L. & M.
D. 10-4-95.

Local & Munl. (1895) Department.

MISCELLANEOUS.

G.O., No. 655 m

DATED 10th April 1895

[Despatch Abstract.]

Municipal Meetings.

Passing certain remarks on papers relating to the exclusion of the Manager of the Madura Mail from the meetings of the local Municipal Council.

BACK PAPERS.

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

FURTHER PAPERS.

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

I

III.

MUNICIPAL OFFICE, MADURA.
13th February 1895.

From

The Chairman, Municipal Council, Madura.

To

The Manager, Madura Mail, Madura.

DESPATCHED 13TH FEBRUARY 1895.
No. 167.
(Enclosure 1).

Sir,

With reference to your letter, dated the 23rd Ultimo, I have the honor to enclose herein for your information copy of resolutions of the Municipal Council affirming my previous order withdrawing the permission given to you to attend the meetings of the Council and to request that you will be good enough not to attend the meetings in future.

I have the honor to be,
Sir,
Your most obedient servant,
R. FISCHER,
Chairman.

Extract from the Proceedings of the Madura Municipal Council passed at its meeting held on the 12th February 1895.

* * * * *

62.—Read letter from the Manager, *Madura Mail,* Madura, drawing attention to G. O., No. 591 M, dated 8th May 1894, regarding publicity of municipal meetings and claiming his right as a member of the public to attend the meetings of the Council.

Proposed by Mr. Vencatesalu Naidu and seconded by Mr. Subbarayalu Naidu that the order of the Chairman, dated 19th January 1895, withdrawing the permission given by his predecessor to the Manager of the *Madura Mail* to attend the meetings of the Council be affirmed for the reasons stated in their letter of the 18th idem, as the G. O. quoted by the Manager does not, in their opinion, apply to the case of a person who wilfully and intentionally publishes incorrect reports and garbled statements of the Council's proceedings with the view of producing a wrong impression on the mind of the public.

Carried by a majority of 6 against 5, one not voting.

Those dissenting were the following :—Messrs Preston, Ananthakrishna Naidu, Alagirisami Naidu, Subba Naidu and the Chairman.

* * * * *

(True Extract),

R. FISCHER,
Chairman.

(True copy)

R. V. Venkatanarasimha Rao
Manager
Madura Mail.

Victoria Press, Madura—25—1895.

No. 448/95

MADURA COLLECTOR'S OFFICE 19 MAR 95

ENCLOSURE.

I.

MUNICIPAL OFFICE, MADURA.
19th *January* 1895.

From

The Chairman, Municipal Council, Madura.

To

The Manager, Madura Mail, Madura.

DESPATCHED 19TH JANUARY 1895.

No. 42

The Manager is informed that the permission, if any, given to him by previous Chairmen to attend the meetings of the Council is hereby withdrawn and cancelled at the request of some of the Councillors.

R. FISCHER,
Chairman.

II.

To

The Chairman, Municipal Council, Madura.

No. 35.

Sir,

With reference to your letter. No. 42, dated 19—1—95, I have the honor to draw your attention to G. O. No. 591 M, Local and Municipal, passed by the Government on a reference made by the Chairman of the Bezwada Municipality as to admitting Press representatives to meetings of Municipal Councils.

In that G. O. "the Government considers that, as municipal councils and local boards are public bodies, their meetings should be open to the public, provided that the presiding member should be invested with a discretionary power of excluding the public on occasions when it is in his opinion for the public interest that the meeting should be held with closed doors".

So, as a member of the public, I shall claim the right to attend every meeting of the Madura Municipal Council which is not held with closed doors in the public interest for some special reason.

Madura Mail Office,
23—1—95.

I have the honor to be,
Sir,
Your most obedient servant,
M. V. SUBRAMANIA IYER,
Manager.

4/3 rcd

No. A/4-3-95
Forwarded to the Chairman for favour of remarks.
Fischer
2.3.95. Ag Colr.

To

THE COLLECTOR,
Madura.

Sir,

In submitting the enclosed correspondence, for your consideration, I beg to request that you will be pleased to cancel under Section 35 of the District Municipalities Act the order of the Chairman, Municipal Council, Madura, dated the 19th January 1895, No. 42, and the resolution of the Council, dated the 12th February 1895, No. 62, forbidding the Manager of the *Madura Mail* from attending the meetings of the Council.

2. Since the elections in July last and more especially since the resolution of the Council abolishing the Park Establishment, the *Madura Mail* has, in the exercise of its public duty, had to criticise strongly on various occasions the policy and resolutions of the Madura Municipal Council and some of its Members.

3. This has induced several Councillors to at first influence the Chairman and afterwards pass a resolution to forbid our Manager from attending the meetings of the Council, though they have tried to mask the truth by bringing a false and libellous accusation against our Manager.

4. The resolution is clearly illegal and directly sets at naught the order of Government, dated the 8th May 1894, No. 591 M., which runs as follows :—

> The Government considers that, as municipal councils and local boards are public bodies, their meetings should be open to the public, provided that the presiding member should be invested with a discretionary power of excluding the public on occasions when it is, in his opinion, for the public interest that the meeting should be held with closed doors.

5. The position of the Government that Municipal Councils are public bodies and that their action should have the fullest publicity is borne out by the District Mnnicipalities Act itself. The Act provides, among other things, that the resolutions of the Council and the annual report should be published in the Gazette (Ss. 31 and 252) ; that draft of all proposed bye-laws should be published before they are passed and the public given an opportunity of making objections or suggesting alterations and amendments ; that the minute books, lists of tax-payers and assessment books should be open to the inspection of all tax-payers free of charge at all reasonable hours (Ss. 31, 52 and 70). If it is incumbent on the Council to make its proceedings known to the public and have its books open to their inspection, it *a fortiori* follows that the public has the right to know the proceedings of the Council by attending its meetings.

6. At any rate there is the Government order, and it is not open to the Councillors to set it aside. The Government has clearly power under the Act to frame rules "for the guid-

ance of the Municipal Council," "in all matters connected with the carrying out of this Act." (Section 250 (1) m). And such rules have the force of law, under Section 250, Clause (3).

7. Only one exception is recognised by the G. O. to the right of the public to attend the meetings of Municipal Councils; and this is when the *presiding member* thinks in his discretion that public interest will suffer by discussing a subject openly. The discretion to exclude the public is thus wisely confined to the discussion of a particular subject or subjects, and is not extended to all subjects so as to nullify the general right of the public enunciated in the general rule. The discretion is in consequence rightly vested in the presiding member for the time being. The action at first of the Chairman and afterwards of the Councillors in arrogating to themselves a power which is conferred only on the presiding member for the time being and extending the power so as to disable the *Madura Mail's* representative from attending all meetings of the Council is clearly opposed to the G. O., both in its letter and spirit.

8. The Chairman has formally recorded his dissent to the resolution of the Council. It is not clear why he at first surrendered his judgment to the dictates of a few Councillors and then placed our Manager's reply before the Council which had no power to consider the subject.

9. Further, though the Act gives power to the Government and to the Council to frame general rules, it does not give any power to the Chairman or the Council to pass orders or resolutions affecting individuals without reference to general rules. This is the only principle on which public bodies can safely and ought to act. The G. O. quoted above recognises this principle even in the exception and gives the presiding officer discretion to hold meetings within closed doors in certain cases, so as to exclude *the public*. It does not give him or the Council power to exclude *an individual*—which is what the Madura Municipal Council has done in the present case.

10. The reason given by the Council for the exclusion, as already stated, is a false reason intended to cover an act done, I believe, with ulterior motives. But, assuming it to be true, it is obvious that there are proper and legal modes available to the Councillors of setting themselves right. The necessity for the public or a representative of the press attending the meetings of the Council is to watch its proceedings. Where there is a conflict between those that watch and those that are watched, it is dangerous to allow the latter to assume the role of judges and exclude the watchers from watching.

12. The necessity for the public watching the proceedings of the Madura Municipal Council, as it is at present constituted, has grown all the greater, because the provisions of the Act with regard to the sending of the resolutions of the Council in English and Vernacular to the Divisional Officer within three days for publication in the next issue of the Gazette are flagrantly violated,—so much so that we find the proceedings of all the meetings held from May to July last year published once for all in the District Gazette for September 1894 and the proceedings of the remaining months of the year are published all together in the District Gazette for January 1895. When the Council defeats the object

with which Section 31, Clause (2), has been enacted by publishing its resolutions months after they are passed and long after all interest in them has ceased, it is all the more necessary that a vigilant eye should be kept by the public on its proceedings.

13. In conclusion, I request that the letter of the Chairman, dated 19th January 1895, No. 42, and the resolution of the Madura Municipal Council, dated 12th February 1895, No. 62, may be cancelled by you under S. 35 (1) of the District Municipalities Act 1884 on the grounds (1) that they are illegal and (2) that the execution of the order and resolution will lead to obstruction, injury and annoyance to a person lawfully employed.

I remain, Sir,
your most obedient servant,
A. Rajaram.
Editor, "Madura Mail"

Madura
28/2/95

VICTORIA PRESS, MADURA—25—1895.

Enclosure No. 1

In a letter

From

The Collector of
Madura

Ref: on current No. 52b/M.P of 1895.

Dated 16th March 1895

Petition received from S. Rajaram Aiyar, Editor of "the Madura Mail"

1/
9/4 Mar 1895

Madura 18th January 189

To.

The Chairman
Municipal Council
Madura.

Sir

We have the honor to invite your attention to the fact that the Manager of the Madura Mail, has been allowed into the meeting hall for the purpose of reporting the proceedings of the meeting apparently without the sanction of the Council. We are of opinion that the permission alleged to have been granted by your predecessor, Mr. M. Tillanayagam Pillai, is not valid, not having been ratified by a resolution of the Council. We now propose, therefore, that the said permission be withdrawn. We are obliged to take this step by the false and incorrect statements wantonly and mischievously published in the recent issues of the paper about the deliberations and resolutions of the Council regarding the Park Solabhishekam. We may also add that the reporter has not been attending the meetings except those at which such matters, in which the Madura Mail party is interested, are posted for consideration.

Should

Should, however, you do not choose to comply with my request, we beg that you will be pleased to lay this before the next meeting.

We have the honor to be
Sir
Your most obedient servants

(Signed) P.R. Venkatesalu
" G. Lakshmanayalu Naidu
" T. Jamboo Chetti
" R. Muthusami Pillai
" Syed Gulamally Sahib in Tamil
" Selvaraj Naidu

(True copy)
(Signed) R. Fischer
Chairman

(True copy)
Wain
Acting Collector

Enclosure No 2 (a)

Copy of letter from some of the municipal councillors proposing that the permission given to the Manager "Madura Mail" may be withdrawn for reasons stated.

2/9-4-1895

Copy of Communication No: 306 dated 9th March 1895 from R. Fischer Esquire, Chairman Municipal Council Madura, to the Collector of Madura.

Herewith returned

With reference to your endorsement No: A dated 5th March 1895, on the application of the Editor of the Madura Mail, praying for the cancellation of Resolution of the Council No: 62/12-2-95, I have the honor to report as follows:

Some of the Councillors proposed in this letter dated 18th January 1895 (copy enclosed) that the permission given to the Manager of the said paper was invalid as it was not ratified by the Council and he withdrawn and requested that the matter might be laid before the Council for consideration, in case I was not prepared to comply with their request. In deference to their wishes, I withdrew the permission granted to the Manager of the paper by my predecessor and caused the subject to be posted for consideration at the meeting of the Council held on the 12th February last when it was discussed in all its bearings and aspects and my order was upheld by a majority for the reasons detailed in the letter of proposal

proposal, the material portions of which relating to incorrect reports are, in my opinion, not open to any question.

As for the Government Order relied on, it was held that it did not apply to the case of a person even though he be a member of the public entitled to attend the meetings, for the reasons stated in the resolution itself.

As for the delay referred to in para 12 of the application, I have to state that there is none in the office in transmitting the resolutions of the Council through the Divisional Officer, but it arose on the part of the Contractor and necessary arrangements have already been made to prevent a recurrence in future.

In Conclusion I would observe that the prohibition complained of was not a general one, but applied only to a particular representative of the paper and that another has been allowed to attend and as a matter of fact is attending the meetings of the Council

---

W Davis
Acting Collector

ENCLOSURE No. 2

In a letter

FROM

THE COLLECTOR, of Madura

Ref: on Current No. 526/M.P of 1895

Dated 16th March 1895

—

Copy of Madura Municipal Chairman's letter No. 306 dated 9th March 1895

23/9th April 1895

Reference on Current No. 526/M.P of 1895

Madura Collector's Office
16th March 1895

From

J. Twigg Esquire
Acting Collector of
Madura

To

The Chief Secretary to Government
Local and Municipal Department
Madras.

Sir,

I have the honor to forward for the orders of Government a petition received from A. Rajaram Iyer, Editor of the "Madura Mail" asking for cancellation of the resolution of the Council forbidding the Manager M. V. Subramania Iyer to attend their meetings.

2. It will be observed from the letter,* copy of which accompanies the Chairman's letter remarking on the petition that the matter is the outcome of the ill-feeling aroused in connection with the somewhat petty affair of the abolition of the Park Establishment.

* No. 306, dated 9th March 1895 (Copy enclosed)

3. It is to be regretted that the Council should have passed such a resolution, and I beg to recommend that it should be cancelled.

I have the honor to be,
Sir,
Your most obdt. Servt.
J. Twigg
Acting Collector

Mr. K

1895 Department

Ext 387/95
591 L 5 94

Local & Municipal Dept.
PR. CURRENT No. 974 M

From

The Acting Collector
Madura

CHIEF SECRETARY
18 MAR 1895
GOVERNMENT OF MADRAS

Dated 16th March 1895

Reference on Current No. 526 M.P. of 1895.

Enclosures 3.

Subject

Submitting for orders a petition received from A. Rajaram Aujar, Editor of the "Madura Mail" asking for cancellation of the resolution of the Madura Municipal Council forbidding the Manager to attend their meetings.

2/3

Local & Municipal Dept.
CURRENT No. 725 M

CONFIDENTIAL
20 MAY 95
MADURA

To

THE CHIEF SECRETARY TO GOVERNMENT,

Fort Saint George.

Sir,

In submitting the enclosed correspondence, for the consideration of Government, I beg to request that the Government ~~you~~ will be pleased to cancel under Section 35 of the District Municipalities Act the order of the Chairman, Municipal Council, Madura, dated the 19th January 1895, No. 42, and the resolution of the Council, dated the 12th February 1895, No. 62, forbidding the Manager of the *Madura Mail* from attending the meetings of the Council.

2. Since the elections in July last and more especially since the resolution of the Council abolishing the Park Establishment, the *Madura Mail* has, in the exercise of its public duty, had to criticise strongly on various occasions the policy and resolutions of the Madura Municipal Council and some of its Members.

3. This has induced several Councillors to at first influence the Chairman and afterwards pass a resolution to forbid our Manager from attending the meetings of the Council, though they have tried to mask the truth by bringing a false and libellous accusation against our Manager.

4. The resolution is clearly illegal and directly sets at naught the order of Government, dated the 8th May 1894, No. 591 M., which runs as follows :—

> The Government considers that, as municipal councils and local boards are public bodies, their meetings should be open to the public, provided that the presiding member should be invested with a discretionary power of excluding the public on occasions when it is, in his opinion, for the public interest that the meeting should be held with closed doors.

5. The position of the Government that Municipal Councils are public bodies and that their action should have the fullest publicity is borne out by the District Municipalities Act itself. The Act provides, among other things, that the resolutions of the Council and the annual report should be published in the Gazette (Ss. 31 and 252) ; that draft of all proposed bye-laws should be published before they are passed and the public given an opportunity of making objections or suggesting alterations and amendments ; that the minute books, lists of tax-payers and assessment books should be open to the inspection of all tax-payers free of charge at all reasonable hours (Ss. 31, 52 and 70). If it is incumbent on the Council to make its proceedings known to the public and have its books open to their inspection, it *a fortiori* follows that the public has the right to know the proceedings of the Council by attending meetings.

6. At any rate there is the Government order, and it is not open to the C to set it aside. The Government has clearly power under the Act to frame rules " f be,

nt servant,

IANIA IYER,

anager.

The Chairman,
Municipal Council,
Madura.

ENCLOSURE.

I.

MUNICIPAL OFFICE, MADURA.
19th January 1895.

From

The Chairman, Municipal Council, Madura.

To

The Manager, Madura Mail, Madura.

DESPATCHED 19TH JANUARY 1895.

No. 42.

The Manager is informed that the permission, if any, given to him by previous Chairmen to attend the meetings of the Council is hereby withdrawn and cancelled at the request of some of the Councillors.

R. FISCHER,
Chairman.

II.

To

The Chairman, Municipal Council, Madura.

No. 35.

Sir,

With reference to your letter. No. 42, dated 19—1—95, I have the honor to draw your attention to G. O. No. 591 M, Local and Municipal, passed by the Government on a reference made by the Chairman of the Bezwada Municipality as to admitting Press representatives to meetings of Municipal Councils.

In that G. O. "the Government considers that, as municipal councils and local boards are public bodies, their meetings should be open to the public, provided that the presiding member should be invested with a discretionary power of excluding the public on occasions when it is in his opinion for the public interest that the meeting should be held with closed doors".

So, as a member of the public, I shall claim the right to attend every meeting of the Madura Municipal Council which is not held with closed doors in the public interest for some special reason.

Madura Mail Office,
23—1—95.

I have the honor to be,
Sir,
Your most obedient servant,
M. V. SUBRAMANIA IYER,
Manager.

III.

MUNICIPAL OFFICE, MADURA.
13th February 1895.

From

The Chairman, Municipal Council, Madura.

To

The Manager, Madura Mail, Madura.

DESPATCHED 13TH FEBRUARY 1895.
No. 167.
(Enclosure 1).

Sir,

With reference to your letter, dated the 23rd Ultimo, I have the honor to enclose herein for your information copy of resolutions of the Municipal Council affirming my previous order withdrawing the permission given to you to attend the meetings of the Council and to request that you will be good enough not to attend the meetings in future.

I have the honor to be,
Sir,
Your most obedient servant,
R. FISCHER,
Chairman.

Extract from the Proceedings of the Madura Municipal Council passed at its meeting held on the 12th February 1895.

* * * * *

62.—Read letter from the Manager, *Madura Mail,* Madura, drawing attention to G. O., No. 591 M, dated 8th May 1894, regarding publicity of municipal meetings and claiming his right as a member of the public to attend the meetings of the Council.

Proposed by Mr. Vencatesalu Naidu and seconded by Mr. Subbarayalu Naidu that the order of the Chairman, dated 19th January 1895, withdrawing the permission given by his predecessor to the Manager of the *Madura Mail* to attend the meetings of the Council be affirmed for the reasons stated in their letter of the 18th idem, as the G. O. quoted by the Manager does not, in their opinion, apply to the case of a person who wilfully and intentionally publishes incorrect reports and garbled statements of the Council's proceedings with the view of producing a wrong impression on the mind of the public.

Carried by a majority of 6 against 5, one not voting.

Those dissenting were the following :—Messrs Preston, Ananthakrishna Naidu, Alagirisami Naidu, Subba Naidu and the Chairman.

* * * * *

(True Extract),

R. FISCHER,
Chairman.

(true copy)

The Chairman,
Municipal Council,
Madura.

Petition sent to the Collector of Madura with Govt 5-95 No. 856 in M.

LOCAL AND MUNICIPAL DEPARTMENT

& Municipal Dept

RENT No. 725 M

15/3 ord

TO BE RETURNED WITH REPLY.

A. Rajaram
Editor, "Madura Mail"

No. 387 dy 13-3-95

Referred to the municipal council, madura, for remarks which should be submitted through the Collector.

By order
Ranee.
ag. assistant secretary

No.

ed 28-2-95

eived 2-3-95

losures 1.

SUBJECT.

ting that the letter of the
an Municipal council madura
3rd January 1895 No. 42 and the
n of the council dated 12th Feby
2 may be cancelled by
under section 351 (1) of
ct Municipalities act 1884
...so that they are illegal

V.R.
12/3/95
Fort Saint George
12th March 1895

To
The Chairman, M.C. madura.

No. 22.

Municipal
Madura. 16th Mar
Local & Municip
CURRENT No.

From.
R. Fischer Esquire
Chairman
Municipal C
M the

To.
The Chief Secretary to Governm
Fort Saint Ge

Sir,

Thro' The Collector of
Mad

In returning herewith
Government Endorsement No.
dated the 12th Instant, I have the
to forward herewith Copy of my
to the Collector of Madura on the

I have the hono
Sir
Your most obedient

R. Fi
Chairm

copied

The Chairman,
Municipal Council,
Madura.

Sir,

We have the honor to invite your attention to the fact that the Manager of the Madura Mail has been allowed into the meeting hall for the purpose of report:ing the proceedings of the meeting, apparently without the sanction of the Council. We are of opinion that the per:mission alleged to have been granted by your predecessor Mr. M. Tillanayagam Pillai is not valid not having been ratified by a resolution of the Council. We now propose therefore, that the said permission be withdrawn. We are obliged to take this step by the false and incorrect statements wantonly and mischievously published in the recent issues of the paper about the deleberati and resolutions of the Council re:garding the Park establishment — We may also add that the reporter ha not been regularly attending the meetin except those at which such matters in which the Madura Mail party is interested, are posted for consideratio

by

meer

elr

al

in

2/3

comply with our [illegible]
that you will be pleased to lay this
before the next meeting.

We have &c

(Signed) P R Venkatasalu
" G. Subbaraya Naidu
" J. Jambu chetty
" R. Muthusami Pillay
" Selvaraj Naidu
" Gallamally Sahib

(True copy)

Chairman

Copied by

ENCLOSURE NO.
II

In a letter

FROM,

THE CHAIRMAN,

MUNICIPAL COUNCIL,

MADURA.

No.

Dated 16 March 1895.

No. 22

Copy of Council's proposal requesting ~~to order~~ the cancellation of the order permitting the person to attend meetings.

21/3

No. 306
Enclosures. 2.

Municipal Office
Madura. 9 March 1895.

From.

R. Fischer Esquire
Chairman,
Municipal Council,
Madura.

To

The Collector of
Madura.

Sir,

With reference to your endorsement M. A., dated 5th March 1895, on the application of the Editor of the Madura Mail, praying for cancellation of Re: solution of the Council No. 62/12.2.95, I have the honor to report as follows:—

Some of the Councillors proposed in their letter dated 18 January 1895 (copy enclosed) that the permission given to the Manager of the said paper was invalid as it was not ratified by the Council and be withdrawn and requested that the matter might be laid before the Council for consideration in case I was not prepared to comply with their request. In deference to their wishes, I withdrew the permission granted to the Manager of the paper by my predecessor and caused the subject to be posted for consideration at the meeting of the Council held on the 12 Febr last, [illegible] was discussed in all its bearings

bearings and aspects and my order upheld by majority for the reasons detailed in the letter of proposal, the material portions of which relating to incorrect reports are, in my opinion, not open to any question.

As for the G. C. relied on, it was held that it did not apply to the case of a person even though he be a member of the public entitled to attend the meetings for the reasons stated in the resolution itself.

As for the delay referred to in para 12 of the application, I have to state that there is none in this office in transmitting the resolutions of the Council through the Divisional Officer, but it arose on the part of the contractor and necessary arrangements have already been made to prevent a recurrence in future.

In conclusion I would observe that the prohibition complained of was not a general one but applied only to a particular representative of the paper and that another has been allowed to attend and as a matter of fact is attending the meetings of the Council.

/Signed/ Shaoe te
[illegible]ehr.
Chairman

(True Copy) [illegible]

Copied by
[illegible]

[illegible]

ENCLOSURE NO. 1

In a letter

FROM,

THE CHAIRMAN,

MUNICIPAL COUNCIL,

MADURA.

No.

Dated 16th March 1898.

No. 22

Copy of letter to the Collector with remarks on the petition of the Editor of the Madura Mail.

Current No. 1452 Genl of 8
Date 20.3.95
1895.

LOCAL AND MUNICIPAL DEPARTMENT.

Local & Municipal

FR.

FROM CURRENT No. Da 1066 M

THE CHAIRMAN,

MUNICIPAL COUNCIL,

MADURA.

Thro The Collector of Madura.

No. 3

ENCLOSURE. 1 & 2 L.B. 725 M. dated

Dated 16 March 1895.
Received

CHIEF SECRETARY'S OFFICE 20 MAR 94 SIMLA

No. 22.

SUBJECT.

Submitting copy of his letter addressed to the Collector in connection with the petition of the Editor of the Madura Mail for cancellation of the resolution ~~for the~~ Municipal Council of 12th February 95 No. 62.

Forwarding petition

CHIEF SECRETARY 23 MAR. 1895 GOVERNMENT OF MADRAS

Ref: on current No. 1452 Genl of 1895.

Submitted in continuation of this office Reference on Current No. 526 M.2. of 1895 dated 16th March 1895.

Madura 21. 3. 1895

a/c Collector

21/2/13

L & M. DEPARTMENT.

C. No. 1066 M.

From

Dated 189 .

I don't think Govt has any power to give any orders in this matter

BS
6/4/95

FOR ORDERS.

The Council in their resolution in question were dealing with a matter in which, under G.O. 591. M. 8.5.94 the Chairman ought to decide for himself. Their resolution thus seems to be of no effect. The Chairman's action in excluding the reporter was contrary to G.O. 591. M. & cannot therefore it is submitted, be upheld.

Submitted that the Council may be told these things.

The matter of delay in printing and publishing the Council's proceedings appears to call for no orders, as the complaint was only thrown out by the way in the "Madura Mail" letter.

In the new Act it has been proposed to say that the Chairman can exclude any particular individual at any time, or the whole public, from meetings for reasons to be recorded by him. This will enable Chairmen to deal with cases of this sort. – It does not appear however that it has been decided whether the Chairman's action is to be final, or whether any appeal to anyone will be permitted.

WC 2.4.95 Although the decision of the Council was ultra vires and should be set aside and doing this would not set aside the Chairman's order. The G.O. quoted

E

Currents 974 M. 726 M. and 1066 M.

C.S.

order dt 10-4-95 No. 655 M. Min

The Chairman ~~the Council~~ have not acted in accordance with the opinion given in G.O. dated 8th May 1894. No. 591. M. as to the course that should be followed in these matters, but as Act III of 84 does not deal with the question it cannot be said that this action was illegal. ~~Inclined~~ The Bill to amend the Act which has been drafted by the Select Committee contains provisions upon the subject ~~in this connection~~ which will, if they become law, guide future decisions regarding it.

M. Coats (from orders).

9/4/95

To,
The Petitioner
" Ch. Mil. Madura
Third the Collector
Dated 10th April 1895

1066 M

Exclusion of newspaper reporters from meetings of the Madura Mun. Council.

M.M. (for orders).

When given for copying
When copied
When examined
When signed
} 189

ADD 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.							
STATEMENT WITH DITTO.							
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