

Edu. (1947) Department.

(*ps*) SERIES.

G.O. NO. *2216. Edu.*

Dated *16-10-1947.*

[Despatch Abstract.]

Elementary Education Act. - Rules.

Draft. amendments - Confirmed

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
G.O. (PS)	1326	Edu.	13-6-47.				

Further Papers.

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

Government of Madras

EDUCATION AND PUBLIC HEALTH DEPARTMENT
(Education)

G.O. No. 2216, 16th October 1947

Elementary Education Act—Rules—Draft amendments confirmed.

Order—No. 2216, Education, dated 16th October 1947.

In G.O. No. 1236, Education, dated 13th June 1947, the Government published for general information and criticism the draft of certain amendments to the rules under the Elementary Education Act regarding the imposition of penalties on guardians of defaulting pupils in areas where elementary education has been made compulsory. No objections or suggestions having been received the draft amendments are hereby confirmed.

2. The appended notification will be published in the *Fort St. George Gazette*.

(By order of His Excellency the Governor)

M. V. SUBRAMANIAN,
Secretary to Government.

To all Special Officers of District Boards.
" the Executive Authorities of Municipal Councils.
" the Director of Public Instruction.
" the Examiner of Local Fund Accounts.
" the Commissioner, Corporation of Madras (through Mayor).
" the Inspector of Municipal Councils and Local Boards.
" the Legal Department.
" the Superintendent, Government Press, for publication in the *Fort St. George Gazette*.

APPENDIX.

In exercise of the powers conferred by section 56 of the Madras Elementary Education Act, 1920 (Madras Act VIII of 1920), His Excellency the Governor of Madras hereby makes the following amendments to the rules published with Law (Education) Department Notification No. 45, dated the 21st February 1922, at pages 146-178 of Part I-B of the *Fort St. George Gazette*, dated the 21st February 1922, as subsequently amended:—

AMENDMENTS.

In the said rules—

I. Under the heading "section 44—Compulsory Elementary Education",—

(1) in rule 7, for the words "Director of Public Instruction" the words "Divisional Inspector of Schools concerned" shall be substituted and to the same rule, the following proviso shall be added, namely:—

"Provided that in the case of the attendance committees constituted separately for girls' schools the nomination of members may be made by the Director of Public Instruction."

(2) in rule 8—

(a) at the end of sub-rule (1), the following sentence shall be added, namely:—

"In any area under the jurisdiction of a district board where compulsory education is introduced, on or after the 1st August 1945, the Senior Deputy Inspector or Junior Deputy Inspector who has jurisdiction over that area shall be the President of the Committee constituted under rule 7."

(b) sub-rules (3) and (4) shall be re-numbered as sub-rules (4) and (5), respectively and the following shall be inserted as sub-rule (3), namely:—

"(3) In non-municipal areas the village munsif shall be an ex-officio member of the Committee."

(3) in the second paragraph of rule 9, for the word "one-half" the word "one-third" shall be substituted.

(4) for rule 11, the following rule shall be substituted, namely:—

"The final defaulters' list shall be prepared by each headmaster in the form in Appendix 4 and submitted to the President of the Committee constituted under rule 7, an office copy being maintained in the school in a register with numbered pages."

II. For the rule under the heading "Section 50 (iii)—Prescribed Officer for granting exemptions from attendance," the following rule shall be substituted, namely:—

"In areas in respect of which notification under section 46 of the Madras Elementary Education Act, 1920, has been issued, the District Educational Officer of the district in which a child is resident shall be the Prescribed Officer for purposes of section 50 (iii) of the Act."

III. For the rules under the heading "Section 51 (1)—Enforcement of compulsion" the following rules shall be substituted, namely:—

"1. (1) The President of the Committee constituted under rule 7 of the rules framed under section 44 shall serve or cause to be served a notice on the guardian of the defaulting pupil or pupils calling on the guardian to appear before him to explain the default at a specified place in the compulsory area at a specified time and on a specified date.

(2) The notice referred to in sub-rule (1) shall be issued after the receipt of the defaulters' list from the headmasters. At least ten days shall be allowed between the date of service of the notice and the date fixed under sub-rule (1).

(3) If the guardian fails to appear on the date fixed to explain the default, the President of the Committee shall report the matter to the District Educational Officer who shall impose a penalty in accordance with the provisions of sub-section (1) of section 51.

(4) If the guardian applies for time for explaining the default, the President may, if the reasons given are satisfactory, grant time not exceeding a week and may appoint another date for his appearance. If the guardian does not appear even on that date, his case shall be reported to the District Educational Officer who shall impose a penalty in accordance with sub-section (1) of section 51.

(5) If the President considers that the reasons adduced are not satisfactory, he may refuse to grant the time asked for under sub-rule (4). He shall then report the case to the District Educational Officer who shall impose a penalty in accordance with the provisions of sub-section (1) of section 51.

(6) If the guardian appears at the place and date specified under sub-rule (1), the President shall conduct an oral enquiry and record in writing the explanation of the guardian for the absence of the child or children from school in the presence of at least one nominated member of the Committee. He shall then forward the records of the case to the District Educational Officer.

(7) The District Educational Officer shall on receipt of the records referred to in sub-rule (6) investigate whether the absence of the child is covered by any one of the grounds specified in section 50. If not, he shall impose a penalty in accordance with the provisions of sub-section (1) of section 51.

2. Every order imposing a penalty under rule 1 shall be communicated to the person on whom it is imposed, to the headmaster of the school, to the President of the Committee, to the President, District Board, or the Commissioner, Corporation of the Madras, or the Executive Authority of the Municipal Council, as the case may be, and to the village munsif in areas within the jurisdiction of district boards.

3. In the City of Madras and in other municipalities, the Commissioner shall take steps to collect the penalties, imposed under rule 1. In areas within the jurisdiction of district boards, the penalties shall be collected by the village munsif concerned.

4. For the first breach of the obligation created by section 49, no penalty shall be imposed and the guardian shall be let off with a warning, but, for the second and every subsequent breach, a penalty shall be levied on the following scale:—

	Minimum.	Maximum.
	RS. A. P.	RS. A. P.
Second breach	0 12 0	0 15 0
Third breach	1 8 0	1 14 0
Fourth breach	2 4 0	2 13 0
Fifth breach	3 0 0	3 12 0
Sixth and subsequent breaches	6 0 0	7 8 0

5. No penalty shall be levied on any guardian after the lapse of one full quarter from the date of receipt of the report of default by the President of the Committee.

6. No penalty shall be imposed in respect of any default occurring in any quarter which has not been reported upon in the quarter succeeding the same.

7. Every notice is issued by the President of the Committee to a guardian and every order imposing any penalty on a guardian shall be served on him by the village munsif in non-municipal areas. A copy of the memorandum forwarding the notice or order to the village munsif shall be sent to the Tahsildar concerned for information. In the municipal areas the notice or order shall be sent to the Executive Authority of the Municipality who shall arrange for the service of the notice or order on the guardian through a suitable municipal employee. The service of the notice or order in the City of Madras may be effected in the manner laid down in section 374 of the Madras City Municipal Act, 1919. The Commissioner, Corporation of Madras, or the Executive Authority of a Municipal Council or the village munsif, as the case may be, shall return the counterfoil of the notice to the President of the Committee and the counterfoil of the order to the District Educational Officer specifying the date on which the notice or order has been served with the signature of the guardian. In cases where the counterfoil cannot be returned with the signature of the guardian, a report as to the mode of service should be made to the President of the Committee or to the District Educational Officer, as the case may be.

8. If any difficulty arises in the interpretation or enforcement of these rules, the matter shall be reported to the Director of Public Instruction whose decision thereon shall be final."

IV. (1) In Appendix 3, for Note (iii), the following shall be substituted, namely:—

"(iii) In areas where compulsory elementary education has been introduced on or after the 1st August 1945, compulsion cannot be enforced in the case of a boy if he has completed fourteen years of age and in the case of a girl if she has completed twelve years of age. Compulsion may however be enforced up to the age of fourteen if the girl is reading in a special girls' school functioning in those areas. In other areas compulsion cannot be enforced in respect of children of either sex, if they have completed twelve years of age."

(2) In Appendix 4, for items 7 and 8, the following items shall be substituted, namely:—

"7. Date of report to the President of the Committee constituted under rule 7 of the rules framed under section 44 of the Elementary Education Act.

8. Issue of notice by the President of the Committee."

161
1144

Ed. D. H. 342
B2

Elementary Education Act Rules
Draft Amendments Confirmed

Order. 2216 Edu D. 16.6.47
Rs.

10/11/47
302

In G.O. no. 1236. Edu D. 13.6.47
the Government published for
general information and criticism
the draft of ^{certain} amendments to
the rules under the Elementary
Education Act regarding the
~~transfer to the D.E.O.s of the power~~
^{imposition of} penalties on guardians
of defaulting pupils in areas where
elementary education has been
made compulsory. No objections
or suggestions having been
received, the draft amendments
are hereby confirmed.

2. The appended notification
will be published in the First St.
George Gazette.

26/5/47

27-9-47

- To
All Presidents of
Dist Bd. ✓
- The Executive
Authorities of
the D.P.S. ✓
- The Exm. LFA ✓
- The Comm. Corp. ✓
- of Madras (M. ✓
- The Inspector of ✓
- the Dist L.B.D. ✓

APPENDIX

In exercise of the powers
conferred by section 56
of the Madras Elementary Education
Act, 1920 (Madras Act VIII of 1920),

Sd/-

880
302

His Excellency the Governor of
Madras is hereby ~~pleased~~
to make the following amendments
to the rules published with Law
(Education) Dept. Notification
No. 45, dated the 21st February 1922,
as pages 146-178 of Part I-B of the
Madras Gazette, dated the
21st February 1922, as subsequently
amended:-

Draft Amendments

In the said rules:-

I. Under the heading "section 44—Compulsory Elementary Education"—
(1) in rule 7, for the words "Director of Public Instruction" the words "Divisional
Inspector of Schools concerned" shall be substituted and to the same rule, the following
proviso shall be added, namely:-

"Provided that in the case of the attendance committees constituted separately for
girls' schools the nomination of members may be made by the Director of Public Instruction."

(2) in rule 8:-

(a) at the end of sub-rule (1), the following sentence shall be added, namely:-
"In any area under the jurisdiction of a District Board where compulsory education
is introduced, on or after 1st August 1945, the Senior Deputy Inspector or Junior Deputy
Inspector who has jurisdiction over that area shall be President of the committee constituted
under rule 7."

(b) sub-rules (3) and (4) shall be renumbered as sub-rules (4) and (5) respectively and
the following shall be inserted as sub-rule (3), namely:-

"(3) In non-municipal areas the village munsif shall be an ex-officio member of the
Committee."

(3) in the second paragraph of rule 9, for the word "one-half" the word "one-third" shall
be substituted.

(4) for rule 11, the following rule shall be substituted, namely:-
"The final defaulters' list shall be prepared by each headmaster in the form in
Appendix 4 and submitted to the President of the Committee constituted under rule 7, an
office copy being maintained in the school in a register with numbered pages."

II. For the rule under the heading "Section 50 (iii)—Prescribed Officer for granting
exemptions from attendance", the following rule shall be substituted, namely:-

"In areas in respect of which notification under section 46 of the Madras Elementary
Education Act, 1920, has been issued, the District Educational Officer of the district in which a
child is resident shall be the Prescribed Officer for purposes of section 50 (iii) of the Act."

III. For the rules under the heading "Section 51 (1)—Enforcement of compulsion" the
following rules shall be substituted, namely:-

1. (1) The President of the Committee constituted under rule 7 of the rules framed under
section 44 shall serve or cause to be served a notice on the guardian of the defaulting pupil or
pupils calling on the guardian to appear before him to explain the default at a specified place
in the compulsory area at a specified time and on a specified date.

(2) The notice referred to in sub-rule (1) shall be issued after the receipt of the defaulters'
list from the headmasters. At least ten days shall be allowed between the date of service of
the notice and the date fixed under sub-rule (1).

(3) If the guardian fails to appear on the date fixed to explain the default, the
President of the Committee shall report the matter to the District Educational Officer who shall
impose a penalty in accordance with the provisions of sub-section (1) of section 51.

(4) If the guardian applies for time for explaining the default, the President may, if the
reasons given are satisfactory, grant time not exceeding a week and may appoint another
date for his appearance. If the guardian does not appear even on that date, his case shall be
reported to the District Educational Officer who shall impose a penalty in accordance with
sub-section (1) of section 51.

(5) If the President considers that the reasons adduced are not satisfactory, he may
refuse to grant the time asked for under sub-rule (4). He shall then report the case to the
District Educational Officer who shall impose a penalty in accordance with the provisions of
sub-section (1) of section 51.

(6) If the guardian appears at the place and date specified under sub-rule (1), the
President shall conduct an oral enquiry and record in writing the explanation of the guardian
for the absence of the child or children from school in the presence of at least one nominated
member of the Committee. He shall then forward the records of the case to the District
Educational Officer.

(7) The District Educational Officer shall on receipt of the records referred to in sub-
rule (6) investigate whether the absence of the child is covered by any one of the grounds
specified in section 50. If not, he shall impose a penalty in accordance with the provisions of
sub-section (1) of section 51.

2. Every order imposing a penalty under rule 1 shall be communicated to the person
on whom it is imposed, to the headmaster of the school, to the President of the Committee, to
the president, district board, or the Commissioner, Corporation of Madras, or the executive
authority of the municipal council, as the case may be, and to the village munsif in areas
within the jurisdiction of district boards.

3. In the City of Madras and in other municipalities, the Commissioner shall take steps
to collect the penalties, imposed under rule 1. In areas within the jurisdiction of district
boards, the penalties shall be collected by the village munsif concerned.

4. For the first breach of the obligation created by section 49, no penalty shall be impos-
ed and the guardian shall be let off with a warning, but, for the second and every subsequent
breach, a penalty shall be levied on the following scale:-

	Minimum.	Maximum.
	RS. A. P.	RS. A. P.
Second breach	0 12 0	0 15 0
Third breach	1 8 0	1 14 0
Fourth breach	2 4 0	2 13 0
Fifth breach	3 0 0	3 12 0
Sixth and subsequent breaches	4 0 0	4 11 0

5. No penalty shall be levied on any guardian after the lapse of one full quarter from the
date of receipt of the report of default by the President of the Committee.

6. No penalty shall be imposed in respect of any default occurring in any quarter which
has not been reported upon in the quarter succeeding the same.

7. Every notice issued by the President of the Committee to a guardian and every order
imposing any penalty on a guardian shall be served on him by the village munsif in non-
municipal areas. A copy of the memorandum forwarding the notice or order to the village
munsif shall be sent to the Tahsildar concerned for information. In municipal areas the notice
or order shall be sent to the executive authority of the municipality who shall arrange for the
service of the notice or order on the guardian through a suitable municipal employee. The
service of the notice or order in the City of Madras may be effected in the manner laid down in
section 374 of the Madras City Municipal Act, 1919. The Commissioner, Corporation of Madras,
or the executive authority of a municipal council or the village munsif, as the case
may be, shall return the counterfoil of the notice to the President of the Committee and the
counterfoil of the order to the District Educational Officer specifying the date on which the
notice or order has been served with the signature of the guardian. In cases where the
counterfoil cannot be returned with the signature of the guardian, a report as to the mode of
service should be made to the President of the Committee or to the District Educational Officer,
as the case may be.

8. If any difficulty arises in the interpretation or enforcement of these rules, the matter
shall be reported to the Director of Public Instruction whose decision thereon shall be final."

IV. (1) In Appendix 3, for Note (iii), the following shall be substituted, namely:-

"(iii) In areas where compulsory elementary education has been introduced on or after the
1st August 1945, compulsion cannot be enforced in the case of a boy if he has completed four-
teen years of age and in the case of a girl if she has completed twelve years of age. Compulsion
may however be enforced up to the age of fourteen if the girl is reading in a special girls'
school functioning in those areas. In other areas compulsion cannot be enforced in respect of
children of either sex, if they have completed twelve years of age."

(2) In Appendix 4, for items 7 and 8, the following items shall be substituted, namely:-
"7. Date of report to the President of the Committee constituted under rule 7 of the
rules framed under section 44 of the Elementary Education Act.

8. Issue of notice by the President of the Committee."

26-7-47

27-9-47

3

2

8

Sub: Compulsory Ele Education
Amendment rules for ^{confirmation} information

C.N. 1022/47
21.9.47

(8)

On G.O. no. 1236. Edn D 13.6.47, the govt published for general information a draft of certain amendments to the rules framed under the Ele. Edu Act regarding the introduction of compulsory Ele Edu. ^A ~~The~~ ^{time} ~~line~~ of 6 weeks, was ^{allowed} ~~fixed~~ for the receipt of objections and criticisms. The notification was published in the Gazette of ^{India} ~~the~~ 5th of August and the ^{time} ~~line~~ of 6 weeks ^{has} ~~all~~ ^{expired} ~~fixed~~ for the receipt of objections and criticisms have ~~lapsed~~. No objections or criticisms have been received so far. The draft amendments may now be confirmed.

2. A draft order is submitted for approval. Legal may see for scrutiny of ^{draft} ~~notification~~

LPB- 24.9.47

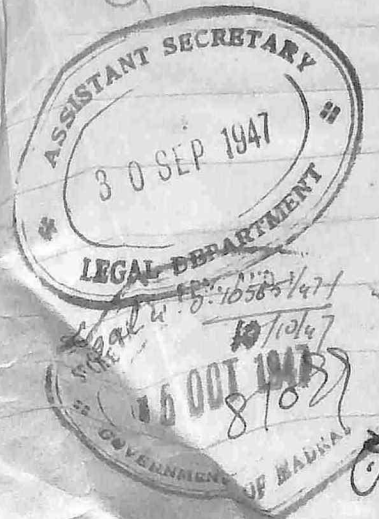
27.9.47

S / Legal
Lya.

Exp. H. no 3829/132/47

29.9.47

10585



The slight alterations indicated in red ink on the draft notification may be made.

KR 10/10/47

ES P. H.
132

Marine

11/10/47

15-10-47

PRESS SLIP.

ORDINARY.

URGENT (a).

SPECIAL (a).

DEPARTMENT.

Current No. 81099/4 dated 16-10-1947 194
G.O. No. 226/47 dated 16-10-1947 194

Number of MS. pages sent { (b) Correspondence.....
(c) Notes.....

Brief subject.....

(d) Number of copies required when struck off (not including copies for volumes and editors' table which are retained in the Press).	"Press" copies to supply on requisitions for purchase by the public.	Complete correspondence and orders.	Notes.
(1)	(2)	(3)	(4)
FOR RECORD.*			
Madras Records ...	4	6	
Ooty Records ...		3	
For filing with original ...		1	
Total ...		10	

FOR ISSUE.†	Letter only.	Complete G.O.	Special issue copies of G.O.	Notes.
			No. Papers.	

Signature copies.....	6			
India Office.....				
Govt. of India.....Dept.				
Revenue Department.....				
Public Works Department.....				
Local Administration Department.....				
Education and Public Health Dept.				
Public Dept.....				
Home Dept.....				
Dev. Dept.....				
Finance Dept.....				
Legal Dept.....				
Sectt. of the Madras Legislature.....				

Total ...	6			
The... M.S. 50437 Bds.	24			
The... Executive authorities...	30			
The... D.P. 9...	100			
The... F. & A. A.	4			
The... Madras...	3			
The... Madras...	1			
The... Legal Dept.	1			
The... S. G. P.	1			
The... Spare copies.	40			
The...				
The...				
The...				
The...				
The...				
The...				
Total ...	198	150		

INSTRUCTIONS FOR THE SECRETARIAT.

- (a) If a paper is marked to be printed urgently or as special 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 had 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 are not quite legible should be re-written clearly.
- (c) For rules regarding printing of Press slips, see the chapter on printing and proof correction in the Secretariat Office Manual.
- (d) The number of copies and the details of distribution should be filled in by the Superintendent or clerk concerned.
- (e) 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.
- (f) 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 special of urgent unnecessarily, he should send the Press slip to the Assistant Secretary 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 Assistant Secretary any instance of incomplete 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 Ministers or Advisers 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.

Copies distributed on 15-12-47 (Press clerk).

† Copies distributed on (Press Despatcher).

† To be initialed and dated.

TO PRESS, MADRAS.

A

B

C

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

Proof returned corrected. Please strike off and send number of copies as indicated.

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.

Type may be released after usual interval.
at once

.....Clerk.

Shobal Ghefor
.....Clerk.
19.11.47

.....Clerk.

.....Supt.

19/11/47
.....Supt.

.....Supt.

SPECIAL INSTRUCTIONS

certified that the number of copies indented for is the minimum required having regard to the present shortage of paper.

J. B. M. S. 1
Assistant Secretary to Government
19.11.47
15/11

TO BE FILLED IN BY THE PRESS.

Diary.	Initials of Press official.
Received in Press on.....	27-10-47 <i>MS</i>
First proof furnished on.....	3-11-47 <i>MS</i>
Call for revised proof received on.....	/
Revised proof furnished on.....	/
Corrected proof received for striking on.....	27-11-47 <i>MS</i>
Final copies supplied on.....	3-12-47 <i>MS</i>