-4-07

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

Local & Munl. (1896) Department.

MISCELLANEOUS.

G.O., No. 179 M

DATED 3rd February 1896

[Despatch Abstract.]

Municipal Council.

Ordering, with remark, that the election of M.R.Ry. G.Srinivasa Rao Avargal as a member of the Madura------ 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 Municipal Councillor~~s~~ of the Municipality of Madura :—

M. R. Ry. C. Srinivasa Rao Avargal.

c. no. 146 m

3/2/96

the ~~result~~ of the candidates
previously or subsequently either
before or after the Commencement
of the Poll.

[illegible]

indulgences which would
be

Fort St. George gazette
Part I.A

Current No. ....

Date ....

COLLECTOR'S OFFICE
2 JAN 96
MADURA

3

the rest of the candidates having withdrawn either before or after the Commencement of the Poll [illegible] Robert [illegible] was declared by the Chairman to have been duly elected notwithstanding the [illegible] the [illegible] objection [illegible] by the Petitioner to [illegible] at length the objectionable and illegal proceedings allowed to take place for [illegible] in the [illegible] of [illegible] election

That on [illegible] That the said [illegible] [illegible] unduly [illegible] which will be

---

4

[illegible] and unfairly disregard of

the rest of the candidates

of the order of [illegible] by [illegible]

[illegible] Mayed that [illegible]

[illegible] of the [illegible]

[illegible] the afternoon

[illegible] to the [illegible]

[illegible]

the Police office

[illegible]

to [illegible] the

[illegible]

the [illegible]

charge [illegible] three [illegible]

penalty

[illegible] crime [illegible]

---

in order to [illegible]

that the election

[illegible] the candidate [illegible]

[illegible]

to the [illegible]

[illegible]

[illegible] Police [illegible]

[illegible] left [illegible] the [illegible]

of [illegible]

the remaining votes to [illegible]

for their candidate.

8

[illegible] from the above it
[illegible] that the election
[illegible]

all ideas of [illegible]

[illegible]

ENCLOSURE No. 2 8

In a letter

FROM

THE COLLECTOR of Madura

Dis No. 25 of 96

Dated 9 January 1896

Petition of S. Sundaram ayyar.

No. 82 9

Municipal Office
Madura 16th December

From,

R. Fischer Esquire,
Chairman, Municipal Counci
Madura

To

The Chief Secretary to Government,
Fort St. George,
Madras.

Through

The Collector of
Madura.

Sir,

In forwarding herewith the usual report of the election for the 6th Ward, which took place this day, I have the honor to state that the two candidates who alone competed, are M.R.Ry. G. Srinivasa Row and M.R.Ry. S. Sundaramier the rest having withdrawn either before or after the poll commenced.

2. Candidate No. 2 presented two petitions, urging some objections one to me and the other to the Polling Officer, which I submit in original for your information.

3. Before the Ballot box was opened,

I

I made enquiries of the Polling Officer in connection with the aforesaid petitions, and he admits that candidate No 1 entered into the Polling Booth, insisted on remaining there, and did actually stay there for about 2 hours.

4. From this it is clear that rule 23 of the election rules has been infringed both in its letter and spirit; for it clearly lays down that only electors (one at a time) should be admitted to the Polling Booth. It is possible that the presence of a candidate within the Polling Booth, may have some influence upon the voters and interfere more or less with the free exercise of their choice. The prohibition contemplated by rule 23 is, I believe, intended to guard against an evil of this kind.

5. The Polling Officer further admits that candidate No: 1 took away from him all the slips containing the number of the voters who voted in the forenoon.

For

For the better understanding of this objection it is necessary to explain that the polling took place between the hours of 8 to 11 A.M. and 1 to 4 P.M. and that as soon as a voter appears at the entrance of the Polling Booth, he gives his name and place of abode, to the Bill Collector of the Ward who is there to identify him and the latter enters the number of the voter on a slip of paper which is taken by the voter himself to the Polling Officer for the purpose of enabling him to satisfy himself that "he (voter) has a right to vote in the Ward" in question; and it is these slips which accumulated in the forenoon, that the candidate No:1 took away from the Polling Officer.

6. These would enable the candidate and his friends to check the voters' list, ascertain what voters have yet to come in the afternoon and use such influence as they may, upon the remaining voters to vote in favor of the former. Besides, the allowing of such concessions as are mentioned above may possibly tend to create

10 [illegible] 1895

create a wrong impression on the minds of the voters in favor of the candidate to whom such concessions were shown and it is I believe these disadvantages which the petitioner S. Sundaramier refers to in his petition.

7. I therefore submit the case for such action as the Government may be pleased to take.

I have the honor to be,
Sir,
Your most obedient Servant,
J. Fischer
Chairman

1 Messrs. S. Soobramaniam Iyer Av
2 T. Ramachandra Ayyar Av
3 G. Sreenivasa Row Av
4 V. Muttusamy Iyer Av
5 M. Nagalingam Pillai Av
6 S. Sundram Iyer Av

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ENCLOSURE NO. 1

In a letter

FROM,

THE CHAIRMAN,

MUNICIPAL COUNCIL,

MADURA.

No.

Dated 16th December 1895.

No. 82

Report of election held on the 16th December 1895 in the Madura Municipality

3/146 Mob

16.12.95

The polling officer states that Mr G. Srinivasa Row did come into the polling booth on [illegible] & remained there about two hours. & [illegible] number 9

[illegible] Council [illegible] the election is invalid for the following [illegible]

1. That the candidate Mr G. Sreenivasa Row and his agents were allowed to be within the polling booth for a greater part of the time influencing the voters and observing the vote given by voters notwithstanding repeated objections by my agents and thereby the object of the election was clearly defeated and the rules violated.

2. That Mr Sreenivasa Row was allowed a greater facility over me by per=

~~He~~ [illegible] him to take away
slips containing the [illegible]
of votes [illegible]
voted [illegible]
[illegible]
[illegible] pleased to [illegible]
[illegible] the above [illegible]
truth of the [illegible]
[illegible]
[illegible]
[illegible]

16/12/95 }
Madras } J. Sundaram.

16-12-95

RF 16.12.95

Enclo No. 3

The Polling officer
[illegible] ward election
[illegible]

Sir,

I request that you will be good enough to report to the Chairman the fact that one of the candidates Mr. G. Chami was seen this [illegible] were within the polling booth removing the votes which is against the rules.

This my agents repeatedly asked you to take [illegible] the [illegible].

And also the fact that Mr. Chami was seen took away with him this the slips of votes numbering which was to my disadvantage.

16-12-95 }
Madras } J. Sundaram.
Candidate.

recd 16-12-95

To
The Polling officer
6th ward election
[illegible]

I request that you will be good enough to report to the authorities the fact that one of the candidates Mr G. [illegible] and some of his [illegible] were within the polling booth canvassing the voters which is against the rules.

When my agents repeatedly asked you to [illegible] the [illegible] but [illegible]

And also the fact that Mr [illegible] took away with him the slips of voting numbers which was to my disadvantage.

J. [illegible]
Candidate

16-12-95
Jaffna

ENCLOSURE NO. 273.

In a letter

FROM,
THE CHAIRMAN,
MUNICIPAL COUNCIL,
MADURA.

No.
Dated 16th December 1895.
No. 82

Two petitions presented by MRRy S. Sundaramier one of the candidate for election in the 6th Ward.

Current No. 5424 Lcal 1896

Date 18.12.95 1895.

19

LOCAL AND MUNICIPAL DEPARTMENT. Da

COLLECTOR'S OFFICE 18 DEC 95 MADURA

FROM

THE CHAIRMAN,
MUNICIPAL COUNCIL,
MADURA.

No.

Enclosures Three.

Dated } 16th December 1895.
Received }

W 18.12.

No. 82.

SUBJECT.

Reporting on the petitions presented by M. R. Ry. S. Sundarramier a candidate that composed for election in the 6th Ward.

Enclo: No 1
in a letter
From
the Collector of Madura
Dis No 25 of 96
Dated 9-1-96.

Dis No. 25 of 96

20

From

MADURA COLLECTOR'S OFFICE,

Local [illegible]
CURRENT No. 146 M

9th January 1896.

J. Twigg Esquire,
Acting Collector of
Madura.

To

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

Sir,

I have the honour to forward letter no. 82 dated 16th December 1895 from the Chairman, Municipal Council, Madura, giving cover to the usual report on the electio for the 6th ward of Madura Municipality, held on the 16th December 1895 and also a petition from M. R. Ry. S. Sundram Iyer avergal one of the unsuccessful candidates, detailing the same grounds against the validity of the election as those dealt with in the Chairman's letter mentioned above.

Under No. 35 of the Election rules, the objection pets. should be put in before the Collector, within 15 days of the date of election.

2. The petition is addressed to His Excellency the Governor in Council and is, in strictness, I believe out of time, as though

dated 30th December it was received in my office only on 2nd January 1896 and I am not aware of any rule by which holidays are to be excluded in computing the time within which such petitions may be presented.

In Computing the pe
of limitation, the da
of receipt of the objn p
by the Collector, shd
taken into account
vide G.O. No 1339 M date
16th augst 95. This p
is clearly out of date.

3. From the Chairman's letter it will be seen that there is no dispute as to the facts. The successful candidate sat in the polling booth for a considerable time and took away with him the slips showing names of voters who had polled. These are irregularities which the polling officer was greatly to blame for permitting, but are not, I think, sufficient grounds for invalidating the election.

But these cannot
affect the present case
as an election cannot
be set aside except on
one or other of the grounds
referred to in Rule No 36.
At worst, there has
only been a breach o
the rules, & the Chair
-man's attention may
be drawn to the matte

I have the honor to be
Sir,
your ~~most~~ obedient servant
T. Weir.
Acting Collector

82
4480

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

Collector.

Local & [illegible] Dept.
CURRENT

22 | 46 M

From
The Collector of
Madura.

To
The Chief Secy to Govt.,
Land. M. Department,
Madras.

UNDER SECRETARY
12 JAN 96
PUBLIC [illegible]

Dated 9th January 1896.
Received

Dis No. 25 of 96
Enclosures ~~two~~ 6

DESPATCHED.
10 JAN. 96

SUBJECT.

Submitting, with remarks, Madura Municipal Chairman's letter No. 82 dated [illegible] December 1895 reporting on the election held on 16th December 1895 for the VIth ward [illegible] the Madura Municipality.

[illegible]
30 Jm. 94
1870 m. 90

C.S.
Misc.

Order No. 179 M. Mi. d/3-2-96

The Government agrees with the Collector in considering that the objection petition put in by M. R. Ry. Sundaram Aiyer was out of time. It will accordingly be rejected and the name of the successful candidate published in the Fort St. George Gazette.

8.[illegible] 31.1.6

~~2. It is however a matter for regret that the provisions of No. 23 of the Election rules were not strictly followed in the present case. Similar irregularities should be guarded against in future.~~

WWS
27.1.96

V.R
24/1/96

Moreover on the merits, although irregularities occurred which shd be avoided in the future, no ground ~~for the~~ [illegible] for invalidating the election has been shown. The petition

To The ~~Chairman, M.C. Madura~~
" Collector ~~of Madura~~.

Gazette 1/2/96.
Desp. 4/2/96

[illegible] order
187
4/24/1

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.

Papers not filed up, being meant for despatch in original.

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

Dated

Receiv

DESPATC

10 JAN

B

REPORT OF ELECTION HELD I E ~~MDUARA~~ Madura MUNICIPALITY.

Name of Municipality.	Name of ward, if any.	Date of Election.	Number of registered voters.	Number of voters who exercised the privilege.	Names of candidates.	Number of votes obtained by each candidate.	Name of candidate duly elected.	Remarks.
1	2	3	4	5	6	7	8	9
Madura.	No. VI or Thanappamudaliar Agraharam Ward	16th December 1895	376	190	1 Messrs. E. S. Soobramani Iyer Avergal 2 " T. Ramachandra Iyer Avergal 3 " G. Srinivasa Row Avergal 4 " V. Muttuswamy Iyer Avergal 5 " M. Nagalingam Pillai Avergal 6 " S. Sundram Iyer Avergal	2 125 67	G. Srinivasa Row Avergal	Nos. 2, 4 & 5 withdrew their candidature. 6 votes were rejected under section 27 of the election rules.

Enclosure No. 82

Submitted to Government through the Collector of Madura.

Municipal office, Madura 16th December 1895

R Fischer

Chairman.

16th December 1895