

Local & Munl. (1895) Department.

MISCELLANEOUS.

G.O., No. 1505/n

DATED 16th September 1895

[Despatch Abstract.]

Municipal Council.

Ordering, with remark, that the election of Muhammad Nabi-
bulla Sahib Bahadur as Chairman,-----, Vellore, be notified.

BACK PAPERS.

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

FURTHER PAPERS.

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

LOCAL AND MUNICIPAL DEPARTMENT.

NOTIFICATION.

THE Right Honourable the Governor in Council approves, under Section 14 of the Madras District Municipalities Act, 1884, of the appointment by election of *the Undersigned gentleman* to be the Chairman of the Municipal Council of the Municipality of *Vellore* : ———

Muhammad Habib-ullah Sahib,

1505-4

2693
2742

For Mr. George Garrett.

Part I.A.

(4)

For Mr. George Garrett
17/9/95
Amended
17/9/95

To The Collector
North Arcot

The Humble Petition of Appeal of the
undermentioned Councillors of the Vellore
Municipality

Most Respectfully Sheweth

That at the recent election of a Chairman
for the Council which took place on the 12th Instant
Mr. Habibullah Saib who secured only 10 votes
was declared elected by the Sub Collector in
his capacity as the ex-officio Chairman on the
score of "his having a clear majority of more than
"half the members now on the Council."

2. That the total number of Councillors on the
Council is 19 and 10 votes do not constitute a valid
majority under the election rules; the object of
the Government being that the balance of opi-
nion of the Council must incline in favor of
the successful candidate. The Rules governing
the election distinctly lay down that the success-
ful candidate must obtain the votes of more than
half the total number of members on the Council.
Proceeding upon this criterion in the present case,
one half of 19 is the integral 9.5 and not the
mixed number $9\frac{1}{2}$, and more than half must
be 11. Calculating on lines like these, the election
appealed against is null and void.

3. Your Petitioners further beg to submit
that Mr. Samidoss Mudaliar, a Councillor who
resigned his office more than a month ago,

attended to vote for Mr. Habibullah, and the following scene took place when Mr. Siva yagi, one of your humble petitioners took exception to it:—

Mr. Siva yagi — Mr. Samidoss resigned his Councillorship a long time ago and it should have been accepted by ^{this time} —
The Sub-Collector — I know as a matter of fact, it was not accepted.

Sub Collector — Have you resigned your Council-
lorship? (turning to Samidoss)

Samidoss — Yes.

Sub Collector — Has it been accepted?

Swami doss — I do not know.

Sub Collector — Then do you withdraw it now?

Swami doss — Yes, I do.

Siva yagi — Is it for the moment that you withdraw your resignation?

Swami doss — Yes.

Siva yagi — If so, the withdrawal cannot be made and accepted here. It must be before the Collector.

and the vote of Mr. Swami doss was taken in spite of the protest. From the scene described ^{supra}, it would be apparent that Mr. Mudaliar was conscious to himself of his incompetency to vote and that he recalled his resignation pro rata on condition and with the intention that matters should remain statu quo immediately the special emergency is over. This procedure

is, an anomalous and at variance with all constitutional laws of election and ought not therefore to be validated.

4. Under these circumstances, it is most respectfully prayed that the election may be set aside and fresh election ordered.

For which your Petitioners, as in duty bound, ever pray

Vellore
15th August 1895

/Sd/ V. Siva yagi.

/Sd/ A. C. Seshagheri Iyer.

/Sd/ Panniacoty Modithan

/True copy/

V. Siva yagi

Councillor.

A. C. Seshagheri Iyer

Panniacoty Modithan

To

The Chief Secretary to Government
Local and Municipal Department
Fort St. George

The humble petition of the undersigned
Municipal Councillors of Vellore Town, North
Arcot District.

Most Respectfully Sheweth

1. That the undersigned Councillors submit
an appeal against the Chairman Election
which took place on the 12th August 1895 to the
Collector and no orders have been communi-
cated to them as yet. The appeal was made on
the 15th August 1895
2. That therefore they submit a copy of
the Appeal petition for the information of Govern-
ment and pray that the Government will be
highly pleased to give a full consideration to
the objections made in the appeal petition.

For which your Petitioners, as in duty bound,
will ever pray

Vellore
2nd September 1895

V. Sivagayi
Councillor.

By my hand and seal
W. S. Srinivas

V. Sivagayi

2742

Local & Principal Dest.

CURRENT No.

From

M. R. Ry. V. Sivayogi
and other councillors Vellore
Municipality

No.

Dated 2-9-75

Received 3-9-95

Enclosures

SUBJECT

Praying that a full consideration may be given to the objections made in the appeal relation against the election of the Chairman of the Municipality.

Names of Councilmen

harbour of
Aberdeen
west-

Stake.

Remarks:

2^d Meeting Convocation of Municipal Council held on the 12th August 1893

No.	Species	Sex	Age	Locality	Date	Collector
1.	2. <i>Vanplan</i>	Female	Adult	Collected		
2	<i>Longen</i>	Major C.	Adm.			
3	<i>Rev.</i>	W. J.	Cham	Collected		
4	<i>Rev.</i>	W. J.	Cham	Collected		
5	<i>Rev.</i>	W. J.	Cham	Collected		
6	<i>Rev.</i>	W. J.	Cham	Collected		
7	<i>Rev.</i>	W. J.	Cham	Collected		
8	<i>Rev.</i>	W. J.	Cham	Collected		
9	<i>Rev.</i>	W. J.	Cham	Collected		
10	<i>Rev.</i>	W. J.	Cham	Collected		
11	<i>Rev.</i>	W. J.	Cham	Collected		
12	<i>Rev.</i>	W. J.	Cham	Collected		
13	<i>Rev.</i>	W. J.	Cham	Collected		
14	<i>Rev.</i>	W. J.	Cham	Collected		
15	<i>Rev.</i>	W. J.	Cham	Collected		
16	<i>Rev.</i>	W. J.	Cham	Collected		
17	<i>Rev.</i>	W. J.	Cham	Collected		
18	<i>Rev.</i>	W. J.	Cham	Collected		
19	<i>Rev.</i>	W. J.	Cham	Collected		
20	<i>Rev.</i>	W. J.	Cham	Collected		

Refon. No. 1201 of 1895.

North Arcot, Collector's Office,

From

S. N. Hynne Esquire

Collector and District Magistrate,

North Arcot.

To

The Chief Secretary to Government
Local & Municipal Department
Madras

Sir,

I have the honor to report that, in his letter, dated 13th June last, No. 530 Jt., Mr. P. Sami Mudaliar tendered resignation of Chairmanship of the Vellore Municipality and it was accepted by me on the 23rd idem. Thereupon I fixed the 15th July last for the election of Chairman under rules of the election rules. The election was held on the day fixed by me and a ballot was taken. There were two candidates nominated for the office. As neither of the candidates obtained an absolute majority as required by rules

a Second ballot was taken under rule 4 with the same result. The meeting was therefore adjourned under rule 4. Under rule 5, I then fixed the 12th instant for holding the 2nd meeting for the election. The adjourned meeting was accordingly held and 16 Councillors were present of whom 2 being candidates did not vote and 2 came late. Of the remaining 12, 10 voted for Mahamad Habibullah Sahib Bahadur and 2 for Mr. Seshaji Rao Anayal. The former candidate Mahamad Habibullah Sahib Bahadur having obtained the votes of 10 out of 19 members then on the Council, he has been considered to have been duly elected as chairman.

2. A petition was received on the 16th instant from Mr. Seshaji Anayal and 1 other Councillors objecting to the validity of the election on two grounds.

(1) That 10 out of 19 votes do not constitute a valid majority under the election rules

and

38.

and (2) that one of the voting Councillors for Mahamad Habibullah Sahib Bahadur, Mr. Samedas Mudaliar Anayal was not competent to vote, he having resigned his seat on the Council a month ago.

I consider the 1st objection to be not valid. The 2nd objection is not borne out by the facts. The resignation of Councillorship of Mr. Samedas Mudaliar Anayal if tendered has not yet been received and accepted by me. I have therefore rejected this petition.

3. Under these circumstances, I request that the name of Mahamad Habibullah Sahib Bahadur may be gazetted as chairman of the Vellore Municipality.

4. The objection petition referred to above and a list showing the present constitution of the Council are herewith submitted.

I have the honor to be

Sir

Yours most obedient servant

Shamshur

Copy to the
the District

Local & Municipal Dept.

CURRENT No. 2695

From

The Collector of North Arcot

Cd.

Misc.

Order: 16-9-95 No 1505

The Government agrees with the Collector in considering that there are no valid grounds for setting aside the election in this case. The petition of objection will accordingly be rejected and the name of the successful candidate published in the Fort St George Gazette.

Dated 22-8-95

28 AUG. 95

Encloses 2

Rs.

1/11/95

10.9.95

12

12/9/95

Requesting that the name of Mr. Mahanad Kabiulla Saib Buhadu may be gazetted as the Chairman of the Urban Municipality.

To The Collector of North Arcot
Gazetted 16-9-95
17/9/95

27/9

Given for copying
Copied
Examined
Signed

189

AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILLED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

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