

Law (192 /) Department.

Education

Ordinary SERIES.

G.O. No. 691

DATED 29. 4. 21

[Despatch Abstract.]

District Educational Council, Chingleput -

Election of member - notified.

PAPERS PUT UP WITH CURRENT No. _____

Papers of the department to which the current belongs.

Number.	Date.	Original (= O.) or spare copy (= S.O.)	Remarks. (In this column such of the papers as have been removed for copying, printing, etc., should be marked with a cross.)	Initials of Referencer with date in token of return to Reference department.

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Department.	Number	Date.	Original (= O.) or spare copy (= S.O.)	Initials with date of (1) Referencer acknowledging returns of the paper concerned or (2) Despatcher to denote the return of the papers to the department concerned.

C. *ESN. C. 1821A* *6-4-21*

TELEGRAPHS.

8

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TO *Big Congreerian* *4/13/5*

Distric Educational Council

Home Madras Fort

Your telegram Second vice Chairman

Congreerian Sambasiva Chethan elected

by Council for district educational

Council report with objection follow

- Chairman -

N.B.—The name of the Sender, if telegraphed, is written after the text.

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Law (95m) E. No. 1898A
7.4.21
Conjeeveram,
4th April 1921.



From

N. Paramasiva Iyer, B. A.

Headmaster,

Pachaiyappa's High School,

CONJEEVERAM.



To

The Secretary to the Minister,
Local Self Government,
Government of Madras,
Madras.

Sir,

I understand that at the meeting of the Local Municipal Council held on the 31st ultimo, my name was proposed by M.R.Ry. M. Rajamanickam Chettiar and seconded by M.R.Ry. A. Pethu Chettiar to represent the Council in the Chingleput District Elementary Education Board and that subsequently the names of M.R.Ry. A. Ramasawmy Sastriar and M.R.Ry. C. Sambasiva Chettiar were proposed. At this stage, M.Ry. M. Rajamanickam Chettiar withdrew his proposal of my name without the permission of the Chairman and without the consent of the seconder being obtained before so withdrawing. However, when the voting took place, only the names of Messrs. A. Ramasawmy Sastriar and C. Sambasiva

3/

Chettiar were put to vote. In as much as neither the permission of the Chairman nor the consent of the seconder was obtained by M.R.Ry. M. Rajamanickam Chettiar before withdrawing his proposal, my name should not have been regarded as withdrawn and all the three names should have been put to vote and after the voting on the three names the name of the candidate that got the least number of votes should have been eliminated and votes taken again on the two names left. As this procedure was not adopted by the meeting, the voting has become null and void and ~~therefore~~ the matter has to be placed again before the Council for fresh voting.

In the circumstances, I request you to cancel the resolution as illegal and consequently null and void and to direct the Council to hold the Election De Novo.

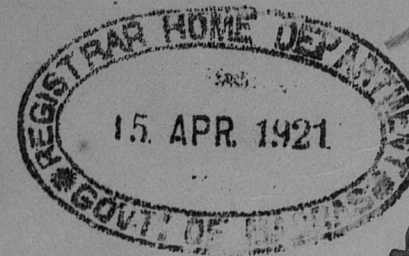
I beg to be,

Sir,

Your most obedient servant,

M. Paramasivan

DEPARTMENT.

Received *14/4* 192 . Registered *15.4* 192 .

Subject.

Submitting copy of the Council's resolution electing Mr. C. Sambasiva Chettiar as a member of District Educational Council with papers questioning the validity of the election.

ENCLOSURES.

No. *3*

Spare copies

Refon No. *429 of 21*Station *Conjeeveram*, Dated the *6th April* 1921.From (Name) *M.R.V. P.B. Sambantha Mudaliar Avargal*(Designation) *Chairman, Municipal Council, Conjeeveram.*

To The Secretary to the Government of Madras,

Ministry of Education, *Local Self Government* Department.

Sir,

With reference to G.O. No. 334, Home (Education) dated 10th March 1921, I have the honour to state that the Municipal Council has elected Mr. C. Sambasiva Chettiar Municipal Councillor and Vice-Chairman, as a member of the District Educational Council for the Chingleput District. A copy of the Council's resolution is enclosed.

2. I enclose also a petition of one Mr. N. Paramasiva Aiyer questioning the validity of the Election on the score of defects in the procedure. He alleges that Mr. M. Rajamanickam Chettiar's withdrawal of his proposal of

8/4

his (petitioner's) name, having had neither the permission of the Chairman nor the consent of the Seconder Mr. A. Pethu Chettiar is ~~invalid~~ invalid, and that his name should have been put to vote just like those of the other two nominees.

3. As a matter of fact, the withdrawal had neither my permission nor the seconder's express consent. I now formally addressed the seconder Mr. A. Pethu Chettiar, and he says in reply that his consent to the withdrawal was implied in his subsequently voting for another name proposed. His reply is enclosed.

4. I have the honour to request that, in case you hold the objection valid and materially affecting the election, you will be so good as to suspend the resolution and get it cancelled, a fresh election being ordered.

5. As regards the Council's remark contained in the first sentence of the Resolution, it will be clear from what follows that the remark was recorded, not because the council evinced any respect to the date in this case or similar dates in other cases, fixed by Government for replies, but because it wanted to prejudice the Government against the Chairman in view of the possibility of his being appointed as a councillor, and in anticipation of his reports to the Government against it in certain cases, which I have proposed to submit presently. It is true that the G.O. in question which was received on the 12th March, and which called for a report before the 24th idem, was placed for the first time in the meeting agenda of the 31st idem. During the interval there were 4 special meetings on the 15th, 21st, 23rd and 30th. The agenda for the first had gone out before the receipt of the G.O. There were a lot of papers on hand, awaiting ordinary and special meetings. But the aforesaid special meetings were intended for specially urgent subjects such as Budget, one or two annual sales or leases, the G.O. calling for the immediate refund of all unspent special grant balances. The above meetings were confined

to these subjects. The Budget was dragging on from meeting to meeting from the 12th February to the 21st March. For the -- meeting of the 15th March, there were only 4 subjects, of which two - Budget and Temporary bazaars lease for the coming year - were ordered to lie over till the 21st, as almost all the time of the meeting was taken up by a very hot discussion on a -- matter of public fountain which personally concerned the Vice-Chairman Mr.C.Sambasiva Chettiar, and in which he managed with the help of some of the councilors to attack me personally, simply because I had to delay the execution of the work on account of some Mahazars against him. I am separately reporting to the -- Government about that matter. Even in the meeting of the 21st -- March, in which the Revenue Divisional Officer was present, only the Budget and the Temporary bazaars matter were gone through, -- and there was no time for two other important subjects, viz, the G.O. ordering the refund of the special grants and the annual -- cart-stand lease. Here too I may mention that a good deal of time was spent in discussing the temporary bazaars lease - a -- matter which gave a world of trouble last year, so much so that I had to report to the Collector the conduct of those Councillors who openly expoused the cause of the contractor. For the 23rd meeting, there were only 2 subjects - the special grants refund and the cart-stand lease. All the time was taken up by the -- latter subject, and the former was adjourned to the 30th. On the 30th, no councillors ~~except~~ except the Chairman were present. -- Again, tagged on to the Budget from the beginning were two G.Os. calling for reports on the proposed increased scales of pay for Vaccinators and Public works officers. They are yet to be disposed of.

6. It would thus appear from the above that the G.O. in ~~question~~ question was not placed before the special meetings -- held during the short interval, because there were specially --

4 7 5

urgent matters demanding the Chairman's and the Council's prior attention, and that, knowing that the Council would not be able to find time for this comparatively less urgent matter, my office put it off to be brought on the agenda along with the other -- equally urgent papers which the Council had ~~knowisidng~~ knowingly been putting off for want of time and other reasons, and that -- the Council has hit upon this so-called delay with a motive, -- -- instigated by the Vice-Chairman, to leave a remark about me -- personally which might draw the notice of the Government.

7. Before I leave this subject, I beg to add that at the meeting of the 23rd March, I informed informally two of the Councillors including the Vice-Chairman that the G.O. ~~that the~~ -- ~~G.O.~~ had been received in the office and would soon be coming up before the Council along with other G.Os. They did not care for this subject being disposed of at that very meeting.

I have the honour to be,

Sir,

Your most obedient servant,

W. S. Srinivasan
Chairman.

C.D.K/



Extract from the minutes of Proceedings of the Municipal
Council, Conjeeveram passed at its meeting
held on ~~Thursday the 31st March~~ 19²¹.

X

X

X

548. G.O. No. 334/10-3-21- Education constituting a District Educational Council for the District of Chingleput and requesting to take very early steps for the election of a ~~member~~ member by this council and to report to Government the full name of the person elected for notification in the Fort Saint George gazette.

The Council requests the Chairman to report to Government that the subject was not brought up to meeting before this.

This resolution is carried by a majority of 5 against 4 and 3 neutral.

Proposed by Mr. M. Rajamanickam Chettiar and seconded ^{by} Mr. A. Pethu Chettiar that Mr. N. Paramasiva Aiyer be the member to be elected by this Council. The proposal was withdrawn by the proposer subsequently.

Proposed by Mr. P. Subbaraya Mudaliar and seconded by Mr. M. Kadirvelu Mudaliar that Mr. A. Ramaswami Sastriar be the candidate.

Proposed by Mr. C. Subramania Mudaliar and seconded by Mr. M. Kanniyappa Mudaliar that Mr. C. Sambasiva Chettiar be the member.

Resolved that Mr. C. Sambasiva Chettiar be the Educational member for this council.

8 votes for Mr. C.S. Chettiar
5 votes for Mr. A. Ramaswami Sastriar.

X

X

X

(sd) P.B. Sambantha Mudaliar
Chairman.

(True Copy)

Municipal Office
Conjeeveram

6 - 4 - 1921.

C.D.K.

Chairman.

1-4-21.

To
The Chairman,

Municipal Council,
CONJEEVERAM.

Sir,

I understand that at the meeting of the Council held yesterday, my name was proposed by M.R.Ry. M. Rajamanikkam Chettiar and seconded by M.P.Ry. A. Pethu Chettiar to represent the Council in the Chingleput District Elementary Education Board and that subsequently the names of M.R.Ry. A. Ramaswamy Sastriar and M.R.Ry. C. Sambasiva Chettiar were proposed. At this stage, M.R.Ry. A. Rajamanikkam Chettiar withdrew his proposal of my name without the permission of the chairman and without the consent of the seconder being obtained before so withdrawing. However, when the voting took place only the names of Messrs. A. Ramaswamy Sastriar and C. Sambasiva Chettiar were put to vote. In as much as neither the ~~permission~~ permission of the Chairman nor the consent of the seconder was obtained by M.R.Ry. M. Rajamanikkam Chettiar before withdrawing his proposal, my name should not have been regarded as ~~withdrawn~~ withdrawn and all the three names should have been put to vote and after the voting on the three names, the name of the candidate that got the least number of votes should have been eliminated and votes taken again on the two names left. As this procedure was not adopted by the meeting the voting has become null and void and the matter has to be placed again before the Council for fresh voting.

In the circumstances, I request you to forward this letter to the proper authorities to get the resolution

cancelled as illegal, null and void and to arrange for the
consideration of the subject de novo.

I beg to be,

Sir,

Your most obedient servant,

N. Paramasivan

Headmaster,

Pachaiyappa's High School,

CONJEEVERAM.

ENCLOSURES.

From

M. R. Roy.

P. B. Sambandha Mudaliar Aml.,

Chairman, Municipal Council,

Conjeeveram.

To

M. R. Roy

S. Pethu Chettiar Aml.

Municipal Councillor

Conjeeveram.

Sir,

At the special meeting of the Council held on 31-3-1921, Mr. M. Rajamanickam Chettiar, Councillor, proposed Mr. S. Paramaniam Aiyer as a member of the District Educational Council, and you seconded the proposal. Thereafter, the former withdrew the proposal. I shall be obliged if you kindly inform me at once whether the withdrawal had your consent or not.

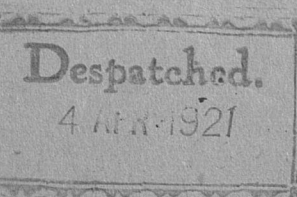
I have the honor to be,

Sir,

Yours most obedient servant

P. B. Sambandha Mudaliar

Chairman



CWR

4/4

NOTES.

my silence and voting for
Mr. A. Ramasami Sastriar and
at the election and out to
my giving my consent for the
withdrawal of Mr N.
Paramaswami Sastri's name by
Mr. Rajamanickam Chettiar
and.

H. S. Sastri

Municipal Committee

6-4-21

CR: 2028A. From the P.C., Conjeevaram
 Doc No 4293 6.4.21

Subject - Election to the District
 ed. Council.

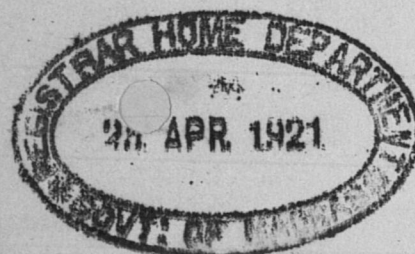
The objection raised by Mr Paramasiva ayyar is based on the fact that the proposer of his name did not obtain the consent of the seconder + of the chairman of the Council before withdrawing his name. There are no rules framed by Govt. in regard to the election of members to D. ed. Councils by Municipal Councils. In the rules regarding the election of chairmen of Municipal Councils there is no provision for the withdrawal of nominations by the proposer. ~~Ordinarily, if the nominations are duly announced and the election should be held.~~

8K
 18.4.21) 2. As regard the objections raised by Mr Paramasiva ayyar, it may be noted that the seconder himself has subsequently admitted his acquiescence in the proposer's

withdrawal. The Chairman ~~has~~ appears also to have given his ^{implied} assent to the withdrawal by not raising any objection thereto. In these circumstances it is for consideration whether Mr. Paramasiva Ayyar's contention that the election is invalid should be upheld.

Se
19.4.21. The answer to the objection is given by Mr. Peddu Chettyar himself in his endorsement on p. 12 of p. & referred to in para. 3 of the Chairman's letter. In the absence of any specific rules the ~~the~~ sense of the meeting should be ~~taken~~ the ruling. The Council has preferred ~~the~~ by majority W. Paramasiva Chettyar & no objection was raised at the meeting to withdrawing Mr. Paramasiva Ayyar's name. The election may be notified.

p. 5 of p.



CR
21.4.21
5
13/4/21

MJ - *Subj. elect.*
21/4/21

A draft order is submitted.

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28.4.21
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20.4.21

CR
26.4.21

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G.O. No. 193

DATE

WT No.

FIGURES TO C. No.

OF GOVERNMENT . .

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28-4