[L. & M. / 98]
500—30-10-06.

1895

Local & Munl. (~~190 3~~) Department.

MISCELLANEO

G.O., No. 1909 m

DATED 20-11-95

[Despatch Abstract.]

Municipal Council

Ordering, with remark, that the election of M.R.Ry. T. Punniyakoti Mudaliyar as a member of the 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.

UNDER Section 10 of the Madras District Municipalities Act, 1884, the undermentioned gentlem~~e~~an ha~~ve~~s been duly elected a Municipal Councillor~~s~~ of the Municipality of Vellore :—

M.R.Ry., ~~A~~T. Punyakōti Mudaliyar Avargal.

Gazette Part I-

G.O. No. 2981 M/95

Gazetted 26/11/95

N.S.
25/11/95

To
The Chief Secretary to Government
Stone House Hill
Ootacamund

Local & Municipal Dept.
CURRENT No. 1543/A

The humble Mazzar of the inhabitants
of the 2nd or the Mahomedan Ward
attached to the Municipality Vellore -

Most Respectfully Sheweth,

That the disgraceful manner in which the municipal administration of this large and important not to say the historical Town is being ~~well~~ conducted for a series of years is well within the Knowledge of Government, and the strong strictures which have been passed upon the administration reports for the past year corroborates petitioners allegations - It is therefore needless to recapitulate all the drawbacks in this mazzar.

2 - That in the Ward under question which goes by the name of the Mahomedan Ward one would naturally expect that the number of Mahomedan voters should necessarily preponderate in preference to the voters of the other nationalities, but the reverse is the case - It is thus a misnomer to call it by that name any longer -

3 - That on the 23rd of July last, one of the Mahomedan councillors of the Ward in question having died, the municipal council ~~had~~ at their special meeting held on the 3rd instant have resolved to hold

an election to fill up the vacancy on the 26th instant-

4- That such of the Mahomedan Gentlemen residing in the said Ward as were anxious to stand as candidates having obtained and perused copies of the voters lists are not a little surprised to find that most of the Mahomedan voters have been eliminated from the list and names of several Hindoo Gentlemen whose names ought not to find a place therein have been substituted-

5- That this change has been brought about by a complete alteration of the boundaries of the Ward in question in direct contravention of the boundaries ~~has~~ as defined by the Government notification- As an instance your humble petitioners beg to point out that the names of the marginally noted streets+ have been included in this Ward which the Government notification referred to above ~~does not~~ contemplate should ~~to~~ be excluded-

+ Manicka Chetty Street
Pyanee Veeraluthren Chetty street-
Jeyram Chetty Street
Agathy Kistnappah Chetty street-
Vangappah Chetty Street
Thasoy Narayand Chetty street.
Komutty Street.
Main Bazar Street.
Meeta Annuntharow
Kasiviswanathia street.
Sukeya Vathyen Street-

6. That ~~by~~ this amputation of the Ward in question according to the sweetest will and pleasure of the municipal council, has resulted in swelling up the number of Hindoo voters and making a corresponding diminution in the number of Mahomedan voters, ~~and~~ virtually altering the nomenclature of the Ward from the Mahomedan into Hindoo Ward-

7- That this change has placed several of the Mahomedan candidates in such a peculiar disadvantage that while it was very easy for them to have expected to get into the council, it has made their entry an impossibility now-

8- That inasmuch as the lists are not prepared in consonance with the Government orders on the subject, but in direct opposition to them- Your humble petitioners respectfully submit that the lists thus prepared are ultra vires and as suc cannot have the force of Law and any election held in pursuance thereof will likewise be ultra

9- That your humble petitioners have also sent urgent message to Ooty yesterday praying that the election may be postponed pending a th-rough investigation into the matter-

10- That your humble petitioners therefore p that the local authorities may be ordered to susp the election pending an investigation and that voters lists may be revised according to the Gov-ment notification referred to above-

Vellore
5th August
1895

K. Abdul Rhymon Saib & others,
Peria Subbay street Vellore

7

Syed Tajudeen Sahib

AUG 95

7

DESPATCHED
30 SEP 95

Local & Municipal Dept.
CURRENT No. 2981 M

North Arcot Collector's Office
Camp; Pangalur, 24-9-95

Dis. No $\frac{1357}{Eng}$ dated 24th Septr 1895.

From

S. H. Wynne Esquire
Collector of North Arcot

To

The Chief Secretary to Govt.
Local & Municipal
Department,
Madras

Sir,

I have the honor to reply to G.O., No 1353, L. M. Mis, dated 13th Aug 1895.

2. A copy of the petition received with the Govt. order under reply having also been previously presented to me by the petitioners, enquiries were set about at once by [illegible] in the matter.

3. The Sub Collector who made the enquiry reports that he examined the lists of voters for the ward prepared in 1893 or 9 with the following results. The two lis

comprise voters as shewn below:—

	List prepared in 1893	List prepared in 1894
Muhammadans	129	73
Chettis	124	159
Other Hindus	50	35

The list for 1894 was sent for check by the Council to M.R.Ry. Chelva-Perumalayyan who then was an elected representative of that ward. 104 persons are reported to have been excluded from that list, of whom 70 are Muhammadans & 34 Hindus. 50 voters have been added in the list of whom 44 are Chettis, one a Muhammadan & the remaining five are Hindus of other castes.

4. Out of the 104 persons excluded altogether from the B ward, fifteen voters have been transferred to other wards. Of these, 13 persons have been rightly transferred. The remaining two persons are Subadar Shaik Madar Sahib & Abdul Rahiman Sahib. The former

resides in the B ward & draws a pension of Rs 50. This man's name was wrongly transferred to the list for A ward. The latter also lives in the same ward & pays Rs 4.2.0, Rs 6.4.0, & Rs 29.9.0 in B, A & C wards, respectively. His name appears in the lists relating to A & C wards only, but is omitted from that for the B ward. Of the remaining 89 persons, a large number are qualified for the B ward, but they have not been registered in any ward, and no explanation is forthcoming.

5. The omissions include important persons such as certain Lubbai merchants, a large number (about 16) of Subadars who draw a pension of Rs 50 a month and upwards, and pensioner Lathif Batcha Sahib who gets a pension of over Rs 100 per mon

6. Generally, it may be said that about 70 Muhammadans have been excluded from the voters' list improperly and that the voters in 9 entire streets in different parts of the ward in question have been omitted.

7. The petition received with the G.O., under reply, is herewith retransmitted.

I have the honour to be,
Sir,
Your most obedient servant,

For Collector

Tsd
Compd

1 OCT. 95

Local & Municipal Dept.
CURRENT

Cuy 2893 [illegible]/95

FROM

THE COLLECTOR AND

DISTRICT MAGISTRATE,

North Arcot.

To

The Chief Secretary
to Government
Local & Municipal
Department

No. of Enclosures.

Letter, dated 24th September 1895.

No. 1357 of 1895.

Judicial.

1 OCT. 95

SUBJECT.

Replying to G.O. No. 1353 [illegible] / 18.8.95 regarding certain alleged irregularities in the preparation of the voters' list for the 3 ward of the Vellore Municipality.

4/m a/10/10/95

13

Municipal Councillor's Office, Vellore 27th Aug 1895

No. 898 gl.

From

The Chairman
Municipal Council
Vellore

To

The Collector,
North Arcot
Chittoor

Sir,

I have the honor to report, for your information, the result of an election held yesterday (26th Aug 1895) between the hours of 8 and 12 A.m. and 2 and 5 P.M., at Mohidin Beg Sahib's Bungalow, for the purpose of filling up the vacancy, in the 3 or 2nd or Muhammadan ward, occasioned by the death of the late ~~[illegible]~~ Sahju Sahib.

2. The Election rules were strictly

conformed with, both before and at the time of election.

3. For the B or 2nd or Muhammadan ward, there are 267 registered voters, according to the list for 1894-95, which came into operation on the 4th December 1894. Of these 207, or about 77.53 per cent, exercised their rights of voting.

4. To fill up the vacancy, six candidates were duly nominated by their respective voters, viz:—

(1)	S. Safdar Sahib	Merchant
2.	Kangiri Abdul Rahiman Sahib	-do-
3.	M.R.Ry. T. Ponniakoti Mudr. avl.	do
4	" V. Subbarayachettiar avl.	Money-lender
5	" T. R. Saminatha Aiyar avl.	Pleader
6	" D. Venkoba Rao Avl.	Pleader

5. Of these six candidates, Nos 4, 5 and 6 withdrew from candidature, after the schedule of valid nominations had been published, and before the poll had taken place. No. 4 having withdrawn before the ballot papers were printed, I directed that his name should be omitted from the same, and the other two having withdrawn after the said papers had been printed, their names could not be excluded therefrom.

6. The result of the poll was as shewn below

1.	M.R.Ry. T. Ponniakoti Mudr. avl.	142 votes
2.	S. Safdar Sahib	59 votes
3.	K. Abdul Rahiman Sahib	Nil
4.	M.R.Ry. T. R. Saminatha Aiyar avl.	withdrawn
5.	" D. Venkoba Rao "	

7. M.R.Ry. T. Ponniakoti Mudr. avl. having obtained the highest number of votes, will therefore be deemed to have been elected, and I have the honor &c. to request that his name may be submitted to Govt. for publication in the Fort St. George Gazette under Rule 34.

8. In recording the result of the poll, six votes were found to be invalid for reasons shewn below:—

No 22. Invalidated as the name mentioned in the voters' list is Ranganada Aiyar & the voter has signed his name as Rangaswami Aiyar

No 56. Invalidated as the ballot paper is not signed by the voter

No 156 Invalidated as the names of more persons are retained than there are persons to be elected

No 221 Do . Do

No 239. Invalidated as the ballot paper is not signed by the voter

No 266 Invalidated as the names of more candidates are retained than there are persons to be elected.

9. The report called for in G.O. 22nd June 1888, No 690

is herewith enclosed.

10. The ballot papers referring to both candidates are herewith forwa by registered post duly sealed, a also the six invalidated ballot pap

11. The ballot-box was opened by me at about 6 P. M, and the votes were counted and checked, w the register of votes, in the presence of the two Councillors. M.R.Ry. V. Periaswa Mudr. Avl., and Subadar Major Hussain Khan Sahib, who are memb for a ward other than that in which the election was held, and the result of the Election was recorded under my signature and witnessed by those of the two Councillors above named as required under rule 31.

12. The polling Officer appointed by

1d

me under rule 23, was [illegible]
V. Sria Jogi [illegible], a municipal
councillor who is neither a voter
nor a member of the ward for which
the election was held.

I have the honour to be,
Sir,
Your most obedient Servant
(Signed) Muhammad Habbibulla
Chairman delegate.

(True Copy)

J Burn
For Collector

Copied [illegible]

[illegible]

Report of a contested Election held in the Vellore Municipality on the 26th August 1895.

Name of Municipality	Name of ward if any	Date of Election	Number of Voters	Number of Voters who exercised their privilege	Names of Candidates	Number of votes obtained by each	Name of Candidate duly elected	Remarks
Vellore Municipality	B. or 2nd or Mahomedan ward.	1895 August 26th	267	207	1. M.R.Ry. Poonia koti Mudaliar Avgl	142	M.R.Ry. T. Poonia-koty Mudaliar Avl	M.R.Ry. V. Siva yogi Avergal Municipal Councillor was appointed as Polling Officer.
					2. " S. Sufder Saib Avl	59		
					3. " H. Abdul Rahiman Saib Avgl	Nil		
					4. " V. Subraya chettiar Avl	withdrawn		
					5. " T.R. Samindola Iyer Avl	— Do —		
					6. " D. Ventkoba Rao Avl	— Do —		

The Ballot-box was opened by me, at the Municipal Office in the presence of
M.R.Ry. V. Periyasamy Mudaliar Avergal
a Subador Major Hussainkhan Saib Avergal.

Number of vacancies:—
2nd or B. or Mahomedan Ward — One vacancy.

Vellore
Municipal Councillors' Office
27th August 1895

Chairman Delegate

To, 2928/95 J.S.S. 6/9

Sydenhan Henry Wynne Esqr.
Collector of North Arcot,
Chittoor.

Post-registered 5/9

TREASURY DEPUTY COLLECTOR,
5 - SEP. 95
NORTH ARCOT.

The humble appeal petition of Sufder Sahib Merchant, residing in Peria Lubbay Street, Vellore.

Respectfully Sheweth:—

That petitioner begs to appeal against the election of a Municipal Councillor held on the 26 August last amongst others under the following grounds:—

That since the introduction of the elective System in the Vellore Municipality upto September 94 the several lists of the respective wards remained unchanged. During September 1894 one M. R. Ry Chellaperumal Chetty was elected as Municipal Councillor and he with intent to facilitate his re-election as well as that of his colleagues altered the lists excluding the names of the Muhamadan Voters and including instead the names of several Hindus. These alterations were particularly made against the Govt. order in the Mahamadan ward. The name of the ward itself is predominate to show that the no. of Mahamadan Voters in the ward must as a matter of fact be greater than that of the Hindus. The Mahamadan Community of Vellore repeatedly reported the fact of this alteration to the Govt. of

~~Forwarded to the Sub Collector for very early report. ~~This~~ He should expedite the submission of reply to this office Ref or No 2634 of 95 dated 21st August 1895 bearing on this subject.~~

~~Collector~~

of Madras, yourself and to the Sub-Collector through the instrumentality of Mahazar and other Telegraphic Messages prior to the date of election, but as that request was not taken into consideration, the evil result as predicted by the Mahamadan Community came to pass. One Poonai Kutty Mudalliar who is already a Councillor and also an applicant for the Same was elected for a Mahamadan. If the altered lists be not revised the Mahamadan Community can entertain no idea of Success in the future.

Under the circumstances appellant prays that your honour will be good enough to order the present Chairman to revise the lists and cancel the election to be made after revision.

For which act of kindness, appellant as in duty bound shall ever pray.

Vellore,
3rd September
1895.

F. N. Jeffrey
Signature of Oufder Sahib

List shewing ^present^ Constitution of Municipal Council, Vellore. Maximum strength of Council 20

No	Names of Councillors	Nature of appointment	Date	Remarks
1	E. L. Vaughan Esquire, Ag. Sub. Collr.	Ex-officio Councillors	✓	
2	Surgeon Major C. Adams M.B.	Nominated Councillor		
3	Revd. W. I. Chamberlain	Do	16th Sept 1894	✓
4	Mr. V. Sivayogi Avergal	Do	16th July 1895	✓
5	" V. Nadamuni Mudr. avl.	Do	24th July '94	✓
6	" A. C. Seshagiri Rao avl.	Elected	22nd August '93	✓
7	Abubukker Sahib	Do	28th August '94	✓
8	Subadar Major Syed Sulaiman Sahib	Do	2nd October 94	✓
9	Mr. P. Palanichettiar avl.	Do	23rd October 94	✓
10	" V. Eswarappa Mudaliar avl.	Do	13th Novr '94	✓
11	Muhammad Habibulla Sahib	Do	22nd January 95	✓
12	Mr. Ramu Chettiar avergal	Do	30th April 95	✓
13	" Poonaikotti Mudr. avl.	Do	19th March 95	✓
14	" Govinda Reddiar avl.	Do	20th Sept '92	✓
15	" Chelvaperumal Theviar avl.	Do	Do	✓
16	" Periaswami Mudr. avl.	Do	Do	✓
17	Subadar Major Hussain Khan Sahib	Do	Do	✓
18	Mr. P. Swami Das Mudr. avl.	Do	17th January 1893	✓
19	" V. Subbaraya Thevar avl.	Do	11th July 1893	✓
20	Vacant	Do	~~11th July 1893~~ 31-10-94	+ By death of the late Salyi Sahib Election was held on the 26th August last for filling up this vacancy

J. Burn
For [illegible]

Dis No. 1294/2 of 1895.

North Arcot, Collector's Office,

11th September 1895.

23

DESPATCHED.
17 SEP. 95

RRENT No. 2898/M

From

S. H. Wynne Esquire
Collector and District Magistrate,
North Arcot.

To

The Chief Secretary to Government
Local & Municipal
Department,
Madras,

Sir,

I have the honor to forward herewith the report of a contested election of a councillor held on the 26th ultimo, received from the Chairman of the Vellore Municipality in the form prescribed in G.O. No 690/22-6-1888 together with a copy of his letter No 898/27-8-95 to my address in the matter.

2. The Election was held for the purpose of filling up the vacancy in the ~~3~~ or 2nd or Muhammadan ward caused by the death of a Councillor Sabjii Sahib, at which

M.R.Ry. T. Pooniakoti Mudaliar avl. obtained the highest number of votes.

3. The validity of the election of M.R.Ry. T. Pooniakoti Mudr. avl. was questioned by a petition put in before me by S. Safdar Sahib one of the candidates at the election on almost the same grounds as those urged in the petition sent to me with G.O. 1353 M. Mis. 17. 8. 95. The former petition is enclosed. The matters set out are not such as I have power to investigate under rule 36. The report called for in the above G.O. is submitted separately.

Not received. Cm 2981 M/95

4. A list shewing the present Constitution of the Municipality is submitted.

I have the honor to be,
Sir,
Your most obedient servant

J Burn
For Collector

Local & Municipal Dept.

From CURR[illegible]o. 2893 M

THE COLLECTOR,

North Arcot.

To

Chief
THE SECRETARY TO ~~THE~~ Government
CO~~MMISSIONERS OF LAND REVENUE~~,
Local & Municipal
Department
Madras

No. of enclosures. 4

Letter, dated 11th September 1895.
Dis. No. 1294/Eng. of 1895.

SUBJECT.

18 SEP 95

Submitting the report of a contested election of a Councillor held on 26th August 1895 in the Vellore Municipality

with an order

1353 L.L. 17-8-95
1107 L.L. 13-7-95
690 L 22-6-95
1876 L 8-10-90

C.S.
Misc

Order

The Government does not consider that the objection taken to the preparation of voters' lists can invalidate the election. The petition of objection will accordingly be rejected and the name of the successful candidate will be published in the Fort St. George Gazette.

2. In the list showing the present constitution of the Municipal Council the date of the election of M.R.Ry V. Subbaraya Chettiyar is given as 11th July 1893 instead of 31st October 1893.

V.R.
26/9/95

Refce.

Please see Cur. No 2981 [illegible]

11/10

The report referred to by the Collector at the close of para 3 of his letter has not been received & should be expedited

1.10.95

3/10/95

To
The Collector of N. Arcot
~~Gazette~~

23/9. a/25/9/95

5/10

[G/25]
600—23-7-95,

26

L & M. DEPARTMENT.

C. No.s 2893 M
and 2981 M.

FOR ORDERS.

I don't understand why this comes to Govt. at all – I thought we had altered the rules & given the Colrs. full & final powers in all these cases of disputed elections. I also thought that we had revised the rules so that the list of Electors came into force for the calendar year, not from Dec 4 as is stated to be the case.

In any case, I don't see how Govt. has any power to set aside the election. The fraud which was practised was not practised at the election, but in the registration

23/10/95

The petrs. sh. apparently be told that they have only themselves to thank if they have not been regd. as voters – It was open to them to apply for the entry of their names & they did not take the trouble to do so.

Please see current 2981. M. in particular. The lists appear to have been deliberately cooked. Submitted that Govt. should cancel the election on the ground that the lists were so inaccurate that the reported successful candidate cannot be held to have been "duly elected" under rule 36; that the ~~Chetti's~~ explanation of the Chetti who revised the list & filled it full of his own castemen be called for; & that if this is not satisfactory he be censured by Govt. (it does not appear possible to remove him from the Council), & the Council told that if it does not take more trouble to see that its voters' lists are complete Govt. will conclude that it does not value the privilege of election.

15.10.95

This appears to have been a most rascally business. The action proposed by the U.S appears to be suitable

18/10/95

An election in Vellore Municipality

FOR ORDERS.

H.M. 2893 & 2981 M.

But I don't think the rule vesting the Colrs with penal powers need have stood over. There ~~was~~ is no danger, so far as I can see, of that clashing with what the law will be when the Bill is passed. I think that had better be put out at once

2

Note for H.M.

With refce to his note dated 18.10.95 within.-

The amendments to the election rules referred to by H.M. are to lie over until the Municipal Act is amended, lest sections of that act may clash with them. (Please see papers put up.)

2. With refce to the latter part of H.M.'s note, it is sub-mitted that it was not pro-posed to cancel the election on the ground that fraud wa practised at the election, but for the reason that the candida "was not duly elected by a majority of votes" (Rule 36).

3. This course is no doubt somewhat unusual, as Govt. has been in the habit of saying that it wan't go behind the actual election itsel & the Muhammadans who

were unfairly excluded from the voters' list should no doubt have seen to the matter themselves, & applied to be registered.

4. It was only thought that as this was such a particularly bad case, — a Chetty having drawn up the lists, & having filled it full of Chetties, (presumably that he might be reelected in the same ward without difficulty when his present term in it expires), & excluded Mussulmans wholesale & deliberately, — that in this instance an exception to the usual course might be made, & the wide terms of Rule 36 employed.

Probably few voters scrutinize the lists published in the Munl. office to see whether they are registered, & this affair was not discovered until just at the election. — Final orders are solicited

25/10/95

24/10/95

An election in Vellore Municipality

H.M.

(for orders)

I can't see how an election can be questioned on the ground of errors in regn — I would not interfere

30/10/95

LOCAL AND MUNICIPAL DEPARTMENT.

Papers to be read in Proceedings:—

Again G.O., dated 189 , No.

Current No. 2893 R. of 1895, dated 11th Sept. from the Collector of North Arcot.
Current No. 2981 R. of 1895, dated 24th Sept. from the — Do. —

Order. No. 1909 Mis 20—11—95

The Government considers that there are no valid grounds for setting aside the election of M. R. Ry. T. Punniya-koti Mudaliyar, as the fraud complained of was not practised at the election, but in the registration of voters. It was open to the petitioners to have applied for the inclusion of their names in the registers of voters prepared by the municipal council, and ~~as they did not take the trouble to do so~~, they have only themselves to blame for not having adopted this course. The petition of objection will accordingly be rejected and the usual notification will be published in the Fort St. George Gazette.

(from orders)

V.R. 12/11/95

14/11/95

19/11/95

To The Collector of North Arcot. F.O.
" Petitioners D.O.

Gazetted 26/11/95

Desp. 22/11/95

An election in Vellore municipality

2893 & 2981 M.

1909

C.S.
Misc.

(From orders)

When given for copying
When copied
When examined
When signed
190

READ AGAIN G.O., No. , DATED 190 .

CURRENT NO.

ENCLOSURES TO C. NO.

ORDER OF GOVERNMENT	A	A	A	A	A	A	A
LETTER OF GOVERNMENT.							
STATEMENT WITH DITTO.							
PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.							

N.B.—

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