

T. & M.
2,000-28-1^o 97.

Local & Munl. (1897) Department.

MISCELLANEOUS.

G.O., No. 2767 m

DATED 11-12-97

INDEXED. *ca*

[Despatch Abstract.]

Munk.-Council

Ordering, with remark, that the Elections of
Surgeon Lieutenant Colonel W. O'Hara as
Chairman of the Trichinopoly — 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 & Munl. (1897) Department.

CURRENT No. 3789h

3580

Cnos/3789 + 3823M/97

From V. S. Chelloppa Chetty & other
Municipal Councillors
Trichinopoly

His

Order n^o 2767 mms of 11.12.97

The election of Surgeon
Lieutenant Colonel, W. O'Hara as Chairman
of the Trichinopoly Municipal Council is approved and
will be notified in the Fort Saint George
Gazette.

No.

Dated 1-11-1897

Received 3-11-1897

2. The Municipal Council is Registered
requested to submit without further Enclosures
delay the report called for in G.O. NO. 21887
of 8th October 1897.

Spare copies.

Hag. A.

SUBJECT.

/From orders/

V.R.
10/12/97

HT
10 12 97

Protesting against the election of
Dr. W. O'Hara as the Chairman
of the Trichinopoly Municipality

To The Collectors of Trichinopoly
Chairman Re. Trichinopoly (Pres)
Gazetted 14/12/97 and 13/12/97

BACK PAPERS.

G.O.	No.	Department.	Date.

Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

LOCAL AND MUNICIPAL DEPARTMENT.

NOTIFICATION.

A. E.

The Right Honourable the Governor in Council approves, under Section 14 of the Madras District Municipalities Act, 1884, of the appointment by election of *Surgeon* Lieutenant Colonel *W. O'Hara* to be the Chairman of the Municipal Council of the Municipality of *Trichinopoly*

Local & Munl. (1897) Department.

CURRENT No. 3580M

To be our pending receipt of the
report on the Election of the Chairman

From

S. Subramania Sastri
President, Hindu Sabah
Thiruvananthapuram,
Trichinopoly.

Order

No.

Dated 16-10-97

Received 18-10-97

Registered 19-10-97

Enclosures

Spare copies.

SUBJECT.

Regarding the majority of votes to
be obtained for the election of chair-
men in municipalities.

number then on Council' will be taken

BACK PAPERS.

G.O.	No.	Department.	Date.
Enc.	3531	h/97	
fo	1966	h/97	17-12-96
	214	h/97	7-3-88
	909	h/97	8-9-87

FURTHER PAPERS.

G.O.	No.	Department.	Date.

19 OCT 1897

COLL & REPLY

35-80 M

to be only a paraphrase of the expression
To, maximum number for the time being.

G. S. Forbes Esq. Secy. to Govt. of Madras.
Local and Municipal Dept.

Honoured Sir,
A special meeting of the
Spirangam Municipality took place on the
15th October 1897, for the election of Chairman.
Eleven Councillors including the Revenue
officer of the Division, were present. The
other 5 seats, 16 being the maximum
number, are vacant. Six of the Councillors
having voted in favor of one of the Candidates,
the Chairman presiding declared him elected.
We contend that only nine would from the
valid majority and in support of our view
beg to state:—

That though the expression 'more than
half the total number then on Council'
occurring in Rule 2 of G.O. ^{no 214} ₇₋₃₋₈₈, is
dubious in itself and may mean either the
number of Councillors then holding appoint-
-ment or the number of Councillors sanctioned
for the time being, yet, if interpreted in the light
of the epithet "total" herein occurring and of the
motive of these rules as pointed out in
G.O. ^{no 909} ₈₋₉₋₈₇, as well as, of the words 'absolute
majority' therein occurring, the expression 'total
number then on Council' will be taken

LOST IN THE DEPT. 3789 M

THE SECRETARY TO GOVERNMENT,
LOCAL AND MUNICIPAL DEPARTMENT,
FORT ST. GEORGE,
MADRAS.

Sir,

We the undersigned Municipal Councillors of Trichinopoly beg to protest against the election of Dr. W. O'Hara as the Chairman of the Municipality on the following grounds:—

- a. That Dr. O'Hara is a Government servant;
- b. That the nature of the work he has already on hand as District Medical and Sanitary Officer is such as would require whole of his attention to itself and no time can be spared by him to the Municipal works;
- c. That the office of a District Medical and Sanitary Officer is so much connected with the Municipality that he may be justly considered to be an officer of the same under Act IV of 1884, and as such he is not qualified to be the Chairman of the Municipality—Vide clause (d) Sec. 10 A of Act IV of 1884;
- d. That he, being the Chief Sanitary Officer administering the functions of sanitation under the Municipality and as such, one interested in work done for the Municipal Council, is disqualified to be the Chairman—Vide clause (g) Sec. 10 A of Act IV of 1884;
- e. That it is not fair that he, as the District Medical and Sanitary Officer, should submit bills for the amounts spent by him, on the Municipality and pass the same himself as the Chairman of the Municipality;
- f. That as cholera and plague are so much threatening us in the face, the District Medical and Sanitary Officer should, it is highly desirable, solely devote his entire attention for preventing the spread of the epidemics and treating the unhappy many that may fall victims; and
- g. That as he is now under orders to the frontier, there will be a necessity soon or late for him to be away from Trichinopoly, thus giving room for another election, which, we beg to say, involves a great deal of confusion and anxiety.

In view of bring to practice the system of Local Self Government the privilege of electing a Chairman for Municipality is granted to the people and the object of self Government is to have a private gentleman in the chair. Dr. W. O'Hara being a Government servant does not at all answer the requirements for a Chairman; and the fact that the Chairman and the Secretary both being public servants defeats, we are sorry to say, the very fundamental principle of Local Self Government.

2. Under section 14 of the Act, the council is to appoint their Chairman only those who are eligible to be councillors under section 10 A, unless exempted by Government. Applying this to the present case the candidate is disqualified under Sections 10 A, clauses (d) & (g) as he is an officer in charge of the hospital, which is an institution maintained by the Municipality and as such doing work for the Municipality, nor is he exempted by Government for the purpose.

3. The hospital and other works connected with the office of a District Medical and Sanitary Officer are so heavy that he can spare no time whatever to attend to the Municipal matters, which are now being administered by a Deputy Collector, specially deputed for the same, having been relieved of his Revenue and judicial duties. In fact no man can serve two masters. The Government has in its resolution dated 16th February 1895, No. 245 M. Mis. clearly expressed its opinion that it is very difficult, if not altogether impossible, for a man with many other calls upon his time to find

But he can't delegate all his work to the Secretary who is the Secretary Appointed

advised by the Council
H. A. 4
an officer
the service
of the Council

opportunities to inspect and supervise in the detailed and thorough manner which is necessary to the safety and well being of the population, the sanitation and other administrative details of so large a town as Trichinopoly. As the Civil Surgeon, he is required to visit the Central Jail every day. In Trichinopoly the Jail is about 5 miles off from the town and it takes nearly 10 o'clock every morning for him to finish the Jail Inspection and return to the hospital, and the few hours he can spare to remain in the hospital will not permit him to do the work satisfactorily. He has also to look to the Police Hospital with the periodical inspections of the hospitals and dispensaries in the District. It has been ordered in G. O. 325 of 8th April 1889 that the Civil Surgeon should not have any other extra duty as it was found highly prejudicial to his legitimate work.

4. The District Medical and Sanitary Officer makes expenditure for the Municipal Hospital and if he be appointed Chairman of the same Municipality, he will have to pass the bills submitted by himself and thus there can be no proper scrutiny of the bills. The Councillors will have to give way to the Chairman with the two-fold authorities in him.

5. Trichinopoly is the largest Municipality next to Madras both in extent and population. Now, that plague and cholera are threatening us every moment, it will be very desirable that the Sanitary Officer is left to himself and to his legitimate duties, of course he should give all necessary suggestions to the Municipal Council for the upkeep of sanitation and see that his suggestions are carried out by the Municipality. The idea of having the Chairman and the District Medical and Sanitary Officer in one and the same individual is very objectionable. Indifference in one capacity is failure in the other also. If there are two different individuals, one may be a check upon the other and the result is that sanitation is cared for by the two—as both are responsible for the same.

6. Under these circumstances we pray that the election of Dr. W. O'Hara as the Chairman of the Trichinopoly Municipality, may be cancelled and a fresh election ordered that a duly qualified gentleman may be procured for the same.

We beg to remain,

Sir,

Your Excellency's,

Most obedient and humble servants,

Trichinopoly 3
1st November 1897 3

D. S. Subbappaiah
Mumamahadwarayear

Local & Munl. (1897.) Department.

CURRENT No. 3823 M.

Order

From *Ramathyne Macleod, Esq.*
Ag. Collector of Trichinopoly

Ref (M) on Current No. *116* of 1897.
Dated *3rd November* 1897.

Received

Registered

Enclosures *4.*

Spare copies

SUBJECT.

*Reporting upon the
result of the election of the
Chairman of the Trichinopoly
Municipality.*

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Local & Munl. (1897) Department.

CURRENT No.

Order.

From The Chairman
Municipal Council
Trichinopoly

No. 41.

Dated

28-10-97
30 OCT. 97

Received

Registered

Enclosures

Spare copies

SUBJECT.

Submitting the election of
Surgeon Lt. Col. W. D. W. as the
Chairman of the Municipal
Council of Trichinopoly.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

MUNICIPAL OFFICE,

TRICHINOPOLY 28th October 1897.

No. 41.

FROM,

Khan Bahadur Khadir Nawaz Khan
Sahib,

CHAIRMAN,

Municipal Council,

TRICHINOPOLY.

TO,

The Chief Secretary to Government,

Local and Municipal Department,

FORT ST. GEORGE.

Through the Collector of Trichinopoly.

SIR,

*Granting the privilege
of appointing Chairman
by election*

With reference to the Notification of Government published in the Fort St. George Gazette dated the 6th July 1897, I have the honor to submit for approval of the Government a copy of the Proceedings of the special meeting of the Municipal Council held on the 27th Inst for the purpose of electing the Chairman. Surgeon Lt. Col. W. Hara obtained the votes of twelve members out of the existing twenty three Councillors — of whom one member was absent that day and two, being candidates, did not vote — and was declared

duly elected as Chairman.

A list of the Councillors at present in office is also submitted for the information of Government.

I have the honor to be,

Sir,

Your most obedient servant

Khuda Nasir

Chairman M.C.

Proceedings of the Municipal Council,
Trichinopoly, passed at the special
meeting held on the 27th October 1897.

Present

- | | |
|-------------------------------------|-----------------|
| Khan Bahadur Khadir Nawaz Khan | Sakib, Chairman |
| 2. Bannatyne MacLeod Esq. | Rev. Officer |
| 3. Surgeon Lt. Col. W. O'Hara | Councillor |
| 4. Dr. F. G. Oliver, M.D. | do. |
| 5. Reverend J. D. W. Sewell | do. |
| 6. Lieutenant A. V. W. Hoke | do. |
| 7. J. H. de Mesurier Esq. | do. |
| 8. Reverend S. Gnana-muthu M.A. | do. |
| 9. M. S. N. G. Gopala Aiyar Avarul | do. |
| 10. " J. Venkataramanujalu Chettiar | do. |
| 11. " J. V. Annaswami Mudaliar | do. |
| 12. " J. M. Subramania Pillai | do. |
| 13. " S. J. Kristnaswami Aiyar | do. |
| 14. " J. S. Unnamateswara Aiyar | do. |
| 15. " V. S. Chellappa Chettiar | do. |
| 16. " C. Vythilingam Pillai | do. |
| 17. " A. Ayyakannu Pillai | do. |
| 18. " A. C. Chidambaram Mudaliar | do. |
| 19. Mahomed Miyan Sakib | do. |
| 20. Mahomed Assadullah Sakib | do. |

21. Mahomed Sirajuddin Sahib Councillor

22. Mahomed Fariduddin Sahib do.

No 177. Read the Collector's notice fixing the 27th October 97 as the day for the election of the Chairman to be held for the second time, together with the nominations of the undermentioned gentlemen for that office:

1. Surgeon Lt. Col. W. O'Hara

2. Dr. F. G. Oliver M.D.

The votes were taken by the ballot with the following result:

Dr. Oliver 8 votes

Dr. O'Hara 12 votes

Dr. O'Hara declared elected as Chairman.

(Signed) Khadir Nawaz

27-10-97

(True extract)

Municipal Office
Frickinopoly
28th October 97

Khurshid Nawaz

Chairman, M.C.

List of the Councillors for the town of Frickinopoly

No.	Names of councillors.	Date of appointment.
1.	Khan Bahadur Khadir Nawaz Khan Sahib.	8. 9. 96.
2.	The Revenue Officer.	Ex officio
3.	Surgeon Lt. Col. W. O'Hara.	6. 7. 97
4.	Doctor F. G. Oliver M.D.	9. 3. 97
5.	Lt. A. B. W. Hope.	15. 6. 97
6.	J. Inglis Esq.	27. 4. 97
7.	Rev. J. S. W. Sewall S. J.	18. 6. 95
8.	T. H. Le Mesurier Esq.	26. 11. 95
9.	Rev. S. Gnanamuthu M.A.	5. 1. 97
10.	M. K. K. J. V. Annaswami Sastri	14. 1. 96
11.	" D. G. Gopal Rao	26. 11. 95
12.	" A. P. Chidambaram Sastri	do
13.	" J. Venkataraman Sastri	9. 3. 97.
14.	" Khondoo Kuyar Sahib.	23. 4. 96
15.	" S. T. Krishnaswami Sastri	15. 1. 96
16.	" J. S. Annamahaswami Sastri	27. 8. 95
17.	" J. M. Subramanian Pillai	6. 8. 95
18.	" V. S. Srinivasan Chettiar	27. 8. 95
19.	" C. N. Thilingam Sastri	30. 6. 96
20.	" A. Annaswami Pillai	do
21.	Khondoo Annaswami Sahib.	28. 5. 95
22.	Khondoo Sirajuddin Sahib	27. 8. 95
23.	Khondoo Fariduddin Sahib.	30. 6. 96

Municipal Office
Frickinopoly
28th October 97

Khurshid Nawaz

Chairman, M.C.

Proceedings of the Municipal Council, Trichinopoly,
passed at the special meeting held on the 7th October 1897

Present.

1. Khan Bahadur Muhammad Khadir Navaz Khan Sahib
Chairman
2. Bannatyne Macleod Esqr. Councillor.
3. Surgeon Lieutenant Colonel W. O'Hara "
4. Doctor F. G. Oliver, M. D. "
5. Rev. J. D. W. Sewell, S. J. "
6. J. A. Le Mesurier, Esqr. "
7. J. Inglis, Esqr. "
8. Rev. S. Gnanamuttu, M. A., "
9. M. R. Ry. A. C. Chidambara Mudaliyar Esq. "
10. " N. G. Gopala Aiyar - - - - - "
11. " J. Venkataramanujalu Chettyar - - - - - "
12. " J. V. Annasawmi Mudaliyar - - - - - "
13. " J. S. Narayanasawmi Pillay - - - - - "
14. " J. M. Subramania Pillay - - - - - "
15. " S. J. Krishnaswami Aiyar - - - - - "
16. " J. S. Umamaheswara Aiyar - - - - - "
17. " V. S. Chellappa Chettyar - - - - - "
18. " C. Vythilingam Pillay - - - - - "
19. " A. Ayyakannu Pillay - - - - - "
20. " Mahmood Nijam Sahib - - - - - "
21. " Muhammad Assadulla Sahib - - - - - "
22. " Muhammad Sirajuddin Sahib - - - - - "
23. " Muhammad Fariduddin Sahib - - - - - "

No. 172. Read the Collector's notice fixing the 7th
October 97 as the day for the election of the Chair-
man together with the nominations of the under-men-
tioned

Gentlemen:-

- (1) M. R. Ry. N. G. Gopala Aiyar Avargal.
- (2) Doctor F. G. Oliver Esq., M. D.
- (3) M. R. Ry. T. A. Annasawmi Mudalyar Avargal.
- (4) Surgeon Lieutenant Colonel W. O'Hara
- (5) M. R. Ry. S. J. Rangasawmi Aiyar Avargal, B.A., B.L.

All Candidates except Doctor O'Hara and Doctor Oliver withdrew. At the ballots the results were as follow:-

1st Ballot.

Dr. O'Hara 9 votes.
Dr. Oliver 12 "

2nd Ballot

Dr. O'Hara . . . 10.
Dr. Oliver . . . 11.

Meeting adjourned.

(Signed) Khadir Bazar Khan,
Chairman.
(True copy)

Munduankur
For ag. Collector.

July

3823 M 079

Trichinopoly Collector's Office,
3rd November 1897.
Despd 4-11-97

Ref. ^(m) on Current a/c. 116 of 97.
13th.

3823 M.

From Blunatyne Macleod, Esq.,
Ag. Collector of Trichinopoly,

To The Secretary to Government,
Local and Municipal Department,
Madras.

Sir,
With reference to the notification of Government published at page 148 Part I.A. of the Fort Saint George Gazette dated 6th July 1897 and to para 3 of G.O. No. 1465.M. dated 21st June 1897, I have the honour to report that I issued a notice on the 9th September last for convening a meeting of the Municipal Councillors, Trichinopoly on the 7th October for the purpose of holding the election of the Chairman.

2. This meeting was attended by 23 Councillors, the remaining one being absent. Three out of the 5 Candidates for the appointment withdrew. Of the remaining two, Dr. F. G. Oliver, M. D. secured 12 votes against 9 in favour of Surgeon Lt. Col. W. O'Hara. The Chairman having declared that the two Candidates did not secure the votes of the absolute

majority, a second ballot was taken with
the result that Dr. F. G. Oliver had 11 votes
against 10 in favour of Surgeon Lt. Col.
W. O'Hara. This also having failed to
produce the prescribed majority in favour
of either of the Candidates, the meeting was
adjourned to the 27th October and a fresh
notice was issued by me to that effect.

3. On the second date of election, 22
Councillors attended the meeting, one seat
having fallen vacant and one Councillor
being absent on the occasion. Surgeon Lt. Col.
W. O'Hara secured 12 votes on this oc-
-casion, against 8 votes in favour of
Dr. Oliver and the former was thereon
declared to have been duly elected. No
objection petition has been received
against this election.

4. Surgeon Lt. Col. W. O'Hara is the
District Medical and Sanitary Officer,
Trichinopoly.

5. I request that Government
will be pleased to approve the election
of Surgeon Lt. Col. W. O'Hara and
faisette his name at an early date.

6. I enclose herein the letter of the

Municipal Chairman together with its
two enclosures and also a copy of the
proceedings of the Council passed at
the meeting held on the 7th October 1897.
I have the honour to be,

Sir,
Your most obed^t. Servant,
Mundakaran
For ag. Collector.

20/10

3580
C. No. 3789 X 3823. M of 1897.

SUBJECT.

Election of Chairman, Trichinopoly
Municipality.

FOR ORDERS.

In the second letter read
above, the Collector of Trichinopoly reports
for the approval of Government
the election of Surgeon Lieutenant
Colonel W. O'Hara, District Medical and
Sanitary Officer of Trichinopoly, as
Chairman of the Trichinopoly Muni-
cipal Council. The election took place
on the 27th October 1897, and no petition
objecting to its validity is stated
to have been put in before the Collector
under No 8 of the rules issued in
A G.O. No 214. M, dated 7th March 1888.

2. The first letter is a petition
from two of the Municipal Councillors
of Trichinopoly requesting that the
election of Dr W. O'Hara may be
cancelled. The grounds of their
objection are given in paragraph 1.
of the petition and there is some

force in the objections raised, although they cannot invalidate the election. Dr. O'Hara is said to be under orders to proceed to the frontier and it cannot be denied that if he does his duties properly he will have no time to do the work of the Chairman. This difficulty will, however, cease to exist as soon as a Secretary is appointed for the municipality, as will be done before long. In this connection, attention is invited to the notes and orders in G.O. No. 1937.M, dated 4th September 1897.

E

K.R.
22/11/97
H.M.

D O'Hara is a good selection, & his appt may go to H.E. for approval

8/2
25/11/97

Yes - But I really don't see how he is to find time for the work unless a Secretary is appd. - They should hurry up about that

RS

25/11/97

H.E. the Governor H.T. 29.11.97

I accept the Hon. Secy H. P. O'Hara's

Opinion. A.S.H. 8/12.97

When given for copying
When copied 11.12.97
When examined 11/12
When signed 11/12

189

AGAIN G.O., No.

189

DATED

MENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITEO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.

N.B. -

A = Copy in full.
B = Not to be copied.
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Q = Copy heading only.