

Law (Education) (1925) Department.

Min. SERIES.

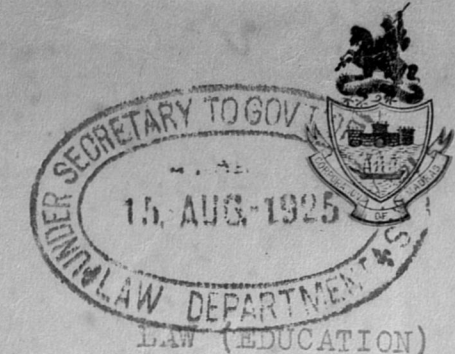
G.O. No. 1723,

DATED 5/10/25.

[Despatch Abstract.]

Elementary Education compulsory - Corporation of Madras -
Attendance Committees rules for the constitution of - orders
passed.

G.D. Form No. 16.
1,000—July 1925.



②

L. E. 3078A
15/8/25

LOCAL SELF-GOVERNMENT DEPARTMENT.

Received 192 . Registered 192 .

SUBJECT.

Submitting for sanction rules for regulating the appointment and working of School Attendance Committees

3

Enclosures	G. D. C. No. 3496 of 1925.		
No.....	Madras,	dated, the	10th August 1925.
Spare copies.....	From		

Law Secy, Dept M. P. P. P. Dewan Bahadur J. Venkatanarayana Nayudu Garu,
3078A-18 18.8.25
Referred to the Director of
Public Instruction for reference.
(By order) To
B.A. B.L.
Commissioner, Corporation of Madras.

Thammasamy
The Secretary to the Government of Madras
Law (Education)
Local Self-Government/Department.
Through the President, Corporation of Madras.

Asst Secy to Govt
16/8/25 8K 18.8.25

I have the honour to state, that the Council of this Corporation, at its meeting held on 22-7-25, recommended rules (copy enclosed) for regulating the appointment and working of School Attendance Committees, contemplated in section 51 of the Madras Elementary Education Act 1920. I request that Government may be pleased to take steps to pass them into law under section 56 of the said Act.

I have the honour to be,
Sir,
Your most obedient Servant,

Forwarded.

Thammasamy
President.

Commissioner.
dr. 000
12/8

M.H.H.
11-8-25.

Draft Rules regulating Attendance Committees.

Rule No.1.- There shall be an Attendance Committee for each Municipal division in the area specified in the notification under section 46 of the Madras Elementary Education Act. The strength of the Committee shall be 15 including the President.

Rule No.2.- The Divisional Municipal Councillor for the time being shall be the President of the Committee; but, if, in any division, the divisional Councillor declines to act as President, the Committee shall elect one from its own number to be its President. The Committee shall elect a Secretary from among its own number.

Rule No.3.- The other members of the Committee shall be selected by the Standing Committee (Education) with the divisional Councillor, and their names with their occupation and addresses, shall be placed before the Council for its acceptance.

Rule No.4.- The members of the Committee other than the President shall hold office for one year from the date of their appointment, but they are eligible for re-appointment.

Rule No.5.- The Committee shall meet at least once a month. The quorum shall be one third of the whole number of members then on the Committee. The President, or in his absence, any one chosen from among the members present shall preside at the meetings. All questions which may come up before the meetings shall be decided by a majority of votes and in case of an equality of votes, the President or the Presiding member shall have a second or casting vote.

Provided that no sanction for prosecution shall be given without the concurrence of three fourths of the members present at the meeting. Notice of the contemplation of prosecution shall be given in writing to the members of the Committee along with the agenda for the meeting of the Committee.

Minutes of proceedings shall be recorded in a book, which shall be kept for the purpose by the Secretary and they shall be signed by the President, or other presiding Member. Copies of ~~the minutes~~ the minutes of proceedings shall be forthwith communicated by the Secretary, to the Commissioner, through the Superintendent of Schools for the compulsory area, for the information of the Standing Committee (Education). The Secretary shall be assisted by the Headmaster of the Corporation school in the division and that if there are more Corporation schools than one in any division, the Standing Committee (Education) shall select the school the Headmaster of which shall assist the Secretary of the Committee.

Rule 6.- The Superintendent of Corporation schools shall ~~the~~ be the officer to present any complaint to the Magistrate at the instance or on the sanction of the Committee or withdraw any complaint if the parent had complied with the requirements of the notice served on him; but before any complaint is so lodged, a notice in the vernacular known to the parent signed by the President of the Committee shall be issued to the defaulting parent or guardian, calling upon him or her to cause the child to attend school, regularly within a week from the date of its service.

The Council has the power to add to or alter the rules as circumstances are brought to notice of the Council.

p.3 rule
To be substituted for
enclosure sent along with
S.D.O. No 3456/15
p.7-14 upa

Do
Law (Eden) Sep 19

Extract from the Minutes of the Proceedings of a General Meeting of the Council

held on. - 22nd July 1925.

No.4.

Draft Rules regulating Attendance Committees.

Rao Bahadur T. Varadarajulu Naidu then moved for the consideration of the house the Draft Rules relating to Attendance Committees recommended by the Standing Committee (Education) on 20th July 1925. He referred to G.O. No. 364 Law (Education) dated 22nd March 1922 in which the Government accepted the recommendation of the Committee appointed by Government under the Madras Elementary Education Act, that no rules were required for the appointment of Attendance Committees constituted under the Madras City Municipal Act and the Madras District Municipalities Act may, if authorised by the local authority discharge the functions of Attendance Committees under the Madras Elementary Education Act in municipalities in which compulsory elementary education may be introduced. He then stated that the Standing Committee (Education) had recommended some names for the Attendance Committees and moved that the Draft Rules recommended by the Standing Committee (Education) be adopted.

Dr. S. Swaminadhan seconded the motion.

The President asked Dr. S. Swaminadhan whether, in the face of the Government order on the subject, the Corporation would be authorised to frame the rules and enquired if there is any need for the rules.

Dr. S. Swaminadhan replied that the G.O. could not overrule the provisions in the Act but is only a pious wish of the Government and that the Corporation may lay down general rules for the guidance of these Committees.

After some discussion it was resolved that the draft rules be taken up for consideration.

Rule No.1.

The draft rule recommended by the S.C. (E) ran thus:-

"There shall be an Attendance Committee for each Municipal Division in the area specified in the notification under Section 46 of the Madras Elementary Education Act. The strength of the Committee shall be 16, excluding the President and the Secretary".

Rao Bahadur T. Varadarajulu Naidu moved that the strength of the Attendance Committee be fixed at 16.

This was seconded by Dr. S. Swaminadhan.

Mr. P. Bakthavasthalu Naidu moved that the second sentence in Rule 1 be amended as under:-

"The strength of the Committee shall be 7 including the President" (omitting the Secretary).

Mr. Shaffee Muhammad seconded the motion.

Mr. S. Venkatachallam Chettiar supported the motion and suggested that the Headmaster should not be a member of the Committee.

In view of the discussion Dr. S. Swaminadhan finally moved the following as an amendment:-

"The strength of the Committee shall be 15 including the President".

Mr. T. Sundara Rao Naidu seconded the motion.

At this stage Mr. W. H. Nurse moved for a closure.

This was seconded by Rao Bahadur T. Varadarajulu Naidu and put to the meeting and carried.

The amendment of Dr. S. Swaminadhan was then put to the meeting and carried.

Rule 1 of the Rules as passed by the Council will run as under:

"There shall be an Attendance Committee for each Municipal Division in the area specified in the notification under section 46 of the Madras Elementary Education Act. The strength of the Committee shall be 15 including the President".

Rule 2.

Rule 2 of the draft rules as recommended by the S.C. (E) ran thus:-

"The Divisional Municipal Councillor for the time being shall be the President of the Committee; but, if, in any division, the divisional Councillor declines to act as President, the Chairman of the Standing Committee (E) shall ex officio be the President of the Committee in such division. The Headmaster of the Corporation school in the division shall be the Secretary of the Committee; if there are more Corporation schools than one in any division, the Standing Committee (E) shall select the school, the Headmaster of which shall be the Secretary of the Committee".

Rao Bahadur T. Varadarajulu Naidu moved that the first sentence in the draft rule be adopted.

This was seconded by Mr. W. H. Nurse.

Lewan Bahadur G. Narayanaswami Chetti moved for the substitution

of the words "one of the members of the Committee" instead of the Chairman S.C.(E).

Dr.B.S.Mallayya moved that in the absence of the President, one of the members present will be elected to preside at the meetings.

The motion of Dewan Bahadur G.Narayanaswami Chetty Viz:

"the divisional Municipal Councillor for the time being shall be the President of the Committee, but, if, in any division, the divisional Councillor declines to act as President, the Committee shall elect one from its own number to be its President"

was then put to the meeting and declared carried.

Rao Bahadur T.Varadarajulu Naidu then moved that "the Committee shall elect a Secretary from among its own number".

This was carried.

Rule 2 of the Rules as passed by the Council will run as under:-

"The Divisional Municipal Councillor for the time being shall be the President of the Committee; but, if, in any division, the divisional Councillor declines to act as President, the Committee shall elect one from its own number to be its President. The Committee shall elect a Secretary from among its own number".

Rule 3.

Rule 3 of the draft rules recommended by the S.C.(E) ran thus:-

"The other members of the Committee shall be selected by the S.C.(E) after consultation with the divisional Councillor, and their names with their occupations and addresses, shall be placed before the Council for approval".

Dr.S.Swaminadhan moved that the following be added to the draft rule recommended by the S.C.(E):-

"Should any vacancy occur in any Attendance Committee, the Council shall fill up the same taking into consideration the recommendation of the President of the Committee or the divisional Councillor and the S.C.(E)."

This was put to the meeting and carried.

Rule 3 of the rules as passed by the Council will run as under
"The other members of the Committee shall be selected by the S.C.(E) after consultation with the divisional Councillor, and their names with their occupations and addresses, shall be placed before the Council for its acceptance."

"Should any vacancy occur in any Attendance Committee, the Council shall fill up the same taking into consideration the recommendation of the President of the Committee or the Divisional Councillor and the S.C.(E)."

Rule 4.

The following draft rule recommended by the Standing Committee (E) was adopted with the only modification to delete the words "and the Secretary".

"The members of the Committee other than the President and the Secretary shall hold office for one year from the date of their appointment, but they are eligible for re-appointment."

Rule 5.

Rule

Rule 5 of the Draft Rule recommended by the S.C.(E)

"(1) The Committee shall meet at least once a month. The quorum shall be not less than one third of the whole number of members on the Committee. The President, or in his absence, any one chosen from among the members present shall preside at the meetings. All questions which may come up before the meetings shall be decided by a majority of votes and in case of an equality of votes, the President or other presiding member shall have a second or casting vote. Minutes of proceedings shall be recorded in a book, which shall be kept for the purpose by the Secretary, and they shall be signed by the President or other presiding member. Copies of the proceedings shall be forthwith communicated by the Secretary to the Commissioner, through the Superintendent of Schools in the area, for the information of the Standing Committee (E)".

Mr.S.Venkatachallam Chetti moved

"that the Secretary shall be assisted by the Headmaster of the Corporation school in the division and that if there are more Corporation schools than one in any division the S.C.(E) shall select one of them, the Headmaster of which shall assist the Secretary of the Committee".

This was ~~unanimously~~ passed.

(2) Mr.V.Chakrai Chetti moved that the words "not less than one third" occurring between the words "quorum" and "one third" be omitted.

This was passed.

(3) Mr.V.Chakrai Chetti moved to add the following:-

"Provided that no sanction for prosecution shall be given without the concurrence of three fourths of the members present at the meeting".

This was seconded by Mr.S.Venkatachallam Chetti and put to the meeting and carried.

(4) Mr.S.Venkatachallam Chetti moved that

"Notice of the contemplation of prosecution shall be given in writing to the members of the Committee along with the agenda for the meeting of the Committee".

This was seconded by the Hon'ble Mr.G.A.Natesan and put to the meeting and carried.

Rule 5 of the rules as passed by the Council will run as under

"The Committee shall meet at least once a month. The quorum shall be one third of the whole number of members then on the Committee. The President, or in his absence, any one chosen from among the members present shall preside at the meetings. All questions which may come up before the meetings shall be decided by a majority of votes and in case of an equality of votes, the President or the presiding member shall have a second or casting vote.

Provided that no sanction for prosecution shall be given without the concurrence of three fourths of the members present at the meeting. Notice of the contemplation of prosecution shall be given in writing to the members of the Committee along with the agenda for the meeting of the Committee.

Minutes of proceedings shall be recorded in a book, which shall be kept for the purpose by the Secretary, and they shall be signed by the President or other presiding member. Copies of the minutes shall be forthwith communicated by the Secretary to the Commissioner, through the Superintendent of Schools in the area, for the information of the Standing Committee (E)".

(6) 17

of proceedings shall be forthwith communicated by the Secretary, to the Commissioner, through the Superintendent of Schools for the compulsory area, for the information of the S.C.(E). The Secretary shall be assisted by the Headmaster of the Corporation school in the division and that if there are more Corporation schools than one in any division, the Standing Committee(E) shall select the school the Headmaster of which shall assist the Secretary of the Committee.

Rule 6.

Rule 6 of the Draft Rules as recommended by the S.C.(E) ran as under

"The Superintendent of Corporation schools shall be the officer to present any complaints to the Magistrate at the instance or on the sanction of the Committee; but before any complaint is so lodged a notice signed by the Commissioner, shall be issued to the defaulting parent or guardian, calling upon him or her to cause the child to attend school regularly within a week from the date of its service".

(1) The Hon'ble Mr.G.A.Natesan moved

"that the prosecuting officer shall have the power to withdraw the complaint if the parent had complied with the requirements of the notice served on him".

This was passed.

(2) Mr.V.Chakrai Chetti moved that the notice contemplated in Rule 6 shall be signed by the President of the Committee and the Secretary of the Committee instead of by the Commissioner.

This was put to the meeting and carried.

(3) Mr.Abdul Hameed Khan moved that the notice to the guardian contemplated in Rule 6 should be in the vernacular known to the parent.

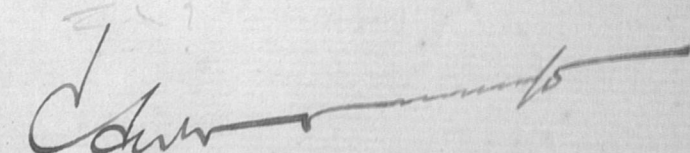
This was agreed to.

Rule 6 of the Rules as passed by the Council will run as under:

"The Superintendent of Corporation schools shall be the officer to present any complaint to the Magistrate at the instance or on the sanction of the Committee or withdraw any complaint if the parent had ~~xxxxxx~~ complied with the requirements of the notice served on him; but before any complaint is so lodged, a notice in the vernacular known to the parent signed by the President of the Committee shall be issued to the defaulting parent or guardian, calling upon him or her to cause the child to attend school, regularly within a week from the date of its service."

The President moved that the Council has the power to add to or alter the rules as circumstances are brought to notice of the Council. This was agreed to be added to at the end of the rules.

H.T.5-8-25.


Manager.

12/8



C.No. 1793 B/25

0-8-9-24.

LAW (EDUCATION)

DEPARTMENT.

16

Received



192

Registered

192

Subject.

L. En 32914
31/8/25

Attendance Committee - Madras Corporation-

ENCLOSURES.

No.

R.C.No.1793-B/25.

Spare copies

Station Madras, Dated the 26th August, 1925.

From (Name) R.G.GRIEVE, Esq., M.A., F.R.G.S.

(Designation) AG: DIRECTOR OF PUBLIC INSTRUCTION

To The Secretary to the Government of Madras,

LAW (EDUCATION) Department.

Sir,

In resubmitting herewith the papers referred to me for remarks in Government Endorsement No.3078 A-1 dated 18-8-25, I have the honour to state that under Section 56(j) of the Madras Elementary Education Act of 1920 rules regulating the appointment of school attendance Committees have to be framed by Government. In G.O.No.364 Law (Education) dated 22-3-22, Government on the recommendation of the Rules Committee, ordered that no rules are required at present for the appointment of attendance Committees.

3. I may also point out that the ~~the~~ additional clause to Rule 3 proposed by Dr. Swaminathan and accepted by the Council has not been included in the final draft rules. In the rules the functions and duties of the Committee have not been defined.

Sir,

A Rama Ray

M. R. P. 27/8.

Elect? Edn - Compulsory

Law *25* DEPARTMENT

” ” ” ” ” 192

READ ALSO:—

C. No. 3078A, From the minutes of the Board of Directors, No. 10, dated 10/10/1992

102

102

ORDER.

No. 1723 dated 5-10-1925

A copy of the Letter from the DP
No 1793-B/25, dt 26.8.25, is Communicated
to the Commissioner, Corporation of Madras
with the remark that the Govt concurs
in the views expressed therein.

2. The Commission is requested to submit to Govt. after one year a report on the working of the proposed attendance Commissioners

DESPATCHED

7 OCT 1925

2

The Commissioners, Corporation of
Madras thro' the President, Corporation
of Madras (with 2 cpy of the D.O's
Letter on pp 16-17 et - with ref to
the Commissioner's Letter no G.D.C no
3496/25 of 10.8.25)

Copy to the D.D. (copy only)
 -- P.D.E. Madras } with copy of
 -- Ex. of RFA } pp 1; 3d 16.17
 CF.
 Copy for stock pile (do)

$$\begin{array}{r} 69 \\ 599/25 \\ \hline \end{array}$$

Note. The Corporation has asked that the rules framed by it should be made statutory under Sec 56 of

Section 51 of the Madras Elementary Education Act holds the local authority responsible for the enforcement of the duties cast by s.49 on the guardians of children of school-going age and enacts that the local authority shall, for the purpose of enforcing those duties, appoint attendance committees, subject to such rules as may be made by the Local Government. Section 56-I empowers the Local Government to make rules regulating the appointment of school attendance committees. The Government have not made any rules. The Corporation has ~~acquired~~ power under s.57 to appoint the committees. If the Govt have made rules under s.56, the corporation must observe those rules in making the appointment. Otherwise, the Corporation may make its own rules for its guidance in this matter, if they

~~are not inconsistent with the provisions of the~~
~~Madras Elementary Education Act, 1920.~~

The adoption by the Government of the rules framed by the Corporation is not objectionable under law, provided they do not transgress any provisions of the Act. They can be issued as statutory rules, if they are acceptable from an administrative point of view. It is no valid objection that the hand that framed them is that of the Corporation and not that of the Government. Nor can it be an objection that the ~~xx~~ rules proposed have their application limited to the City of Madras and not throughout the whole Presidency. The rule-making power of the Govt. can be exercised with reference to any particular locality favouring such action and different rules may be framed for different localities whose conditions may vary.

The rules will be scrutinised if the Govt. decides to issue them as statutory rules under section 56(2).

It will be seen from the note above that the view expressed by the D P I at 'H' on p. 14 Ct is correct. The draft order on p. 1 ante may therefore be issued. It does not appear necessary to frame any statutory rules for despatching alone.

AD
8/9/25
M
30/11/25

R
1.10.25

V.T.
2.4.

M 2
31/10/25



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