

Government of Madras

HOME DEPARTMENT (EDUCATION)

G.O. No. 1378, 10th November 1919

University regulations

Sanctioning certain revised set of regulations relating to the election of Ordinary Fellows
by Registered Graduates.

INDEXED

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ORIGINAL

Government of Madras

HOME DEPARTMENT (EDUCATION)

G.O. No. 1378, 10th November 1919

University regulations

Sanctioning certain revised set of regulations relating to the election of Ordinary Fellows by Registered Graduates.

READ—the following paper:—

Letter—from F. DEWSSBURY, Esq., Registrar, University of Madras.

To—the Secretary to Government, Home (Education) Department.

Dated—the 4th November 1919.

No.—7401.

I have the honour, by direction of the Syndicate, to submit, for the sanction of Government, under section 25 (1) of the Indian Universities Act, 1904, the enclosed revised body of regulations relating to the 'Election of Ordinary Fellows by Registered Graduates' to be substituted for the existing Regulations 1 to 8 of Chapter III of the Regulations, adopted by the Senate, on the recommendation of the Syndicate, at its meeting held on 24th October 1919.

In explanation of these revised regulations I am to state as follows. At the meeting of the Senate in March 1919, a number of questions were asked as to the conduct of the preceding election of Fellows by Registered Graduates and the Syndicate gave an undertaking to the Senate to consider the question of amending the Regulations relating to such elections. The existing Regulations seemed to the Syndicate to be defective in at least three respects—(i) absence of provision for nomination, (ii) absence of machinery for objections to the validity of an election or for inquiry into them and (iii) absence of any sort of definition of corrupt practices or of any prohibition of the purchase of qualifications. Provision for (i) and (iii) is clearly advisable when, as in the case, the constituency is large and is scattered over the whole Presidency and elections are hotly contested. Formal candidature is moreover essential, if responsibility for acts done by or on behalf of *de facto* candidates is to be enforced. As regards (ii) it appeared to the Syndicate that the absence of any provision regarding the period within which objections had to be made and during which the Chancellor had to wait for them before approving an election placed the Chancellor in a difficult position and might put an objector at a great disadvantage.

The Syndicate desires that these revised Regulations should come into force at once so as to regulate the elections of Fellows by Registered Graduates that are to take place on the 19th December next, and as under these Regulations the notification should be published in the *Fort St. George Gazette* on the 18th November, I am directed to request that the Government will be pleased to pass very early orders on this communication.

ENCLOSURE.

University of Madras.

Resolutions adopted by the Senate at its meeting held on 24th October 1919.

That in place of Regulations 1 to 8 of Chapter III relating to 'Election of Ordinary Fellows by Registered Graduates' the following Regulations 1—14 be adopted:—

1. When a vacancy occurs among the Fellows elected by Registered Graduates, the Syndicate shall publish a notice thereof in the Gazette.
2. Each Registered Graduate shall be at liberty to nominate a person qualified to fill the vacancy. Every nomination shall be in writing and must reach the Registrar not later than ten days after the publication of the notice in the Gazette. Every such nomination shall be accompanied by the consent in writing of the nominee agreeing to serve as a Fellow if elected.

3. If the number of nominees does not exceed the number of vacancies to be filled, the Registrar shall report the name or names of such nominees to the Chancellor for his approval.

4. If the number of nominees exceeds the number of vacancies to be filled, the Syndicate shall announce by notification in the Gazette the day appointed by the Chancellor for the election, the hours between which votes may be recorded, the number of vacancies and the names of the persons nominated. The date of the notification shall be not less than fourteen days previous to the date so appointed.

5. The Registrar shall, not later than the date of the publication of the notification made in accordance with Regulation 4 of this chapter, forward to each Registered Graduate a notice stating the number of vacancies, the names of the persons nominated and the date of the election. The Registrar shall at the same time forward a numbered voting paper to each Registered Graduate.

6. Those graduates only whose names are on the register at the date of the notification published in accordance with Regulation 4 of this Chapter shall be eligible for election and entitled to vote. The number of persons for whom each Registered Graduate may vote may be less but shall not be more than the number of vacancies notified and any voting paper which contains votes for a number of persons in excess of the number of such vacancies shall be treated as invalid.

7. Voters resident in the City of Madras may fill in and sign their voting papers at the Senate House on the day and within the hours notified in accordance with Regulation 4 of this chapter, and in the presence of one of the two members of the Senate appointed by the Syndicate in accordance with Regulation 9 (i) of this chapter, and shall thereafter deposit them in the ballot-box provided for the purpose. No such voting paper shall be deposited in the ballot-box after the expiry of the time notified in accordance with Regulation 4 of this chapter.

8. Voters resident in the City of Madras not desirous of recording their votes as provided for in the preceding Regulation 7, and voters not resident in the City of Madras shall fill in and sign their voting papers in the presence of a Magistrate (not being a Village Magistrate), District or Sub-Registrar, Judge, District Munsiff, Inspector of Schools, Assistant Inspector of Schools, Principal of a College, or Headmaster of a recognized High School, who shall authenticate the voting paper with his signature and designation. The voter shall thereupon forward the voting paper in a registered cover addressed to the Registrar so as to reach him not later than the day and hour notified for the closing of the ballot in accordance with Regulation 4 of this Chapter. Any such voting paper received later than the closing of the ballot and any paper received unsigned or otherwise than by registered post shall be regarded as invalid for the purposes of the election.

9. (i) The Syndicate shall appoint two members of the Senate to co-operate with the Registrar in the supervision of the election.

(ii) Each candidate or a representative nominated by him in writing shall be entitled to be present at the Senate House during the polling and scrutiny of the votes next to be referred to.

10. On the day notified in accordance with Regulation 4 of this chapter the members of the Senate appointed in accordance with Regulation 9 (i) of this chapter shall scrutinize the voting papers with reference to Regulations 6, 7, and 8 of this chapter and consider the objections, if any, made by the candidates or their representatives with reference to those Regulations, shall reject the votes which do not fulfil the conditions thereof, and shall count the rest of the votes recorded. They shall thereupon communicate the results of their scrutiny to the Syndicate with a list of the candidates arranged in the order of the votes obtained. The Syndicate shall direct the publication of the list at the Senate House.

11. Any Registered Graduate may, by petition presented to the Registrar within seven days of such publication, require the Syndicate to inquire into the validity of the election. The ground of the alleged improper acceptance or rejection of a vote or votes or of any corrupt practice committed by a candidate as hereinafter defined. The Syndicate shall itself or by a Committee appointed by it for the purpose inquire into such petition after giving such notice as it considers reasonable of the date of its inquiry to the petitioner and the candidate who may each be present in person or may send one representative duly authorized by him in writing.

12. A person shall be deemed to commit a corrupt practice within the meaning of Regulation 11—

(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(ii) who pays or promises to pay to or on behalf of any person the sum or any part of the sum of money prescribed in Regulation 1 of Chapter II, as payable to entitle such person to be placed on the Register of Graduates,

(iii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote,

(iv) who makes any payment or promise of payment on account of the conveyance of any voter, other than himself, to or from any place for the purpose of recording a vote at any election held under these Regulations, or

(v) who lets, lends, employs, hires, borrows or uses for the purpose of conveying any voter to or from any place for the purpose of recording any such vote, any vehicle, horse or other animal which is kept or used by any person for the purpose of letting out on hire or conveying passengers by hire; provided that nothing in this clause shall apply to—

(a) any such letting to or hiring by a voter at his own cost or by several voters at their joint cost, for his or their own use; or

(b) any such use by a voter of his own vehicle to convey himself.

And a corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A 'promise of individual profit' includes a promise for the benefit of the person himself, or of any one in whom he is interested.

13. In case no petition is presented, after seven days from the publication of the list in accordance with Regulation 10, and in case one is presented after the completion of the inquiry prescribed in Regulation 11, the Syndicate shall submit to the Chancellor for approval the names of as many candidates at the head of the list as there are vacancies to be filled together with its report on the petition or petitions, if any. In the event of an equality of votes between any two or more persons, their names shall be reported to the Chancellor with whom the final selection shall rest.

14. If the name of any person elected as a Fellow by the Registered Graduates is disapproved by the Chancellor, a fresh election by the Registered Graduates shall be held for the purpose of filling up the vacancy in accordance with the foregoing Regulations and at such election, any person, whose name has been disapproved by the Chancellor at the preceding election, shall not be eligible for nomination and any votes cast in his favour shall be rejected.

Order—No. 1378, Home (Education), dated 10th November 1919.

Under section 25 (1) of the Indian Universities Act, 1904, the Government sanction the revised set of regulations relating to the 'Election of Ordinary Fellows by Registered Graduates' submitted with the Registrar's letter read above.

(True extract)

R. RAMACHANDRA RAO,
Secretary to Government.

To the Registrar, University of Madras.
Copy to the Director of Public Instruction.
Editors' Table.

University Regulations

Sanctioning certain revised set of regulations relating to the election of Ordinary Fellows by Registered Graduates

READ AGAIN G.O. No., dated 191

” ” ” ” ” 191

READ ALSO:—

READ ALSO:-
C. No. 2209 B From the *Poona University*, No. 7401, dated *4th Novr* 1919
of Madras

[illegible]

ORDER

Press.

No. 1378, dated 10-11, 1919

Under Section 25(1) of the Indian Universities Act, 1904, the Govt. sanction the revised ~~set~~ ^{set} of regulations relating to the "Election of Ordinary Fellows by Registered Graduates" submitted with the Registrar's letter read above.

To The Regr., University of Madrid 26.
Copy to me D.P.D. 9. 11. 69
EJ

10/11/4

Box 9
41.9

8-11-19 (a) - 160,001 - 16-1-17.

NOTES.

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Subject.

Home (Edn) Dept

University Regulations.

Le. 2209/B, from the Regs. Univ. of Madras

No. 7401, dt 4. 11. 19

The proposed alteration

in the university regulations may be
forwarded w/o to the D.P. for
remarks in the first instance.

Newspaper report
copy of the Senate
passed 22.10.19

S. 11. 19.

A
S. 11. 19

J. P. Jm

From 2209/B-1
6. 11. 19

Td
only

D.P. i. w. o. No. 345
8. 11. 19

I recommend their
acceptance. They were approved by the
Senate without direct objection.

M. J. 19



Home Edn Dept

A draft order is subd.

Td
g. 11. 19

Hm

M. J. 19

10. 11. 19



1919.

Home DEPARTMENT.

CUTTINGS FROM NEWSPAPERS.

1. Name of Paper-- Justice, Madras

2. Published at-- 25. Co. of

3. Dated--

ELECTION OF FELLOWS.

Mr. K. Srinivasa Iyengar, on the recommendation of the Syndicate, moved for adoption of a set of regulations relating to the election of Ordinary Fellows by the Registered Graduates in the place of existing regulations. He said that the object of these regulations was to make a more detailed provision for the election of a Fellow by registered graduates than what was contained in the meagre regulations which they had at present. Before throwing them for their acceptance he wished to inform the house as to the genesis of these draft regulations. Till recently not much difficulty was felt in the working of the meagre regulations they had, more especially as these elections by the registered graduates were not absolutely final but were subject to the veto of the Chancellor. But recently they had some trouble in the last election. Another difficulty the Syndicate felt was that there was no provision in the existing regulation to define what irregularity in the election meant. In order to have more detailed provisions the Syndicate appointed a small committee to draft regulations, having in view the difficulties that had recently cropped up. After briefly explaining the several sections he moved the following regulations for the acceptance of the house:—

1. When a vacancy occurs among the Fellows elected by Registered Graduates, the Syndicate shall publish a notice thereof in the Gazette.

2. Each Registered Graduate shall be at liberty to nominate a person qualified to fill the vacancy. Every nomination shall be in writing and must reach the Registrar not later than ten days after the publication of the notice in the Gazette. Every such nomination shall be accompanied by the consent in writing of the nominee agreeing to serve as a Fellow if elected.

3. If the number of nominees does not exceed the number of vacancies to be filled, the Registrar shall report the name or names of such nominees to the Chancellor for his approval.

4. If the number of nominees exceeds the number of vacancies to be filled, the Syndicate shall announce by notification in the Gazette the day appointed by the Chancellor for the election, the hours between which votes may be recorded, the number of vacancies and the names of the persons nominated. The date of the notification shall be not less than fourteen days previous to the date so appointed.

After being seconded by Rao Sahib G. Venkataranga Rao, the motion was accepted.

Mr. K. Srinivasa Iyengar next moved the following regulations for acceptance of the house:—

5. The Registrar shall, not later than the date of the publication of the notification made in accordance with Regulation 4 of this Chapter, forward to each Registered Graduate a notice stating the number of vacancies, the names of the persons nominated and the date of the election. The Registrar shall at the same time forward a numbered voting paper to each Registered Graduate not resident in Madras.

6. Those graduates only whose names are on the register at the date of the notification published in accordance with Regulation 4 of this Chapter shall be eligible for election and entitled to vote. The number of persons

for whom each Registered Graduate may vote may be less but shall not be more than the number of vacancies notified and voting paper which contains votes for a number of persons in excess of the number of such vacancies shall be treated as invalid.

7. Voters resident in the city of Madras shall receive, fill in and sign their voting papers at the Senate House on the day and within the hours notified in accordance with Regulation 4 of this Chapter, in the presence of one of the two members of the Senate appointed by the Syndicate in accordance with Regulation 9 (i) of this Chapter and shall thereafter deposit them in the ballot-box provided for the purpose. No such voting paper shall be deposited in the ballot-box after the expiry of the time notified in accordance with Regulation 4 of this Chapter.

8. Voters not resident in the city of Madras shall fill in and sign their voting papers in the presence of a Magistrate (not being a Village Magistrate) District or Sub-Registrar, Judge, District Munsiff, Inspector of Schools, Assistant Inspector of Schools, Principal of a College, or Headmaster of a recognised High School, who shall authenticate the voting paper with his signature and designation. The voter shall thereupon forward the voting paper in a registered cover addressed to the Registrar so as to reach him not later than the day and hour notified for the closing of the ballot in accordance with Regulation, 4 of this Chapter. Any such voting paper received later than the closing of the ballot and any paper received unsigned or otherwise than registered post shall be regarded as invalid for the purposes of the election.

After being seconded by Mr. G. Venkataranga Rao, Mr. K.B. Ramanatha Iyer moved certain amendment to those regulations, the object of which was to enable the graduates resident in the city of Madras to register their notes by sending the voting papers according to the regulation.

Seconded by Mr. C.P. Rameswamy Iyer, the amendment was carried.

The regulations as amended were then accepted.

OTHER REGULATIONS.

Mr. K. Srinivasa Iyengar then moved the following regulations, which after being seconded by Mr. Venkataranga Rao, were accepted.

9. (i) The Syndicate shall appoint two members of the Senate to co-operate with the Registrar in the supervision of the election (ii) Each candidate or a representative nominated by him in writing shall be entitled to be present at the Senate House during the polling and scrutiny of the votes next to be referred to.

10. On the day notified in accordance Regulation 9 (i) of this Chapter shall scrutinize the voting papers with reference to Regulations 6, 7, and 8 of this Chapter and consider the objections, if any, made by the candidates or their representatives with reference to these Regulations, shall reject the votes which do not fulfil the conditions thereof, and shall count the rest of the votes recorded. They shall thereupon communicate the results of their scrutiny to the Syndicate with a list of the candidates arranged in the order of the votes obtained. The Syndicate shall direct the publication of the list at the Senate House.

CUTTINGS FROM NEWSPAPERS.

1. Name of Paper--

2. Published at--

3. Dated--

11. Any Registered Graduate may, by petition presented to the Registrar within seven days of such publication, require the Syndicate to enquire into the validity of the election on the ground of the alleged improper acceptance or rejection of a vote or votes or of any corrupt practice committed by a candidate as hereinafter defined. The Syndicate shall itself or by a Committee appointed by it for the purpose enquire into such petition after giving such notice as it considers reasonable of the date of its enquiry to the petitioner and the candidate who may each be present in person or may send one representative duly authorised by him in writing.

12. A person shall be deemed to commit a corrupt practice within the meaning of Regulation II--(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury to any person, or (ii) who pays or promises to pay to or on behalf of any person the sum or any part of the sum of money prescribed in regulation I of

Chapter II, as payable to entitle such person to be placed on the Register of Graduates, (iii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote, (iv) who makes any payment or promise of payment on account of the conveyance of any voter, other than himself, to or from any place for the purpose of recording a vote at any election held under these Regulations, or (v) who lets, lends, employs, hires, borrows or uses for the purpose of conveying any voter to or from any place for the purpose of recording any such vote, any vehicle, horse or other animal which is kept or used by any person for the purpose of letting out on hire or conveying passengers by hire; provided that nothing in this clause shall apply to--

(a) any such letting to or hiring by a voter at his own cost or by several voters at their joint cost, for his or their own use; or (b) any such use by a voter of his own vehicle to convey himself.

And a corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

EXPLANATIONS.—A 'promise of individual profit' includes a promise for the benefit of the persons himself, or of any one in whom he is interested.

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Graduates is disapproved by the Chancellor, a fresh election by the Registered Graduates shall be held for the purpose of filling up the vacancy in accordance with the foregoing Regulations and at such election, any person, whose name has been disapproved by the Chancellor at the preceding election, shall not be eligible for nomination and any votes cast in his favour shall be rejected.
The meeting at this stage adjourned to meet to-day at 3.30 p.m.

ORDINARY.

PRESS SLIP.

PREFERENCE.

URGENT (a).

Sect. II-38-1-17.

H. M. S. DEPARTMENT.

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(b) For rules regarding printing of notes, see rule 315 of the office Manual.

(c) The number of copies and the details of distribution should be filled in by the Superintendent or Referencee concerned.

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(d) This slip should be returned by the Press to the Secretariat when proofs are furnished; it will be sent back to the Press when proofs are returned corrected and should be finally returned to the Secretariat when struck-off copies are supplied.

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