

G.O. No. 801

801

DATED

6-5-26

[Despatch Abstract.]

District Educational Council, the Nilgiris.

M.R.By. M. Krishnaswami Mudaliyar - Vacated - Mr. A. Aaron -
Election as member - Notified.

PAPERS.

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

ENCLOSURES.

No.

Spare copies

R.O.C. No. 25/26.

Station Ootacamund, Dated the 9th April 1926.

From (Name) C.D'A. Crofton Esq., I.C.S.,

(Designation) President, District Educational
Council, the Nilgiris,

To The Secretary to the Government of Madras,

Law (Education) Department
Madras.

Sir,

Under Section 10(1) (b) of the Madras Elementary Education Act, 1920, M.R.Ry.M.Krishnaswamy Mudaliyar, Avergal, B.A., B.L., representative of the Ootacamund Municipality on this Council, having ceased to be member of this Council for having without sufficient cause absented himself from more than two consecutive meetings of the Council viz., on 30-11-'25, 20-1-'26, 4-3-'26, Mr.A.Aaron has been elected by the Ootacamund Municipal Council in his place. I therefore recommend that the election of Mr.A.Aaron be approved and his

S. 9/4.

DESPATCHED.

9 - APR 1928

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2 Law Com Dept.

Dt. Edl. Council, Nilgiris. Removal of member for absence from three consecutive meetings

[CN^o. 1444A]
pp 1-2f

From the P.D.E.C., Nilgiris, No. 25, 9.4.26.

In 1924 Mr. A. Aaron, who was

then the representative of the Municipal Council, Cootacamund, on the D.E.C., Nilgiris, was removed from membership for having absented himself from more than two consecutive meetings of the Council, and in his place the Municipal Council elected Mr. M. Krishnaswami Mudaliyar.

(R)

Vide G.O. No. 2, Law Com, 15.3.24. The President, Dt. Edl. Council, Nilgiris, now reports that Mr. Krishnaswami Mudaliyar has ceased to be a member of the Council for having absented himself ~~without~~ from more than two consecutive meetings without sufficient cause and that the Municipal Council has elected ^{in his place,} Mr. Aaron, who was previously removed from membership, for the

same reason. In cases where members absent themselves from more than two consecutive meetings the

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were satisfactory to allow them to continue
as members, or if they do not offer any
explanation to give them an opportunity to
resign their membership. In the
~~present case it is not known what~~
~~explanation was offered by the members.~~

As the Municipal Council, Cothacamund,
has already elected a representative
in place of Mr. Krishnaswami Mudaliyar,
it is ordered whether, following the precedent
in L.O. No. 1002, of 15-3-24, he may
be removed from membership and the
election of his successor notified. The
P.D.C. may also be informed that in
future the procedure referred to ^{at A} above
should be adopted.

Draft order submitted.

JA
18.10.24
Sg
9/11

The power to determine whether
the excuse is sufficient or
not is vested in the forerun
in Council under S. 10(1)(b).

The President seems to
be under an erroneous
impression that he has
been given discretion in the
the pointed
very further

VJE
20/4

M2

recurrence of the mistake. A
election already held may be
approved & the former members
dismissed on the presumption that
the excuse was not sufficient.
The Com. who is the President is
apparently not satisfied with
the explanation.

CR
19.4.26

The draft order is amended
Darius

CR
20/4



Law (Education) Department.

Routine notes (which are not to be (a) sent out of the office or (b) included in the originals or proceedings unless the notes are specially marked for retention or (c) printed).

Subject of file.

Removal of a member of the District Educational Council, the Nilgiris.

A. S.

With reference to the amendment made in the draft order by the Hon'ble M.2., it is respectfully submitted as follows:-

Section 8 (1) of the Elementary Education Act, 1920, provides that, "subject to the provisions of section 10, every person appointed or elected to be a member of a district educational council shall continue in office for three years from the date of the Fort St. George Gazette wherein his appointment or election is notified." Under this section Mr. M. Krishnaswami Mudaliyar vacates his seat only on 18-3-27, unless he is removed from office under section 10 (1) or resigns it himself under section 9 (1). Therefore no vacancy has occurred. As the Municipal Council has already elected another person in place of Mr. Mudaliyar the only course appears to be to remove him under section 10 (1) (b), and the first notification in para 1 of the draft seems necessary to regularise the procedure.

For orders as to whether it may be retained.

2. Paragraph 2 of the draft order has been revised with reference to the A.S.'s note on pages 243 n.f. For orders whether this paragraph may be communicated to all P.D.E.Cs. for information.

A revised draft is submitted for consideration.

24.2.27

24.2.27

V.T.F. 8/4

M2

2. The power to determine whether the excuse offered by a member of the District Educational Council for his absence from more than two consecutive meetings of the Council is sufficient or not, is vested in the Government under section 10 (1) (b) of the Elementary Education Act and the President of the District Educational Council has not been given discretion in the matter. When a member absents himself from more than two consecutive meetings of the Council the President should obtain the explanation of the member for his absence and submit it to Government with his recommendation.

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as to whether he may be allowed to remain on the Council.

Appendix.

Notification.

A vacancy having occurred in the membership of the District Educational Council, the Nilgiris, under section 10 (1) (b) of the Madras Elementary Education Act, 1920, Mr. Appadurai Aaron has been elected under section 5 of the Act to be a member of the District Educational Council by the Municipal Council, Ootacamund.

DESPATCHED
9/10-MAY-20

To
The P.D.E.C., the Nilgiris ✓
" S.G.P. (for publication of notification) ✓
Copy to Presidents of other D.E.Cs. (Para 2 only) ✓
Gazetted on 4/5/20 ✓

When given for copying _____
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When signed _____

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192 .

CURRENT No. _____

ENCLOSURES TO C. No. _____

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT. _____

STATEMENT WITH DITTO. _____

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