EDN(1950) DEPT

G.O. (Ms) 2362

23. 8. 50.

8/

14

Rules. The Madras Public Libraries Act, 1948 — Amendment - Notified

Further papers

G.O. 2423 Edn 17.8.50

செப்பனிடுவதற்காக எடுத்துக் கொள்ளப்பட்ட
ஜூன் மாதம் வருடம் 1985
செப்பனிட்டு முடித்த
[illegible] மாதம் வருடம் 1985
ஆராய்ச்சி உதவியாளரின் கையொப்பம்.

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(2)

Education Department.

From
The Director of Public Instruction,
Madras

To
The Secretary to the Government of Madras,
Education Department, Fort St. George, Madras.

20247.

R.C.No. 72-N/50 dated 18th July, 1950.

SIR,

Libraries--Madras Public Libraries Act, 1948--Election of members--Printing of election notices and ballot papers--Instructions Requested.
Reference:-From the Inspector of Municipal Councils and Local Boards,Roc.No.30078/50-E4 dated 6.7.1950.

With reference to the subject and the references cited above I enclose herewith copies of the letter and the enclosure to it received from the Inspector of Municipal Councils and Local Boards and request the Government will be pleased to furnish me with particulars to give suitable replies to the queries raised in the letter and its enclosure referred to above. As the formation of Local Library Authorities in the districts will be delayed for want of furnishing the replies to the above queries, it is requested the Government will be pleased to treat this reference as specially urgent.

Yours faithfully,

R. Janardhanan
(19.VII.1950)

For Director of Public Instruction.

ks.18.7.

Copy of letter Roc.No.30078/50 dated 6.7.1950 from the Inspector of Municipal Councils and Local Boards, Madras to the Director of Public Instruction,Madras.

Libraries--Madras Public Libraries Act, 1948--Election of members--Printing of election notices and ballot papers--Instructions requested.

Reference:-Your letter Rc.No.54-N/50 dated 13.6.1950.

I forward herewith an extract of para two of the letter R.C. 2687/50 dated 14.6.1950 of the District Panchayat Officer,Tiruchirapalli and a copy letter Roc.No.1734/50 dated 27.6.1950 of the District Panchayat Officer, Ramnad on the above subject and request that necessary instructions may be issued to them. I also request instructions regarding the number of days before which notices about the date, place and hour of the meeting for the election of members to the local library Authority from Panchayat Boards should be sent to the Presidents.

/True copy/.

II.

Extract from letter Rc.No.2687/50 dated 14.6.1950 of the District Panchayat Officer, Tiruchirapalli addressed to the Inspector of Local Board Madras 1.

Subject:-Library authority--Tiruchirapalli District--Election of members from Panchayat Board Presidents--Printing of election notices and ballot papers--Cost to be met with from particulars--Requested.

@@@

2. In this connection I submit that 450 election notices and 450 ballot papers have to be printed. I request instructions as to where from they have to be printed and the cost thereof met with. Early instructions

P.T.

are requested in the matter.

/True Extract/.

III.

Copy of letter Roc.C.No.1734/50 dated 27.6.1950 of the District Panchayat Officer, Ramanathapuram at Mathurai addressed to the Inspector of Local Boards, Madras.

@@@

Subject:- Madras Public Libraries Act, 1948--Election of members to the Local Library Authority from Panchayat Boards--Further instructions solicited.

Refce.:-- Inspector's D.Dis.29892/50 dated 6.6.1950.

I submit that there are only 2 Panchayat Boards functioning in Tiruvadanai taluk(i.e.)1. Tondi (Major) and (2) Tiruvadanai (Minor). The President, Panchayat Board, Tondi has delegated his powers to a member under Section 23(3) of the Madras Local Boards Act since the Vice-President has resigned his post.

The election procedure cannot be followed as there wont be a proposer and a seconder besides the candidate for election. I solicit urgent instructions in the matter. II N

I also solicit early instructions whether the Vice-Presidents in charge, President Delegates, temporary Presidents and Special Officers of superceded panchayat boards can take part in the election under reference and stand as candidates for election. } K

/True Copy/.

R. Janardhanam
(19-VII-1950)
For Director of Public Instruction.

ks.18.7.

8/19/7

Pl. move at once & return file.
11.8.50

3 ③ 3

Education Department.

LIBRARIES - Public Libraries Act, 1948 - Local Library Authorities - Preliminary expenses.

MEMO NO. 20247 E/50 -3 Edn. Dt. 11. 8.50

The attention of the Accountant General is invited to the provisions of section 5 of the Madras Public Libraries Act, 1948 (Copy enclosed) under which Local Library Authorities shall be constituted one for each district and the City of Madras for the purposes of organising and administering public libraries in the Province. The D.E.O. has been appointed member, convenor and Secretary of the Local Library Authority~~xxx~~ in each ~~the~~ district. The constitution of the Local Library Authorities is proceeding apace and elections are being conducted in accordance with ~~the~~ rules framed in that behalf.

The question of the preliminrary expenses connected with the organization of, and elections to, the Local Library Authorities has been raised. It is considered that such expenses will be essential especially as the Local Library Authorities have no funds at present and will have such funds only after they are constituted and have levied ~~xxxxxx~~ a library cess as contemplated under section 12 of the Act, ~~as contemplated xxxxx x in section 12 of the Act~~ and have also received contributions payable to them under section 13 (3) of the Act. In the circumstances it is proposed to place at the disposal of the D.E.O. i.e. the Secretary to the Local Library Authority, a sum of Rs 200/- as advance towards the preliminary expenditure connected with the Local Library Authority. This being a legitimate charge on the Library Fund, the Local Library Authority will later be required to accept debits to the fund by per contra credit to Government account. The D.E.O. will keep a correct account of the expenditure to be incurred from the sum of Rs 200/- proposed to be placed at his disposal and take action to recover the amount from the local Library Fund as soon as it comes into being.

4 2

It has been suggested that the advance proposed may not be recouped by deduction from the Statutory Contribution under Sec 13(3)

~~The advance to the granted to the D.E.O. as proposed above will~~ but should be debited to "Advances repayable C. Special Advances- E. Other Advances", in the first instance and credits being made subsequently to Govt. Account -

The Accountant General is requested to offer his remarks on the ~~above suggestion.~~ procedure outlined above - He is requested to treat the matter as specially urgent and send a very early reply to this refce ~~as orders making the advance should be issued immediately.~~

10850.

To

The A.G. (with a copy of the Madras Public Libraries Act)

S/p. Copy

5

EDN. DEPT.(E).

4

RULES - Madras Public Libraries' Act, 1948 - Amendments - Notified.

Read:- G.O No. 627 Edn. dated 28. 2. 50.

From the D.P.I., No. 72-N.50 dated 18-7-50.

pages 1-2 y

ORDER/MS. NO. EDN., DATED

Certain amendments are considered necessary in the Rules relating to the election of members of Local Library Authorities, by the Presidents of Panchayats, ~~rules printed with G.O. No. 627, Edn., dated 28-2-1950,~~ in the light of the points raised in the correspondence forwarded by the Director with his letter cited above. The~~y~~ amendments will be as shown in the appendix to this order -

pages 1&2 y

2. The Director is informed that Special Officers, Vice-Presidents-in-charge, President Delegates and Temporary Presidents of Panchayats, who discharge the duties of Presidents of Panchayats may take part in the election of members of the Local Library Authorities, in the same manner as Presidents of Panchayats do.

3 The question of providing funds to the D.E.O. towards the preliminary expenses of the Local Library Authorities is under consideration and orders will issue ~~later~~ on the question later

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

19.8.50.

To

The D.P.I.
" Inspr. of Ml.Cls.& L.Bds.
All Collectors.
All P.D.Bs.
All Pts. of Panchayat Bds. thro' P.D.Bs.
The Exe.Authorities of Muntics.
" S.T.G.
" Librarian, C.P.L.
" C.C.M. thro' the Mayor.
" Examr. of L.F.A.
" A.G.
" Regrs. of the Madras, Andhra & Annamalai Universities.
" Rev Dept.
" L.A. Dept.
" Fin. Dept.
" R.W.Dept.
" Legal Dept.
" S.G.P. for publication of the notifn. in the F.S.G.G.

APPENDIX.

-2-

6

APPENDIX.
NOTIFICATION.

p 2 of (A)

In exercise of the powers conferred by section~~s~~ 18(1) of the Madras Public Libraries Act, 1948 (Madras Act XXIV of 1948), 1950 (published with Education Department His Excellency the Governor of Madras hereby makes the following amendments ~~in~~ to the (Madras Public Libraries) Rules, ~~contained with~~ in Notification No. , dated the 28th February 1950, ~~published in~~ at pages.... of the Rules Supplement to the part.... of Fort St. George Gazette, dated the ....)

x to be filled in

AMENDMENTS.

In the said rules -

(i) the following shall be added ~~as the last~~ sentence at the end, in ~~of~~ rule 12, namely:-

p 3 of (D)

"The District Panchayat Officer or the Deputy Panchayat Officer, as the case may be, shall convene a meeting of the presidents of the panchayats in the district, after giving ~~a~~ notice of not less than seven days ~~before the date~~ of the meeting specifying the time and the place at which the meeting will be held";

bottom of p-3 of (D)

(ii) after sub-rule (2) of rule 16, the following proviso shall be added, namely:-

"Provided that—

(a) ~~where~~ if there is only one ~~President functions~~ panchayat in a taluk, ~~such~~ the president of that panchayat shall ~~may~~ nominate a candidate and the candidate so nominated shall be declared to be duly elected;

(b) ~~where~~ if there are two or three ~~such Presidents function~~ panchayats in a taluk, a meeting of the presidents of those panchayats shall be convened at which these presidents shall ~~may~~ choose ~~the~~ a candidate ~~to be elected~~, after due deliberation among themselves, and the candidate so chosen shall be declared to be duly elected; and

(c) ~~where~~ if the presidents are unable to agree among themselves as to the candidate to be ~~returned~~ chosen, lots shall be drawn in the presence of the District Panchayat Officer or the Deputy Panchayat Officer, as the case may be, and the candidate whose name is thus drawn shall be declared to be duly elected."

19.8.50

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ppl-2 ante

5

7

(B)

Edn.Deptt.(E)

Pl. issue ... 23/8/50.

Rules - Madras Public Libraries Act, 1948-Amendments-Notified.

***

(D)

Read: G.O.No.627 Education dated 28-2-1950.
From the D.P.I.No.72,N.50 dated 18-7-50.

pp1-2 of

ORDER/Ms.No. 2362 Edn. Dated 23.8.50

Certain amendments are considered necessary in the rules relating to the election of members of Local Library Authorities, by the Presidents of Panchayats, in the light of the points raised in the correspondence forwarded by the Director with his letter cited above. The amendments will be as shown in the appendix to this order.

pp1-2 of

p4 infra

2.The Director is informed that Special Officers, Vice-Presidents-in-charge, President-Delegates and Temporary Presidents of Panchayats, who discharge the duties of Presidents of Panchayats may take part in the election of members of the Local Library Authorities, in the same manner as ~~Rrxisnxx~~ Presidents of Panchayats.

3.The question of providing funds to the D.E.O. towards the preliminary expenses of the Local Library Authorities is under consideration and orders will issue on the question later.

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

23.8.50

Dp. to all Rus. 24/8.

To

- The D.P.I.
- The Insptr.of Ml.Cls.& L.Bds.
- All Collectors.
- All P.D.Bs.
- All Pts.of Panchayat Bds.
  thro' P.D.Bs.
- The Exe.Authorities of Mnties.
- The S.T.G.
- The Librarian, C.P.L.
- C.C.M.thro' the Mayor.
- Examr.of L.F.A.
- The A.G;
- The Regrs.of the Madras.
  Andhra & Annamalai Uties.
- Rev.Deptt.
- L.A.Dept.
- Fin.Deptt.
- P.W.Deptt.
- Legal Deptt.
- S.G.P. for publication of
  the Notifn.in the F.S.G.G.

Appendix

P.T.O

APPENDIX
NOTIFICATION.

In exercise of the powers conferred by section 18(1) of the Madras Public Libraries Act, 1948 (Madras Act XXIV of 1948) His Excellency the Governor of Madras hereby makes the following amendments to the Madras Public Libraries Rules, 1950 (published with Education Department Notification ~~No~~ dated the 28th February 1950, published at pp 19-26 of the Rules Supplement to Part I B of the Fort St. George Gazette, dated the ~~[illegible]~~ 14th March 1950.)

(will be filled in [illegible])

AMENDMENTS

In the said rules-

(i) In rule 12, the following sentence shall be added at the end, namely:-

" The District Panchayat Officer or the Deputy Panchayat Officer, as the case may be, shall convene a meeting of the presidents of the panchayats in the district, after giving notice of not less than seven days of the meeting specifying the time and the place at which the meeting will be held.";

(ii) after sub-rule (2) of rule 16, the following proviso shall be added, namely:-

" Provided that --

(a) if there is only one panchayat in a taluk, the president of that panchayat shall nominate a candidate and the candidate so nominated shall be declared to be duly elected;

(b) if there are two or three panchayats in a taluk, a meeting of the presidents of those panchayats shall be convened at which these presidents shall, after due deliberation among themselves, choose a candidate and the candidate so chosen shall be declared to be duly elected; and

(c) if ~~the~~ these presidents are unable to agree among themselves as to the candidate to be chosen, lots shall be drawn in the presence of the District Panchayat Officer or the Deputy Panchayat Officer, as the case may be, and the candidate whose name is thus drawn shall be declared to be duly elected."

238.50

GOVERNMENT OF MADRAS.
~~EDUCATION DEPARTMENT.~~
ABSTRACT.

...

RULES - Madras Public Libraries Act, 1948 - Amendments - Notified.

EDUCATION DEPARTMENT.

G.O.Ms.No. 2362, Education, Dated 23rd August 1950.
Read the following:-

G.O. No. 627, Education, dated 28th February 1950.
From the Director of Public Instruction, No. 72, N.50 dated 18th July 1950.

--

ORDER:

Certain amendments are considered necessary in the rules relating to the election of members of Local Library Authorities, by the Presidents of Panchayats, in the light of the points raised in the correspondence forwarded by the Director with his letter cited above. The amendments will be as shown in the appendix to this order.

2. The Director is informed that Special Officers, Vice-Presidents-in-charge, President-Delegates and Temporary Presidents of Panchayats, who discharge the duties of Presidents of Panchayats may take part in the election of members of the Local Library Authorities, in the same manner as Presidents of Panchayats.

3. The question of providing funds to the District Educational Officer towards the preliminary expenses of the Local Library Authorities is under consideration and orders will issue on the question later.

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

(BY ORDER OF HIS EXCELLENCY THE GOVERNOR)

S.A. IYENGAR,
Secretary to Government.

To

The Director of Public Instruction.
The Inspector of Municipal Councils and Local Boards.
All Collectors.
All Presidents of District Boards.
All ~~Panchayats~~ Presidents of Panchayat Boards through Presidents of District Boards.

The Executive Authorities of Municipalities.
The Senior Translator to Government.
The Librarian, Connemara Public Library.
The Commissioner, Corporation of Madras through the Mayor.
The Examiner of Local Fund Accounts.
The Accountant-General.
The Registrars of the Madras, Andhra and Annamalai Universities.
The Revenue Department.
The Local Administration Department.
The Finance Department.
The Public Works Department.
The Legal Department.
The Superintendent, Government Press for publication of the notification in the Fort St. George Gazette.

Forwarded/By order

SUPERINTENDENT.

APPENDIX.

P.T.O.

As regards the no. of days before which notices about the date, place and hour of the meeting for the election should be sent to the Presidents, ~~and Panchayats~~ the I.L.B. may perhaps be informed that it would be enough ~~for~~ if a "reasonable time", say, a fortnight, is fixed; ~~which~~ and the actual period may be left to the discretion of the Panchayat officer who is in charge of election. Attention is in this connection solicited to the Dir.'s letter at P.23 cf. pr. ⑬ wherein he has stated that " it does not seem necessary to prescribe a separate set of rules and specify in detail the method of conducting the election of members to Local Library Authorities."

para 1 p 234.

Item (2) above:

--------------- It does not seem necessary to elect any candidate in such cases. For orders.

See below

Item (3) above:

------------ - In Sec. 5(3)(c) of the M.R.L. Act, 1948, which refers to the election in question, only the term 'President' is ~~only~~ used. But it would seem desirable to include the persons who are actually discharging the duties of the office of the President at the time of the election (for example Vice-President in-charge, Spl. Officer in the case of superseded Boards, President-Delegates, etc.,) to participate and stand as candidates for such election.

Legal may be requested to advise.

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The file may be sent to L.A., Finance, and Legal for remarks.

20/7/50.

Point (2) above —

The election by the Presidents of Panchayats is governed by the provisions of section 5(3)(c) of the Act and Rule 16(2) of the Rules under the Act. The election is to be by ballot necessarily from among themselves, though there is no objection to the Presidents electing one of themselves in a taluk. Where only one President of the Panchayat exists or where two Presidents only exist the procedure should be for the single President or the two Presidents electing another member of the Panchayat or an outsider. In the first of the cases there will be no meeting as such the Pt. will nominate a candidate and the election will be uncontested; in the second case, where there are two Presidents, a meeting may formally be convened & they may agree ~~among~~ between themselves as to the ~~[illegible]~~ person (Panchayat member or another resident in the area) to be elected. In case there is no agreement between them lots may be cast in the presence of the D.P.O, though this procedure is not laid down in the Rules. Election by ballot is not feasible in these cases. L.A. Legal and Finance may see.

20.7.50

21.7.50

L.A. / Legal

LOCAL ADMINISTRATION DEPARTMENT
29593
21 JUL 1950
SECRETARIAT, MADRAS

On points (1) and (3) mentioned at B on p.1 above, this dept may agree with Edn.

As regards point (2), the procedure outlined by A.S Edn at p 3 above may be adopted, after making suitable provision for the purpose in Rule 16(2) of the Madras Public Libraries Rules, 1950.

21.2.50

Secy

Legal

F

21.7.50

Legal

ASSISTANT SEC
11143.
21 JUL 1950
5-20 P.M.
LEGAL DEPARTMENT

LEGAL DEPARTMENT.

Ltr No. 29593/5
21/7

M

__Item (1) on p.1 ante__:- Under~~s~~ s13(1) of Madras Act XXIV of 1948 the expenses incidental to the election under s5(3)(c)of the said Act have to be met from the 'Library Fund'.

__Item 2 on p.2 ante__:- This Department agrees with L.A.that rule 16 has to be suitably amended for the purpose.

__Item 3 on p.2 ante__:-It is not possible to frame rules to enable persons acting as Presidents also to take part in the election.But it may be held-though the point is not completely free from doubt--that they are Presidents for the purpose of election under the Public Libraries Act also.

Legal U.O. 11143/50
27.7.50

__Finance (Exp B)__

27.7

Seen and returned.

28/7/50

Edn.

21481

ASSISTANT SECRETARY TO GOVERNMENT
27 JUL 1950
67701
FINANCE DEPARTMENT

Fin U.O. 67701/EB-1
28/7/50

Education Department (E)

Please see this Department's note on pp. 1-3 ante and the notes of L.A., Legal and Finance et seq.

2/ The following queries have been raised in connection with the method of conducting elections with ref. to Rule 16 of the Madras Public Libraries Rule, 1950 :-

B – p.1 ante

(1) Wherefrom is the cost on account of the printing of election notices and ballot papers have to be met; (The I.L.B. has also enquired about the No. of days before which the notices about the date, hour and place should be issued)

(2) In the case of a taluk where there are only 2 Panchayats, the election cannot be conducted for want of a candidate, besides the proposer and seconder; and that, whether in such cases, election need not be conducted; and

(3) whether Vice-Presidents-in-charge, President Delegates, temporary Presidents and Special Officers of superseded Panchayat Boards can take part in this election as well as stand as candidate for it.

F p.2 ante

3/ In regard to (1) above, this Department has noted that the cost on account of the election under Rule 16 (2) may be met by the Local Library authority after it comes into being and pending its formation, the cost may be met by Government and the D.P.Os. who conduct the elections may be asked to meet such incidental expenses from their contingencies which may be recovered later from the local library authorities. L.A. agree with this view but Legal state that under Section 13(1) of the Madras Act XXIV of 1948 the expenses incidental to the election under section 5(3)(c) of the said Act have to be met from Library fund, but they have not offered any remarks as to how the cost is to be met in the interegnum period intervening the formation of the library authorities. It is presumed that they agree with our view for the time being. As regards the time, a fortnight's time may be given before the date of meeting.

B

p 4 ante

4 As regards item (2) above, Legal agree with the view of L.A. that rule 16 of the Rules has to be

6/

suitably amended as suggested by A.S. on p. 3 ante.

Perhaps the following ~~proviso~~ may be added to sub-rule (2) of rule 16 to give effect to the views of A.S.:—

p 3 b (D)

p 3 ante

> "Where only one President of the Panchayat ~~exists~~ functions or only two Presidents exist, the procedure should be for a single President or the two Presidents electing another member of the Panchayat or an outsider.

B

> There will be no meeting as such in the first of the cases; ~~as~~ the President will nominate a candidate ~~and~~ ~~the election will be uncontested~~ and the candidate so nominated shall be declared duly elected. In the second case where there are two Presidents, a meeting may formally be convened and they may agree between themselves as to the person (panchayat member and another resident in the area) to be elected. In case there is no agreement between them, lots may be cast in the presence of the D.P.O. and the persons elected."

5/ In regard to item (3), on the previous page, the D.P.I. may be informed as suggested by Legal that it is not possible to frame rules to enable persons acting as Presidents also to take part in the elections, but it may be held - though the point is not completely free from doubt - that they are Presidents for the purpose of elections under the Public Libraries Act also.

p 4 ante

6 As there is no necessity for the previous publication of the rules under the Library Act, the proposed amendment to rule 16 at 'B' above may also issue simultaneously with the orders on other points after Legal have scrutinised the draft amendment. The file may be sent to Legal for very urgent remarks.

J.P.
29/7/50

Action is necessary with reference to the three points mentioned on the previous page ~~[illegible]~~ ~~[illegible]~~ ~~[illegible]~~ Regarding the election of members to the Local Library Authority to be constituted under section 5 (1) of the Madras Public

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-7- 10 (10)

Public Libraries Act, 1948.

A at the bottom on p 1 cf.

Point (1) - Election expenses: The question of election expenses for the first election is raised. It was suggested in the note on page 1 ante that the expenditure might, in the first instance, be incurred by the District Panchayat Officer from his contingencies as he would be the authority to make arrangements for the election of members by the Presidents of Panchayats. There may be however other preliminary expenses to be incurred and these will have to be incurred by the Secretary and Convenor of the Local Library Authority, the District Educational Officer. In view of the note of Legal on this point on page 2 ante and, on further consideration, it seems to be necessary that the D.E.O. should have some money in the first instance. For this purpose a sum of Rs 200/- may be placed even now at the disposal of the D.E.O., Convenor of the Local Library Authority of the district, from the allotment of Rs 2 lakhs provided in the Estimates towards contributions to Local Library Authorities under section 13 (3) of the Act. The D.P.O. or any one else requiring money for the first election may draw from this amount. The sum can be accounted for later after the Library Authority has come into being and becomes eligible for a contribution under section 13 (3). Finance may see the case for remarks on this suggestion.

K

p-156 of Budget Estimates for 1950-51 -

Point (2): In order to provide for election of members by Presidents of Panchayats in the case of a taluk where there is one such President or where there are two or three such Presidents, the following may be added as 2nd and 3rd paras of rule 16 (2) of the rules under the Act:

Vide notes on pages 2-3 ante.

D/3

"The election of members by the Presidents of Panchayats shall be regulated as follows:

Where only one President of the Panchayat functions in a taluk, such President may nominate a candidate and the candidate so nominated shall be

P.T.O.

declared duly elected. Where two or three such Presidents function in a taluk, a meeting of the Presidents shall be conve~~r~~ned at which the Presidents may decide, after due deliberation among themselves, on the candidate to be elected. In case of disagreement lots shall be drawn in the presence of the District Panchayat Officer to make a choice. ~~decide on the candidate to be chosen.~~ The candidate whose name is thus drawn shall be declared to be duly elected as member.

In all other cases the election of a member shall be by ballot at a meeting of the Presidents."

X

A

3. With regard to the view of Legal on item 3 on page 4 ante, it is presumed ~~[illegible]~~ that the Special Officers of Panchayats, temporary Presidents and Vice-Presidents functioning in the absence of Presidents function statutorily as Presidents of Panchayats under the M.L.B. Act. If the above presumption is correct, there seems to be no objection to holding that they can also exercise the privilege of election even as Presidents can do. If this view is accepted, no rule seems to be necessary but suitable instructions seem to be sufficient. L.A. & Legal may again see on this point.

P

M on p

4. As regards the point ~~regarding~~ relating to notice of the meeting of the Presidents raised by the Inspector of Local Boards, it may be laid down as follows in a last sentence under rule 12 of the rules:

"The District Panchayat Officer shall convene a meeting of the Presidents after giving notice of not less than seven days before the date of the meeting specifying the time and place at which it will be held."

5. L.A. and Legal may offer remarks on the above suggestions. Legal may kindly suggest more suitable draft amendments if necessary. They are requested also to offer remarks on the point at 'K' on pages 2 & 3 ante.

4.8.50

Finance   L.A.   Legal

ASSISTANT SECRETARY TO GOVERNMENT
69680
4 AUG 1950
FINANCE DEPARTMENT

Finance (Exp.B.) Deptt.

Under Section 13(i) of the Madras Public Libraries Act, 1948, all expenses under the Act shall be met by the Local Library Authorities concerned from the "Library Funds" maintained by ~~it.~~ them. As the Library Authorities have not been informed, the question of the source from which the election expenses should be met, has been raised by the Dt. Panchayat Officers of Tiruchirapalli and Ramnad. The Dt.Educational Officer of the District is the convenor and Secretary of the Local Library Authority in the District. Education propose to place at the disposal of each D.E.O. a sum of Rs 200/- towards election and incidental expenses to be incurred by the Local Library Authorities and suggest that this amount may be adjusted later ~~in~~ against contribution payable by the Government to the Local Library Authorities under Section 13(3) of the Act. Submitted that the ~~propose~~ proposal of Education may be agreed to in this Department.

is may be agreed
the amount
ted to 'Advances
yable & Special
nces & Other Advances'
5.8.50

Please see below
5.8.50

(A)

In view of the terms of Sec. 13(3) of the Madras Public Libraries Act, 1948, it does not appear that the preliminary expenses to be incurred by the Govt to meet election expenses can be recouped by deduction from the Statutory contribution payable by the Govt to the Library Fund. But as the expenses are a legitimate charge on the Library Fund, the Local Library Authority may, ~~[illegible]~~ after ~~asked~~ the Fund is formed, be required to accept debits to the Fund by per contra credit to Govt account. The D.E.Os. may be asked to keep a correct account of the expre. to be incurred from the sum of Rs 200 proposed to be placed at their disposal and take action to recoup the amount

5.8.50

Thro. Secy. A
B.G.
5.8.50
5.8.50

10 B

from the Local Library Fund, as soon as it comes into being. Edn. may be requested to consult the A.G. also on this procedure as also regarding the head of debit indicated on p. 9 above.

5.8.50

~~AS2~~ / ~~ASI~~
6/8/50

6.8.50

LA

Fin. U.O. 6968 OE
6/8/50

LAD

Para 3 on p 8 above

This dept agrees with Edn.

On other points, this dept generally agrees with Edn, subject to the remarks of Fin above.

RK
6/8/50
Legal.

Legal Department.

Point 2 on page 7 ante: The addition proposed to rule 16(2) may be in the form of two provisos, the first proviso relating to the case where there is only one panchayat in a taluk and the second relating to the case where there are two or three panchayats in a taluk. If this is done, there is no necessity for the last paragraph relating to election other cases. (portion marked A on p 8 ante)

In the addition proposed to rule 16(2), it is stated that where there are only two or three panchayats in a taluk, and the presidents are unable to agree as to the candidate to be elected, lots should be drawn in the presence of the District Panchayat Officer. Rule 12 provides that intimation of vacancies in the Local Library Authority to be filled by election by the presidents of the panchayat in a district should be given either to the District Panchayat Officer or Deputy Panchayat Officer of the district. It is not clear whether even in a case where intimation is given to the latter, lots should be drawn in the presence of the District Panchayat Officer. It is also not clear whether that officer will be present at the meeting and if not when and where the lots are to be drawn should be made clear.

Paragraph 3 on page 8 ante: This department agrees with the view expressed by A.S. Education.

Para graph 4 on page 8 ante: It is not clear whether the intention is that even in a case where intimation of vacancies is given to the Deputy Panchayat Officer, the meeting of the presidents should be convened only by the District Panchayat Officer. If this is not the intention, the reference to "the District Panchayat Officer" may be altered into a reference to "the District Panchayat Officer or the Deputy Panchayat Officer of the district as the case may be".

The final form of the amendments to rules 12 and 16 may be settled after Education have considered the points raised above and a draft notification incorporating the draft amendments is sent to this department for scrutiny.

9/8/50
Edn

p3 (D)

LA. no. 31986-18
7.8.50

LOCAL ADMINISTRATION DEPARTMENT
7 - AUG 1950
31986
SECRETARIAT, MADRAS

ASSISTANT SECRETARY
12610
7 AUG 1950
LEGAL DEPARTMENT

Leg. U.O. 12610/50-1
9/8/50.

ASSISTANT SECRETARY
23362
9 AUG 1950
EDUCATION DEPARTMENT

Edn (E).

Point (1) on p 7 ante

This dept. has suggested that Rs. 200/- may even now be placed at the disposal of the D.E.O., Convenor of the Local Lib. Authority of the district fro the allotment of Rs. 2 lakhs provided for in the Estimat towards contributions to L.L.A. under section [illegible] of the Act. The D.P.O. or any one else requiring money for the first election may draw from this amount and the ~~sum~~ c accounted for later after the library authority has come into being and becomes eligible for a contribution under section 13(3) of the Act.

Finance agree to placing at the disposal of each D.E.O. a sum of Rs. 200/- towards the election and incidental expenses to be incurred y the local library authorities under section 13(3) of the Act, but tate that the amount should be debited to "Advances repayable C.Spl. dvances - E.Other advances". They also observe that as the expenses [illegible] a legitimate charge on the library fund, the local library authority ay after the fund is formed be required to accept debits to the fund y per contra credit to Govt. accounts and that the D.E.O. may be sked to keep a correct account of this expre. to be incurred from the um of Rs. 200/- proposed to be placed at their disposal and take action o recover the amount from the local library fund as soon as it comes nto being. It is also suggested that the A.G. may be consulted on this rocedure as also regarding the head of debit. This may be done.

p 9 ante

Z on p 10

Point (2) on p.7 ante. The proposal of Legal at 'A' on p.10 nte may be accepted. As regards 'X' on p.8 ante Legal invite attention o Rule 12 of the Madras Public Library rules and observe that it is not lear whether even in a case where intimation is given to the Deputy nchayat Officer lots should be drawn in the presence of the D.P.O. hey also raise the point whether that officer will be present at the eeting and if not when and where the lots are to be drawn should be ade clear. For orders.

p 3 (D) — p 11 ante

Point (3) on p.8 ante. L.A. and Legal ag[illegible] with the view xpressed therein.

p 10 and p 11

Point (4) on p.8 ante. The suggestion of Legal that the eference to "D.P.O." may be altered into a reference to the "D.P.O. or the Deputy Panchayat Officer, as the case may be," may be accepted. or orders.

p 11 ante

After orders are passed on the above necessary draft to the . as regards 'Z' on p.10 ante and the draft notification containing proposed amendment, will be submitted.

Please see K in my note on page 7 ante regarding an advance of Rs 200 to each DEO for the preliminary expenses

---

of the Local Library Authority. Finance ~~[illegible]~~ generally support it subject to certain remarks regarding debit on which they want A.G. to be consulted. A draft memo to the A.G. is accordingly submitted. ×The suggestions in the above notes for amendments to the Rules will be proceeded with after issue of the memo.

p 9 ante

× notes on pages 7-8 ante

10.8.50

11.8.50

Pl. issue above & resubmit file

11.8.50

[Issued as Memo No. 20247 E/50-3 Edn. dt 11.8.50

pp. 3-4 cf.

With reference to this Dept's notes on pages 7-8 ante and the note of Legal on pages 10-11 ante, a draft order with draft amendments to Rules 12 and 16 in (D) is submitted for approval and acceptance or remarks of L A & Legal.

19.8.50

L A / Leg

LOCAL ADMINISTRATION DEPARTMENT
21 AUG 1950
33837
SECRETARIAT, MADRAS

Edn. u.o. 20247 E/50-3
21.8.50.

L.A.

Accept.

33837/50-1B
21/8/50.

SECRETARY

Legal Department

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

22.8.50

Education (E)

Legal u.o.m 1344
22.

24509
2 3 AUG 1950
EDUCATION DEPARTMENT

The amendments to the Rules under the Madras Libraries Act, suggested in the appendix to the draft order below are necessary to supply lacuna in those rules, so far as election of members of the Local Library Authority, by the Pts of Panchayats are concerned.

2. As regards advances to the D.E.O's to cover the preliminary expenses of the Local Library Authorities (K. on p. 7 ante & [illegible] on pages 9-10 ante), a reference has been ma to the A.G. regarding the procedure as to debit. On receipt of his reply, orde be taken.

The draft order app!

Typed copy

14 15

Health (L3) Dept.

Secretariat of the Madras
Legislature.
(Assembly sec.)
4-8-1950.

DR
29.12.50.

Starred.

Sri S.Nagaraja Maniyagar, MLA
Health Dept.

* Q.No.399.

Will the Hon'ble the Minister for Health be pleased to state:	Draft answers.
(a) Whether enough rural medical practitioners are forthcoming and available and whether all rural medical centres are provided with such practitioners without much delay; and	(a) Sufficient number of medical practitioners of modern medicine are not forthcoming for taking up appointments as R.M.Ps. About 50 rural dispensaries of modern medicine have been converted into those of indigenous medicine and about 70 rural dispensaries are closed fof want of medical ~~accomm~~ practitioners.
(b) If not, the reasons therefor.	(b) There is a dearth of medical practitioners of modern medicine who prefer to settle in urban areas. The situation can be improved only by increasing the output of medical graduates by opening additional medical Colleges which question is under consideration.

p. 8 ante

Despatched
8n
2-1-51.

Health u.o. 25867/L3/50.2. Health
24.12.50

K.S.
26-12-50.

T.M.S.M.
27-12-50.

To
The Secty. of the Madras
Legislature (5 copies)
One Out. (Elec)

10

APPENDIX.
NOTIFICATION.

In exercise of the powers conferred by section 18(1) of the Madras Public Libraries Act, 1948 (Madras Act XXIV of 1948) His Excellency the Governor of Madras hereby makes the following amendments to the Madras Public Librarires Rules, 1950 (published with Education Department Notification dated the 28th February 1950, published at pages 19-26 of the Rules Supplement to Part I-B of the Fort St. George Gazette, dated the 14th March 1950.)

AMENDMENTS.

In the said rules-

K

(i) In rule 12, the following sentence shall be added at the end, namely:-

"The District Panchayat Officer or the Deputy Panchayat Officer, as the case may be, shall convene a meeting of the presidents of the panchayats in the district, after giving notice of not less than seven days of the meeting specifying the time and the place at which the meeting will be held".;

(ii) after sub-rule (2) of rule 16, the following proviso shall be added, namely:-

"Provided that --

(a) if there is only one panchayat in a taluk, the president of that panchayat shall nominate a candidate and the candidate so nominated shall be declared to be duly elected;

(b) if there are two or three panchayats in a taluk, a meeting of the presidents of those panchayats shall be convened at which these presidents shall, after due deliberation among themselves, choose a candidate and the candidate so chosen shall be declared to be duly elected; and

(c) if those presidents are unable to agree among themselves ~~as to the~~ candidate to be chosen, lots shall be drawn in the presence of the District Panchayat Officer or the Deputy Panchayat Officer, as the case may be, and the candidate whose name is thus drawn shall be declared to be duly elected".

. 20247 E/50. cf

7

Education (E) Department.

From the D.P.I.No.72 N/50 dated 18-7-1950. (1)

p 3 of (A)

Rule 16 of the Madras Public Libraries Rules, 1950 runs as follows:-

" 16.(1) The election of members to the Local Library Authority to be made by the Corporation of Madras or a district board or municipal Council shall be by ballot at a meeting held for the purpose by the body concerned.

(2) The election of one member to the Local Library Authority to be made by the presidents of the Panchayats in each taluk in the district shall be made by ballot at a meeting of the presidents concerned."

This rule was framed at the instance of the Legal Dept. ~~and~~ in consultation with the D.P.I.- Please see the Director's letter at p.23 c.f and the notes on pp 8-11 nf. of (K).

R 0 627 Em
28-2-50

In connection with the method of conducting election with reference to rule 16(2) the following points have been raised by certain District Panchayat Officers:-

A on p 1 cf + M on p 1 cf

(1) Wherefrom is the cost on account of the printing of election notices and ballot papers have to be met; (The I.L.B. has also enquired about the no. of days before which the notices ~~xxxxx~~ about the date ~~hour~~, and place should be issued)

N on p 2 cf

(2) In the case of a ~~taluks~~ taluk where there are only 2 Panchayats, the election cannot be conducted for want of a candidate, besides the proposer and seconder; and that, whether in such cases, election need not be conducted; and,

K on p 2 cf

(3) whether Vice-Presidents-in-charge, President-Delegates, temporary Presidents and Special Officers of superceded Panchayat Boards can take part in this election as well as stand as candidate for it.

Item (1) above:. In the case of election under rule 16(1) ~~16(1)~~ the cost will apparently be borne by the Local Body concerned. But the cost on account of the election under rule 16(2), would probably be met by the Local Library Authority, after it comes into being. Pending ~~their~~ its formation, the cost may perhaps be met by the Govt. and the D.P.O.'s who ~~are~~ conducts the election officers may perhaps be asked to meet [illegible] this expenditure from their contingencies. For orders.

-3 of (A)

This may be recovered later from the Local Lib. Authority