

Government of Madras

LAW (EDUCATION) DEPARTMENT

G.O. No. 511, 2nd April 1921

Madras Elementary Education Act, 1920

Draft rules for election of Presidents of District Educational Councils — Published.

Order—No. 511, Law (Education), dated 2nd April 1921.

The appended notification containing the draft of the rules for the election of Presidents of District Educational Councils is published in the *Fort St. George Gazette*.

(By order of the Government, Ministry of Education)

R. RAMACHANDRA RAO,
Secretary to Government.

To all Collectors.
„ the Director of Public Instruction.
„ the Local Self-Government Department.
„ the Inspector of Municipalities.
„ the Superintendent, Government Press, for publication of notification.
„ the Publicity Officer.
„ the President, Corporation of Madras.

APPENDIX.

NOTIFICATION.

Under sub-section (1) of section 5 and section 56 of the Madras Elementary Education Act, 1920, the Government (Ministry of Education) propose to frame the following rules for the conduct of elections of Presidents of District Educational Councils; any objections or suggestions in respect of these rules will be considered if received before the 5th May 1921 :-

DRAFT RULES FOR THE ELECTION OF PRESIDENTS OF DISTRICT EDUCATIONAL COUNCILS.

I. A candidate for the office of President must be proposed by one member and seconded by another. The names of all the candidates proposed and seconded shall be read out by the presiding member.

II. (1) If there is only one duly nominated candidate there shall be no ballot and he shall be deemed to have been elected.

(2) If there are two or more candidates the votes of the members present at the meeting shall be taken.

III. Every member wishing to vote shall be supplied with a slip of paper. He shall forthwith proceed to the place set apart for the purpose and there write on the slip so supplied the name of the candidate 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 presiding member and so constructed that the paper may be placed therein but not extracted therefrom without the box being opened. The presiding member shall then open the box and count the votes in the presence of the members and declare the result of the election in accordance with the following instructions :-

(i) If there are only two candidates, the one who secures the larger number of votes shall be considered to have been elected.

(ii) If there are more than two candidates the one who obtains the fewest votes shall be eliminated and the votes taken again. If there is an equality of votes among all the candidates or if two or more candidates have obtained an equal number of votes, the member presiding shall ascertain by casting lots in the presence of the members which of them shall be eliminated. The elimination shall be repeated until two candidates only are left when votes shall be taken for the last time and the candidate who secures the larger number of votes shall be considered to have been elected. In the event of there being an equality of votes at the final stage between the two remaining candidates, the presiding member shall ascertain by casting lots in the presence of the members which of the two shall be considered to have been elected.

IV. No candidate whose name has been proposed and seconded shall take part in a ballot, but a candidate may withdraw at any stage and after so withdrawing he may take part in any ballot. Similarly a candidate who has been eliminated at any stage under rule III (ii) may take part in any ballot at subsequent stages.

V. Any voting paper which contains the signature of any of the voting members or on which more than one name is entered shall be invalid.

VI. Immediately after the meeting the presiding member shall forward the name of the person elected as President to the Government.

VII. (1) 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 Government.

(3) The packets shall be retained in safe custody in the office of the District Educational Council for a year and shall then, unless otherwise directed by the orders of Government, be destroyed.

VIII. The validity of any election may be contested by a petition signed by at least three members of the District Educational 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.

IX. On the receipt of the report under rule VI and after the perusal of the petition, if any, presented under rule VIII or the report of inquiry, if any, ordered under rule VIII, the Government shall pass such orders as they may think fit provided no such orders are passed within nine days after the receipt of the report under rule VI and all such orders shall be final.

LAW (EDUCATION) DEPARTMENT.

NOTES CONNECTED WITH G.O. No. 511, LAW (EDUCATION),
DATED 2ND APRIL 1921

[SUBJECT.—Rules under the Madras Elementary Education Act, 1920.]

From the Director of Public Instruction and President of the Rules Committee—
Elementary Education Act, dated 14th March 1921.

Submitted that the draft rules for the election of Presidents of District Educational Councils may be published in *advance* in the next issue of the gazette. The date up to which criticisms are to be received is for orders. In this connexion it may be observed that the *minimum* period allowed by section 805 (b) of the District Municipalities Act, 1920, is six weeks.

E.A.V.—20-3-21. N.K.—20-3-21.

It will be enough if we allow twenty days. The rules for the election of Chairmen of Municipal Councils, (G.O. No. 1801 M., dated 1st December 1920) the adoption of which for present purposes the Committee has recommended, are somewhat different from those laid down for the election of presidents of District Boards in G.O. No. 503 L., dated 25th May 1920, in that the latter provide for the presenting of objection petitions to the

* Under the old enactment: new rules under the new Act have not yet been framed.

election and for their disposal. Under the District Municipalities Act such objections should obviously be taken before a Magistrate. Please see sections 52 to 59 of the District Municipalities Act. In the absence of any specific provision in the Elementary Education Act it may probably be better to incorporate rules 6, 7 and 8 of the rules issued under G.O. No. 508 L., dated 25th May 1920, in the draft rules under the Elementary Education Act also. Without this addition every petition against an election will of course come to Government but there should be some fixity of time for presentment and hearing. For orders.

C. RAMANUJA ACHARIYAR—20-3-21.

You must give a month's time at least for objections.

2. I have added rules VIII and IX. I do not want to commit ourselves to a formal inquiry on every occasion an objection petition is lodged.

R. RAMACHANDRA RAO—20-3-21.

Approved.

A. SUBBARAYALU REDDIYAR—1-4-21.

For orders as to issue of draft. The rules may be notified in the next issue of the gazette (the 5th instant). The alteration in the date for receipt of objections is for approval.

Issue.

C.R.—2-4-21.

E.A.V.—2-4-21.

[G.O. No. 511, Law (Education), dated 2nd April 1921.]

Madras Elementary Education Act, 1920.

Draft rules for election of Presidents of District Educational Councils.- published.

READ AGAIN G.O. No., dated 191

” ” ” ” ” 191

R ALSO:—

C. No. 1116A From the _____, No. _____, dated _____

" ") " " ? ? "

ORDER

No. 511, dated 2-4-1951

P.S.

The appended notification containing the draft of the rules for the election of residents of District Educational Councils is published in the Port St. George Gazette:-

Appendix 2

Under sub-section (1) of section 5
~~and section 5B~~
of the Madras Elementary Education
Act, 1920, the Government (Ministry
of Education) propose to frame the
following rules for the conduct of elec-
tions of Presidents of District Educa-
tional Councils; any objections or
suggestions in respect of these rules
will be considered if received before

the 5th May 1921
before 25th April 1921. None received
after that date will be considered.

(H.E. rules I to VIII at pp 4 and 5 c. f)

To all Collectors
To the D. P. I.
To the S. G. P. for
publication of
notification
To the Publicity office
To the Inspector of Municipalities
Gazetted on 5th May 1921

Section 5 (a) Rules for the election of Presidents of the District Educational Councils
I. A candidate for the office of President must be proposed by one member and seconded by another. The names of all the candidates proposed and seconded shall be read out by the presiding member.
II. (1) If there is only one duly nominated candidate there shall be no ballot and he shall be deemed to have been elected.
(2) If there are two or more candidates the votes of the members present at the meeting shall be taken.
III. Every member wishing to vote shall be supplied with a slip of paper. He shall forthwith proceed to the place set apart for the purpose and there write on the slip so supplied the name of the candidate for whom he wishes to vote. He shall then fold up the slip so as

IV. No candidate whose name has been proposed and seconded shall take part in a ballot, but a candidate may withdraw at any stage and after so withdrawing he may take part in any ballot. Similarly a candidate who has been eliminated at any stage under rule III (ii) may take part in any ballot at subsequent stages.
V. Any voting paper which contains the signature of any of the voting members or on which more than one name is entered shall be invalid.
VI. Immediately after the meeting the presiding member shall forward the name of the person elected as President to the Government.
VII. (1) 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 Government.
(3) The packets shall be retained in safe custody in the office of the District Educational Council for a year and shall then, unless otherwise directed by the orders of Government, be destroyed.

VIII The validity of any election may be contested by a petition signed by at least three members of the District Educational 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 conduct thereof or for other sufficient cause. The Government may order an inquiry thereon by any officer they nominate if they ~~wish~~ consider it necessary to do so.

IX On the receipt of the report under Rule VI and after the perusal of the petition if any presented under rule VIII or the report of enquiry if any ordered under rule VIII, the Govt. shall pass such orders as they may think fit provided no such orders are passed within nine days after the receipt of the report under rule VI and all such orders shall be final.

Very truly
yours
W. J. 1/21

G.O. No. 511, 2nd April 1921

Madras Elementary Education Act, 1920

Draft rules for election of Presidents of District Educational Councils — Published.

Order—No. 511, Law (Education), dated 2nd April 1921.

The appended notification containing the draft of the rules for the election of Presidents of District Educational Councils is published in the Fort St. George Gazette.

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

R. RAMACHANDRA RAO,
Secretary to Government.

To all Collectors.
„ the Director of Public Instruction.
„ the Local and Municipal Government.
„ the Inspector of Municipalities.
„ the Superintendent, Government Press, for publication of notification.
„ the Publicity Officer.

Self Post: Depts.

[Appendix.

**APPENDIX.
NOTIFICATION.**

Under sub-section (1) of section 5 and section 64 of the Madras Elementary Education Act, 1920, the Government (Ministry of Education) propose to frame the following rules for the conduct of elections of Presidents of District Educational Councils; any objections or suggestions in respect of these rules will be considered if received before the 6th May 1921:—

DRAFT RULES FOR THE ELECTION OF PRESIDENTS OF DISTRICT EDUCATIONAL COUNCILS.

I. A candidate for the office of President must be proposed by one member and seconded by another. The names of all the candidates proposed and seconded shall be read out by the presiding member.
II. (1) If there is only one duly nominated candidate there shall be no ballot and he shall be deemed to have been elected.
(2) If there are two or more candidates the votes of the members present at the meeting shall be taken.

III. Every member wishing to vote shall be supplied with a slip of paper. He shall forthwith proceed to the place set apart for the purpose and there write on the slip so supplied the name of the candidate 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 presiding member and so constructed that the paper may be placed therein but not extracted therefrom without the box being opened. The presiding member shall then open the box and count the votes in the presence of the members and declare the result of the election in accordance with the following instructions:—

(i) If there are only two candidates, the one who secures the larger number of votes shall be considered to have been elected.

(ii) If there are more than two candidates the one who obtains the fewest votes shall be eliminated and the votes taken again. If there is an equality of votes among all the candidates or if two or more candidates lowest on the list have obtained an equal number of votes, the member presiding shall ascertain by casting lots in the presence of the members which of them shall be eliminated. The elimination shall be repeated until two candidates only are left when votes shall be taken for the last time and the candidate who secures the larger number of votes shall be considered to have been elected. In the event of there being an equality of votes at the final stage between the two remaining candidates, the presiding member shall ascertain by casting lots in the presence of the members which of the two shall be considered to have been elected.

IV. No candidate whose name has been proposed and seconded shall take part in a ballot, but a candidate may withdraw at any stage and after so withdrawing he may take part in any ballot. Similarly a candidate who has been eliminated at any stage under rule III (ii) may take part in any ballot at subsequent stages.

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VI. Immediately after the meeting the presiding member shall forward the name of the person elected as President to the Government.

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IX. On the receipt of the report under rule VI and after the perusal of the petition, if any, presented under rule VIII or the report of inquiry, if any, ordered under rule VIII, the Government shall pass such orders as they may think fit provided no such orders are passed within nine days after the receipt of the report under rule VI and all such orders shall be final.

Presiding
expansion of
Madras

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G.O. No. 511, 2nd April 1921

Madras Elementary Education Act, 1920

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Secretary to Government.

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1921 Madras Act No. 511

LAW (EDUCATION) DEPARTMENT

DATED 2ND APRIL 1921

[SUBJECT.—Rules under the Madras Elementary Education Act, 1920.]

From the Director of Public Instruction and President of the Rules Committee—

Submitted that the draft rules for the election of Presidents of District Educational Councils may be published in advance in the next issue of the gazette. The date up to which criticisms are to be received is for orders. In this connexion it may be observed that the minimum period allowed by section 305 (b) of the District Municipalities Act, 1920, is six weeks.

E.A.V.—20-3-21. N.K.—20-3-21.

It will be enough if we allow twenty days. The rules for the election of Chairmen of Municipal Councils, (G.O. No. 1801 M., dated 1st December 1920) the adoption of which for present purposes the Committee has recommended, are somewhat different from those laid down in the rules for the election of presidents of district boards in G.O. No. 503 L., dated 25th May 1920, in that the latter provide for the presenting of objection petitions to the election and of their disposal. Under the District Municipalities Act such objections should obviously be taken before a Magistrate. Please provision in the Elementary Education Act it may probably be better to incorporate rules 6, 7 and 8 of the rules issued under G.O. No. 508 L., dated 25th May 1920, in the draft rules under the Elementary Education Act also. Without this addition every petition against an election will of course come to Government but there should be some fixity of time for presentment and hearing. For orders.

C. RAMANUJA ACHARIYAR—20-3-21.

2. I have added rules VIII and IX. I do not want to commit ourselves to a formal inquiry on every occasion an objection petition is lodged.

R. RAMACHANDRA RAO—20-3-21.

Approved.

A. SUBBARAYALU REDDIYAR—1-4-21.

For orders as to issue of draft. The rules may be notified in the next issue of the gazette (the 5th instant). The alteration in the date for receipt of objections is for approval.

E.A.V.—2-4-21.

[G.O. No. 511, Law (Education), dated 2nd April 1921.]

C.R.—2-4-21.

Issue.

NOTES CONNECTED WITH G.O. No. 511, LAW (EDUCATION),

DATED 2ND APRIL 1921

[SUBJECT.—Rules under the Madras Elementary Education Act, 1920.]

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[G.O. No. 511, Law (Education), dated 2nd April 1921.]

C.R.—2-4-21.

Issue.

ORDINARY.

PRESS SLIP.

PREFERENCE.

URGENT (a).

Sectt. II-33-1-17.

DEPARTMENT.

25 APR 1921

SPECIAL.

INSTRUCTIONS FOR THE SECRETARIAT.

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Brief subject.

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(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 Referencee 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.

TO PRESS, MADRAS OOTY.

A
Please send proof in duplicate. The papers have been carefully edited.

B
Proof returned corrected. Please strike off and send number of copies as indicated.
Type may be released after usual interval.
at once.

C
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.

Referencer.
Clerk.

Referencer.
Clerk.

Referencer.
Clerk.

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Supdt.

SPECIAL INSTRUCTIONS.

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