

[L. & M.]
[9,000-8-8-90.]

Local & Munl. (1895) Department.

MISCELLANEOUS.

G.O., No. 814 L.

DATED 6 May 1895

[Despatch Abstract.]

District Board.

Stating that the opinion expressed by the President, District Board, Malabar, that M.R.Ry. K. Sekharan Nayar has not been duly elected a member of the ----- is correct and that a fresh election should be held.

BACK PAPERS.

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

FURTHER PAPERS.

[illegible]

Contract from the Proceedings of the Calcutta Sales Board
at a meeting held at Bannang on Monday the 4th
March 1895.

Present.

1 m. J. Murphy Esq

2 m. R. By P. Krishna Menon aul.

3 .. *L. boonjambou* Aub.

4 v. O. Name Meison aut.

5. M. unni navi aob.

6 u Kuniya Koya Shanzabawl. ✓

7. K; Sekharan Nair aul

18. Revd Mr. Boockhardt.

* Reads letter * Rifomen: $\frac{245}{25}$ dated 13th February 95
from the President District Board Malabar enquiring
when it will be convenient to hold a meeting for ele-
cting to the District Board a member in place of
Mr Mathai and this Board's President's reply thereto
fixing the 4th March 1895 for the said purpose in an-
-ticipation of approval.

Proposed by m. R. Ry P. Narm menon and seconded
by Revd Mr Boshardt that m. R. Ry m. Nimi Nair
be elected to serve ~~for~~ as a member of the District
Board.

Board. Proposed by m. R. Ry P. Krishna menon and
seconded by m. R. Ry Kunji Raja Shaugab that m. R. Ry
K. Setharam Nair be elected to serve as a member
of the District Board.

Voted for Mr. R. By Mr. Umri Nair:-

(1) M. R. Ry P. Hama menon

(2) Revd Mr. Booshardt

Voted for Mr. R. Ky. L. Sekkaran Nair :-

(1) M. R. P. Krishna menon a/c.

- (2) m. R. Ry J. Boonjambos and
(3) m. R. Ry Kunja Koya Kungal.

M. L. Ry. K. Sekharan Nair is accordingly duly elected to serve as a member of the District Board and the fact will be duly intimated to the President District Board.

Edw. M. J. Murphy
President.

Refused: $\frac{189}{RF95}$
(True Extract)

Submitted to the President District Board Malabar in continuation of this office letter

Refused: $\frac{189+193}{RF95}$ dated 23rd February 95.

Pashtak Dalug Boordoffin
Camp Ponnambiar 95

W. J. Murphy
President.

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om
af
af
af
495
af
af
af

G.C.

From

The President Taluk Board
Palghat

To

The President District Board
Malabar

Reference
L295

Dated: H. MOBERLY
6-3-95
9 MAR 95

Subjects

Submitting to Taluk Board and Head
Committee held at Kottayam on
Monday 4 March 95 electing
K. Sekharan Nair a member of
this Board to serve as a member in the
District Board also.

malabar
Statement showing the present Constitution of the District Board.

	names of members.	Date of appointment	Remarks.
	H. Moberly Esq. President.		
1	A. F. Pinkey Esq. of Sub Collector		
2	M. J. Murphy Esq. of Head Asst Collector		
3	H. W. Fillman Special Asst Collector		
4	J. A. Guynne Esq. Deputy Collector Weymouth.		
5	MADR. S. Sringara velu Pillay a/c Deputy Collector, Cochin.		
6	" S. Srinivathas Iyer a/c Dy Collector Calicut Dist.		
	officials nominated		
7	T. J. Logan Esq. Inspector of Schools Western Circle	21-8-94	✓
8	MADR. P. Krishna Menon a/c Tahsildar Palghat	22-5-94	✓
9	Surgeon Major H. F. C. Carruthers District Medical & Sanitary Officer	18-7-93	✓
	Non officials nominated		
10	MADR. P. D. Chinniasami Pillay a/c	18-8-94	✓
11	" M. Venkataswami Naidu a/c	28-8-94	✓
12	" C. Perummoogan a/c	28-8-94	✓
13	T. Koyothu Thadige Sahib Bahadur	28-8-94	✓
14	MADR. P. Narayana Menon a/c	28-8-94	✓
15	" P. Sridharan Nambudiri a/c	29-8-93	✓
16	R. H. Walker Esq.	16-5-93	✓
17	MADR. V. Kunhi Naman Nayanar a/c	2-8-92	✓
18	vacant	5-4-92	Nomination to fill up this vacancy will soon be submitted.
	officials elected		
19	MADR. S. Ananta Pattar a/c Tahsildar Walluvayad	17-7-94	✓
20	" J. Kunhamba a/c Tahsildar Ponnani	18-12-94	✓
21	M. J. A. Dwyer, Tahsildar Kottayam	19-6-94	✓
22	vacant*	19-6-94	✓
23	vacant*	30-1-94	✓

* Election to fill up
this vacancy has already
been submitted to Govt. for ap-
proval. (vide this office
letter no. 258 of 2-4-95
L.H.)
* Vacancy caused by the
transfer of Mr. Mathai to Calicut
on 8-2-95 (vide covering
letter)

Non-officials elected

24	Rev. J. L. Weissman	22.5.94	✓
25	M. C. Azoo Sahib Sahadur	13.12.92	✓
26	M.R.R. P. Umikutti Kidavu aol	13.12.92	✓
27	M. P. Moidu Sahib Sahadur	16.1.94	✓
28	M.R.Ry. Pappurakal Vanu man aol	30.1.94	✓
29	" N. S. Narayana Iyer aol	30.1.94	✓
30	" P. Kanaran aol	30.1.94	✓
31	" J. L. Kumaraswami Naidu gam	12.3.95	✓
32	" Wilambur Thacharakkal		
	Manavikraman Raja Triumulpada aol	16.1.94	✓
33	M.R.R. K. Krishnan nayar aol		
	D.A.B.C.E.	31.7.94	✓
34	" P. Sami Pather aol	30.1.94	✓
35	" K. Ram an umi nayar aol	19.6.94	✓
36	" C. Kunhi Chandu nam- beer aol	19.6.94	✓

Maximum Strength — 36.

Calicut
8.4.95

Md. W.

188

J. Vaidoras

For President

Ref. No. 519 of 17 malabar District Board Office
Calicut April 8, 1895.

Local & Municipal Dept.
CURRENT No. 1118

From,

H. Elloberry Esq.

President, District Board,
malabar

To,

The Chief Secretary to Government
Local and Municipal Dept
Madras.

Sir,

I have the honor to forward an
Extract from the Proceedings of the Palghat
Taluk Board passed at a special meeting
held at Ponani on the 4th March 1895. The
meeting was called for the purpose of electing
a member to sit on the District Board in place
of Mr. Alathai. Eight gentlemen including
The President were present. Two Candidates
viz M.R.R. P. Umi nayar and M.R.Ry. K. Sekhara
nayar were proposed. For the former 2 votes
were recorded and for the latter 3 votes. Rule
6 of the rules for the election of the members of
the District Board requires that the election shall
be decided by a majority of the votes of the
President and members present at the meeting.
A

As 8 persons were present, for a majority of the votes of the persons present 5 votes at least, were required. The candidates did not vote (G.O. dated 3rd November 1944 n. 2250 L) and the President did not vote, So, M.R.R. K. Sekharan nayagral obtained a majority of the votes actually recorded.

2 In my opinion M.R.R. K. Sekharan nayagral has not been duly elected as he did not obtain a majority of votes of the President and members present.

3 As I may be wrong I submit the matter for the orders of Government.

4 A statement showing the present Constitution of the District Board is appended.

I have the honor to be
Sir,

Your most obedt. servant

J. Varadaras

for President.

Local & Municipal Dept.
CURRENT No. 1118 L Ry

From

The President
District Board
Malabar

To
The Chief Secretary to Govt
Madras

Dated 8th April 95

SRD
Recd

CHIEF SECRETARY
GOVERNMENT OF MADRAS
10 APR. 1895
Encl - # 2

Subject

Forwarding for orders papers
in connection with the election
of M.R.D. K. Sekharan Nayan
as a member of the District Board
in place of Mr. Mather trans-
ferred to Calicut.

(With order)

CD Order
Mys

The Government agrees with the President
of the District Board in considering that
M.R.D. K. Sekharan Nayan has not
been duly elected

V.R.
29/4/95

To The President, D. H. Malabar

300-28-5-94.

Land Revenue DEPARTMENT.

No. 1118 L

From The President District Board Malabar

Dated 8. IV. 1895

FOR ORDERS.

G.O. 2250 L lays down that no
member of a Taluk Board shall
vote for himself at an election
to fill a vacancy in the District
Board.

2. Rule 6 of the rules governing
such elections ^{in G.O. no 1964 2-1-87} ^{by the} ~~decides~~ that such
an election "shall be decided by
a majority of the votes of the Presi-
dent and members present at
the meeting".

3. At an election held in Malabar
8 members were present including
the President. Two were proposed for
election and neither of them voted.
The President refrained from voting.
The remaining five voted 2 for one
candidate and 3 for the other. The
President District Board asks whether
the latter is legally elected and
submits that he is not on the ground
that under the rule quoted above
he needed five votes for the purpose.

4. The rule quoted certainly does ap-
pear to bear the interpretation put
upon it by the President, but it is submitted
that if this is so it needs to be altered
or the majority of the elections held
under it will be invalid. At the present
case, for instance, that if with 8 members
and 2 candidates, a valid election

is impossible unless either one of the candidates or his proposer or secondor votes for the opposite party.

The addition of the words 'and voting' to the rule after the word 'meeting' would probably get over the difficulty and it is submitted that they would be unobjectionable as there is no need in these elections to insist on a candidate getting any particular number of votes.

Cgt
27.11.95
As the rule stands there appears clear no to have been ⁱⁿ election submitted that another should be held. The attraction suggested would appear a desirable one.

1/6/95
I prefer the rule as it is

2/5/95
Candidates might simplify matters by staying away from meetings & so reducing the number present

Order. 46-5-95 No. 824

The opinion expressed by the President in para 2 of his letter is correct. A fresh election should be held.

(from orders)

Cgt
3.11.95

To
The President District Board
Incl. letter
Recd. 9/5/95

Interpretation of the rules for the election of members of District Boards.

H.M.
Unisc

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

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

STATEMENT WITH DITTO.

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FURTHER PAPER, No.

OF 189

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Miscellaneous.

LOCAL AND MUNICIPAL DEPT.
G.O., DATED 6-5-95
No. 814 d.

INDEXED.

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Stating that the
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READ AGAIN G.O., No.
189

DATED

CURRENT No.

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LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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