Sectt. II-29—25,508—6-12-24.

Law (Education) (1925) Department.

ordinary SERIES.

G.O. No. 758

DATED 11—5—25

[Despatch Abstract.]

Tax-Education- Corporation of Madras- Levy sanctioned-

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Minutes of the proceedings of a Special Meeting of the Council held on Tuesday the 20th January 1925 at 5 p. m.

Present.

Khan Bahadur Mahomed Usman Sahib Babadur (*President.*)
Mr. R. N. Dhanapala Mudaliar.
,, P. V. Nataraja Mudaliar
Rao Bahadur O. Thanikachella Chettiar, M.L.C.
The Hon'ble Mr. G. A. Natesan
Mr. K. Sreeramulu Naidu
,, A. C. Asirvada Nadar
,, S. Venkatachalam Chetti, M.L.C.
,, R. Madanagopal Naidu
Dr. B. S. Mallya
Abdul Hameed Khan Sahib Bahadur
Mr. V. Chakkarai Chettiar
S. A. Shaffee Muhammad Sahib Bahadur
Mr. T. Sundara Rao Naidu
,, T. Vasu
,, P. Ranganatham Chetti
,, T. P. Meenakshisundaran
,, R Krishnadoss Lala
Rao Bahadur Dr. C. Natesa Mudaliar M. L. C.
Mr. K. Vyasa Rao
Rao Bahadur T. Varadarajulu Naidu
Dewan Bahadur G. Narayanaswami Chetti
Mr. T. S. Ramaswami Aiyar
Mr. A. J. Powell
,, S. J. Green
,, W. H. Nurse
Mr. P. Alagasingari Naidu
Mahomed Moosa Sait Sahib Bahadur M.L.C.
Dr. Arthur Wells
Dr. S. Swaminadhan
Mr. R C. Moss
Mrs. M. C. Deva Doss
Mr. T. Arumainatham Pillai
Mahomed Ibrahim Sahib Bahadur
Mr. H. A. Hart
,, V. G. Vasudeva Pillai
Mahomed Abdul Jabar Sahib Bahadur
Khan Bahadur Haji Hakim Mahomed Abdul Aziz Sahib Bahadur

The Special Meeting of the Council was convened for the adoption of the following resolutions of the Standing Committee (Education) recommended by the Standing Committee (Taxation & Finance) with a view to introduce compulsory Elementary Education in the city of Madras, in terms of the scheme adopted by the Council at its meeting on 28th March 1924.

Carried.

1. Under proviso (a) to section 45 (1) of the Elementary Education Act the Corporation hereby declares its readiness to levy such taxes under section 34 as may be necessary to meet the expenditure involved.

2. The Corporation resolves that an education tax of ¼ per cent on the annual value of property be levied from 1st April 1925.

3. The Corporation hereby undertakes to continue to contribute annually to its elementary education fund a sum of Rs. 2,40,000 out of its general revenues.

Consideration postponed.

4. The Corporation resolves to recommend to Government that Muhammedan girls be exempted under section 48 of the Madras Elementary Education Act from the effect of notification under section 46 of the Act.

Mr. S. Venkatachalam Chetty suggested that the consideration of the subject be adjourned till after the consideration by the Council of the resolution of Mr. Thanikachellam Chetty for a reduction in the property tax by 1½ per cent. He pointed out that his object in moving for the adjournment of the subject was to elicit authoritative information on the question from the Commissioner.

The President stated that the Standing Committee (T & F) had gone through the Budget very carefully and after allotting money for many progressive developments such as improvement of slums, houses for the poor and other necessary works had found it possible to have a reduction of 1½ per cent in the tax on property.

Rao Bahadur Dr. C. Natesa Mudaliar pointed out that on a former occasion when the Council reduced a certain percentage of the property tax and wanted to levy an education cess by similar percentage, the Government had refused to accept it and make their contribution to the Corporation.

Dr. S. Swaminathan pointed out that the present proposal was essentially different as the ¼ per cent was an addition.

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Rao Bahadur T. Varadarajulu Naidu read out G. O. No. 971—L. Education dated 16-8-1922 referred to by Rao Bahadur Dr. C. Natesa Mudaliar and said

that the objection of the Government would not apply to the proposal as the Corporation had pledged to contribute 2,40,000 every year to the Education Fund and the proposed Educational cess of ¼ per cent was to be an additional levy.

Mr. K. Vyasa Rao stated that they should consider the scheme from the point of view of the entire cost rather than from the point of view of the year to come; that it was not advisable to restrict the scope of the scheme to only a particular portion of the city; that it seemed to him that the exemption was larger than the operation and that the anomaly would continue without any reason whatever. He pointed out that the Corporation had opened more schools than what the Government had indicated; that when the attitude of the Government was halting what seemed to him as practicable was to defer the question till the rate of property tax was settled and to pursue its course of imparting *free* education, and accordingly moved 'That the consideration of the subject be taken up after the property rate is decided and after the house has had time to inform itself of the financial liabilities of the Corporation in consequence of the introduction of compulsion after the year 1926-27."

Mr. S. Venkatachellam Chetty seconded the motion and observed that the house should not proceed to commit itself to the levy of an additional taxation for education unless an assurance is given to the house by the President or the Commissioner or the Chairman, S. C (T & F) regarding the reduction in taxation.

Mr T. S. Ramaswami Iyer pointed out that unless elementary education was made compulsory no country could make headway in progress and appealed to the Councillors not to hesitate in launching the scheme.

Dewan Bahadur G. Narayanaswamy Chetty further opposed the motion of Mr. K. Vyasa Rao.

Dr. S. Swaminathan opposed the motion of Mr. Vyasa Rao and pointed out that the Corporation had as far back as 1911 supported compulsory and free elementary education.

The Hon'ble Mr. G. A. Natesan pointed out that the Corporation had in 1911 expressed its hearty and unanimous approval of the Gokhale's Education Bill and its willingness to incur additional expenditure, if necessary, for the extension of free and compulsory elementary education within the city. He emphasized that the only common sense and prudential way was to launch on compulsion step by step and opposed the motion of Mr. Vyasa Rao for adjournment.

Mr. V. G. Vasudeva Pillai as representative of the Depressed classes supported the recommendation of the Standing Committee and opposed the motion of Mr. Vyasa Rao for adjournment.

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Rao Bahadur O. Thanikachella Chetty drew attention to the cost of the whole scheme as provided in the scheme approved by the Council and said that there was no point in adjourning the subject to a later meeting but observed that the scheme required circumspection and that the house should be aware that the increase in taxation on education will not rest with the present proposal in years to come.

At this stage Mrs. M. C. Devadoss seconded by Mr. W. H. Nurse moved that the subject be now put.

Mr. R. Madanagopal Nayudu appealed to Mrs. Devadoss not to press her motion in view of the importance of the subject. He pointed out that under Section 44 of the Act there was provision for suspending the scheme if the Corporation found it impossible to extend compulsion to other divisions. He urged that the experiment in regard to the 4 divisions during 1925–26 should be started without delay.

Rao Bahadur Dr. C. Natesa Mudaliar pointed out that the Corporation should be prepared to spend any amount on education.

The motion for closure moved by Mrs. M. C. Devadoss was at this stage put to the meeting and carried.

The proposition of Mr. K. Vyasa Rao for the adjournment of the subject was put to the meeting and lost.

Clauses 1 to 3 of the recommendations of the Standing Committee were then put to the meeting one after another and declared carried more than two thirds of the number of Councillors present voting for.

In regard to Clause 4 of the recommendation of the Standing Committee the Hon'ble Mr. G. A. Natesan moved that the consideration of the clause be postponed.

This was seconded by Mr. P. Ranganatham Chetty and put to the meeting and carried.

The Special Meeting then (6–40 P. M.) terminated.

Corporation of Madras,
20th January 1925.

MAHOMED USMAN,
President.

S. Murthy & Co., Madras.

4 4

Law(Education)Department

Subject:- Levy of Education Tax-Corporation of Madras.

The Corporation of Madras has resolved to ~~i~~ introduce free and compulsory elementary education for boys and girls(excepting Muhammadan girls). The Corporation proposes to give effect to the scheme gradually in the course of 7 years. In the year 1925-26, compulsion will be introduced in 4 divisions(divisions Nos.24,25 26 & 27). The original papers on the subject had been referred to the P.D.E C,Madras, and the D.P.I.,Madras.

2.In the meanwhile, it appears desirable to pass orders on the proposal of the Corporation to levy an education tax in its jurisdiction. From the copy of the resolution in the c.f., it will be seen that the Corporation has decided to levy an education tax at ~~a quarter~~ ¼ percent on the annual value of the property in 25-26. The estimated proceeds of the education tax amount to Rs.41,250 and an equivalent amount is payable from ~~the~~ provincial funds under s.37 of the Ely.Edn.Act,1920. As the scheme is extended to other divisions in the City in ~~the~~ succeeding years, the Corporation will have to raise its rate of education tax, and the contribution payable from provl.funds will also correspondingly increa

(The ultimate sum will be about Rs 2,06,250)

3.It also appears that the Corporation has reduced its general property tax by one and ½ half percent. In the year 1922 the Corporation propos to levy an education tax at three-quarter percent on property rentals and, at the same time, to reduc the general property tax by a similar percentage.

G.O. 971 / 16-8-22 (c)

~~4~~ 5

In G.O.No.971 Law(Edn) dated the 16-8-22 the Govt.declined to accord sanction to the levy of the education tax for the following reasons:-

"The Elementary Education ~~tax~~ Act was passed with a view to provide addl.facilities for the expansion of elementary education, and every local body proposing the levy of an education tax is expected to contribute from its general revenues the amount usually spent by it on elementary education, and to utilise the proceeds of the education tax only to provide for addl.expenditure for the purposes of expansion of education by opening new schools etc. The proposal of the Corporation as now submitted to Govt does not appear to be in consonance with the spirit of the Act, and there is no express undertaking on its part to continue the usual contribution for elementary education from its general revenues."

Ø .A

SECRETARY TO GOVT. LOCAL SELF GOVT. DEPARTMENT ASST. SECRETARY 28 APR 1925

4. On the present occasion, however, the Corporation has agreed to contribute annually to its elementary education fund a sum of Rs.2,40,000 from its general revenues, which is also the amount contributed by it for 1924-25. There is therefore no objection to sanction being accorded to the levy of the education tax proposed by the Corporation of Madras. In this connection, attention is solicited to the Hon. the Chief Minister's Note dated 18-7-22 at pp.26 & 27 of notes to G.O.No. 856 Law(Edn) dated 21-7-22.

11745

ASST. SECRETARY TO GOVT. LAW DEPARTMENT 25 APR 1925

5. A draft order is submitted ~~and~~ It may be sent to L.S.G. and Finance for acceptance.

GR 22.4.25

V.TK 23.4

L.S.G } u.o
Finance

Lsm 1443 A

Law Edn u.o 1443 A-1
27-4-25

~~3~~ 6

LSG

ASSISTANT SECRETARY TO GOVERNMENT LAW DEPARTMENT 11 MAY 1925

Accepted

2824

Finance u.o

Finance (Exp)

The draft order may be accepted.

2. If the tax is Collected in 1925-26, an equal contribution will become payable to the Corporation in 1926-27. Law (Edn) will presumably take this into account in making their budget proposals for 1926-27.

L.S.G. u.o No 11745-1 Law 30/4/25

x yes.

ASSISTANT SECRETARY TO GOVT. LAW DEPARTMENT 9 MAY 1925

16917

6.5.25

7.5.25

Law (Edn)

Fin u.o No 16917 (Exp)-1
7-5-25

Law (Edn)

For orders as to circulation.

V.TK 8/5

8.5.25

M2

9/5.25

SECRETARY TO GOVERNMENT OF MADRAS LAW DEPARTMENT 9 MAY 1925

V.TK 9.5

7 6

Secy. II-5 (b)—5,003—6-12-24. (6)

LAW (EDUCATION) DEPARTMENT.

	Date.	Initials.
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When copied	11/5	
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When signed		
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Tax - Education.

Corporation of Madras - levy sanctioned.

READ AGAIN G.O. No. , dated 192 .

" " " " " 192 .

READ ALSO :-

C. No. From the , No. , dated 192 .

" " " " " " 192 .

" " " " " " 192 .

ORDER. No. 758, dated 11-5- 1925.

Misc.

Under Section 34 of the Madras Elementary Education Act, 1920, the Govt. sanction the proposal of the Corporation of Madras to levy an education tax in the area under its jurisdiction. This sanction is subject to the condition that the Corporation contributes every year from its general revenues to the Elementary Education fund under its control a sum not less than Rs. 2,40,000.

2. The proceeds of the education tax, and the equivalent Govt. contribution should be utilised solely for the expansion of elementary education and the opening of new schools, and should

not be diverted for the maintenance of existing schools or for raising the salaries of teachers.

AK 22/4/1925

V.TK 23.4

To the President, Corporation of Madras.
" P.D.E.C., Madras.
" D.P.I.
" Exr. L.F.A.
" L.S.G. deptt.
" Finance deptt.
" Registrar General of Panchayats.

DESPATCHED 12 MAY 1925

When given for copying — *When copied* — *When examined* — *When signed* — 192 .

READ AGAIN G.O. No. , DATED 192 .

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT	A	A	A	A	A	A	A
LETTER OF GOVERNMENT.							
STATEMENT WITH DITTO.							
PAPERS NOT FILED OF, BEING MEANT FOR DESPATCH IN ORIGINAL.							

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