

Government of Madras

LAW (EDUCATION) DEPARTMENT

G.O. No. 1535, 20th October 1921

Rules

District educational councils—Election of persons by district boards, taluk boards and municipal councils—Confirmed.

ORIGINAL

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Government of Madras

LAW (EDUCATION) DEPARTMENT

G.O. No. 1535, 20th October 1921

Rules

District educational councils—Election of persons by district boards, taluk boards and municipal councils—Confirmed.

READ—the following papers :—

I

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

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

II

From the President, District Educational Council, Trichinopoly, No. 152, dated 7th September 1921.

From the Vice-President, District Educational Council, Bellary, No. 106, dated 28th September 1921.

From the President, District Educational Council, Salem, No. 148, dated 4th October 1921.

From the Chairman, Municipal Council, Masulipatam, No. 905, dated 5th October 1921.

Order—No. 1535, Law (Education), dated 20th October 1921.

In G.O. No. 1185, Law (Education), dated the 20th August 1921, draft rules for the election of persons to district educational councils by district boards, taluk boards and municipal councils were published for general information and criticism.

2. The Vice-President, District Educational Council, Bellary, suggests that rules 13 and 14 should be amended so as to vest the power of deciding the validity of an election in the civil courts instead of the Government as proposed in the draft rules. The Government have considered this suggestion but do not consider it necessary to make any modification. The draft rules are hereby confirmed and they will be published in the *Fort St. George Gazette*.

(By order of the Government, Ministry of Education)

P. C. DUTT,
Acting Secretary to Government.

- .. all Presidents of District Educational Councils.
- .. all Chairmen of Municipal Councils.
- .. all Presidents of District Boards.
- .. all Presidents of Taluk Boards.
- .. the Superintendent, Government Press (for publication in *Gazette*).
- .. the Law (Legislative) Department.
- .. the Local Self-Government Department.
- .. the Publicity Officer.

APPENDIX

NOTIFICATION

In exercise of the powers conferred on them by section 53(1) of the Madras Elementary Education Act, 1920, the Government (Ministry of Education) are pleased to frame the following rules for the election of persons to district educational councils by district boards, taluk boards and municipal councils.

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 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 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—

- report the names of the elected candidates to the Government, and
- forward to the president, district educational council, a statement showing
 - the date of the meeting,
 - the names of the members present,
 - the names of the proposer and seconder of each candidate, and
 - 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 paper 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 inquiry, 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.

When received for Fair-copying

When copied

When examined

When signed

When despatched

Date. Initials.

Rules — D.E.C. — elections
of persons by District board, taluk board and municipal councils —
Continued.

READ AGAIN G.O. No. 1185, dated 20-8-1921

" " " (Enalshant please see reverse part of attached) 1921

READ ALSO:-

C. No. 44257 From the D.D.E.C., Trichinopoly, No. 152, dated 7-9-1921

" 47700 " V.P.D.E.C., Bellary " 106 " 20-9-1921

" 48601 " C.M.C., Masulipatan " 905 " 5-10-1921

49320 P.D.E.C. Salem " 1148 " 4-10-21

ORDER.

No. 1535, dated 20-10-1921

P.S.

(K)

Not put?

In No. 1185, Law (Edn)

By the 20th August 1921, draft rules for the election of persons to Dist Ednl Councils by District board, taluk board and municipal Councils were published for general information and criticism.

The Vice President, D.E.C., Bellary suggests that rules 13 and 14 should be amended so as to vest the power of deciding the validity of an election in the civil

pp 3-4 CF

2
 Courts instead of the Govt
 as proposed in the drafts.
 The Govt have considered
 this suggestion but do not
 consider it necessary to make any
 modification in the rules.
 The draft rules are confirmed
 and they will be published in
 the Fort St George Gazette.

Dec 10. 21
 NK
 14/10/21

A
 16.10.21

29/10/21

70

All Pres. of D.E.C.
 All Chairmen of Municipal Councils
 Pres. of District Boards
 The S.G. for publication in Gazette
 The Law (Exec) Dept
 The L.S. G. Dept
 The Publicity Office
 Gazetted 8/11/21

P.T.O

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) ~~have~~ ^{are} 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 as will fill the post 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
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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.

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.N. 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.E.

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 in Gazette.
„ the Law (Legislative) Department.
„ Local Self-Government department.

[Appendix

G.O. No. 1535, 20th October 1921

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„ the Superintendent, Government Press (for publication in Gazette).
„ the Law (Legislative) Department.
„ the Local Self-Government Department.
„ the Publicity Officer.

[Appendix

Received
at 5-40 PM
1/11/21

For file
for filing

Pls. please
Please publish the
in Gazette
3.11.21

APPENDIX.

NOTIFICATION.

In exercise of the powers conferred on them by section 55 (1) of the Madras Elementary Education Act, 1929, the Government (Ministry of Education) are pleased to frame the following rules for the election of persons to district educational councils by district boards, taluk boards and municipal councils.

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(2)	..
(3)	..

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(ii) forward to the president, district educational council, a statement showing

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ORDINARY.

PRESS SLIP.

PREFERENCE.

URGENT (a).

DEPARTMENT.

Current No. dated 191

G.O. No. 1535, dated 20-10, 1921.

Number of MS. pages sent {
 (b) Correspondence 3
 (b) Notes

Brief subject D.D.-C. Election rules

(c) Number of copies required when struck off (not including copies for columns and editors' table which are retained in the Press).	(b) E. I. copies to supply requisitions for purchase by the public.	Complete correspondence and orders.	Notes.
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	Total ..	750		

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.

(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 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 Members 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 alone being printed later.

* Copies distributed on (Press Clerk).

† Copies distributed on (Press Despatcher).

TO PRESS, MADRAS OOTY.

A

B

C

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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.

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Type may be released after usual interval.

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Clerk.

Referencer.
Clerk.

Referencer.
Clerk.

Supdt.

Supdt.

Supdt.

SPECIAL INSTRUCTIONS.

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Revised proof furnished on.....	
Corrected proof received for striking on.....	
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Total ...				

EDUCATION DEPARTMENT.

Received

Registered

192

Subject

Draft Rules -- for election of members to the District Educational Councils.

Enclosures

Station: Trichinopoly;

Dated: 7--9--1921.

From

M. R. Ry. S. Rm. M. Ct. PETHACHI CHETTIAR Avl., M. R. A. S.,
President, District Educational Council, Trichinopoly.

To

THE SECRETARY TO GOVERNMENT,

Law (Education) Department, Madras.

Sir,

With reference to No.365, Page 800 Part 1.B. of the Fort St. George Gazette dated 23--8--21, calling for any objections or suggestions in respect of the rules for the election of persons to District Educational Councils by District Boards taluk Boards and Municipal Councils, I have the honor to state that this Council has no amendments to offer. (Please vide resolution No.42 dated 3-9-21 of this Council, copy enclosed herewith.)

I have the honor to be,
Sir,

Your most obedient servant,

S. Rm. M. Ct. Pethachi

K.S.7-9.

President

PROCEEDINGS OF THE DISTRICT EDUCATIONAL COUNCIL, TRICHINO-
POLY PASSED AT THE MEETING HELD ON 3RD. SEPTEMBER 1921.

Read:---

Draft Rules framed by Government under section 56 of the
Madras Elementary Education Act 1920 for the election of members
to the District Educational Councils by Municipal Councils, or
Taluk Boards, or District Boards and published in the Fort St.
George Gazette dated 23rd. August 1921.

Resolution No.42.

The Council has no amendments to offer.

Sd. S.Rm.M.Ct.Pethachi,
President

3--9--21.

True Extract/

S. Rm. M. Ct. Pethachi
President

21/9

CF-31

Educational

DEPARTMENT.

In future letters, please
quote No. P.O. 106
dated 28-9-21.
and short title *D.N.
C. Bellary.

Rec'd. 47704
S. Co. M.
Reg'd. Spare copies.

Telephone No.
Post Box No.
Telegraphic Address:

Dated 28th September 1921.

From (Name) M.R. Ry. N. Narayana Rao Garu, B.A.B.I.,
(Designation) Vice-President, District Educational
(Address) Council, Bellary.

To The

Secretary to Government,

Ministry of Education

Sir,

With reference to your G.O. No. 2235 of 20th August 1921, calling for objections or suggestions to the Draft-Rules regarding the elections of persons to Educational Councils by the District and Taluq Boards and Municipal Councils, I have the honour to inform you that there is no objection nor suggestion to rules Nos. 1 to 12 both inclusive. Rule 13 provides for an appeal to the Government against an election held and for the procedure to be adopted for contesting the validity of such an election and for the powers to be exercised by the Government under such circumstances. A similar ^{rule} ~~rule~~ was in force in connection with elections to the Municipal Councils before the present Madras District Municipalities Act was passed and that rule has now been abrogated and the right of appeal has been taken away from the Government and the ^{rule} ~~rule~~ Principal Civil Court of original Jurisdiction in the locality concerned has been vested with the power of deciding the validity or otherwise of an election, and the necessary procedure prescribed therein. I do not see a similar rule should not be adopted here also and why the power to decide disputes regarding

-2-

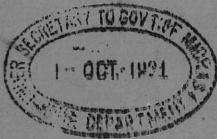
elections should not be vested in Civil Courts, A decision of a Judicial Tribunal in such matters will give more satisfaction than one by the Executive Government and I am of opinion that rule No. 13 may be removed and that in its place a rule similar to the one found in the rules regarding elections to Municipal Councils No. 12 giving power to Civil Courts to decide such disputes and laying down the necessary procedure may be adopted.

The Council does not meet during this month and its opinion could not be obtained before the time fixed, that is, 30th September, for sending objections or suggestions.

I have the honour to be,

Sir,

Your most obedient servant,



K.M.S. 28/9-

Marayana Rao
Vice-President.

R
28/9/21.

28.9.21

DEPARTMENT

Received



Registered

19

Subject.

Informing that the Council have no objections in respect of the rules published for the election of persons to District Educational Councils.

ENCLOSURES.

No.

One.

Spare copies

R.C.No. 905/G1 of 1921.

Station Madulipatam. Dated the 5th October 1921.

From (Name) M.R.Ry S.Jagannatha Row Naidu Garu,
M.A., Bar-at-law,
(Designation) Chairman, Municipal Council.

To The Secretary to the Government of Madras,

Law (Education) - Department.

Sir,

M A D R A S.

With reference to G.O.N o.1185, Law (Education), dated 20th August 1921, I have the honour to submit a copy of the Council's Resolution No. 9 (a), dated 4th October 1921 on the subject.

I have the honour to be,
Sir,
Your most obedient servant.

S. Jagannatha Row
5-10-21
Chairman. M.C.

5721

Proceedings of the Municipal Council, Masulipatam passed at the

meeting held on 4th October 1921.

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Read G.O.No. 1185, Law(Education) dated 20th August 1921, publishing certain rules for the election of persons to District Educational Councils and stating that - objections or suggestions sent in respect of these rules before 30th September 1921 will be considered.

Resolution No. 9(a).-

NO OBJECTIONS.

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(Sd) S. J. Row,

Chairman. M.C.

Municipal Office.

Masulipatam

5th October 21.-

S. Jagannatha Rao
5-10-21.
Chairman. M.C.



No. 148/Ed1

Office of the District Educational Council,

Salem Dated 4th October 21.

From

M.R. Ry., E. Subrahmanya Pillai Avl., B.A.,

President, District Educational Council

S A L E M.

To

The Secretary to Government,

Law (Education) Department,

M A D R A S.

Sir,

With reference to your G.O. No. 1185 dated 20-8-21, I have the honour to enclose herein an Extract from the Proceedings of the Meeting of the Council held on 30-9-21

I have the honour to be,

Sir,

Your Most Obedient Servant,

E. Subrahmanya Pillai
President. 7/10

D.R.G.

6-10-21



7. 2004/12

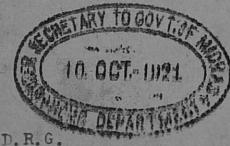
Extract from the proceedings of an ordinary meeting of the District Educational Council, Salem, held on 30-9-21 at 2-30 P.M. in the Town Hall of the Municipal Office.

VI

Read G.O.No.1185 dated 20-8-21 from Law(Education) Department issuing a draft rule under Section 56 of the Madras - Elementary Education Act 1920 re- the Election of persons to District Educational Councils by District Boards, Taluk Boards, and Municipal Councils and inviting suggestions.

Resolution:-- R e c o r d e d.

Sd. B. Subrahmanya Pillai
President.

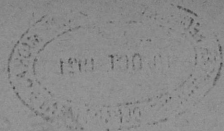


D.R.G.

(True Copy)

6.10.21

E. Subrahmanya Pillai
President. 7/10



Law (Education) Dept
D.E.Cs. Draft rules for the
election of members by Dist Boards etc.

CH4425A From the O.D.E.C. Trichinopoly
No 152 B 7-9. 21

CH4770A From the D.P. D.E.C Bellary
No 106 B 22-9. 21

CH4860 From the P.D.E.C.M.C, Masulipatam,
R.C. No 905 PL B 5-10. 21

U.S.

Please see draft rules
issued with G.O. 1185 D 20-8. 21.

The only objection received is that
from the Vice-President, D.E.C., Bellary,
who takes exception to draft rules

H 3-4 U.S. 13+14 relating to objection petitions.
It is pointed out that the right of appeal
to Govt provided formerly in the case of
municipal elections has now been
taken away & vested in the Civil
Courts & it is suggested that the
power should similarly be given to
civil courts in the case of D.E.C elections
also. This point has already been
specifically raised and it has been
considered unnecessary to commit Govt.

to a formal enquiry in every case of
agents count the former to deal with these cases
vide para 24. ¹⁹¹¹ Minute at H 3.22.6-21

9/p

at H 7-24 mts to p. 1185 & 208.21 (K)
^{and} ~~revisions~~ to the mts to p. 511 & 2-4.21. (2)

The draft rules 13 & 14 merely follow
rules VIII & IX of the rules for the election
of president J.D.E.Cs and may stand.

Draft confirming the
draft rules submitted for consideration.

psu
17.10.21

CR
16.10.21

8.9.21

M₃

80

19/10/21

M₂

to 1.35
20.10.21

for 2.10.21

6.7.36 V

29-8-38-1

20-6-38

23-5-30 IV

2-4-30 IV

12-9-27

6-6-30

9-11-27

31-7-38