

Government of Madras

LAW (EDUCATION) DEPARTMENT

G.O. No. 1185, 20th August 1921

Rules

For the election of persons to District Educational Councils by district boards, taluk boards and municipal councils—Published.

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Government of Madras

LAW (EDUCATION) DEPARTMENT

G.O. No. 1185, 20th August 1921

Rules

For the election of persons to District Educational Councils by district boards, taluk boards and municipal councils—Published.

READ—the following paper :—

Letter—from M.R.Ry. G. VENKAT RAO Garu, B.A., B.L., President, Taluk Board, Cocanada.

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

Dated—the 26th May 1921.

No.—R.C. 637/T.B.

I have the honour to bring to your notice that no rules have as yet been framed for electing members from the taluk boards to the District Educational Councils and that I venture to suggest that the rules sanctioned by the Government for the election of members of district boards by taluk boards and published in pages 282, 283 of the *Fort St. George Gazette*, dated 3rd May 1921, seem quite suitable and that the same may be ordered to be applicable to Educational Council elections.

Order—No. 1185, Law (Education), dated 20th August 1921.

The appended notification containing draft rules for the election of persons to District Educational Councils by district boards, taluk boards and municipal councils will be published in the *Fort St. George Gazette*.

(By order of the Government, Ministry of Education)

P. C. DUTT,
Acting Secretary to Government.

To all Presidents of District Boards.
„ all Chairmen of Municipal Councils.
„ all Presidents of District Educational Councils.
„ the Superintendent, Government Press, for publication of notification in Gazette.
„ the Law (Legislative) Department.
Local Self-Government department.

APPENDIX.

NOTIFICATION.

In exercise of the powers conferred on them by section 56 (1) of the Madras Elementary Education Act, 1920, the Government (Ministry of Education) propose to frame the following rules for the election of persons to district educational councils by district boards, taluk boards and municipal councils. Any objections or suggestions in respect of these rules will be considered if received before the 30th September 1921.

Rules for the election of persons to district educational councils by district boards, taluk boards and municipal councils.

The president of a district educational council shall intimate to the district board, taluk board or municipal council concerned the number of seats on the district educational council which it has to fill up by election and shall call upon it to report the name or names of the candidates elected.

2. The president or chairman, as the case may be, of the district board, taluk board or municipal council shall thereupon summon a meeting of that body for the purpose of proceeding with the election.

3. Every candidate for election shall be proposed by one member and seconded by another. The names of all the candidates proposed and seconded shall be read out by the president or chairman or the presiding member.

4. If the number of candidates nominated is equal to the number of vacancies, all such candidates shall be deemed to be duly elected.

5. If the number of such candidates is less than the number of vacancies, all such candidates shall be deemed to be duly elected and the president or chairman or the presiding member shall call for fresh nominations or call for another meeting for filling up the remaining vacancy or vacancies.

6. If there are more candidates than there are vacancies, the votes of the members present at the meeting shall be taken.

7. Every member wishing to vote shall be supplied with a voting paper on which the names of all the candidates duly nominated shall be typed or written in the following form:—

Names.	Vote.
(1)	
(2)	
(3)	

The voter shall then proceed to the place set apart for the purpose and there place a mark (X) against the name of the candidate or candidates for whom he wishes to vote. He shall then fold up the slip so as to conceal his vote and deposit the same in a ballot box placed in the view of the president or chairman or the presiding member and so constructed that the paper may be placed therein but not extracted therefrom without the box being opened. The president or chairman or the presiding member shall then open the box and count the votes in the presence of the members.

8. The candidate who obtains the largest number of votes and, if the vacancies are more than one, as many of the candidates at the top of the poll as there are vacancies shall be declared to have been duly elected. If there is an equality of votes between any two or more candidates, the president or chairman or the presiding member shall decide by drawing lots which candidate shall be deemed to have been elected.

9. Members of the district board, taluk board or municipal council who have been duly proposed and seconded as candidates may also take part in the ballot.

10. Any voting paper which contains the signature of any of the voting members or on which the mark (X) is placed against more candidates than there are vacancies shall be invalid.

11. Immediately after the meeting the president or chairman or the presiding member shall—

- (i) report the names of the elected candidates to the Government, and
- (ii) forward to the president, district educational council, a statement showing
 - (a) the date of the meeting,
 - (b) the names of the members present,
 - (c) the names of the proposer and seconder of each candidate, and
 - (d) the number of votes secured by each candidate, in cases where there were more candidates than the number of vacancies.

12. (1) The president or chairman or the presiding member shall then seal up the ballot papers, whether counted or rejected, and note on each packet the number of papers it contains and the election to which it relates.

(2) These packets shall not be opened and their contents shall not be inspected or produced except under the orders of the Government.

(3) The packets shall be retained in safe custody in the office of the district board, taluk board or municipal council concerned for a year and shall then, unless otherwise directed by the orders of the Government, be destroyed.

13. The validity of any election may be contested by a petition signed by at least three members of the district board, taluk board or municipal council by which the election was held and not otherwise, provided that such petition shall reach Government within eight days from the date of the election and shall allege specific grounds for setting aside the election on account of material irregularity in the conducting thereof or for other sufficient cause. The Government may order an inquiry thereon by any officer they nominate if they consider it necessary to do so.

14. On the receipt of the report under rule 11 (i) and after the perusal of the petition, if any presented under rule 13, or the report of enquiry, if any, ordered under rule 13, the Government shall pass such orders as they may think fit, provided that no such orders are passed within nine days after the receipt of the report under rule 11 (i), and all such orders shall be final.

LAW (EDUCATION) DEPARTMENT.

NOTES CONNECTED WITH G.O. No. 1185, LAW (EDUCATION),
DATED 20TH AUGUST 1921.

[SUBJECT.—*Election of members to District Educational Councils.*]

*From the President, Taluk Board, Cocanada, R.C. No. 637,
dated 26th May 1921.*

Under the Elementary Education Act elections to District Educational Councils may be made by district boards, taluk boards and municipal councils and by private educational bodies or associations of managers if so authorized. The Act does not provide specifically for the promulgation of rules regulating the procedure to be followed in regard to these elections. Such rules may, however, be made by Government under the general rule-making power vested in them by section 56 (1) of the Act. The President, Taluk Board, Cocanada, suggests that the rules recently issued for the election of members of district boards by taluk boards may be adopted for the District Educational Council elections. It is submitted that the first elections to District Educational Councils have almost been completed and Taluk Boards and Municipal Councils do not appear to have been hampered by the absence of rules to regulate the elections. Objection to the procedure adopted at these elections was raised only from two quarters, Penukonda and Conjeeveram. In the latter case, the objection was to the withdrawal of a candidate's name by the proposer without the express consent of the seconder and the president—G.O. No. 691, dated 29th April 1921. This objection has been overruled. In the Penukonda case, a Taluk Board member objected to the election on the ground that proper notice was not given and that candidates themselves took part in the election. A report has been obtained from the President, Taluk Board and the President, District Board, Anantapur, and is separately under disposal. No other complaint has been received about the elections recently held and it is for consideration whether rules should be issued as suggested by the President, Taluk Board, Cocanada.

2. The rules recently published in regard to election of members of district boards are not complete—G.O. No. 742, Local and Municipal, dated 29th April 1921. It is understood that the separate rules in regard to objection petitions are still under consideration. When those rules are also published, suitable modifications will have to be made so as to adopt them for the purposes of the Educational Councils. The rules may relate to elections to District Educational Councils by district boards, taluk boards and municipal councils. As regards elections by private bodies, no rules seem necessary.

S.K.—4-6-21.

3. It is submitted that, instead of issuing rules under the Act, executive instructions may issue directing local bodies to observe, as far as possible, the rules in G.O. No. 742, Local and Municipal, dated 29th April 1921, in the conduct of the election of members to District Educational Councils.

N.K.—6-6-21.

C. RAMANUJA ACHARIYAR—7-6-21.

I am in favour of a statutory code of rules. They may be in extenso as in the case of chairmen or merely refer to the similar rules referred to above. Is there no provision about this in the draft rules we have already published?

R. RAMACHANDRA RAO—9-6-21.

Submitted no. A copy of the gazette containing the draft rules is placed below.

S.K.—11-6-21. N.K.—18-6-21.

C.R.—14-6-21.

Please draft rules for elections and objections more or less on the same lines as approved by Local Self-Government.

R.R.—18-6-21.

The draft rules placed below are for approval.

2. Under the rules published by the Local Self-Government Department objection petitions should be presented to the District or Sub-Judge—G.O. No. 1062, Local and Municipal, dated 8th June 1921. In view of the Secretary's remark in

connexion with the rules for the election of Presidents of District Educational Councils, the rules issued by the Local Self-Government Department in this respect have not been adopted (Notes to G.O. No. 511, Education, dated 2nd April 1921). Rules VIII and IX of the rules issued in G.O. No. 511, dated 2nd April 1921, have been inserted instead.

First for remarks, if any, to the Director of Public Instruction u.o.
Thereafter consult Local Self-Government for advice and then to Assistant
Secretary (Legislative) to check.

R. RAMACHANDRA RAO—28-6-21.

The draft rules proposed are for the election of persons by district boards, taluk boards and municipal bodies.

Under section 5 (6), second paragraph, of the Elementary Education Act, private educational bodies or associations of managers of elementary schools may be authorized to elect persons to represent them, but I do not consider that any specific rules should be laid down for elections held under section 5 (6). I have no other remarks to make upon the rules proposed.

R. LITTLEHAILES—6-7-21.

The file may be sent to the Local Self-Government Department for remarks.

S.K.—9-7-21. N.K.—9-7-21. C.R.—11-7-21. R.R.—11-7-21.

The rules do not call for any remarks.

C.V.K.—16-7-21.

T. K. ARUNACHALA AYYAR—18-7-21.

N. GOPALASWAMI AYYANGAR—28-7-21.

F. J. RICHARDS—

The file may now be sent to Assistant Secretary (Legislative) as directed by the Secretary for favour of check.

S.K.—4-8-21.

C.R.—5-8-21.

I see no legal objection to the rules. They may be approved.

MUHAMMAD FAZL-UD-DIN—8-8-21.

P. C. DUTT—9-8-21.

May be submitted to M-3 for approval.

N.K.—9-8-21.

C.R.—10-8-21. P.C.D.—11-8-21.

Approved.

A. P. P[ATRO]—12-8-21.

A draft order is submitted for approval. The notification will appear in the **Gazette** of the 23rd instant.

S.K.—13-8-21. N.K.—15-8-21.

The rules may be confirmed after 30th September 1921.

C.R.—17-8-21. P.C.D.—18-8-21.

[F.O. No. 1185, Law (Education), dated 20th August 1921.]

When received for Fair-copying.

When copied . .

When examined

When signed

¹¹ When despatched

READ AGAIN G.O. No., dated 192

READ ALSO:—

READ ALSO:—
C. No. 2623A From the P. T. B., Cocanada, No. 637, dated 26.5.1921.

192

ORDER.

Press.

No. 485, dated 208 1921

The appended notification containing ~~the~~ draft rules for the election of persons to D^t ed^t Council by District Boards, Taluk Boards & Municipal Councils will be published in the Fort St. George Gazette.

To
Add P. D. B's
All C. C. C's
The S. G. of the public
notice in gazette
President of D. E. C's.
Law (by) Dept
S. S. S. A. Spack

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Appendix

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Draft notification

In exercise of the powers conferred on them by Section 5 (1) of the Madras Elementary Education Act, 1920, the ^(Ministry of Education) ~~Board for~~ ^{are hereby pleased to make} ~~propose to frame~~ the following rules for the election of ^{persons to} ~~members of~~ D.E.C. Councils by D.E. Board, Taluk Board + Municipal Councils:-

Rules for the election of ^{persons to} ~~members of~~ D.E.C. Councils by D.E. Board, Taluk Board + Municipal Councils.

The president of a D.E.C. shall intimate to the district board, taluk board or municipal Council concerned the number of seats on the D.E.C. which it has to fill up by election and shall call upon it to report the names or names of the candidates elected.

2. The president or chairman, as the case may be, of the district board, taluk board or municipal Council shall thereupon summon a meeting of that body for the purpose of proceeding with the election.

3. Every candidate for election shall be proposed by one member + seconded by another. The names of all the candidates proposed + seconded shall be

any objections or suggestions in respect of these rules will be considered if received before the 30th September 1921.

read out by the president or chairman or the presiding member.

4. If the number of candidates nominated is equal to the number of vacancies, all such candidates shall be deemed to be duly elected.

5. If the number of ^{such} candidates is less than the number of vacancies all such candidates shall be deemed to be duly elected and the president ^{or the presiding member} shall call for fresh nominations or call for another meeting for filling up the remaining vacancy or vacancies.

6. If there are more candidates than there are vacancies the votes of the members present at the meeting shall be taken.

7. Every member wishing to vote shall be supplied with a voting paper on which the names of all ~~eligible members~~ ^{the candidates duly nominated} shall be ~~put~~ typed or written in the following form:—

	<u>Names</u>	<u>Vote</u>
1.		
2.		
3.		

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The voter shall then proceed to the place set apart for the ~~place~~ ^{purpose} and there place a mark (x) against the name of the candidate or candidates for whom he wishes to vote. He shall then fold up the slip so as to conceal his vote & deposit the same in a ballot box placed in the view of the president or chairman or the presiding member and so constructed that the paper may be placed therein but not extracted therefrom without the box being opened. The president ^{or chairman} ~~or the presiding member~~ shall then open the box & count the votes in the presence of the members.

8. The candidate who obtains the largest number of votes, and if the vacancies are more than one, as many of the candidates at the top of the poll as there are vacancies shall be declared to have been duly elected. If there is an equality of votes between any two or more candidates the president or chairman or the presiding member shall decide by drawing lots which candidate shall be deemed to have been elected. ~~the election shall be notified in the next meeting~~

9. Members of the district board, taluk board or municipal Council who have been duly proposed & seconded as candidates may also take part in the ballot.

10. Any voting paper which contains the signature of any of the voting members or on which the mark (x) is placed against more candidates than there are vacancies shall be invalid.

11. Immediately after the meeting the president or ^(or chairman or) the presiding member shall -

(i) ^{report} forward the names of the elected candidates to the ^{Govt} ~~Local Board~~ ~~for publication in the District Gazette~~ and

(ii) forward to the president, District ~~Board~~ ^{ed} Council, a statement showing

(a) the date of the meeting,

(b) the names of the members present,

(c) the names of the proposer & seconder of each candidate

& (d) the number of votes secured by each candidate, in cases where there were more candi-

dates than the number of vacancies.

12. The president or chairman or the presiding member shall then seal up the ballot papers, whether counted or rejected, & note on each packet

the number of papers it contains & the election to which it relates.

(2) These packets shall not be opened & their contents shall not be inspected or produced except under the order of ~~competent authority~~ the Govt.

(3) The packets shall be retained in safe custody in the office of the district board, taluk board or mun.

Council concerned for a year & shall then, unless otherwise directed by the orders of ^{the Govt} ~~competent authority~~, be destroyed.

13. The validity of any election may be contested by a petition signed by at least three members of the ~~district~~ district board, taluk board or mun.

Council by which the election was held, and, not otherwise, provided

that such petition shall reach Govt. within eight days from the date of

the election & shall allege specific grounds for ^{setting} ~~setting~~ aside the election

on account of material irregularity in the conducting thereof or for other

sufficient cause. The Govt. may order an inquiry thereon by any officer

they nominate if they consider it necessary to do so.

On the receipt of the report under rule 11(i) & after the perusal of the petition, if any, presented under rule 13, or the report of enquiry, if any, ordered under rule 13, the Govt. shall pass such orders as they may think fit provided that no such orders are passed within nine days after the receipt of the report under rule 11(i) & all such orders shall be final

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Rules

For the election of persons to District Educational Councils by district boards, taluk boards and municipal councils—Published.

Read—the following paper:—

Letter—from M.R.Ry. GANES VENKAT RAO Garu, B.A., B.L., President, Taluk Board, Cocanada.

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

Dated—the 26th May 1921.

No.—R.C. 637/T.B.

I have the honour to bring to your notice that no rules have as yet been framed for electing members from the taluk boards to the District Educational Councils and that I venture to suggest that the rules sanctioned by the Government for the election of members of district boards by taluk boards and published in pages 282, 283 of the Fort St. George Gazette, dated 3rd May 1921, seem quite suitable and that the same may be ordered to be applicable to Educational Council elections.

Order—No. 1185, Law (Education), dated 20th August 1921.

The appended notification containing draft rules for the election of persons to District Educational Council by district boards, taluk boards and municipal councils will be published in the Fort St. George Gazette.

(By Order of the Government, Ministry of Education.)

P. C. DUTT,

Acting Secretary to Government.

- To all Presidents, District Boards.
" all Chairmen of Municipal Councils.
" all Presidents of District Educational Councils.
" the Superintendent, Government Press, for publication of notification in Gazette.
" the Law (Legislative) Department.
" Local Self-Government department.

[Appendix]

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in exercise of the powers conferred on them by section 56 (1) of the Madras Elementary Education Act, 1920, the Government (Ministry of Education) propose to frame the following rules for the election of persons to district educational councils by district boards, taluk boards and municipal councils. Any objections or suggestions in respect of these rules will be considered if received before the 30th September 1921.

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The president of a district educational council shall intimate to the district board, taluk board or municipal council concerned the number of seats on the district educational council which it has to fill up by election and shall call upon it to report the name or names of the candidates elected.

2. The president or chairman, as the case may be, of the district board, taluk board or municipal council shall thereupon summon a meeting of that body for the purpose of proceeding with the election.

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10 15

LAW (EDUCATION) DEPARTMENT.
NOTES CONNECTED WITH G.O. No. 1185, LAW (EDUCATION),
DATED 20TH AUGUST 1921.

[SUBJECT.—Election of members to District Educational Councils.]

From the President, Taluk Board, Cocanada, R.C. No. 637,
dated 26th May 1921.

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N.K.—6-6-21.

C. RAMANUJA ACHARIYAR—7-6-21.

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Is there no provision about this in the draft rules we have already published?

R. RAMACHANDRA RAO—9-6-21.

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C.R.—14-6-21.

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2 NOTES TO G.O. No. 1185, LAW (EDUCATION), 20TH AUGUST 1921

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S.K.—22-6-21. N.K.—23-6-21. C. RAMANUJA ACHARIYAR—23-6-21.

First for remarks if, any, to the Director of Public Instruction u.o.

Thereafter consult Local Self-Government for advice and then to Assistant Secretary (Legislative) to check.

R.R.—28-6-21.

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION.

The draft rules proposed are for the election of persons by district boards, taluk boards and municipal bodies.

Under section 5 (6), second paragraph of the Elementary Education Act, private educational bodies or associations of managers of elementary schools may be authorized to elect persons to represent them, but I do not consider that any specific rules should be laid down for elections held under section 5 (6). I have no other remarks to make upon the rules proposed.

R. LITTLEHAILES—6-7-21.

LAW (EDUCATION) DEPARTMENT.

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LOCAL SELF-GOVERNMENT DEPARTMENT.

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F. J. RICHARDS—25-7-21.

N. GOPALASWAMI AYYANGAR—28-7-21.

LAW (EDUCATION) DEPARTMENT.

The file may now be sent to Assistant Secretary (Legislative) as directed by the Secretary ^{supra} for favour of check.

S.K.—4-8-21.

C. RAMANUJA ACHARIYAR—5-8-21.

~~ASSISTANT SECRETARY (LEGISLATIVE)~~

~~DEPARTMENT~~

I see no legal objection to the rules. They may be approved.

MUHAMMAD FAZL-UD-DIN—8-8-21.

P. C. DUTT—9-8-21.

LAW (EDUCATION) DEPARTMENT.

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N.K.—9-8-21.

C.R.—10-8-21. P.C.D.—11-8-21.

Approved.

A. P. P[ATRO]—12-8-21.

A draft order is submitted for approval. The notification will appear in the Gazette of the 23rd instant.

S.K.—13-8-21. N.K.—15-8-21.

The rules may be confirmed after 30th September 1921.

C.R.—17-8-21. P.C.D.—18-8-21.

[G.O. No. 1185, Law (Education), dated 20th August 1921.]

ORDINARY.

PREFERENCE.

URGENT (a).

Seott. II-38-1-17.

Law & Co.

DEPARTMENT.

Current No. dated 191

G.O. No. 1185, dated 20/8/191

Number of MS. pages sent {
 (b) Correspondence
 (b¹) Notes
 (b¹)

Brief subject...

Number of copies required when struck off (not including copies for volumes and editors' table which are retained in the Press).	E. T. copies to supply requisitions for purchase by the public.	Complete correspondence and orders.	Notes.
FOR RECORD.*			
Madras Records	4	30	15
Coaty Records		4	4
For filing with original		1	1
Total		35	20

FOR ISSUE.†

Signature copies

India Office.....			
Govt. of India..... Dept.			
Revenue Department.....			
Public Works Department.....			
Local and Municipal Department.....			
Educational Department.....			
Law Dept. (L. & Co.)..... Dept.			
Public Dept.....			
Judicial Dept.....			
Political.....			
Financial Dept.....			
Marine Dept.....			
Ecclesiastical Dept.....			
Total			

Spare copies

The. A. D. D. 7/1/191			
The. A. C. C. 7/1/191			
The. President 7/1/191			
The.			
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The.			
Total			

Copies distributed on ‡ (Press Clerk).

† Copies distributed on ‡ (Press Despatcher).

‡ To be initialled and dated.

INSTRUCTIONS FOR THE SECRETARIAT.

(a) If a paper is marked to be printed urgently, the Superintendent of the section concerned should sign the Press slip. The Superintendent should exercise a careful discretion in the matter.

(b) Each letter, memorandum, or order, or set of orders, in the file of correspondence should be headed in succession with the Roman numeral I, II, III, etc., the number being written in red ink or blue chalk above the item. The particular papers to be printed in the special issue-copies should be indicated by the Roman numeral (I, II, etc.) by which that item has been headed in the correspondence file. All matter, including marginal remarks or references, to be printed should be written in ink and matter which should not be printed should be encircled. Initials and signatures that are not quite legible should be re-written distinctly.

(b¹) 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 Referencer concerned.

(d) In the absence of special instructions to the Press to keep matter standing for a specified period, ordinary papers of 8 pages and under will be kept standing for one week, and larger papers for two weeks only. The type of notes and of all confidential papers is distributed immediately after striking.

(e) This slip, properly and completely filled in, should accompany every paper sent to Press; it will be returned by the Press when proofs are furnished; it should be sent to the Press when a call is made for revised proofs or when a corrected proof is sent for striking. When finally returned by Press it should be filed with the original order or letter.

INSTRUCTIONS FOR THE PRESS.

(a) If, in the opinion of the Superintendent of the Press, a paper has been marked urgent unnecessarily, he should send the Press slip to the Registrar with a remark to that effect.

(b) Unless a note to the contrary is made against the matter, pencil entries should not be printed. The Superintendent of the Press may bring to the notice of the Registrar any instance of incomplete or careless editing.

(c) Signature copies of letters to the Secretary of State or to the Government of India should be printed on hand-made paper.

(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.

(e) The names of the Secretary and Member should be printed in full when they occur on the right hand side, only the first time when they appear on the left side, the initials also being printed later.

A	B	C
Please send proof in duplicate. The papers have been carefully edited.	Proof returned corrected. Please strike off and send number of copies as indicated.	As the matter is clear manuscript and has been carefully edited, (b) proof need not be sent. Please print and supply number of copies as indicated.
Type may be released after usual interval at once.	Type may be released after usual interval at once.	Type may be released after usual interval.
Referencer. Clerk.	Referencer. Clerk.	Referencer. Clerk.
Supdt.	Supdt.	Supdt.

SPECIAL INSTRUCTIONS.

Press

Please publish the notification in this go. in the Fort St. George Gazette of the 23rd August 1921.

SK
19/8/21.

TO BE FILLED IN BY THE PRESS.

Diary.	Initials of Press official.
Received in Press on.....	20/8/21 SK
First proof furnished on.....	
Call for revised proof received on.....	
Revised proof furnished on.....	
Corrected proof received for striking on.....	
Final copies supplied on.....	

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