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[L. & M. / 9,000-8-8-96.]

Local & Munl. (1896) Department.

MISCELLANEOUS.

G.O., No. 1206 M

DATED 17th July 1896

[Despatch Abstract.]

Petition.

Declining to interfere in the matter of certain compalint brought against the Chairman, Municipal Council, Anakapalle by certain councillors.

BACK PAPERS.

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

FURTHER PAPERS.

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

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[7]

INDEXED.

Miscellaneous.

LOCAL AND MUNICIPAL DEPT.

G.O., DATED 17-7-96.
No. 1206 M.

When given for copying.

[Despatch Abstract.]

Petition

Declining to interfere in the subject of certain complaints brought against the Chairman Municipal Council, Anakapalle, by certain Councillors

BACK PAPER, No. of 189 .

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

FURTHER PAPER, No. of 189

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

STATEMENT WITH DITTO.

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

N.B.—
A — Copy in full.
B — Not to be copied.
P — Copy abstract only.
Q — Copy heading only.

Copied by ka.

Examined by

CHIEF SECRETARY
11 MAY 1896
GOVERNMENT OF MADRAS

To

His Excellency the Governor
Council Fort St. George.

May it please your Excellency,

With due respect and profound Submission we, the undersigned members of the Municipal Council, Anakapalli beg to represent the following matters for your Excellency's kind Consideration.

On the first of this month there was a meeting Convened of the Municipal Council at which five members excluding the Chairman were present. Certain bills brought before the Council were duly passed. Next came on certain Appeals preferred by two bill Collectors and the peon of the Municipal Middle School, all recently dismissed by the chairman. No grounds for dismissal having been given in the orders of the dismissal the Councillors asked the Chairman to be so kind as to give out his reasons for their dismissal. As the Chairman Could show no

Satisfactory grounds for dismissal after a hot discussion, four of the members gave their votes to reinstate the dismissed Servants all of them being of Some years Standing. The Chairman thereon without recording this decision of the Council, left the Council hall abruptly to the great insult of the Standing members.

This matter was reported to the District Collector with a request to take action under Section 33 of the Municipal Act, but no reply has, as yet, been received.

The Chairman Convened a Special meeting on the 22nd instant giving only a day's previous notice with the main object of delegating his powers to Some member as he was to leave this place for Bangalore temporarily. April

At this meeting the Appeals of the dismissed Servants were again taken up by the Chairman in Spite of the protest of Some members. The Chairman and the Official members passed a resolution Contrary to the one passed on the 1st instant.

We therefore in Conclusion most humbly request that your Excellency may be pleased to take Such action as may be deemed proper on the two points namely:

(1) The insult offered to the sitting members by the Chairman leaving the Council abruptly without even recording the decision.

(2) Illegally reopening the question once Settled.

We beg to Subscribe,

Ourselves

Your most obedient & humble

Servants

Anakapalli
25th April 1896

V. Sudarsanam

Municipal Councillor

[9]

LOCAL AND MUNICIPAL DEPARTMENT.

1424 M

298 M 96
463 M 96
24 M 93
1063 M 93
1064 M 92

PR.

From

M.R.Ry.S.V.Sudarsanam Garu
and other
Municipal Councillors,
Anakapalle.

TO BE RETURNED

No. 634

Referred to the Chairman, Municipal Council, Anakapalle, for remarks which should be submitted through the Collector.

(By order)

W W Phillips
Ag Assistant Secretary.

No.

Dated 7-5-96

Received 13-5-96

Enclosures

V.R.
2/6/96

Fort St George
6th June 1896

SUBJECT.

Bringing to the notice of Government the behaviour of the Chairman, Municipal Council, Anakapalle in a certain meeting.

To

The Chairman, M.C. Anakapalle.

Anakapalle 10th June 1896.

To the Hon J. F. Price —
Chief Secy to Government.

Through the Collector — Vizagapatam District.

Sir —

In reply to your endorsement No 634 on the ~~petition~~ current petition (No 1424 M) of 3 Councillors of this Municipality dated May 7th 1896 I have the honor to state —

1st That the petitioners are the two Amins of the non-resident Zemindar of this town & that ever since I became Chairman they have been the worst hindrance I have had to contend against in anything I have done for the improvement of the Council affairs or of the town. The third petitioner is a new Councillor only a tool in the hands of the others.

2 I found the office work & establishment generally in so thoroughly misorganised a state that after some weeks' work I saw that some changes as to staff were absolutely necessary to properly deal with the backward state of the work & among other things after waiting some months & advising with the Head Asst Collector (who is a Councillor) I removed the Manager on the ground of incompetency. He was re-instated mainly through the efforts of the first petitioner — the non-official members voting ~~[illegible]~~ to re-instate him. He still holds the post. (See my remarks in para — e — of covering letter to budget for 1896-7 reviewed in G.O. No 388 M dated 7th March/96)

marked in blue pencil page 3-4
P.P. 388 M 7-3-96

3. Later two bill collectors — Brahmin brothers — were dismissed by me for being, apparently a wilful hindrance to the collection of arrears of taxes. I had previously fined & warned them many times for disobedience to orders, endorsement of false statements on back of warrants &c. & finally I dismissed both & appointed two pensioned men in their places. (The prompt way money has since been collected speaks for itself as to the benefit of the change to say nothing of the advantage to me as Chairman in having men under me who will strictly obey orders.)

4 Mr Sudarsanam appears to be determined to re-place the two bill-collectors, who appealed to the Council against my action. At a mtg, this matter, among other things, was on the agenda — the 3 petitioners, an Sub Asst Inspector of Schools & the Munsiff, only, being present. This matter

1st April

being the last on the agenda & the hour being already very late I proposed to leave it over to a future mtg, but finding that certain parties had evidently come with the pre-conceived intention of dealing with the petition & voting against my action I first let every member speak on the subject & then stated that as this was a matter very serious indeed to good Administration I proposed to take no vote but defer it to a more fully attended meeting. This Mr Sudarsanam very hotly opposed & demanded that a final vote be recorded, which I refused to take & as there was nothing further to be said I rose to indicate that the meeting was adjourned. All rose but continued conversing together while I a few minutes later, wishing them good night, left the office in my usual manner. No insult was thought of — only firm decision which I felt was necessary under the peculiar Circumstances.

5 Another meeting was, as stated, held on 22nd April, not solely for my handing over temporary charge of ~~par~~ the Chairmanship but for disposal of many items of business, & for this meeting a Special notice was served on every member of the Council in the usual form. The fact that it was served only one day before the meeting constitutes no irregularity as that has been the custom for many years past in this Municipality & has never heretofore, to my knowledge been objected to. —

6 At the meeting of 22nd April the petitioners were present & I made special reference to my action re Bill Collectors' appeal at last meeting. The petitioners appealed to those present to consider the matter already settled, they regarding the forced discussion as equivalent to a vote, but I contended that no vote was taken at the meeting — the matter was simply discussed & then adjourned by myself without the consent of those present, the urgency of the case being my justification. The meeting, at which nearly every member was present, after fully considering the matter & hearing all that could be said, passed the following resolution —

"That the explanation of the Chairman in reference to his action at the former meeting is accepted & the dismissal of the two Bill Collectors is confirmed" — carried —

7. It is stated in the petition that ~~I could~~ "no grounds for dismissal were given in the Chairman's order of dismissal". This is incorrect as my order read as follows —

x x x x "On the ground that in spite of much trouble taken
"by the Chairman to instruct them they do not seem able
"or willing to adapt themselves to the work. The information
"written by them on back of receipts &c ~~they~~ has been —
frequently found by the Chairman to be incorrect — they
"not having taken the trouble to find the person taxed." x x x

It is also stated that I "could show no satisfactory grounds for dismissal" when asked by members to do so. This, too, is incorrect, what the petitioners mean is that no absolute proof of very many charges of bribery &c were forthcoming. Their lax manner of executing warrants, their false remarks re "poverty", "absence", inability to find tax-payer &c &c endorsed on bills or warrants entrusted to them were abundantly in evidence. The fact that former Chairmen were thoroughly dissatisfied with them & that one was before dismissed by a Chairman & re-instated by "the Council" is beyond contradiction & was fully detailed. The petitioner, however, was & is determined to have these men re-employed & zeal has led to oversight of these grounds, which were found satisfactory enough to a fuller meeting of the Council.

8. The petition under remark would seem to indicate a feeling between the Council & Chairman which would be regrettable. A spontaneous resolution of a good majority of the whole Council, however, passed lately when my Administration Report for 1895-96 was adopted & forwarded will show that anything but a strained feeling exists between me & the majority, including the most experienced, of the Councillors. Opposition & animosity are confined entirely to the petitioners & specially to the two Amins (the first 2 signatories) who have already succeeded by officiousness in misrepresenting, to my detriment, my action, re certain lands, to the Rajah who owns almost the entire land property of the Municipality. I would respectfully suggest, as Chairman, that, all things considered, one representative of the Zemindar on the Municipal Council is sufficient to safeguard ~~tt~~ his interests while two together form a balance of power which is liable to be used in a way not to the best interests of the Community at large.

I trust these remarks will be sufficient to show that there is no real ground of complaint but that the special circumstance under reference is merely seized as a pretext & made the very utmost of in an endeavor to re-taliate for insistence on prompt payment of taxes, especially old arrears, ~~&~~ by all who are able to pay.

It is not irrelevant to state in this connection that the first petitioner himself was much incensed a few months ago when I felt compelled to write him saying that after certain days if his old arrears of house tax were not paid a distraint warrant would be issued. The bad grace with which it was then paid may not be wholly unaccountable for his present attitude.

I have the honor to be, Sir,

Your most obedient Servant.

F. W. Gooch.

Chairman. M.C.

Re No 2002 of 1896.

Forwarded to Government.

I have enquired into Municipal affairs at Anakapalle on the spot and I have interviewed the principal persons. Everything that Mr Gooch states is perfectly true - he has been (subjected) subjected to a great deal of factious opposition on the part of the Cllrs & has on the whole behaved with tact and discretion & he has done a vast deal to improve the administration & sanitation of the Municipality & with the exception of a small faction his efforts are generally appreciated. At a fully attended meeting the Council recently passed a vote of confidence in him couched in complimentary terms. Mr Gooch committed an irregularity in convening a meeting at one days notice, but it is stated that this has always been done & apparently no Councillor was thereby prevented from attending. Mr Gooch also probably acted irregularly in adjourning a meeting against the wishes of the majority, but I have no doubt that he was acting in what he thought for the best & I think this irregularity may be overlooked. Mr Gooch has worked hard & disinterestedly at the thankless task of conducting Anakapalle affairs & I shall regret it much if he cannot be supported.

[illegible]

Collector

Previous papers put up

Curr. No 2002 of 1896

Local
CUR 1750 M

From
The Collector
Vizagapatam

To The Chief Secretary
to Govt. Local and
Municipal Department

Dated (Camp) 14 June 1896
despatched 18'
22 JUN. 96

Current 2002

Corr: 1424 M retd

Forwarding with remarks the Explanation of Mr. Gooch the Chairman of the Anakapalle Municipality on the petition of certain Councillors, called for by Govt.

Again G.O., dated 189 , No.
Current No. 1424 M of 1896, dated 7th May ~~from the~~ Petition
Current No. 1750 M of 1896, dated 10th June from the Chmn. Anakapalle

FOR ORDERS.

The first of the currents read above is a petition from three Municipal Councillors of Anakapalle whose complaints are (1) that the Chairman without recording the Council's decision to reinstate ~~the~~ two bill collectors and a school peon dismissed by him adjourned the meeting against its wishes, and (2) that he convened a meeting giving only a day's notice, at which the appeals of the dismissed servants were taken up by him in spite of the protest of some members. The first they consider to be an insult to them, and the second to be illegal.

In the second letter read above the Chairman explains the circumstances under which he dismissed the servants and at the same time remarks that two of the petitioners (both of whom are the amins of the zamindar) have ever been the worst hindrance in the way of improvement and that the third is a tool in their hands. As regards the first complaint he however states that the question being last on the agenda paper, the hour being already very late and the meeting being meagrely attended, he proposed to take no vote but deferred it to a more fully attended meeting. As regards the second complaint he states that a special notice was served on every member in the usual form and that it has been the custom for many years to hold meetings on a day's notice. At the adjourned meeting the circumstances of the case were however fully discussed and the following resolution was passed:–

"That the explanation of the chairman in reference to his action at the former meeting is accepted and the dismissal of the two bill collectors is confirmed" ~~Council~~.

The collector's endorsement is also very favourable to the chairman.

~~Under these circumstances~~ it is submitted ~~that the petitioners may be informed that the Govt. will not receive petitions from individual Councillors on points such as those referred to by them. The Council as a body should come forward if there is a ground of complaint against the chairman~~

The petition appears to have been framed in such a manner as to wilfully misrepresent facts. It appears inadvisable to retain such men as these as Munl. councillors, but there is no means of removing them. The Collector may perhaps be told not to nominate them again, & the following endorsement now given to them.

WWJ
2.7.96

"~~The Govt. sees no reason to interfere, as the petitioners appear to have wilfully misrepresented facts.~~

WWD
4.7.96

Mr. [illegible] procedure does not appear to have been exactly regular but its [illegible] was not what has been represented.

The following is submitted for approval.

Order No. 1206 Municipal, 17/7/96.

"The petitioners will be informed that Govt. has received a report on the subject of their complaint, and sees no reason to interfere".

WWD 4.7.96 (from orders) [illegible] 15/7/96

~~Then~~ Collr. might be told do

Dispd. 21/7/96

To
1. The Petitioners
2. collector of Vizagapatam
3. Chairman [illegible] P.t.o.

were that these three men are
not again nominated for apptt.
as Councillors

~~(for orders)~~ Ind
9/7/96

11/7/96

C.S.

D.O. to Collr. Vizagapatam
of 23-7-96

My dear Horne,

With reference to your R.C. No 2002 of 14th June 1896 forwarding the Anakapalle Chairman's explanation of certain allegations made against him by three Munl. Councillors, I am to ~~inform~~ you that Govt. does not consider it advisable that ~~the names of~~ these ~~Councillors~~ should ~~not~~ be again nominated ~~submitted~~ for ~~the~~ appointment ~~on the expiry of their present term of office. as councillors~~ as councillors

(for orders) Ind
10/7/96

W.B.D.
11-7-96

Despd. 23/7/96

Complaints against the
Chairman Mun. Anakapalle

FOR ORDERS.

1750 R.

1206 L.

Her.

When given for copying
When copied
When examined
When signed
189

READ AGAIN G.O., No. DATED
189 ,

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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