

Law (1921) Department.
Education

Ordinary SERIES.

G.O. No. 1237

DATED 6th September 1921

[Despatch Abstract.]

Legislative Council Question-Elementary Education Act- Education cess-
miles etc.,-- Recorded.



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9.7.21.

QUESTION.—No. 156

for the meeting of the Legislative

Council to be held on the 1st August 1921.

SUBMITTED that ~~two copies~~ ^(one copy) of this Question may be forwarded to the
~~Law (Ean)~~ Department with reference to Nos. (1) and (4) of
the rules regulating Secretariat procedure in dealing with these Questions in the
Legislative Council. Orders regarding admission will be communicated in due

course.

The question has been admitted.

*L. D. P.
7-7-21*

7/7
U.O. No. 1751-4, dated 7.7.21.

To

Law (Ean)
The ~~Local Self Govt~~ Department.

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QUESTION.

Mr. K. Sadesiva Bhat. 4

THE LOCAL SELF-GOVERNMENT DEPARTMENT.
THE LAW (EDUCATION) DEPARTMENT.

156. To ask the Hon'ble the Minister for Local Self-Government and the Hon'ble the Minister for Education -

(a) whether Government sanction under section 34 of the Elementary Education Act has been accorded to the proposed levy of the Education Cess and whether orders will be issued to enable the Local Boards to levy the same in the current official year;

(b) whether it is a fact that owing to the delay in according the sanction, the cess could not be levied during the ordinary kist months;

(c) whether ^{the} Government have framed rules under section 56 of the Elementary Education Act prescribing forms, registers, and budgets &c.;

(d) whether it is a fact that the budgets for the current official year were required to be submitted by 1st of June last without prescribing or supplying any forms for the same; and

(e) to state the total amount required by the several local boards to square their educational budgets and whether full provision has been made for finding the amount.

Law (Education) Department.

Clause (a) of the question

Proposals for the levy of education tax under section 34 have to be initiated by the local bodies themselves and submitted for the approval of Government. So far, only a few local bodies (about a dozen in number) have submitted proposals for the levy of such ^a tax in the areas under their jurisdiction. These have to be examined in the L.S.G and Finance Dept^{ts} and orders on the proposals will issue shortly. The question of the levy of the tax ~~in~~ in the current official year ~~ix~~ will depend on the terms of the resolution passed by each local body and will also be governed by the rules framed by Government under section 36 of the Act.

2. Clause (b) of the question

The Madras Elementary Edn Act came into force only from 1st April 1921 and the proposals of local bodies for the levy of education tax began to be submitted to Govt. only from about the close of April last. Kist months vary in different districts and Kists are ~~not~~ ordinarily collected in most districts in the months of January to April. In the district of South Kanara, however, the Kists are collected in the months of March, April and May. Owing to the late submission of proposals for the levy of education tax, there might be some difficulty in collecting the full tax in that district in the current year. It may, however, be mentioned ^{that} the taxes on Companies, profession-tax and house tax are levied half yearly and there need be no

See page 30
and 31 of 819 (10)
21-5-21
for draft rule under
the section.

See 240-241
of B. S. O. - Vol II

Sec 34 of the Act

40 819 (10)
31-5-21

difficulty in the collection of the education cess based on those taxes.

3 Clause (c) of the question

Rules have since been prepared under the Act and published for criticism. The remarks and suggestions received in response to such publication are now being examined. and a notification finally confirming the rules will be issued as early as possible.

4 Clause (d) of the question

Under section 38 of the Elementary Edn. Act, budgets relating to the education fund of local bodies ^{have to} be submitted to Govt. on or before the 30th November. As however, the Act was brought into force only from the beginning of the current official year, orders were issued in G.O. No. 379 L & M dated 1-3-1921 for the preparation and submission of the budgets ^{for 1921-22} by local bodies before the 1st June 1921. It was of course then not possible to prescribe the form of the budgets which has to be done in a rule framed under the Act. It was however expected that local bodies would adopt the forms in use for the preparation of the local fund and Muncpl. budgets with suitable modifications.

5 Clause (e) of the question.

Very few budgets ^{from local bodies} have till now been received and it is not therefore possible to say what sums will be required by local bodies to square their budgets. There is a provision of Rs. 6 lakhs

Page 144 of Kae
- GBE for 1921-22

six lakhs ⁱⁿ ~~under~~ the current years' budget under 31-Education towards ~~the~~ meeting the Govt contribution payable under section 37 of the Act.

b The following draft answer is submitted for approval.

Clause (a)

Under section 34 of the Madras Elementary Edn. Act, proposals for the levy of education tax ^{have} ~~to~~ be initiated by the local bodies themselves and submitted for the approval of Govt. So far, only a few local bodies have submitted proposals for the levy of such a tax in the areas under their jurisdiction and orders on these proposals will issue shortly.

Clause (b)

The Madras Elementary Education Act, 1920 came into force only from 1st April 1921 and the proposals of local bodies for the levy of education tax began to be submitted to Govt. only towards the close of April last. Except in one or two districts the Govt. do not consider that ^{any} ~~difficulty~~ ^{will} ~~be~~ experienced in collecting ⁱⁿ the current official year the education tax proposed to be levied by local bodies.

Clause (c)

The Member is referred to the draft rules framed under section 56 of the Act published on pp 578-⁶⁰² of Part I-B of the Fort St. George Gazette dated 7-6-21. ^{Entireties on the draft rules have been received and are under consideration.}

Clause (d)

Under section 38 of the Elementary Edn. Act



the budget estimates of education funds under the control of local bodies have to be submitted to Govt. on or before the 30th November in ~~the~~ ^{the} ~~year~~ ^{budget financial} year. As, however, the Act came into force only from 1-4-21, the procedure prescribed in the section ~~could not~~ ^{could not} be followed in respect of the budget estimates for 1920-21 and it was deemed necessary to issue special instructions in regard to the preparation and submission of such budgets. It was expected ~~in~~ ⁱⁿ the form of the budget ~~is~~ ^{was} settled under rules framed under the Act, local bodies ~~would~~ ^{would} follow the form of the budget in use in respect of their ~~ordinary~~ ^{ordinary} funds ~~with~~ ^{with} such modifications or alterations as ~~may~~ ^{might} be considered necessary.

Clause (e)

All local bodies have not yet submitted the budget estimates of ~~the~~ education funds and the Govt. are unable to furnish the particulars ~~asked~~ ^{asked} for.

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[1st August 1921]

Education cess.

92 Q.—K. MR. SADASIVA BHAT : To ask the Hon'ble the Minister for Local Self-Government and the Hon'ble the Minister for Education—

(a) whether Government sanction under section 34 of the Elementary Education Act has been accorded to the proposed levy of the education cess and whether orders will be issued to enable the local boards to levy the same in the current official year ;

(b) whether it is a fact that owing to the delay in according the sanction, the cess could not be levied during the ordinary kist months ;

(c) whether the Government have framed rules under section 56 of the Elementary Education Act prescribing forms, registers and budgets, etc. ;

(d) whether it is a fact that the budgets for the current official year were required to be submitted by 1st of June last without prescribing or supplying any forms for the same ; and

(e) to state the total amounts required by the several local boards to square their educational budgets and whether full provision has been made for finding the amounts.

- A.—(a) Under section 34 of the Madras Elementary Education Act, proposals for the levy of education tax have to be initiated by the local bodies themselves and submitted for the approval of Government. So far, only a few local bodies have submitted proposals for the levy of such a tax in the areas under their jurisdiction and orders on these proposals will issue shortly.
- (b) The Madras Elementary Education Act, 1920, came into force only from 1st April 1921 and the proposals of local bodies for the levy of education tax began to be submitted to Government only towards the close of April last. Except in one or two districts, the Government do not consider that any difficulty will be experienced in collecting in the current official year the education tax proposed to be levied by local bodies.
- (c) The Member is referred to the draft rules framed under section 56 of the Act, published on pages 578-603 of Part I-B of the Fort St. George Gazette, dated 7th June 1921. Criticisms on the draft rules have been received and are under consideration.
- (d) Under section 38 of the Elementary Education Act, the budget estimates of education funds under the control of local bodies have to be submitted to Government on or before the 30th November in the preceding financial year. As, however, the Act came into force only from 1st April 1921, the procedure prescribed in the section could not be followed in respect of the budget estimates for 1921-22 and it was deemed necessary to issue special instructions in regard to the preparation and submission of such budgets. It was expected that till the form of the budget was settled under rules framed under the Act, local bodies would follow the form of the budget in use in respect of their ordinary funds with such modifications or alterations as might be considered necessary.
- (e) All local bodies have not yet submitted the budget estimates of education funds and the Government are unable to furnish the particulars asked for.

Legue Council Questions

~~Madras - 1920~~

~~1921 - 1922~~

Elementary Education

Act - Rules etc -

Records.

(Presumably
no supply
questions)

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Records

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