[L. & M. / 3.000—19-11-96.]

INDEXED. MHS

Local & Munl. (1897) Department.

MISCELLANEOUS.

G.O., No. 556 M

DATED 16-3-97

[illegible]

[Despatch Abstract.]

Munl: Counl

ordering with remark that the appointment of M.R.Ry N. Papi Chettiyar avargal as a member of the Walajapet —— be gazetted.

BACK PAPERS.

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

FURTHER PAPERS.

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

C

(Cur No 2580 M 96 in G.O. 1717 M / 9-10-96)

Ligo 1717 M / 9-10-96

D

(C No 2584 M in the same G.O.)

To the Collector of North Arcot

G.O. 1717 M / 9-10-96

Read again G.O.No.1717 M, dated 9th October 1896 and Cur.No.502.

FOR ORDERS.

The term of office of Sundaresa Aiyar a nominated Councillor of the Walajapet Municipality having expired on the 22nd August 1896, the Collector of North Arcot recommended one Papi Chettiyar for the vacant seat, and stated that he did not propose the reappointment of Sundaresa Aiyar on the ground that ~~the~~ his conduct ~~of the Ex-Councillor~~ had been twice severely censured by the council in its resolutions dated 4th September 1895 and 28th January 1896, and that a petition explaining the facts of the case which he promised to put in, had not yet been received by him. In the meantime Sundaresa Aiyar submitted to Government copy of a petition which he had addressed to the Head Assistant Collector , in which he gave his own account of the circumstances which led to the passing of the votes of censure above referred to and alleged that they were the outcome of the prejudice entertained against him by the Chairman who had all along made a "cats paw of the Council". The Government therefore called on the Collector to report on Sundaresa Aiyar's petition, observing that if the allegations therein contained were true, there was no reason for not reappointing him a municipal councillor.

2.

Go 1174 of 96

CURRENT No. 502 Lm

FORT ST. GEORGE GAZETTE—PART I-A.

(5)

MAS.

List of enclosures to the repo[illegible] on the pet.n of Mr Sundaresa Ayyar

(1 Mr Sundaresa Ayyar's petn Cu No 7581 of 96
(2. Walajah Municipal Chairman's letter of 16.1.97 No 17
3. Mr Sundaresa Ayyar's report to the Council of 13.9.95
4. Mr Ramachandra Rao's report of 14.7.95
5. Meeting notice of 11.9.95
6. Kuppuswamy's report of 28.6.95
7. Notice of demand to Mr Sundaresa Ayyar of 18.6.95 with Mr Sundaresa Ayyar's remarks
8. Kuppuswamy's statement of 30.7.95
9. Late Acting Inspector Sanjivi Rao's l/ of 13.2.97
10. G.O. No 1288 Lm of 29.10.95.
11 1 Bundle of Tamil translation of notices
12 G.O. No 1456 Mis of 25/10/93 with its enclosures
13 Chairman's letter No 38 of 22.1.97
14. Anantiah's statement before A. C. Knapp Esquire
15 [illegible] Do

16. Rough minute book containing the minute d/ 14.9.95

17. Do d/ 28.1.96.

(By order)

A. Subramaniah

Head Clerk

29.1.97.

Local & Munl. (1897 2nd) Department.

CURRENT No. 502 M

Order

From The Collector of N. Arcot

No.

Dated 5.2.97

Received 8-2-97

Registered 9-2-97

Enclosures 2417. will be sent separately

Spare copies

SUBJECT.

Submitting report on the petition of M.R.Ry. M. Sundarasa Aiyar, called for in G.O. No. 1717 M. Mis. d/ 9.10.96.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Enclosure 17.

North Arcot Head Assistant
Collector's office
Camp Chori Bungalow 28.1.97
Dis 669/Rev of 1897

From

John Gun Burne Esquire
Assistant Collector in Charge
of the Head Assistant Collector's
office. North Arcot.

To.
The Collector of North Arcot.

Sir,

I have the honor to report on the petition to Government of MRRy Sundaresa Aiyar late Municipal Councillor of Wallaja forwarded with your footnote Reference on Current English No 1849 of 1896 dated 14.10.96.

2. An enquiry was held by the late Head Assistant Collector who interviewed the petitioner and took statements from the former Accountant (Ananta Aiyar) and the Municipal bailiff. The Chairman's remarks on the petition under report were also obtained and are herewith forwarded.

3. The main points in the petition deal with the circumstances

which led to the two votes of censure being passed on the petitioner — one with regard to the brick-kiln affair and the second with regard to his report on the case of Murugesa Mudali. These will be noticed in order.

4. In 1894 the petitioner had a brick kiln in the bed of the tank called Pari Eri. He states that neither he nor any one else was aware that the Tank bed was within Municipal limits and he adds that fees had never been levied on the kilns there situate. These statements are incorrect for the place is undoubtedly within the limits and is shewn in the Survey map and fees had been charged by the Municipality on ~ kilns in the Tank bed. Fees were first collected in 1877 and subsequently from time ~~and~~ to time. The Chairman states that fees were last levied (prior to 1894) in 1890. The records are not clear on the point but the Accountant also says that they were last levied "two or three years before" (1894) and adds that between that time and 1894 no kilns were burnt on the Tank bed.

5. The petitioner goes on to say that his bona fides in the transaction is clearly proved by the fact that it was he who first suggested the taxing of the kilns. That this was the first time fees were levied is not the case as has already been pointed out. Whether the petitioner was the first to call attention to the kilns in 1894 is also a disputed point. The Chairman denies this and has sent in a written statement of the Scavengering Inspector in which the latter claims that it was he who reported the matter. Here however the petitioner is supported by Ananta Aiyar (Accountant) and the bailiff.

6. The petitioner states that at the time he suggested the levying of fees he had already alienated the kiln. It was however registered in his name. In June 1895 the license fees had not yet been paid and a demand notice was sent to the petitioner. He returned it with an endorsement that he had "left the kiln for itself "for want of convenience" and that a certain "Varadappa Naiken had got it burnt and "sold for himself" and should therefore pay the fees.

7. At this time a petition from Kuppusami son of Varadappa Naiken which had been presented in May 1895 was brought to the

Chairman's notice. In it Kuppusami requested that the fees due might be deducted from his pay (as maistry) and credited towards the petitioner's license fee. This petition was sent to M.R.Ry. Sundaresa Aiyar for remarks and he endorsed on it a rambling statement in which he admits that he had agreed to the kiln standing in his name as otherwise they (the alienees) "will be yearly taxed for it and thus be losers." He apparently goes on to admit his liability as "primary manufacturer". It may here be remarked that the endorsements are in English but the language is so peculiar that it is difficult to arrive at the meaning but the explanation given in the last two sentences of para 6 of the petition does not appear in the endorsements.

8. The petitioner according to his own account first alienated the kiln and then reported that it was taxable and while allowing his own name to appear in the register stated that another was liable to pay the fees and finally he appears to have admitted his own liability

9. As is remarked by the Chairman the petitioner's allegation that Kuppusami had nothing to do with the case is unfounded as the petitioner himself couples the names of Kuppusami and Varadappa Naiken in his endorsement on the petition presented by the former.

10. The latter part of the vote of censure is quite uncalled for as the petitioner's denial that fees had ever been collected for the removal of earth is uncontradicted. The Chairman states that the reason for the refusal of copies were that legal proceedings by the petitioner against the Council were anticipated.

11. The petitioner then proceeds to deal with the second vote of censure and to find a motive for the passing of the first vote. In both the cases he lays the blame on the Chairman who he says was prejudiced against petitioner owing to his views on the Case of Murugesa Mudali. With regard to motive for the first vote of censure it must be noticed that the whole of the proceedings of the Chairman in the brick kiln affair and his order that the matter should be brought before a

meeting of the Council were also all passed before the petitioner's report on the case of Murugesa Mudali was presented.

12. It is unnecessary for present purposes to go into the merits of Murugesa Mudaly's case. The material facts are that he (a schoolmaster) was dismissed by the council. Subsequently under threat of legal proceedings the council appointed a Committee to report on the subject of his reinstatement. The petitioner was one of the committee men appointed and M.R.Ry Ramachandra Rau was another. These two did not agree about the case. The petitioner saw M.R.Ry Ramachandra Rau's report before sending in his own. In his own report instead of confining himself to the merits of Murugesa Mudaly's case he went out of his way to accuse M.R.Ry Rama Chandra Rau in somewhat intemperate language of partiality and to introduce matter which is quite out of place in a report of the kind petitioner had to submit.

13. On receipt of this report the Chairman wrote on it a note objecting to its tone and subsequently when the matter came before the Council the vote of censure was passed. There does not appear to be any ground for the accusation made against the Chairman in para 16 of the petition. Seeing that the petitioner had withdrawn the remarks objected to the resolution of the Council seems rather ill advised.

14. The last paras of the petition are apparently aimed at showing partiality on the part of the Chairman. I have not gone into the points raised in them. In this connection it must be remembered that on both occasions when a vote of censure was passed on the petitioner all the other councillors present were of one and the same opinion and it is absurd to suppose that each and all of these were mere tools in the hands of the Chairman.

15. The petition under report is returned.

I have &c.
(Sd.) T. G. Burn
Assistant Collector in
Charge.

LO[illegible]L & MUNICIPAL D[illegible]
CURR. No. 502 M

Dis 241/Eng of 97.

(True Copy)

DESPATCHED
7 FEB. 97

Submitted to Secretary to Government, Local and Municipal Department, with reference to G.O. 1717 M. Mis, dated 9. 10. 96. together with enclosures

8 FEB 1897

North Arcot Collector's Office }
Camp Vellore 5th February 97 }

Duncan Kaye

For Collector.

Copied by Cd.
Exd by - Md

When given for copying ____ }
When copied 16-3-97 [illegible] } 189
When examined ____ }
When signed ____ 17/3 }

READ AGAIN G.O., No. 189 DATED							
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							

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