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

E

INDEXED.

Local & Munl. (1896) Department.

MISCELLANEOUS.

G.O., No. 1886 M

DATED 7-11-96.

[Despatch Abstract.]

Voters' lists

Passing orders on certain questions raised by the C.M.C. Dindigul in connection with voters' lists, and cancelling the resolution of the Council No. I dt 14-10-96

BACK PAPERS.

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

FURTHER PAPERS.

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

Urgent

Local & Munl. (1896) Department.

CURRENT No. 2777 M

E

Order No. 1886 Mun dd 7-11-96

H.m.

5/11/96

The questions raised by the Chairman in the last paragraph of his letter read above will be answered in the negative.

2. The municipal Councils' resolution No. I, dated 14th October 96, which is in excess of the powers Conferred on it by law, will ~~accordingly~~ be Cancelled under Sec: 35(1) of the District municipalities act.

(From orders)

7/11/96

V.R. 5/11/96

Note – Although the question of cancelling the Council's resolution referred to in para 2 of the draft has not been specifically raised & decided, yet it follows from the orders conveyed in para 1. Hence the insertion of para 2 of the draft. Moreover if the resol is not cancelled the decision of Govt would [illegible] as the Chairman will be bound to carry out the resoln.

To
The Chairman, M.C. Dindigul thro' the Collr

17/10. 21/10 [illegible] Despd 7/11/96

From M. R. Ry.
T. Rajagopaul Nayudu Garu
Chairman
Municipal Council
Dindigul

No. 255

Dated 14th October 1896

Received 16 OCT. 96

Registered

Enclosures 2

Spare copies

SUBJECT.

Submitting copies of Council Resolutions Nos I & II, dated 14-10- in connection with the lists of voters prepared under Rule 7 of the Election Rules for the orders of Government.

BACK PAPERS.

G.O.	No.	Department.	Date.
	25	m	12-1-89
✓	2594	m	13-12-95
✓	1435	m	15-12-80
	1579	m	16-9-96
✓	1226	m	7-9-94
✓	1978	m	28-7-93
	899	m	10-7-93

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Municipal office
Dindigul, 14th October 1896

Local & Municipal Dept.
CURRENT No. 2777 M

From
M. R. Ry.
T. Rajagopaul Naydu Garu
Chairman
Municipal Council
Dindigul

To
The Chief Secretary
to
Government
Fort Saint George.

Sir,

In submitting herewith, for orders of Government, copies of two Resolutions passed by the Council, at a meeting held today for the purpose of deciding claims and objections of voters, in connection with the Voters' list

under

under rule 10 of the Election Rules, I have the honor to state that the two Sanitary Inspectors of the Municipality were appointed, under Rule 7, to submit the lists through the respective ward councillors before the 1st of September 1896, being the date fixed by Government, under the said Rule, as per Government Order, No 978 M. Mis; dated 28th July 1893, and that, in the lists so submitted, I found glaring inaccuracies, which, I corrected and published the corrected lists, in due course, under rule 8, on the 10th of September 1896. I presume that, with reference to Rule 8, the Chairman has a right to see that the lists are correct so far as possible, by checking them with reference to the tax-Registers in the office and

other

other information available; and this was what was done at the office. If the lists were not scrutinised at the office, the consequence would be that person could become voters and candidat who are not eligible to be such, and those could not become voters or candidates, who are eligible be such. In the absence of any scrutiny at the office, this could be avoided only if persons choose to apply to the Chairman, under Rule 9, to include their names or exclude those of others.

Further, I think, that the intention of Government in laying down, in Rule 7, that the lists prepared, should be delivere to the Chairman, for publicatio is, evidently to allow of such list being scrutinised by him, as fa

as

as possible, and not that he may sign such lists, however incorrect they may be, for publication.

At today's meeting, it was not pointed out, that any person was either wrongly included in or excluded from the lists: but it was maintained, by a majority of the Council, that the Chairman is bound to publish the lists as prepared by the persons appointed for the purpose, without seeing the accuracy or otherwise of the lists submitted. Even if there be any such inclusion or exclusion, the electorate has had ample opportunity of putting forward claims or objections for the same, as the corrected lists were duly published, under rule 8.

Quite so

In this connection, I am to mention, though incidentally, that the proposer of the first proposition was put down in the

the IV ward list countersigned by him, as eligible for a candidate on the only ground of his paying an income tax of Rs 82; and his name was allowed to stand in the list, on the strength of his countersignature. But an objection petition was received that he is not eligible either for a candidate or for a voter even, on the ground that he does not pay income tax. This objection petition also, was to come along with other objection petitions for disposal at today's meeting, under rule 10. It appears that he has not paid income tax for 1895-96 and the assessment for 1896-97 has not yet been finally settled.

Under these circumstances, I respectfully solicit the early

orders

orders of Government, as to (1) whether the Chairman is bound to publish the lists as prepared and submitted by the persons appointed for the purpose without looking into the correctness or otherwise of them (2) whether the lists, as published, are illegal and (3) whether it is necessary to prepare new lists, as resolved upon by the Council.

now ?

I have the honor to be,
Sir,
Your most obedient Servant
T. Rajagopaul.
Chairman

14-10-96

Extract from the proceedings of the Municipal Council Dindigul passed at a meeting held on the 14th October 1896, at 7-30 A.M.

Present:

M.R.Ry. T. V. Rajagopaul Nayudu Garu Chairman
" G. Mengel Esqr. Councillor
" J. W. Short Esqr. "
" P. S. Mahomed Magthoom Rowther avl. "
" S. P. Muthu Naik avl. "
" M. Arokium Pillai avl. "
" V. S. Pichai moideen rowther avl. "
" V. S. Mohideen marakaya rowther avl. "
" R. K. Narayanasastriar avl. "
" K. Ananthanarayana Iyer avl. "

I

Proposed by M.R.Ry. P. S. Mahomed magthoom Rowther avergal that the

lists

list prepared by the Sanitary Inspector according to Resolution No. I of 27th July 1896 and submitted on the 25th August were amended by the Chairman on the 5th September 1896 and not passed in their original state; and being amended by the Chairman against the Election Rules, they are illegal and therefore new lists ought to be prepared for wards No I, II, III, IV, V & VI.

Seconded by M.R.Ry K.R. Narayana sastriar avergal.

Carried by 5 against four, M.R.Ry Mohideen marakaya rowther avl. Councillor not voting.

(Signed) T. Rajagopaul
Chairman

(True Extract)

T. Rajagopaul
Chairman

14.10.96

[illegible] Dindigul municipality

Extract from the proceedings of the Municipal Council Dindigul passed at a meeting held on the 14th October 1896 at 7-30 A.M.

Present:

M.R.Ry T. Rajagopaul Nayudu Garu Chairman
" G. Mengel Esqr. Councillor
" J. W. Short Esqr. "
" P. S. Mahomed Magthoom Rowther avl. "
" S. P. Muthu Naiker avl. "
" M. Arokium Pillai avl. "
" V. S. Pichai moideen rowther avl. "
" V. S. Mohideen marakaya rowther avl. "
" K. R. Narayanasastriar avl. "
" K. Ananthanarayana Iyer avl. "

II Proposed by the Chairman that the Government be addressed for an authoritative

2/2777 M/96

authoritative ruling as to whether the Chairman has power to make any corrections in the lists submitted to him by the persons appointed under Rule 7 of the Election Rules, before they are published under Rule 8 if he find any inaccuracy or omission in the lists delivered to him.

Seconded by M.R.Ry K. Ananthanarayana Iyer avl.

Lost by 4 against 5. M.R.Ry Mohideen marakaya Rowther avl. not voting.

(Signed) T. Rajagopaul
Chairman

(True Extract)

T. Rajagopaul
Chairman

14.10.96

Voters' lists - Dindigul municipality -

LOCAL AND MUNICIPAL DEPARTMENT.

Current No. 2777m

From

The Chairman, Municipal Council, Dindigul.

Hm

FOR ORDERS.

The Chairman's letter raises three questions.

2. The first is, whether the Chairman is bound to publish the lists as prepared and submitted to him by the persons appointed for the purpose, without looking into the correctness or otherwise ~~of them~~.

No.7 of the Election Rules lays down that lists of voters and of persons qualified to be elected shall be drawn up by persons appointed by the Council for the purpose and shall be delivered to the Chairman, and rule 8 says that the Chairman shall cause a copy of the list -------- to be fixed up in the ward in a conspicuous place &c.,------ . There is thus nothing in the election rules authorizing the Chairman to make any alterations in the lists before publishing them under Rule 8. It is however argued that the object of Rule 7 in enacting that the lists

shall

shall be delivered to the Chairman, is evidently to allow of their being scrutinized by him, but this contention appears to be unsound, for Rule 9 provides a remedy against any improper entry or omission of names, and if, as is now alleged, the Chairman found any egregious errors in the lists, he might have brought them to the Council's notice in the manner prescribed by that rule. This question may therefore be answered in the affirmative.

2. The second and third questions, Viz:- "whether the lists as now published are invalid and whether it is necessary to prepare fresh ones", may be answered in the negative, for, although the Chairman has exceeded his powers in correcting the lists, yet, as the corrected lists have been duly published under Rule 8, all persons aggrieved by his corrections, had their remedy under Rule 9.

V.R.
29/10/96

A.L.H.
29/10/96

Yes.
AA
30.10.96

I see no reason why the Chairman should not scrutinize the list and if he finds any ~~st~~ mistakes ask the "persons" who prepare the list to correct them. Suppose the list was hopelessly wrong – e.g. miscopied – it wd be absurd for the Chairman to issue it, in the hope that all the voters must come forward under ~~Sec~~ Rule 9.

AA

HD
2/11/96

FOR ORDERS.

When given for copying bh
When copied
When examined AKS 7/4
When signed 7/4
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.

D
9-8-04

[…ken out of the Records from the charge of the Referencer.

~~Press~~
Miscellaneous No. 18868. dated 7-11- 190 6
Routine

Date taken out.	For what purpose.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			
9-8-04	L. Pr	2606	Pr/04			

	For what purpose.			
Date taken out.	Department.	C. No.		Initials of ...nder.

[L. & M. 9,000-8-3-96.]

Local & … Department.

[3]

Local and Municipal Department.

Paper taken out of the Records from the charge of the Record-keeper.

Press. / Miscellaneous. No. 1884 m 1896

~~7-11-96~~

For what Current.			By whom taken.	When taken out.
Department.	No.	Year.		

In re Current No. – 1566

14/4/97

Conjeevaram

Report

3-7-97

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FOR WHAT PURPOSE.

Initials of
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[3]

LOCAL AND MUNICIPAL
DEPARTMENT.

Paper taken out of the Records from the charge of the Record-keeper.

Press.
Miscellaneous. No. 189 .

FOR WHAT CURRENT.			By whom taken.	When taken out.
Department.	No.	Year.		

[L. & M.
9,000-8-2-96.]

Local & ... Department.

[3]

LOCAL AND MUNICIPAL
DEPARTMENT.

Paper taken out of the Records from the charge of the Record-keeper.

Press.
Miscellaneous. No. 1826 189 .

FOR WHAT CURRENT.			By whom taken.	When taken out.
Department.	No.	Year.		
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22-12-02				

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