

INDEXED.

Local & Munl. (1897) Department.

MISCELLANEOUS.

G.O., No. 1059 *in*

DATED 3-5-97

DESPATCHED

[Despatch Abstract.]

Munl. Council

According with remarks, explanation of the C.M.C. Cannanore in regard to the charges brought against him by Sultan Ali Rajah of Cannanore.

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 & Munl. (1897) Department.

CURRENT No. 1433

Issue
17/5/97

Note

Order

Recorded pending report
on the result of the enquiry referred to
in para. 2 of the Collector's letter.

1/8
26/4/97

30/4/97

From

The Collector of Malabar
Calicut

Report No. 104
Deleg.

Dated 24th March 1897

Received 1-4-1897

Registered

Enclosures

Spare copies

18-3-97

To The Collector of Malabar
Calicut 7/5/97

Note.

The Collector's letter of 29th February 1897
Satisfactorily disposes of the matter. From the Collector's letter in the file it appears that the Chairman has sent in his resignation and it is submitted that no further action is called for. The Sultan Musa Ali Raja of Cannanore will not have any cause of complaint in future, as "it is hardly possible that his (Mr. Raja's) successor will be equally devoid of tact and slothful in business". The result of the enquiry may be communicated to the Raja, after receipt of the Collector's further report.

SUBJECT.

Chairman of the Cannanore Municipality, on certain charges brought against him by Sulhan Ali Raja of Cannanore.

1/8 a/c

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No 505

From,

Municipal Office,
Cannanore 26th November 1896

The Chairman
Cannanore Municipality.

To,

The Director of Malabar
Calicut

Sir,

With reference to your Endorsement
No 194 of 1895, dated 15th June, I have the honor
to offer the following remarks in reference to
Sultan Ali Rajah's petition. The long delays
that occurred was due to the fact of my
having waited to see what the result of the
case against his son (as he chooses to call)
on imaginary offence referred to in para 9
of his petition, would be, and what action
would follow to him he speaks of in para 10.

2. Now as regards the Assessments.
(a) para 2. The petition sent in 1892 does
not appear to have been taken into Con-
sideration as it was not in terms of the
provisions of the Act, and the tax for that
year ^{was} duly recovered. The petition could not
be

by building a road

be considered as an objection against the Assessment
under the provisions of the Municipal Act,
as the amount was not deposited with
the petition which was also out of time as
required by section 97-101. Therefore the usual
bill had to be sent and the amount re-
covered. The several correspondences referred
to were not recognized by me as they had come
from Mr. Chooria Jhulji Karaman styling
himself as Dewan, and as the Rajah did not
send his Agent or Clerk in the manner he
ought to have sent him till February 1885, with
an informal written intimation purporting
to be an authority through his Clerk to
furnish the Extracts from House and Land
Tax Registers.

(b) Para - 6-7. He complains that he has
been improperly assessed, but if his Clerk has
taken a correct Extract, there is no reason
for any error in the figures. I do not say that
no errors would have crept in the registers in
calculation, but all this would have been
avoided if he had obtained a true Extract
of the Registers prepared by the office duly authenti-
cated by my signature. If there is any
error this would have been revised by me
under the Act.

In regard to the following entries

- (1) "mosques". The register maintained at the
office is a register of all buildings and lands
whether taxable or not.
- (2) "Buildings unknown". There is no such thing
as buildings unknown, this is meaningless. The
only fault they have to find is that the
description of the building is not given and it
is not taxed. He could surely have no com-
plaint against any property not taxed.
- (3) This is a land and the number is given
in the land column. The name of land
is given as "Koshavan Thung".
- (4) Entry (g) is a paramita and the gross
rental fixed is shown against it and the
tax assessed by the Municipality is only 1-4-4
whereas he shows it as 1-4-4. Likewise the
entry (k) is an omission in the Extract taken
by the Rajah.
- (5) Entries L. m. There is no authority for me
to exempt from the Assessment registers
the houses that are said to be vacant
and of which due notice has not been given
the Council under the provisions of the
Municipal Act.

3. The above are some of the 'Sins of Omission
and Commission', as he chooses to call, in
his own opinion. He seems to ignore or keep

in oblivion and obscurity the terms of the
provisions of section 262 of the Municipal
Act and makes these frivolous charges simply
to delay payment of the tax and brings forward
the plea that he has been requested by Mr
Hobbs to do so. I think if he had represented
facts in their true color Mr Hobbs ~~would~~
have advised him otherwise.

4. Para 8. He claims the privilege of being exempt from the payment of tax by having it recovered ^{from} his tenants. I do not see the necessity to do so while he is alive. And living within the limits of the Municipality and not only this, he has not produced the leases referred to by him to ascertain the nature of the stipulations if his grounds for this demand are admissible. Even if they were I do not see my way to do it while he can pay the tax.

5. Para 9. I do not understand what he means that I heard the party faction on the Board. The question to be decided first is whether any faction does exist. I am happy to tell you that no faction of any kind that I am aware of ~~do~~ exists on this Board. The proposition decided by the Council was carefully considered at their meeting in due course and I smile handed I am ^{powerless}

Malabar Collectors Office
P. Malabar 27 February 1897.

powerless to do anything in the matter. His son is a Municipal Councillor and he fully knows his own position as a Councillor and that of mine as a plain-man. Although Mr. Pinkey the Joint Magistrate quashed the conviction of the Town Sub-Magistrate & the suit for damages instituted against me personally and the Council for supposed malicious prosecution was thrown out and their appeal to the District Court against this decision was rejected and the judgment of the lower Court confirmed. This decision on appeal by the Rajah's son was only confirmed a short while ago. A perusal of the judgment of the lower Court and the appeal judgment will clearly show you that the prosecution was not illegal or malicious.

6. Para 6. The Bangmetting Hall (Palace-madam) is an old neglected building which has been falling to ruins and the lower verandahs of the building are occupied by ~~paupers~~^{paupers} and other sickly mendicants. It is no doubt it may have been the intention of the Rajah to protect his subjects from the sun during his absence by building a roof over the verandah.

delaying his petition for the work, but he acted
with the presumption that all such petitions
presented by him need not be stamped and
meant that I should receive all such petitions
without stamps and that it is for the Council
to decide the terms of the stamp Act framed
by a Legislative Council of the Government
of Madras. I in my position as a Chairman
insisted upon the petition being stamped as
I do, in all other cases falling under the
stamp & Court fees Act. I had the same
difficulty with his son regarding petitions
sent in by him without the usual Court
fee stamp. If they wished to have ~~such~~
a question decided they should apply to the
Collector and not wait for the decision
of a Municipal Council and cause
unnecessary delays against their own
interest by acting stubborn in such
frivolous matters and evading the terms
of the law. The Bangnetting Hall as he
calls it, has been for several monsoons
encroached by the sea and not particularly
in 1885 ~~the~~ ^{the} greater part of that part
of

of the building towards the sea has been
washed away by the sea some years ago
owing to the building having been entirely
ruined. If the building is allowed to stand any
longer, the encroachment of the sea need not
be feared to settle its state. It will one day
either come down with a crash. The building
has been allowed to go to ruins, the roof
itself is in a dangerous condition and may
be the cost of many lives yet. Nothing appears
is being done to the building to protect it from
the impending danger in which it stands.

6. Para 11. The distribution of prizes to the scholars
is no doubt an encouragement to the scholars
where no prizes were offered for some time. Con-
recognizing Mr. J. Thummi Kannan's letter I
addressed the Rajah his proposal regarding
the distribution of prizes as the High School
to which he offered the prizes is a govern-
ment institution under the temporary
management of the Municipality stating
that I shall write to the Educational
Authorities and obtain their sanction,
hearing from him, but he declined to
answer my letter regarding his offer.

del 7. I have nothing further to offer regarding
writing points in his petition and I hope I have
partially answered them, but I must bring to
myself notice that the Rajah must be made
to understand that the provisions of the
Municipal Act applies to him as it
does to other rate payers and citizens
of the place. The Rajah has not previously written
me about the appointment of a Dewan
and I declined to recognize any of Mr. C.
G. Kauran's letters sent to me as the
Rajah's Dewan. Vide my letter No 560 + 711
dated 6th December and 12th July respectively
and quoted by the Rajah. Up till now I have
not recognized him as such.

(Signed) J. M. Rego
Chairman

(True Copy)

B. B. Holland

Image Connection

2
The Chairman, Municipal Council,
Cannanore

Sir,
With reference to your letter dated 26th November 1896 N^o. 505 I have the honour to state that the omission to reply to the Arakkal Raja's petition of the 18th July 1892 and his subsequent reminder dated the 18th October 1892 has not been satisfactorily explained.

2. The Raja made three requests in his petition

- (a) That the tax on some of his houses might be reduced
- (b) That the assessment in certain cases might be transferred to some of his tenants.
- (c) That the assessment in certain other cases might be transferred to his wife and son.

3. In your letter referred to above you inform me that "the petition sent in 1892 does not appear to have been taken into consideration as it was not in terms of the provisions of the Act and the tax for that year was duly recovered. The petition could not be considered as an objection against the assessment under the provisions of the Municipal Act as the amount was not deposited with the petition which was also out of time as required by Sections 97-101. Therefore the usual bill had to be sent and the amount recovered."

4 It ought not to be necessary for me to point out that the "objection against the assessment" was only one of the matters referred to in the petition. If this request had been irregularly made to the Raja should have been informed of the fact. His other requests duly attended to. In answer

Doc MS 251

Assistance for Collector

the Raja was entitled to an answer, and your refusal to give him one was an act of discourtesy which I am surprised that you should try to defend.

5. The Raja's Dewan has been recognized by the Government of Madras. I should therefore have thought that he might be recognized by you. By refusing to do so you deprived the Commune High School boys of the prizes which the Raja had offered to give them in 1895.

6. In conclusion I cannot consider that your explanation for the delay of 18 months in replying to this reference is at all satisfactory.

I have &c

(Sd) G. W. Dance
ag Collector

(True Copy)

R. G. Holland

Assistant Collector
for Acting Collector

and
27.3.97

5
1433 not 1897

Malabar Collector's Office,
Calicut 24th March 1897

Rejoucr^{no} 104
24.3.97

From,

LOCAL & MUNICIPAL DEPT.
CURRENT No. 1433/M

G. W. Dance Esquire
Ag Collector of Malabar.

To,

The Secretary to Government
Local and Municipal Department
Madras.

Sir,

Adverting to G.O. No. 585 H. Mis, dated the 18th March 1897, I have the honor to state that the complaints made by Sultan Hussa Ali Rajah in his letter No. 503 dated 6th June 1895, have been disposed of by me. A copy of the Chairman's explanation and of my letter to him commenting thereon, are herewith submitted.

2. The charges contained in his letter No. 2 dated the 4th January last are under enquiry.

3. The enclosures to the G.O. are herewith returned.

I have the honor to be
Sir,

Your most obedient servant
R. G. Holland
Assistant for Collector

Done by 25.3.97