Sreeman Narayanan, the Congress General Secretary, declared that the Education Bill was illegal and unnecessary on July 14, 1957. It gave green signal for

the agitation of Congress against the Bill. The Congress leaders actively joined the hartal organised against the Bill on 26 August 1957⁷⁴.

Inside the assembly, the Congress demanded more transparency in the appointment of teachers⁷⁵. It echoed that Local Authority and Local Education Committee were unnecessary⁷⁶. They further objected to the provisions for taking over schools without notice and the prohibition on the courts from restraining any proceedings under this Act. P.T. Chacko supported that the Bill would send for eliciting public opinion⁷⁷. They complained that the Select Committee had not interviewed sufficient number of persons. During the reconsideration of the Bill in November 1958, the Congress members demanded to send the Bill again to a Select Committee⁷⁸. But it was not accepted. Later they demanded the withdrawal of the Bill as the amendment to it was not acceptable to them⁷⁹.

The PSP had no ideological reason to oppose the Bill as it was committed to the idea of state – control of education. There was no unanimous opinion among the PSP members in the Assembly. Some members staunchly opposed the curtailment of the managers' rights, while others demanded the nationalization of all schools⁸⁰. The two PSP members of the Select Committee submitted dissenting notes separately. Both of them agreed to the basic principles of the bill, but dissented on details regarding the methods of appointment of teachers and the constitution of local committees. Tanu Pillai, the PSP Leader, demanded in the Assembly the reduction of the number of members of Advisory Board from fifteen to seven⁸¹. Another PSP member demanded the scrutiny of the Bill by the Select Committee during the reconsideration of the Bill⁸².

Outside the Assembly PSP opposed the Bill and joined in the hartal on 26 August 1957. The PSP forged alliances with the Congress and anti – government forces. Joseph Chazhikadan, the PSP MLA, participated in the meetings convened by the Catholic Church against the Bill⁸³.

The managers of all communities united under the All Kerala Private School Managers' Association. Some managers owned schools in their individual capacity, and the others were only representatives of the educational agencies like the Catholic Church and the NSS. The managers stubbornly opposed provisions prescribing punishments on managers, empowerment of government to take over schools, direct payment of salary to teachers, the method of appointment of teachers etc⁸⁴.

The representatives of Managers' Association presented their views when the Select Committee for the Education Bill was collecting evidences in Alwaye and Trivandrum. Most of the witnesses interviewed by the Select Committee were sympathizers of the managements⁸⁵. They were totally opposed to any scheme that would reduce the freedom of managers to make appointments. Some of them even claimed that the schools as their private property. Their attitude was not one of co-operation with the Select Committee. On the second day of the Select Committee's sitting at Alwaye, they made an organized attempt to paralyse its proceedings⁸⁶.

The Managers' Association requested the President of India not to assent to the Bill⁸⁷. But the President gave assent on 19 February 1959 and the Bill became law. This only increased the hostility of the managers who decided to fight the Act legally and politically. The Managers' Association decided not to implement the Act and set up a committee for further action. They joined with the NSS, Catholic Congress and the Congress party in the struggle against the government. The Managers' Association repeated its threat to close down schools unless the Act was withdrawn⁸⁸.

The Congress Government in Andhra had already implemented most of the provisions appeared in the Kerala Education Act 1958 with the blessings of central government. All private schools in Nellore district were nationalized and extended it to schools in other districts also⁸⁹. The Madras, and Malabar being the part of the former, witnessed the introduction of direct payment of salaries in 1953. The Christians assumed a different

attitude to educational reforms in Andhra and Madras from that they took in Kerala. Neither in Andhra nor in Madras the proprietorship of private educational institutions was entirely in the hands of one or two mass communities who were influential upon the apparatus of government. Of the 11,932 Schools in Andhra in 1956, only 2982 were managed by private agencies⁹⁰. In the same year in Madras, there were only 3,453 private schools as against 15,276 Schools managed by the government directly or by the panchayat unions and municipal councils⁹¹.

Conclusion

The Kerala Education Act - 1958 was a badly - needed legislative measure from the point of view of the conditions that prevailed in private schools. The Communist party which sponsored it had good intention. But this aroused the most vehement opposition from the anti-Communist forces. Both the government and the private managements approached the issue arrogantly and militantly and neither could see eye to eye on the problem. Since the government did not make any concession to the demands of the community organisations, the latter became more aggressive. It brought the major community organisations and opposition political parties on a common front against the government and it became a formidable one. Initially they adopted peaceful means but later it gave way to violent methods and directed all attention to topple the government.

References

1. H.D.Malaviya, *Kerala: A Report to the Nation*, New Delhi, 1958, p.28.
2. *Ibid.*
3. *Kerala Legislative Assembly* (hereinafter KLA). Vol. 1, No. 25, First Session, 1957, p. 2222.
4. *KLA*, Vol. IV, No. 17, First Session, 1958, p. 253.

5. H.D. Malaviya, Kerala: *A Report to the Nation*, op.cit. p. 34.
6. *Section 5 of the Kerala Education Bill, 1957.*
7. *Section 6 of the Kerala Education Bill, 1957.*
8. *Section 11 of the Kerala Education Bill, 1957.*
9. *Section 12 of the Kerala Education Bill, 1957.*
10. *Section 14 of the Kerala Education Bill, 1957.*
11. *Section 15 of the Kerala Education Bill, 1957*
12. *Section 17 of the Kerala Education Bill, 1957*
13. G.K. Lieten, Education, Ideology and Politics in Kerala (1957 - 59),
Social Scientist, Vol.6, No. 2, September, 1977, p.7.
14. *KLA*, Vol. II, No.5, Second Session, 1957, p. 432.
15. *Ibid.*, p. 433.
16. *Ibid.*, p. 434.
17. *Ibid.*, p.435.
18. *The Navayugam Weekly*, 18 January 1958.
19. Joseph Mundassery, *Vidhyabhyasa Prakshobhanavum Athinte Pinnila Saktikalum (Mal.)*, Trivandrum 1959, p. 39.
20. *The Kerala Law Times*, 1958 KLT 465 (Supreme Court) p. 499 -500, 504.
21. *KLA*, Vol. V, No. 8, Second Session, 1958, pp. 709-710.
22. *KLA*, Vol. VI, No. 2, Third Session, 1958, p. 120.
23. *Section 2(5), The Kerala Education Act, 1958.*
24. H.D. Malaviya, Kerala, *A Report to the Nation*, op. cit., p23.
25. *The Malayala Rajyam*, 23 May 1957.
26. *The Deepika*, 11 June 1957.
27. *The Deepika*, 2 July 1957.
28. *The Malayala Manorama*, 11 July 1957.
29. *The Malayala Manorama*, 14 July 1957.
30. *The Malayala Manorama*, 23 July 1957.
31. Joseph Mundassery, *Vidhyabhyasa Prakshobhanavum Athinte Pinnila Saktikalum (Mal.)*, op. cit., pp. 36-37.
32. *The Deepika*, 1 August 1957.

33. *The Deepika*, 14 August 1957.
34. *The Deepika*, 20 August 1957.
35. *The Malayala Rajyam*, 21 August 1957.
36. *KLA*, Vol. II, No.3, Second Session, 1957, p.449.
37. *The Malayala Rajyam*, 27 August 1957.
38. *The Deepika*, 1 September 1957.
39. *The Deepika*, 3 September 1957.
40. *The Deepika*, 10 September 1957.
41. *The Malayala Rajyam*, 13 September 1957.
42. *The Deepika*, 25 October 1957.
43. Joseph Mundassery, *Vidhyabhyasa Prakshobhanavum Athinte Pinnila Saktikalum (Mal.)*, op.cit., p. 28.
44. *Ibid*.
45. Sections 14 and 15 empowered the government to take over the management of schools and to acquire certain categories of schools.
46. *KLA*, Vol. VI, No. 2, Third Session, 1958, p. 160.
47. *Ibid*.
48. *Ibid.*, p. 123.
49. *Ibid*.
50. *The Indian Express*, 5 December 1958.
51. *The Hindu*, 6 December 1958.
52. *The Hindu*, 8 December 1958.
53. *The Deepika*, 20 March 1959.
54. *Deepika*, 17 May 1959.
55. *The Malayala Manorama*, 20 August 1957.
56. *The Desabandhu*, 29 August 1957.
57. *Ibid*.
58. *The Desabhandhu*, 15 August 1957.
59. *The Deepika*, 4 Decemebr 1958.
60. *The Deepika*, 14 November 1958.
61. *Ibid*.

62. *The Deepika*, 1 September 1957.
63. P.K. Narayana Panicker et.al.(ed), *Mannathu Padmanabhante Prasangal, A Compilation of Speeches*, Changanassery, 1985, p.117.
64. *Ibid.*, p. 157.
65. *The Malayali*, 29 March 1959.
66. *Bill Viruthaprakshobanam : Iniyankottu?(Mal.)*, Ernakulam, 1957, p.12.
67. *KLA*, Vol.1, No. 25, 1st Session, 1957, p. 2285.
68. *The Chandrika*, 20 August 1957.
69. *The Chandrika*, 23 August 1957.
70. *The Chandrika*, 4 September 1957.
71. *The Chandrika*, 19 January 1959.
72. *The Chandrika*, 22 March 1959.
73. *Bill Viruthaprakshobanam : Iniyankottu ?*, op. cit., pp. 27-28.
74. *Ibid.*, pp. 30-31.
75. *KLA*, Vol.1, No. 25, 1st Session, 1957, pp. 2221-22.
76. *Ibid.*, p.2224.
77. *KLA*, Vol.1, No.23, 1st Session, 1957, p. 2091.
78. *KLA*, Vol. VI, No.1, Third Session, 1958, pp. 44-55.
79. *KLA*, Vol. VI, No.2, Third Session, 1958, p. 133.
80. *KLA*. Vol.1, No. 19, First Session, 1957, pp 1666-67; pp. 1676-81.
81. *KLA*, Vol.II, No.6, Second Session, 1957, p. 548.
82. *KLA*, Vol. VI, No.1, Third Session, 1958, p. 46.
83. *Billviruthaprakshobanam: Iniyankottu?*, Trivandrum, 1957, p.32.
84. *The Deepika*, 14 July 1957.
85. Joseph Mundassery, *Vidyabhyasa Prakshobanavum Athinte Pinnila Saktikalum*, op.cit,pp 36-37.
86. *Ibid.*
87. *The Deepika*, 22 January 1959.
88. *The Deepika*, 4 April 1959.
89. *KLA*, Vol. II, No.5, Second Session, 1957, p.449.

90. *Annual Statistical Abstract*, Government of Andhra Pradesh, Hyderabad, 1959, pp.120-21.
91. *Annual Statistical Abstract for Madras*, Madras, 1958, pp. 82-83.