

2-12-08
26-7-18

16-8-24

Local
40-05

[L. & M.]
[9,000-3-3-90.]

Local & Munl. (1895) Department.

MISCELLANEOUS.

G.O., No. 1375 L.

DATED 6 Aug 1895

[Despatch Abstract.]

Residential Qualification of Local Board Members.

Informing the President, District Board, Godavari, with remarks, that the view expressed by him in regard to change of residence of local board members during period of service on such boards is correct.

BACK PAPERS.

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

FURTHER PAPERS.

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

Miscellaneous.

LOCAL AND MUNICIPAL DEPT.	
G.O., DATED	6-8-95
No.	1375-2

INDEXED.

When given for copying.

[Despatch Abstract.]

Residential qualification
of Local B? members

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Distt. B? Godavari; with
remarks that the view
expressed by him in
regard to change of resi-
dence of Local Board
members during period of
service on such boards
is correct.

READ AGAIN ORDER OF GOVERNMENT, DATED
189 , No , MISCELLANEOUS.

ENCLOSURES.

CURRENT No

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DISPATCH
IN ORIGINAL (not paged).

N.B.

- A - Copy in full
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BACK PAPER, No.

OF 189

FURTHER PAPER, No.

OF 189

Dis. No. 1508
DB 495

GODAVARI DISTRICT.

BOARD OFFICE 8-7-1895.

FROM

V. A. Brodie Esquire
President

District Board, Godavari

TO

The Chief Secretary to Government,

Local and Municipal Department,

Madras.

SIR,

Mr. B. Venkatarao Jann B.A.B.B.,
a High Court Vakil, was residing
within the local area of the Rajahmundry
Taluk Board when he was ori-
ginally appointed a member of that
Board and subsequently elected to
the District Board. He has since
removed his place of business to Cocanada
and is now residing out of the
jurisdiction of the Taluk Board. He
has nevertheless been regularly attending
the

Copied by *W.*
Examined by

the meetings of the local boards in question
and is, more the less useful as a member of the Boards. The
question now raised is whether the change
of residence from one place to another
in the District involves a forfeiture of
his seat on the local Boards. The
provisions of the Madras Local Boards
Act II of 1884 do not appear to
prescribe any residential qualification
in the case of Non-official members
of Local Boards. Sections 12, 17 and
23 (2) of the Act in which a resi-
dential qualification appears to be
insisted upon, deal only with the case
of official members of District and
Taluk Boards. It is thus clear that
Mr. Venkatarao cannot be considered
as having vacated his seat on the
Taluk Board, nor can he be compelled
to resign. Whether a non-official
member

member of Local Boards should resign
his seat or not on account of a change
of residence seems to me, as the law
stands, a question left entirely to his
own discretion and good sense. It is
also significant that the District Muni-
cipalities Act does not prescribe any
residential qualification in the case of
non-official members and even the re-
gulations framed under the Indian Councils
Amendment Act which insist upon a
residential qualification do not provide
for cases where a member changes his
residence after his appointment.

2. As the Municipal and
Local Boards Acts are now under
revision, I have the honour to bring
^{this case} to the notice of Government with
a view to the question being considered
by

by the Legislature.

I have the honour to be,

Sir,

Your Most Obedient Servant

1st/ U. A. Brodie

President

Wicatarau

Vice President. Diett Board

9/6/97

[G]
25
600-7-95

L.M. DEPARTMENT.

C. No. 1921.2.

RECEIVED

FOR ORDERS.

It is submitted, with reference to H.M.'s note dated 26.7.95 within, that the point raised by Mr. Brodie was not misunderstood. The draft order was intended to tell him that the Select Committee on the Bill had thought it sufficient to prescribe a residential qualification for members at the time of their election, and unnecessary to add any rule as to their resigning if they changed their place of residence during their period of service.

Perhaps, however, H.M. would now wish to add a rule upon the point, & if so the draft may be altered, & the matter brought to notice when the Bill is before Council.

It is however submitted that cases of change of residence are rare; & that as long as a member continues, like the one

in this correspondence, to attend
the meetings, it is unnecessary
to ask him to resign, and that
if he does not attend he can be
removed under the powers already
existing in the Act.

W. 22/2/95 This was the basis of the
matter which I took when

I read the papers.

LD
31/7/95

Vergwell. Let the order

so

W. 2/8/95

Change of residence
of Local Board
members during periods of
service on such Boards.

FOR ORDERS.

1921

W. 2/8/95

2/1/96

1895

Local Fund Department

From: Municipal Dep
The President 19212

District Board.
Godavari
Dis No. 1508
DB 1995

Dated 8 July 1895
Despatched
Received 12 July 95

Subject,

Stating that Mr. B. Ven. Katamraju who is a non-official member of the Nagh-mundry Taluk Board and an elected member of the Dist Bd. has changed his residence to Cocanada which is out of the jurisdiction of the said Taluk Bd and requesting order as to whether he forfeits his seat on the local board on that score

(With order)

257/95
The view expressed by the President in para 1 of his letter is correct.
2. With reference to para 2 of the President's letter, his attention will be drawn to section 9 of the Bill to amend Act IV of 1884, published as a supplement to the Fort St. George Gazette of 2nd April 1895. The point will also be considered in connection with the amendment of the Local Boards Act.

V.A. 24/7/95
3. The attention of the Dist Bd. will further be called to G.O. No. 292 dated 2-12-89.

(Laying down rules as to the prefix in official correspondence to name of native gentlemen)

But I don't see that S. 9 of the Bill touches Mr. Madhav's point, which is as to change of residence after appt. The question is whether a member ceases to be a member of Council if after appt. he ceases to have the prescribed qualifications. This point does not seem to have been considered at all.

To The Pres. Dist Bd. Godavari
Please return this to me
257/95
10/8/95

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189.

READ AGAIN G.O., No. 189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

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