l & Munl. (1898) Department.

MISCELLANEOUS.

G.O., No. 1093 M

DATED 17-6-98

INDEXED. H.S.

DESPATCHED

[Despatch Abstract.]

Municipal Council

Ordering with remarks, that the election of M.R.Ry. R Subbarayudu Garu as a member of the Rajahmundry ——— be notified.

BACK PAPERS.

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

FURTHER PAPERS.

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

[L. & M.
300—2-12-97.]

LOCAL AND MUNICIPAL DEPARTMENT.

Papers to be read in Proceedings :—

Again G.O., No. , dated 189 .

Again G.O., No. , dated 189 .

Current Nos 1126 M of 189 , dated , from

" " 1291 M " 189 , " , "

" " 1301 M " 189 , " , "

1325 M, 1347 M, 1356 M, 1357 M, 1419 M and 1445 M

Misc ORDER. No. 1093 M Mis of 17-6-98.

The Government consider that there are no valid grounds for cancelling the election in question. The petition of objection is accordingly rejected and the name of the successful candidate will be notified in the Fort Saint George Gazette.

2. With reference to the Collector's remarks in paragraph 13 of his letter, it is observed that, as the Election Rules stand at present, the limitation of six months prescribed in the proviso to rule 5, applies only to the residence qualification and not to the other conditions therein referred to.

V.R.
10/6/98

H. T.
14 6 98

To
The Collector of Godavari
with enclosures.
Gazetted 21/6/98

16 6 98

v. pt 18/6/98

+ 4 books per Parcel Post

NOTIFICATION.

Under Section 10 of the Madras District Municipalities Act, 1884, the undermentioned gentleman has been duly elected a Municipal Councillor of the Municipality of Rajahmundry :—

M. R. Ry. Rayapudi Subbarayudu Garu.

CURRENT No. 1347 M.

G.O. No.__________ M.

FORT SAINT GEORGE GAZETTE—
PART I-A.

[G. / 6]
250—18-2-98.

C. Nos. 1126, 1291, 1301, 1325, 1347, 1356, 1357, 1419 and 1445. M.

SUBJECT.

Municipal election - Rajahmundry.

FOR ORDERS.

At an election held on the 8th January last to fill up a vacancy in the third ward of the Rajahmundry municipality, one of the candidates viz:- M.R.Ry Rayapudi Subbarayudu, who secured 90 votes against 57, obtained by his rival candidate, was declared to have been duly elected. Under No. 35 of the Election Rules the defeated candidate questions the validity of the election on the ground that the person elected did not, at the time of the election, possess any of the qualifications specified in No. 5 of the Election Rules issued in G.O. No. 1876 M. dated 8th December 1890. The successful candidate however, contends that he is paying

vide para 2 of the Collector's letter C.No. 1347.M.

A

on this score falls to the ground

3 In support

income tax and a house rent of more than Rs 10 per mensem and consequently qualified to be ...ted under clauses (c) and (f) of Rule 5. He also argues that under the Madras District Municipalities Act IV of 1884, as amended by Act III of 1897, the only requisite qualifications for a councillorship are those specified in section 10-A, which has superseded Rule 5 of the Election Rules and that he is qualified under that section, no property qualifications being prescribed in it. As observed by the Collector, however, this last argument cannot hold water, as from section 10, it appears that the provisions of section 10-A which prescribes certain qualifications and disqualifications for the appointment of a municipal councillor, should be taken along with "such rules and other "conditions as may be prescribed by the Governor-in-Council". The Election Rules cannot therefore be said to have been superseded by section 10-A.

Please see para 4 of the Collector's letter CA^c 1347 M

vide the same paragraph

2. As regards Subbarayudu's first

para. 5 of his letter

first contention, viz: that he is paying income tax, the Collector observes that he (Subbarayudu) was not assessed to the tax in 1896-97, he entered into a trading partnership with some others only in August 1897, that the firm thus constituted has been assessed to an income tax of Rs 42 in 1897-98, but that the assessment was not made until after the election in question was held. The Collector therefore considers that he (Subbarayudu) cannot be said to have been "paying" income-tax within the meaning of No 5 of the Election Rules, when he was nominated as a candidate. But, as the objection in question has been made under No 36 (b) of the Election Rules, the disqualification must, in order to form a ground for invalidating the election, have existed at the time of the election, and the firm of which Subbarayudu was a partner, not having been assessed to the tax or paid it on the day of election, Subbarayudu's contention on this score falls to the ground.

G.O. 1876 M / 8.12.90 A.

3 In support

contention, viz: that he pays a house rent of more than Rs 10 per mensem, Subbarayudu alleges

) that he and his partners have taken certain godowns on a rent of Rs 50 per mensem,

Vide para. 8 of the Collr's letter.

(2) that he is renting a godown from V. Nagayya for Rs 5 per mensem and

(3) that he is renting a godown from D. Subba Rao for Rs 6-8 per mensem.

The second and third of these statements have been proved, but the Collector thinks that as Subbarayudu has only one fourth share in the firm which has rented the godown of Subba Rao, he (Subbarayudu), can be considered to be paying only one fourth of the total rent of the godown or only Rs 1-10-0. According to the Collector's calculation therefore, the successful candidate can be said to pay a rent of only Rs 5-6-0 per mensem for these two godowns.

Please see para. 11 & 12.

With regard to the first allegation, viz:- that Subbarayudu and his partners have taken a godown on a monthly rent of Rs 50 per mensem, the Collector considers that although it may be said on the strength of Exhibit A that Subbarayudu and his partners have entered into an agreement to pay rent for the godown, yet as no rent had actually been paid before the election and as no instalment of the rent had then fallen due, the successful candidate cannot be said to have been "paying rent" on the date of the election. It is, however, observed that once an agreement to pay rent has been entered int the lessee becomes liable to pa the rent agreed upon, and the fact that no rent has been pai or that no instalment of the ren has fallen due, does not alter the case. Subbarayudu may therefore be said to be paying the rent for the godown, on the date of the election, and if thi view is correct, the successful candidate will be qualified f election, as he will then have been paying a rent of more Rs 10. His election is therefore va and it is submitted that hi

Para. 10. of his letter.

name may be notified in the Fort Saint George Gazette.

4. The Collector also raises the question as to how long a person must have been paying a house rent of Rs 10 and upwards in order to be qualified under No 5 (f) of the Election Rules, and seems to think that the condition specified in the proviso to Rule 5 viz:- that a candidate must be resident in the town for six months prior to the nomination, qualifies all the clauses of the rule. As the rules stand at present, however, this is not the case, as the proviso to Rule 5 merely says that the candidate must have been resident in the town for at least six months immediately preceding the date of election & this limitation ~~which~~ can be held to applies only to the residence qualification.

5. The accompanying draft order is submitted for approval.

V.R.
10/6/98

Please see para. 13 of his letter

I am clear he was qualified

H.T.
11.6.98

Local & Munl. (1898) Department.

CURRENT No. 1347/M

UNDER SECY TO GOVT.
18 APR 98
PUBLIC DEPT.

From

The Collector,

Godavari.

Order.

~~Ref~~ Rev. No. 156/Rev of 98

Dated 7th April 1898

Received

Registered

Enclosures 37

Spare copies

SUBJECT.

Reporting on the Municipal Election objecti

petition of Nawab Khaja Ahmadulla Khan Sahib

of Rajahmundry.

15/4/98

6.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Ref No. 156 Pol / Rev of 98

Godavari District Collector's Office,

Dated Cocanada 7th April 1898.

DESPATCHED
13 APR. 1898

LOCAL & MUNICIPAL
CURRENT No. 1347m

From

V. A. Brodie Esquire,

Collector,

Godavari.

To

The Secretary to Government,

Local and Municipal Department,

Madras.

Sir,

I have the honour to submit the following report for the orders of Government in respect of the election held at Rajahmundry on the 8th January last to fill a vacancy in the representation of the 3rd Ward caused by the expiry of the term of office of Nawab Khaja Ahmadulla Khan Sahib Garu.

2. There were two candidates, viz, the outgoing councillor Ahmadulla Khan Sahib and Rayapudi Subbarayudu who polled respectively 57 & 90 votes. As he polled the majority of votes the Chairman as polling --- officer reported Subbarayudu to have been elected.

3. Under rules 35 & 36 of the Election rules, however, the validity of Subbarayudu's election has been called in question by his oppone on the ground that he was not at the time the election was held qua-fied to be a candidate.

4. The qualifications of a candidate are set forth in rule 5 of th Rules framed for the conduct of Municipal elections under Sec. 250 (a) of Act IV of 1884 which are, I presume, still in force as no ne

rules superseding them have yet been issued under the amended Act which makes no changes in Sec.250 (1) (a) and it is admitted that Subbarayudu does not possess any of the qualifications prescribed by clauses (a) (b) (d) (e) and (g) of rule 5 but he resists the contention of his -- adversary on the ground that he is qualified under clauses (c) and (f) i. e., that he pays income tax and that he pays a house rent of Rs.10 and upwards. A third argument put forward by him is also apparently that Sec. 10 A of the Amended Act has superseded rule 5 of the election rules and that he is qualified under it as it prescribes no property qualification etc. This argument, however, does not call for serious notice as it cannot hold water for S.10 A merely prescribes certain qualifications and disqualifications generally. So long as it is not contravened thereby Sec. 10 provides for rules regarding elections be being prescribed by Government and so does Sec.250 which has not been altered. Hence, rule 5 so far as it does not conflict with Sec.10 A is still of full force and effect.

5. Subbarayudu's contention that he was qualified under clause (c) of rule 5 as he pays income tax does not appear to be valid. In 96-97 he was not assessed to income tax. In August last he entered into a trading partnership with Grandhi Lakhmiyyayana* and 4 others and the firm has this year been assessed to an income tax of Rs.42 but the assessment had not been made on the 22nd December when he was nominated as a candidate and indeed was not made until after the election. As he had not then been even assessed to incometax he cannot, I think, be -- said to have been "paying" income tax when he was "nominated". I therefore find him not qualified under rule 5 CLause (c).

* Lakshminarayana

6. The question at issue is therefore limited to the question of house-rent. Is he qualified under clause (f) as paying a house-rent of Rs.10 per mensem or over? and here as usual where we have oral evidence to deal with there is much difficulty in aiming at a satisfactory conclu-sion for Subbarayudu has behind him the influence of the rich and powerful Kaki family with which he is connected and one of the members of which has given evidence in his favour.

7. Under rule 16 the Council resolved to hold the election on the 8th January, on the 27th November and Subbarayudu was nominated a candidate on the 22nd December. The question at issue therefore seems to be what house-rent was he paying on the latter date and for how long had he been paying it.

8. He claims a house-rent qualification on three grounds:-

(a) That he and his partners Grandhi Lakshminarayana etc have taken certain godowns on a rent of Rs.50 per mensem from Kaki Brahmayya & Krishnamurti.

(b) That he is renting a godown from one Vemuluri Nagayya for Rs.5 per mensem and

(c) that he is renting a godown from one Dharmacragada Subba Rao for Rs.8-8-0 per mensem.

9.(a) It is true that the firm of which he is a partner has taken -- certain godowns on a monthly rent of Rs.50 but there is some doubt as to whether the lease was effected when it is alleged to have been, viz, on the 15th December. No doubt Kaki Krishnamurti has produced a letter* to prove that the firm has agreed to pay Rs.50 per mensem for the godowns from the 15th December but it is unstamped and may easily have been antedated. Indeed it is practically admitted that it has been, for, Kaki Krishnamurti in his deposition says that it was executed some three days after the 15th December when possession of the godowns was made over. The other side of course asserts that the godowns were n

* Exh A

occupied till January and that Exhibit A has been antedated by far more than 3 days but they adduce no evidence on the point. Their assertions, however, derive some weight from Krishnamurti's own evidence for he says that only the lower portion of the building was completed on the 15th December and not the upstairs, yet one of the godowns -- leased out is an upstair one. If the upstair was incomplete it is as the petitioner says strange that the firm should agree to pay rent for an unfinished godown and it is also not usual to occupy godowns on the ground floor whilst the upper story is under construction and the -- upper story was only completed in January.

10. I do not however think it necessary to arrive at any finding on the point of when the firm commenced occupation and when Exhibit A -- was really executed. Admitting Exhibit A to be genuine I do not think Subbarayudu can on the strength of it be said to have been "paying" house-rent on the 22nd December. The firm, as the owner admitted, has paid no rent actually up to the date of his examination in February. At the most, therefore, I think the firm in which Subbarayudu holds a quarter share can only be said on the strength of Exhibit A to have on the 22nd December entered into an agreement to pay the rent of Rs. 50 per mensem and not to have been "paying" it. No instalment of the rent had then even fallen due.

11. (b) Subbarayudu alleges that he has been renting Nagayya's godown since 1894 whereas his opponent declares that the lessee is not Subbarayudu at all but one Rayapudi Subbayya who is a different person. There are several persons called Rayapudi Subbayya but the Tahsildar reports that Subbarayudu was really the lessee and the lease deeds Exhibits B, B_{1}, & B_{2}, which appear to be above suspicion bear this out therein the lessee has signed himself Subbarayudu and not Subbayya. I accordingly find the statement of Subbarayudu to be correct although the name of the lessee was up to December entered in the lesser's books as Subbayya. Exhibits B and B_1 show that the rent of the godown was Rs. 3-2-0 per mensem up to August 1895 when under the second it was raised to Rs.3-12-0. By Exhibit B2 executed on the 20th December last the rent was increased to Rs.5 per mensem but of course this rent had never actually become payable or been paid on the 22 nd December when Subbarayudu was nominated a candidate.

12.(c). In respect of the godown of Dharmapragada Subba Rao there is more difficulty and doubt. In his petition of the 12th February Subbarayudu says he has been occupying it for about 20 months whilst about the same time Subba Rao said he had been occupying it for 18 months. The latter's evidence was however far from satisfactory as he first said the godown was leased out under a registered deed but subsequently that this was a mistake and his mother's account book proved the transaction. This book does not however show Subbarayudu to have paid any rent till September last when he paid Rs. 6-8-0. The contention of Subbarayudu's opponent being that this godown was only taken after the partnership with Grandhi Lakshminarayana etc was entered into and then taken for the business of the firm. I called for further evidence and from the report received from the Tahsildar yesterday it appears that Subba Rao though he sticks to his assertion that Subbarayudu took it on rent in 1896 now admits that he never paid any rent at all until -- after he renewed the lease in August last on behalf of the firm. The evidence of the firm's gumasta proves also that not Subbarayudu but his firm has been the tenant since August. As he has a quarter share the firm he can only be said to have been paying a rent of Rs.1-10-0 per mensem himself on account of this godown on the 22nd December.

accordingly find that on the 22nd December when he was nominated a candidate Subbarayudu was actually paying a rent of Rs: 3-12-0 per mensem and had agreed to pay a rent of Rs.5 per mensem for Nagayya's godown (b) and that the firm of which he is a member with a quarter-share was paying Rs:6-8-0 for the godown of Subba Rao of which Rs.1-10-0 was Subbarayudu's share (c) and had agreed to pay Rs:50 per mensem for the godowns leased by it from Kaki Brahmayya and Krishnamurti (a) though it had actually paid nothing as no rent had fallen due. I therefore find that on the 22nd December he was only actually paying Rs:5-6-0 per mensem although he had very recently contracted to pay more and was consequently not qualified under clause (f) to be a candidate.

13. Incidentally the question arises of how long a man must have been paying a house-rent of Rs:10 or more to be qualified under cl: (f) of rule 5. Does that clause mean that a resident can qualify by taking a house on lease for Rs.10 the day before nomination? This is practically Subbarayudu's contention but reading the rule through I infer that a candidate must have been a qualified resident for 6 months prior to nomination. If so clearly Subbarayudu is not qualified. Even if this not necessary the use of the word "paying" in clause (f) surely means that he must have actually paid and be regularly paying a house-rent of Rs:10 or more when nominated and that a mere agreement to pay in future is not enough. Here during the month previous to the nomination for which rent had been paid Subbarayudu had only actually paid Rs:3-12-0 plus Rs:1-10-0 or Rs:5-6-0 and not having actually paid more at the time of his nomination and indeed no higher rent having ever fallen due from him on the date of his nomination he cannot accurately be spoken of as "paying" over Rs:5-6-0 then. He was not therefore qualified and his opponent must I think be held to be elec-ed as there were only two candidates.

14. Steps will be taken to recover the stamp duty payable on the deed of partnership and Exh. A on the return of the papers herewith forwarded as per list enclosed.

I have the honour to be,

Sir,

Your most obedient servant,

(Sd) V. A. Brodie

Collector.

P.R.A.

Venkata Ramadas
for Collector

comp[illegible]
12 6 98

List of Enclosures

1. Election objection petition of Nawab Haji Ahmadulla Khan
1. Petition of Do
1. Income tax G. notice.
1. Tahsildars assessment list
1. Notice issued by the Sub Collector
1. Vakalat.
1. Petition for issue of process.
1. Summons.
1. Petition for issue of process
1. Summons.
1. Exhibit A lease of the godowns of Kaki Krishnamurti.
3. Exh B, B_1, B_2, Do Vemuluri Nagayya
1. Counter petition filed by Rayapudi Subbarayudu before the Sub Collecto
1. Deposition of Kaki Krishnamur
1. Do Vemuluri Nagayya
1. Do Battula Ramalingayy
1. Do Dharmipragadu Subba
1. Partnership deed.
1. Sub Collector's letter of 22.2.98 Dis $\frac{788}{Rev}$ of
1. Petition of Rayapudi Subbarayudu to Collector.
1. This office hukum Ref on Pet No $\frac{156}{Rev}$ of to Tahsildar of Rajahmundry.
1. Tahsildars Report no 692 of 18-3-9
1. Proceedings Ref on Pet $\frac{156}{Rev}$ of 22-3-98 to

Tahsildar, Rajahmundry

1. Tahsildar's Report 768 of 26.3.98
1. Office Memo of 3.4.98 to Tahsildar of Rajahmundry
1. Deposition of Dendukuri Venkata Subbayya.
1. Do. of Dharmaprasada Subba Rao
1. Tahsildar's Report Extra A of 9.4.98
1. Petition of Rayapudi Subbarayudu filing receipt for the income tax and house rent paid by him.
1. Memorandum of arguments filed by Rayapudi Subbarayudu's Counsel
4. Account Books. per book post

36.

Avent atal Ramadas
for Collector

yvl PRa

Pet No $\frac{156}{Rev}$ 328

To

COLL
21 JAN. 98
GODA

Recd
Colle
21.1.98

The District Collector
Godavery District
Cocanada

The election objection petition of Navab Khagi Ahamudilla Kham Shaib Son of Khagi Sahib of Rajahmundry.

wray //
att C

Respected Sir

With due respect & submission I beg to bring to your honor's kind notice that on the 8th January 1898 Municipal Election took place in the 3rd ward in which I and Raipudi Subbaraidu garu were the candidates.

In the Election Raipudi Subbaraidu garu got 90 & odd votes whereas I obtained 50 & odds but Raipudi Subbaraidu garu is not paying any kind of professional tax or municipal tax or income tax. Besides this he pays neither sufficient house ~~tax~~ or house rent so he is not in any way entitled to the candidature. I was not aware of it at the time of election. Therefore his name in the list of candidates should not have been added.

In conclusion I beg most respectfully to reque that your honor will be pleased to cancel his elec after a deep enquiry & to favour me with the same as I am the 2nd candidate.

22 JAN. 98

Cd. Sd.

20-1-1898.

Prays
ll for an

yos

Rew

DESP[ATCHED]
27 JAN. 1898

N Respaupet $\frac{156}{Rev}$ /98
d/ 26-1-98
Forwarded to the Sub
Collector for enquiry and
report at a very early date

Commanader
Collector

25/98
$\frac{S}{25-1-98}$

SUB-COLLECTOR'S OFFICE
RECD 2 JAN
GODAVERY DISTRICT

~~Forwarded to the Tahsildar of Rajahmundry for very early report~~

~~Ag Sub Collector~~

$\frac{1}{1347}$ Rev/98

2/2/98

---

56 of 98 Y. O. S

26 MAR. 1898

To

The Collector,
Godavery District.

The humble memorial, Submitted by Khaja Ahmedulla Khan of Rajahmundry

Respectfully Showeth:-

1. That your memorialist has been the Municipal Councillor of the Rajahmundry Municipality for a long time.

2. That in the elections held in January last, one Rayapudi Subbarayudu got a few votes more than your memorialist.

3. That your memorialist having learnt that the said Subbarayudu has no qualifications to stand as a candidate, submitted an objection petition to your honorable court in accordance with the Election Rules.

4. That the Divisional Officer, the Sub-Collector, held an enquiry under your orders.

5. That the said Subbarayudu had, during the enquiry, to admit that he was paying neither profession-tax, nor income-tax nor sufficient house-rent; but contend[ed]

prays tha[t] ... for all the ... Subbara been [illegible] with income-tax [illegible] now pays a house rent of Rs 10 per mensem.

6. That in the first court the Sub-Collector after careful enquiry held that as he was taken into the list of tax-payers subsequent to his nomination, he was not qualified to be nominated as a Candidate, & it was admitted that he had paid no income-tax last year.

7. That in the second court it was attempted to prove that he was paying a house-rent of Rs 50 per mensem along with some other persons, but the alleged contract was subsequent to the 15th Dec. & it has been proved that he has not paid a pie towards it even up to the time of the Sub Collector's enquiry. As regards this alleged contract itself, there is nothing to prove beyond the mere statement of one Kaki Kristnamurti, brother of Kaki Brahmayya. There are two more witnesses to prove that he has taken two more godowns for rent; but he failed to establish before the Sub-Collector that it was for the amounts he stated or that it was for the benefit of the said Subbarayudu himself.

8. That if it is to be presumed that the transactions were carried on in the [illegible]

said

12. prays that [illegible] for all the record [illegible] Subbarayudu in

said godowns, he could not have escaped incometax. The non-payment of incometax itself shows that he had no transactions last year.

9. That the Sub-Collector was of opinion that he was not entitled to stand.

10. That subsequent to that your memorialist learnt that it was again referred to the Tahsildar for further enquiry.

11. That your memorialist submits that it is extremely unfair to have the enquiry reopened by the Tahsildar which was once closed by the Sub-Collector and the Tahsildar's opinion cannot be taken to outweigh that of the Sub-Collector.

12. That your memorialist therefore prays that your honor will be please ll ~~for~~ all the records of the case Subbarayudu in

---

To

W. W. Phillips Esqre

Sub Collector, Godavari Division,

Recd 12-2-98

Petition presented by Rayapu

Subbarayudu of Rajahmund

Honord Sir,

With reference to your honor's notice d the 7th instant calling on the petitioner to s cause why his election to the Rajahmundry Munic |Council| P.L. should not be cancelled he begs to submit as f

(1) That the allegations contained in the petition o to his election are frivolous and are not at all tru

(2) That the petitioner has been a merchant of ab 12 years standing having extensive dealings in and other articles

(3) That he is a member of the firm of Grandhi Narayana & co, he holding a fourth share in that the said firm has been assessed to Income at Rs 42 for 1897-98.

(4) That he rented the godown of Vemuluri about 4 years ago ~~at~~ and that of Dharani Subbarow about 20 months back and that

paying rent on them at Rs 5-0-0 and 6-8-0 respec
per mensem.

(5) That he has also rented, as a member of the abov
firm, 16 godowns of Kaki Brahmayya & Krishnam
|besides some others, 1&2.
~~besides some~~ at Rs 50 a month, and that he is payi
this rent also now.

(6) That the petitioner has been a jail contractor f
several years.

(7) That he has been on the list of jurors & assess
for 8 years or so.

(8) That besides all these, the petitioner submits tha
rules framed under Sec 250 of the old Municipal
which prescribe a property qualification cannot
considered to be in force now as they are incons
with Sec 10 A. of the Amended act, under which a
possessing the positive and negative qualification
mentioned therein is qualified to be elected th
he may not possess the property &c qualificati
referred to in the old rules.

(9) That the intention of the Legislature as ga
from the new act seems to be that the electo
be allowed to elect from as wide a field as p
and that property qualification should be d
with as in the case of the members of the Leg
Council.

10 That the petitioner possesses the qualifications required under Sec 10 A of the new act as well as under the old rules

Prays therefore that your honor will be pleased to dismiss the objection petition

[illegible] 12 [illegible] 1898 [illegible]

16
13th Jan 98

Kaki Krishnamurti of Rajahmundry on s.a.

I have an upstair house & godowns in this town. It was rented out to Rayapudi Subbarayudu, Gandhi Lakshminarayana, & Kulu Venkatratnam a joint firm. Fifteen godowns downstairs & one godown upstairs were rented out to them, & are now occupied by them. They pay Rs 50/ per mensem.

Cross exam ~~They~~ The downstair portion was completed in December '97, & the godowns were made over to them on 15-12-97. The deed was executed a day or two afterwards. It is not registered or stamped, as it is a letter. The term is for 3 years ~~I don't~~ I did not know that it ought to be on a stamped paper. I have not yet received any rent. I do not know the name of the firm. I produce the letter (Exh A) I do not know each man's share, nor do I know Rayapudi Subbarayudu's share.

re-exam. The practice as to registering rent deeds etc. depends upon the status of the tenant.

Taken by me & read over.

12.2.98

C.W. Phillips

17/
134 Jul 98

2d

Vemuluri Nagayya of Rajahmundry on s.a.

I have houses & godowns in this town. I have
a godown in the Bazaar, which is rented to Rajapudi
Subbarayudu. It is now occupied by him. I rented
it out to him four years ago. I produce the ~~rent deeds~~ [illegible]
leases (Exhs. B. B1 & B2). The rent is now Rs 5 per mensem.
I have accounts to show that he has paid rent for
the last four years (Exhs C. C1. C2) I pay an
income tax of Rs 42/-.

cross exam. Rajapudi Subbarayudu is the counter pet.'s name.
I have also called him Rajapudi Subbayya. I
~~don't~~ know several ~~any~~ other Rajapudi Subbayyas. I have
written Subbayya in the accounts, as we called him
that. In subsequent accounts I wrote Subbarayudu
at his request. In Dec. 97 he asked me to write
Subbarayudu. (vide C2). In C. C1 the name is
Subbayya. ~~Since~~ I have not received rent for Dec. 97 or
Jany. 98. Grain is stored in that godown, belonging to his
nephew. His name is Rajapudi Appanna. I have seen
the counter pet. talking with him. Appanna used to
sell the grain. I don't know if the two are divided or not.
I don't know if Subbarayudu has a share in the
trade. Rajapudi Appanna purchased the stamp on
Exh B2. Rajapudi Rangayya is Subbarayudu's elder
brother & died about a year ago. Appanna is Rangayya's
son. B & B1 were purchased by Rangayya.

Re-exam. Subbayya & Subbarayudu are both one person, the
counter petitioner. He executed the leases, & pays the
rent when I send a man. I don't know who pays the money
but I enter it in Subbarayudu's name, as I send the man
to him. I never ask Appanna for the rent. Some other
people still owe me rent for Dec. & January

I have not demanded rent for December & January.

Taken by me & read over

12. 2. 98

W W Phillips

18/1347 m/98

Battula Ramalingayya

on s. a.

Razapudi Subbarayudu has a godown, belonging to D. Narasimham, close to mine. He buys things from the others. I also buy from him on a large scale. He also rents a godown ~~attached to~~ below the upstair building of Kaki brothers. ~~Those~~ He also rented the godowns of Duggirala Kasi Viswanadham before the others were ready. The business in Kaki's godown is that of Grandhi Lakshmi Narayana & Co. The company has a capital of Rs 25,000, & Subbarayudu has one fourth share. I pay Rs 35 income tax.

Cross Exam. I was told that Subbarayudu has one fourth shares. I have not seen any partnership deed executed. I don't know whether such a deed has been executed, nor whether there is such a deed in regard to the business in D. Narasimham's godown. It is not usual to execute such deeds. The firm pays Rs 42/- income tax. The firm sells us articles, & I pay for them to any member of it. R. Subbarayudu is my uncle's brother-in-law

Re-exam. He alone transacts business with me for the firm.

Taken by me & read over

W W Phillips

12. 2. 98.

Dharanipragada Venkata Subba Rao on S.A.

I know counterfeit. I have eight godowns in this town. I rented out one to counterfeit for Rs 6-8 p.m. There is a lease. It is with my mother, who has gone to Srisalem on pilgrimage. She will be here in about twenty days. My accounts show the payment of rent for the last 18 months. The accounts are in my mother's possession.

Cross exam. My mother went to Sri-salem yesterday morning. The ~~[illegible]~~ summons reached me yesterday evening. Rayapudi Subbarayudu did not tell me he would cite me. The lease was registered. It was on an 8 as. stamp. All of the godowns do not fetch 6-8 rent. Some only Rs 2/. The lease was renewed for the last time 3 or 4 months ago.) Since then I have received rent for 3 months. One of my godowns which is closer to the high road than the one in question fetches Rs 4/. Subbarayudu is one Subbayya, a Brahmin gumasta, carrying on commission trade in the shop. I have never seen Subbarayudu sell anything in the shop. I don't know if there are any shareholders in the trade I do. I get Rs 6-8 only for this one godown. It is the last godown, & furthest from the high road. I am in the V form at school. I am under my mother's protection. I receive the rent & enter it in the accounts.

re-exam-leading. The godown rented to Subbarayudu is larger than the others. I used to see Subbarayudu in the shop when I went for rent. He was paying the rent.

By Court. I cannot say how much bigger than the others the rented godown is. It is slightly bigger.

re called. I went to ask Subbarayudu for rent last night. He paid it. I have kept the money separately. I gave no receipt.

[illegible]

Dharanipragada Venkata Subba Rao.

Taken by me & read over

W W Phillips

12.2.98.

20/1347/M/98

Godavari Sub Collector's office
dated 22-2-98

From

W. W. Phillips Esquire
Ag Sub Collector
Rajahmundry

To

The Collector
Coconada

Sir,

I have the honor to submit the following report in reply to your N. Ref on petⁿ 156/ren of 98 d/ 26-1-98

2. The petitioner Nawab Khaji Ahmadalla Khan objects to the election of Rayapudi Subbarayudu as a Municipal Councillor on the ground that he has not the requisite qualifications for a Councillor

3. Under the election rules the following persons are eligible for election as Councillors

1 Every person paying house or land tax of Rs 7-8-
or upwards.
2 All persons paying profession tax of Rs 25
& upwards
3 All persons paying income tax
4 All persons paying a house rent of Rs 10/ per mensem
& three other classes which do not concern the present case.

4. It was urged on behalf of the elected Councillor that, under the Municipal act as amended, the only requisite qualifications are those specified in Sec 10 A, but I think that Sec 10 clearly shows that this is not the case, for there it is laid down that "Subject to the Conditions contained
" in Sec 10 A and to such rules ..... as may be pres-
" cribed ... Municipal Councillors . . . shall
" be appointed by election". Rules have already been framed for election & cannot be held to have been cancelled by the amendment of the act, for if so, the wording would surely have been "such rules as may hereafter be prescribed." I think therefore that the qualifications prescribed by the existing rules will have to be complied with.

5. It appears from the municipal register that Rayapudi Subbarayudu does not possess the qualifications 1 & 2 above, although he does pay a smaller house & profession tax. As for the 3rd qualification, he was assessed to incometax jointly with three others in January/98 the assessment being approved by you on 20-1-98 and G-notice was served on him on 22-1-98. The election however took place on 8-1-98, and therefore I do not think he can be held to have been paying incometax at the time of election and was therefore not qualified on that ground.

6. The only remaining qualification is number 4 payment of house rent of Rs 10/-. In order to prove this point Subbarayudu examined several witnesses, whose evidence I will now proceed to discuss.

The first witness, K. Krishnamurty, states that Subbarayudu & two others jointly lease some godowns from him at a rent of Rs 50/- per mensem. In proof of this he produces a letter (Exh A) dated 15-12-97, which he calls a lease. Exh A is ~~not~~ neither registered nor stamped, and if it is to be treated as a lease and used as evidence, it must be impounded and penalty levied. This witness admits that up to date no rent has been paid. The rented godowns were only completely built in December/97, if so soon, & I do not think that this payment of rent can be relied on, although it is vaguely corroborated by the 3rd witness.

The 2nd witness, Vemaluri Nagayya, states that he leases out a godown to R. Subbarayudu, & produces the leases and his accounts showing payment of the rent (Exhs B, B_1, B_2, & C, C_1 C_2). In the accounts payment is shown in the name of "Subbayya" and it is not until Dec/97 (Exh C_2) that the name Subbarayudu appears, which the witness admits he entered at Subbarayudu's special request. The rent of this godown is

now

now raised to Rs 6/, whereas it was formerly Rs 3-12-0 until 1st November/97 ~~the~~ No rent pm has been paid for December/97 or January/98

The evidence of this witness is not very convincing, and the entry of the name "Subbayya" instead of Subbarayudu is very suspicious especially as the 4th witness states that Subbarayudu and one Subbayya, a Brahmin, carry on trade together. It would therefore appear that the alteration was made for the purposes of this election petition.

The evidence of the 3rd witness, B. Ramalingayya, is of little importance as it is based mainly on hearsay, and only gives very vague information.

The 4th witness D. Venkata Subbaram is a boy in the V form at school and states that he rented out a godown to R. Subbarayudu for Rs 6/8 a month. He says that there is a lease and that payments of rent are entered in the accounts, but unfortunately both these documents are in the possession of his mother, who went away to Srisalim on pilgrimage on the day before my enquiry was held. Nine days adjournment was allowed for the production of these documents, but they have not yet been produced, as the boy's mother is still reported absent. It is also curious that

this boy admits going to collect & actually collecting rent from Subbarayudu on the night after his mother went away, but had to keep the amount separately as the accounts were not available for the entry. This witness has 8 godowns and the one rented to petitioner is the only one that fetches so much as Rs 6/8, as it is slightly bigger than the others (the witness cannot say how much bigger) although it is the farthest from the main road. The amount of rent for this godown Rs 6/8 together with the amount Rs 3/12 for the 2nd witness' godown would be just sufficient to qualify Subbarayudu; but judging from the evidence given & the manner of giving it, I certainly think that the so-called facts have been carefully arranged to answer the objection petition. In fact I am inclined to discredit the evidence as a whole. Rayapudi Subbarayudu does not therefore appear to be paying Rs 10/ house rent and is accordingly not qualified on this ground

7. It is true that his name finds a place on the municipal list of persons qualified as councillors, but this is not sufficient proof of his qualification, as I understand there is a G.O to that effect but it cannot

Go 644 m. 15.6.88

cannot be found in this office.

The objection petition would therefore seem to be valid and the petitioner deserving of appointment as Councillor.

8 The petition, together with the record of my enquiry, is returned herewith.

Since drafting the above, the account book relating to the rent paid to Venkata Subba Rao has been filed and the book is sent herewith. It was produced on the day after I declined to give any further adjournment for its production & the witness has not been cross-examined about it. The entries are vague & in pencil & I do not think much reliance can be placed on it, considering the circumstances attending its production.

I have the honor to be
Sir
Your most obedient servant

A/ Sub Collector

Amo
23/2/98

RP 158/Rev of 98

From

The Sub Collector
Godavari

To

The Collector
Cocanada

Date 23-2-98

Desp 28-2-98

Dis 188/Rev of 98

2 MAR 1898

Subject

Submitting a report regarding the petition presented by Nawab Khaja Ahmmadulla Khan stating that R. Subbarayudu is not qualified to be appointed as a Municipal Councillor

22/(347) Rev 98

RP one/Rev 98

INDIA COURT FEE INDIA
½ R.
EIGHT ANNAS

To

F. A. Brodie Esquire
Collector, Godavari district
Cocanada.

Rd 4-3-98

Petition presented by Rayapudi Subbarayudu
Rajahmundry.

1 That an election for filling up the vacancy of a councillor's seat of the Rajahmundry Ward in the Rajahmundry Municipality was held on 8th January last.

2 That your petitioner was one of the candidates for the said vacancy & he successfully contested the seat with a clear majority of more than 40 votes in his favor.

3 That the votes thus secured by the petitioner are not invalid by reason of any disqualification in the case of the parties that voted for him.

=5 MAR. 98

4 That the petitioner has the

[illegible] signed by him [illegible]

necessary property and other qualifications to Contest for a seat in the Council

5 That he, with three of his partners in trade (whose rights & liabilities are equal) has been assessed for 1897-98 with a tax of Rs 42/ under Act [illegible] of 1886

6 That he, besides separately paying [illegible] of Rs 11/8 to Dharaniz [illegible] Permmitta Go[illegible] prajada [illegible] Rao & Vemuluri Napati Gar of Rajahmundry, has been, with two of his equal partners in trade, paying a godown rent of Rs 30 a month to Kaki Brahmiah & Krishnamurthy Garu of Rajahmundry.

7 That your petitioner, in an enquiry before the Sub Collector of Rajahmundry has completely proved the aforesaid facts by documentary as well as oral evidence of persons who are respectable, not interested & not connected in any manner with the petitioner

8 That the objections by the unsuccessful Candidate Ahamed Allah Khan Saib far were raised long after the service of notice to file objections, before the Sub Collector of Rajahmundry.

9 That your petitioner's name has been for the last four years on the List of applicants for vacancies in the Municipal Council, without objection from the Municipal authorities

10 That the election was fairly & properly held under the Close Supervision of the Municipal officers & the voters had freely voted for the petitioner

In Conclusion the petitioner prays that your honor be pleased to Confirm the election duly held in his favor & to make such further or other recommendations in his favor to the Government of Madras, as the Circumstances of the Case would allow.

Cocanada [illegible]th March 1898

M Ramalingaswami Sarma
Petr's Vakil

Despatched 156/Misc of 98 offl memo

D/ 13.3.98

Despd 13

The Tahsildar of Rajah-
mundry is desired to
report after careful
local enquiry

(1) whether Rajapudi
Subbarayudu elected
Councillor for Ward III of
the Rajahmundry Municipality
for himself
occupies the godown
of Vemuluri Nagappa
in [illegible]
street for a monthly
rent of Rs 5/ and how
long he has been in
occupation of the same

(2) whether Rajapudi
Subbarayudu also
occupies for himself
the following [illegible]
pada Subbarao of
Rajahmundry for a
monthly rental of Rs 6
and how long he has
been in occupation of
the same

(3) whether Rajapudi

Subbarayudu occupies jointly with two others the godown of Kaki Krishnamurty of Rajahmundry for a monthly rental of Rs 50/ and how long they have been in occupation of the same.

The enquiry should be strictly confidential and the Tahsildar's report should be submitted to this office with the least possible delay.

Collector

Ds 1347 of 98

13.3.98

13 MAR 98

To the Tahsildar Rajahmundry

Dis No. 652 of 98

TAHSILDAR'S OFFICE,
CAMP,
Dated, 18 3 189

FROM
M.R.Ry.
TAHSILDAR OF
Taluk,

To

SIR,

The Tahsildar's report is not as complete ~~as it should be~~

The following further information is required:

In regard to (1) what is full name of Rayapudi Subbarayudu's nephew? What is his age? How does he live? Is he divided from Subbarayudu?

The fact that the godown has been rented out for the last 2 years (1) at a monthly rental of Rs 5 is not consistent with the record. It should be reported for how long the rent of Rs 5 has been paid and what was the rent before.

In regard to 2 & 3 what share of the rent is being paid by Rayapudi Subbarayudu or what is the extent of his interest in the business which is carried on in the godowns.

The Tahsildar should report on these points by return of post. The report ought to be such as to enable the undersigned to come to a decision regarding the property qualification of Rayapudi Subbarayudu.

Collector

21.3.98

21.3.98

In reference to your Ref. No. 1347 of 98 dated 13.3.98 I beg to report as follows:-

(1) The godown of Vemuluri Nagayya in Anappaiavari Street has been rented out to Rayapudi Subbarayudu's nephew for the last two years at a monthly rent of Rs 5, but the rent is being paid, as stated by the nephew, by Subbarayudu alone.

(2) The godown of Dharani Pragada Subbarao has been under his occupation

jointly with Gondhi Lakshmi-narayana and others for the last 18 months - the godowns being used for transacting of ~~[illegible]~~ business. The monthly rent in this case is Rs 6-8-0.

(3) ~~The godowns of~~ Rake Krishnamurty also of Rajahmundry have been under his occupation for the last ~~for 4 months~~ jointly with others ~~and for the same~~ purpose as stated in para 2 supra. The monthly rental for which these have been rented out is Rs 6.

I remain

Your most obedient servant

19/3/98

Tahsildar

Shew
Collr
20/3/98

The Tahsildar's report there is not a complete one. The following further information is required in respect to (1) a full name of Rayapudi [illegible] the fact that the godown has been rented out for the last year at a monthly rental of Rs ~~[illegible]~~ [illegible] should be [illegible] that was the rent [illegible] in regard to 2 & 3 what share of the rent is being paid by Rayapudi Subbarayudu.

The Tahsildar should report these points by return of post. The report ought to be such as to enable the undersigned to come to a decision regarding the property qualification of Rayapudi Subbarayudu.

Collector

must send by him

[illegible] 128 of 98

REVENUE (189) DEPARTMENT.

FROM

THE TAHSILDAR OF

Rajahmy Taluk,

To

The Collector

Godavari

Dated

Despatched 1898.

Received

COLLR.

20 MAR 98

GODAVARI

No. 672/98

Shar
[illegible]
Colr
20/3/98

ENCLOSURES.

Urgent

Subject.

Reporting on certain points re: the Rayapudi Subbarayadu Elected Councillor for ward III of the Rajahmy Municipality

26
[illegible]

Ref an Pet 156 / Rev of 98 Urgent

Proceedings of the Collector of Godavari, dated March 189

9 22-3-98

Ispd 14/3

Read Rajahmundry Tahs arzi Dis: No 692 of 1898 date 18·3·98:

The report is not complete. The fol: further informati is required:

In regard to (1), what is the full name of Rayapudi Subbarayadu's nephew? What is his age, how doe he live? Is he divided from Subbarayadu? Why is the rent being paid by Subbarayadu alone ~~by~~ if the godown has been rente by his nephew M & ?

In regard to (2) & (3) wha share of rent is being paid by Rayapudi Subba-rayadu? What is the exte of his interest in the fir

[illegible] said by him [illegible]

which rented the godowns?
Was any rent paid to
Raka Krishnamurti & when
was it paid? What is the
exact date of occupation
of his godowns?

The Tahsildar should
report on these points by
return of post. The report
ought to be such as to
enable the undersigned
to come to a decision re-
garding the property quali-
fications of Rajapudi
Subbarayadu.

(ie)

Collector

O.N.
The Petitioner – Khaja Ahmedulla Khan says that he will submit another Pet: on the subject in a day or two from Rajahmundry.

22-3-98

22.3.98

Cut No 24 3

Espns Clerk 22/3/98

27/ 13/4/98

To Tahr Rajy

Rajahmundry TAHSILDAR'S OFFICE,

No. CAMP,

Dated, 26—3—1898

dispd 27/3

FROM

M.R.Ry.

TAHSILDAR OF Rajahmundry

Taluk,

To

The Collector of Godavari

SIR,

In reference to your endorsement 156 of dated 22-3-98, I beg to reply as follows:-

The full name of Rajapudi Subbarayadu's nephew (brother's son) is Appanna, and he is about 17 years old. He is living with his paternal uncle Subbarayadu who opened the godown and made Appanna transact business for him. They say the rent is being paid by Subbarayadu alone being the managing member of the family.

The godown has been taken for rent by Subbarayadu for all intents & purposes

[illegible] said by him as

though it stands nominally in the
name of his nephew.

2. As for item 2. the godown of Pyaranij pragaradam has been taken on rent by Subbarayudu alone but it has been used jointly by the family in which this Subbarayudu possesses 1/4 share. As for the payment of rent, it is said, Subbarayudu alone is responsible & has been paying it.

3. The godown of Kake Krishnamurty were taken and occupied for rent at Rs 50/ per mensem on 15-12-97. This will have to be paid by anyone of the individuals - viz Erandhi Lakshmi narayana, Rayapudi Subbarayudu and another. The rent deed was executed by the three persons - from this it appears that Subbarayudu has 1/3 share in this. No receipt has been [illegible] Krishnamurty [illegible] but it appears that at anytime [illegible] They remain [illegible]

Sir,
Your Most Obedient Servant
Narasimham
26/3/98
Tahsildar

2

R.A. No 156 of 98 7/08

REVENUE (189) DEPARTMENT.

FROM

THE TAHSILDAR OF Rajahmundry

Taluk,

TO

The Collector

Godavari

Dist

30 MAR. 1898

Sher

Dated 26

Despatched 27 } 3 — 1898.

Received

No. 768/98

ENCLOSURES. nil

Subject.

Reporting on certain queries in connection with Rayapudi Subbarayudu elected Councillor for III rd ward Rajahmundry Municipality

---

28

1347 W/98

For orders

Rayapudi Subbarayudu appears to have been paying at the time of election the minimum amount of house-rent qualifying him for a seat on the Municipal Council. A report will therefore be submitted to Govt recommending that he may be gazetted as a Councillor —

This man is [illegible] one of four members of a firm which rented Kakarvari's house for Rs 50 p.m. This means 3 Rs 12 8 Subbarayudu pays over Rs 10 per for his share. The fact of nonpayment of rent up to date and of the house having been rented only in Dec some time before the elections

---

DESPATCHED
-4 APR. 1898

Refd. Let 156 of 98

[illegible]

Official memorandum

In reference to the enclosed extract from the statement of Dharmapragada Subbarow of Rajahmundry made before the Sub Collector in connection with the election of Rayapudi Subbarayudu, the Tahsildar of Rajahmundry is directed to obtain forthwith from the said Subbarow the lease said to have been executed by Subbarayudu in his favour about 10 months ago as also the receipts lease said to have been executed 30 or 4 months ago: ~~Subbakon states~~ ~~that~~ the leases were in his brother's possession ~~and that~~ that she was expected to return from pilgrimage in 20 days and that the ~~[illegible]~~ lease was registered.

~~It should be ascertained~~ whether Subbakonis brother has ~~to~~ returned & if he has not, the Tahsildar should consult the Sub-Registrar's registers and obtain certified copies of both leases if ~~the~~ in the event of the Sub Registrar objecting to allow the Tahr. to refer ~~to the Register~~ paying the necessary expenses out of his contingent fund An extract from the statement by the lessor Nagappa is also sent.

It should be personally ascertained by the Tahsildar whether the person who rented Nagappa's godown is ~~known as Subbiah~~ really the identical individual who has stood for election and whether the individual is known ~~as~~ both as Subbiah & Subbarayudu.

The Tahsildar states in his last report ~~[illegible]~~ on the ~~Subbiah~~ subject that it was Subbarayudu's nephew

said by him on

P.D. no 1360/98

Urgent

Appanna took that Angayya's godown for rent on behalf of the joint family. The lease produced by Subbarayudu however is in Subbarayudu's name. The Tahsildar should reconcile this apparent incongruity.

Reply to the above should be sent by the evening of the 4th Instt

oc

Collector

Sd/ 3.3.98

Received at 5.15 P.M. and copied
4.3.98

given at 7 P.M.

Sd. S. [illegible]

28
1347/98

Dendukuri Venkata Subbaya on S.A.

I am the Gumasta in the firm of Gandi Lakshminarayana, Inuk Venkataratnam, Rayapudi Subbarayudu & Gandhi Subbaya.

This firm started in the month of August 1897. I am the only Gumasta working in the firm. This firm first started work in the godown of Dharanipragada Subbarao. As this godown was not sufficient for the business of the firm, they have taken the godowns of Kaki Brahmaya & Krishnamurti about 3 months ago. The business is now carried on both in ~~Sub~~ Dharanipragada Subbarao's & Kaki Brahmaya & Krishnamurty's godowns. They have been paying 6½ Rs per mensem to Dharanipragada Subbarao & 5 Rs to Kaki Brahmaya & Krishnamurti as rent of godowns &c. The firm has been paying rent to Dharanipragada Subbarao from August last & it is said that the rent in ~~six~~ previous ~~to~~ months was paid by Rayapudi

was said by him as

Rayapudi Subbarayudu - but I ~~cannot~~ have no personal knowledge of this - My name is Venkata Subbaya but people generally call me as Subbaya - I am the Gumasta in the firm & not under Subbarayudu -

Our firm does not transact any business in Nagaya's godown

I cannot say for certain whether the rent paid to the godowns of Naki Brahmaya & Christammaty is 50 Rs -

Taken by me

9/4/98

29
1347/98

Dhanani Nagada Venkata Subbarao on

I have seen the entries shown to me in my Note book - They are the entries made for receipts of rent of the godown rented out to Rayapudi Subbarayudu These entries were made from August 1897 - Previous to this no entry was made in my Note book - The godown has been under him for the last 18 months but he only paid ~~on~~ Rs 20 ~~on~~ on 20/1/98 towards the rent ~~of~~ previous to August 1897. I donot know if he has paid any rent of previous months to my elders - The rent of the godown was Rs 6 1/2 per month although -

As Subbarayudu has paid to me 20 Rs only towards previous months rent in January 1898, no entry could be found in my Note book - I did not enquire [illegible] the rent due in previous [illegible] was paid by him or no

since there is my guardian
(Mother) to look after these
affairs. I cannot know whether
Subbarayudu ~~to~~ or some lady
else paid any rent to my
guardian previous to August
1897. I enter in my note
book ~~all~~ only the sums that
came to my hand.

The business Gumasta
Subbaya named in my last
deposition is the person
now enquired by the Court
I cannot know if he is called
in the name of Venkata Subbaya also.
I call him Subbayu & not
Venkata Subbaya.

Dharanipragada Venkata Subba Rao.

Taken by me
9/4/98
Tahr

30
1347 of 98

No A. Extra.
Rajahmundry Taluk
Office, Rajahmundry
dated 9-4-98

To
The Collector
Godavari Dist

Report of the Tahsildar
of Rajahmundry Taluk

Respected Sir,

In obedience to your Order No 768 of 98, which has reached me this morning, I beg to enclose two statements taken from Dharanipragada Venkata Subbarao and Subbayya alias Venkata Subbayya Gumastah in the firm of Grandhi Lakshminarayana and Co. From this your honor will observe that the firm of Grandhi Lakshminarayana and Subbarayudu has been carrying on business in the godown of Dharanipragada Venkata Subbarao from August last. In addition to this the godowns of Kasi Brahmayya and Kristnamurty were taken. It will thus appear that they are doing business in both the godowns
Grandhi Lakshminarayana
ha [illegible] been me

though I sent a peon. I sent a Revenue Summons. as soon as he Comes, his statement will be taken and Submitted as directed.

Dharmipragada Venkata Subbarao says that the godown was rented out to Rayapudi Subbarayudu 18 Months ago but the rent previous to August 1897 was not paid to him except on one occasion in the month of January 1898. And that he does not know whether the rent due was paid to his mother. He further says that he did not Care to enquire about it because the mother will look into it.

Subbayya named by the Subbarao is the gumastah of Grandhi Lakshminarayana and Co and not employed by Rayapudi Subbarayudu. This Subbayya has also been Called as Venkata Subbayya. The Godown of Vemuluri Nagayya has not been rented to the firm of Grandhi Lakshminarayana & Co but was solely under Rayapudi Subbarayudu.

The [illegible] of D. Subbarao

is enclosed as directed

I beg to remain

Respected Sir

Your most obedient Servant

Tahsildar 9/5/98

To

The Collector
Godavari

From

The Tahsildar
of Rajahmundry

Extract not

Dated }
Despd } 9-4-98

10-4-98

Subject

Reporting on
Certain queries
regarding Rajapudi
Subbarayudu's
Affairs

31
134 10/4/98

1/134

Rajahmundry
Municipal
Election Case.

6/4/98

8

The Collector, Godavari District
Cocanada

Respected Sir,

The humble application of Counter-Petitioner Rajapudi Subbarayudu of Rajahmundry,

Most Respectfully Sheweth:—

I That he begs to file herewith a Memorandum of [illegible]ments.

II That your honor will kindly take such additional evidence as may be deemed necessary and proper.

III And that your honor may be graciously pleased to forward the said Memorandum to the Government and also the name of the Counter-Petitioner as a candidate duly elected for publication in the Fort Saint George Gazette

Pleader
6-4-98.

13 APR 98

(Rajahmundry Municipal Election)

Collector, Godavari Dt,
Coconada

Counter Petitioner's
Petn.

Rajahmundry
Municipal
Election case.

Memorandum of arguments
put in by the Counter petitioner
Rayapudy Subbarayudu of
Rajahmundry.

The Counter petitioner begs to submit that he was duly elected as municipal Councillor 3rd Ward Rajahmundry on the 8th January 1898.

2/ Himself and one Nawab Khaji Ahamadulla Khan Sahib were the two candidates that were nominated for that election. The Counter petitioner got 90 & odd votes whereas the other candidate got 50 & odd.

3/ The latter being thereupon dissatisfied petitioned on the 20th January last requesting cancellation of the said election on the alleged grounds, (1) that the Counter petitioner is not paying any kind of professional tax, or municipal tax or Income tax, and (2) that he pays neither sufficient house tax nor house rent.

4/ The Counter petitioner represented that the above allegations are false and that he is paying Income tax and sufficient house rent.

5/ Now the chief point to be considered is whether the Counter petitioner is a person paying

13 APR. 98

income tax or house rent of Rs 10 per mensem referred under clauses (E) & (F) of the 5th of the rules framed by Government under the Madras District Municipa

As regards "Income tax" it is to be submitted that

6/ the counter petitioner and 5 others form a firm which was assessed with an Income tax of Rs 42.

The partnership deed filed before the Sub-Collector, Rajahmundry, shows that the counter petitioner has one fourth share in the whole firm.

The said tax was levied for the year 1897-98 beginning with 1st April 1897 and ending on 31st March 1898.

7/ It may be also added that the counter petitioner and some others formed a company about the year 1891 and carried on business on a large scale, when they used to pay income tax to the extent of 4 or 5 hundreds of Rupees. This was done until 1894 when on account of dissensions the business was given up. The counter petitioner's share was then to the extent of 1/8 of the whole firm.

8/ Subsequently for about 2 years the business was carried on separately by the Counter petitio

on a small scale when the business was commen
expanded and ~~a~~ with ¼ share to the counter pe
a firm was formed which was referred to above.

9. Then as regards "House rent", the counter petitioner
cited 10 witnesses of whom only 4 were examined
10. by the Sub Collector. The first witness deposed to
the effect that 15 godowns downstairs and one
godown upstairs were rented out to the counter
petitioner's firm for a monthly rental of Rs 50
on the 15th December last.

11/ The 2nd witness, a weaver by caste swears that his godown in the bazar is rented to the counter petitioner (Komati by caste) on a monthly rental of Rs 5/. This witness pays an income tax of Rs 42 and files exhibits B, B_1 B_2 and C, C_1, & C_2 to prove counter petitioner's tenancy and payments of rents for the last 6 years.

12/ The 3rd witness a merchant of Rajahmundry paying an income tax of Rs 35 swears that the counter petitioner has a rented godown close to his and that the owner thereof is D. Narasimha father of 4th witness. and he also stated that the firm has a capital of Rs 25,000

13/ The 4th witness is a Brahmin and swears that h

13 APR 98

rented out a godown to the Counter petitioner for Rs 6-8-0 per mensem. This witness is the son of D[illegible]harasimham who was a leading member of the Rajahmundry Bar and died leaving the 6th witness and his mother in particular besides others. This witness is quite disinterested and happened to be examined though a school boy in the 2nd Form in as much as it was he that was looking after his house hold concerns while the other member mother was gone to Srisylam.

It appears that some of the documents showed
14 the name of Rayapudi Subbiah instead of Rayapudi Subbarayadu the present Counter petitioner. It was argued on the other side that Subbiah is different from Subbarayadu. The 2nd witness clearly stated that Subbiah & Subbarayadu are identical and mean only one person viz Counter petitioner. There is no reason why his evidence should not be believed when he says he had no Kata with any one else of that name.

15/ Furthermore, the surmise of the Sub collec that Rayapudi Subbiah ought be the firm clerk is altogether surprising. For if he enterta any such doubt, he ought to have cleared up the matter in the course of the trial. Now the counter petitioner ventures to contradict this and submits that the firms clerk is one Penduloory Subbiah, a Brahmin with a different surname altogether.

16/ This doubt will be removed if a reference is made on the point. The counter petitioner is given to understand that the Rajahmundry Tahsildar held enquiry on the point and reported that R. Subbiah and R. Subbarayudu are both names by which one and only one viz. Counter petitioner goes.

17/ Again it appears to have been argued
on the other side that the proviso to rule 8 is
Certainly it is for but not against him as the Counter-petitioner
against the counter petitioner has been a
resident of Rajahmundry for the last
20 years. It may be here noted that
18/ he owns at Rajahmundry also a house
which pays a tax of Rs 5-4-0 per annu

19. It may be urged that the said residential qualification is not qualified by clauses to 5. [illegible] it connote continuous duration of [illegible] months immediately preceding the date of election with such qualifications as are mentioned in rule 5.

20/. In these circumstances, the counterpetitioner prays that his name may be forwarded to the Government as a candidate duly elected for publication in the Fort Saint George Gazette.

Pleader
for Counter Petitioner

6. 4 - 98

36
1347 Mul 98

Local & Munl. (189) Department.

CURRENT No. 1445 h

Order

From Rayapudi Subbarayudu of Rajahmundry.

No.

Dated 25-4-98

Received do.

Registered

Enclosures 1

Spare copies.

SUBJECT.

Praying that in the circs stated his election as Councillor may be confirmed or a re election ordered to be held.

27/14

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

LOCAL & MUNICIPAL DEPT.
CURR. [illegible] 1445M

To

THE SECRETARY

LOCAL AND MUNICIPAL DEPARTMENT,

OOTACAMUND.

The Supplemental Petition of Rayapudi Subbarayadu of Rajahmundry.

MOST RESPECTFULLY SHEWETH,

1. That on 8th January 1898, an election was held to fill up the Vacancy of a Municipal Councillorship in the 3rd ward of Rajahmundry Municipality, Godavary District.

2. That your Petitioner and one Navab Khaji Ahamadilla Khan Sahib were the Candidates that competed at the said election.

3. That the names of both these candidates appear in the list of candidates eligible for election to Mnnicipal Councillorship published by the Municipality under rules framed by the Government (A true copy of the said list is herewith submitted).

4. That your Petitioner's name has been in such list for the last six years.

5. That on the evening of the date of election, that is, on 8th January 1898, it was announced by the Municipal Chairman that your Petitioner got 90 and odd votes and the other candidate 50 and odd.

6. That finding he was defeated by a large minority of about 40 votes, and animated by a desire to continue in the seat of Municipal Councillor which he has been occupying previously, the rival candidate presented a Petition to the Collector on 20th January 1898, twelve days after the date of election, objecting to the election of your Petitioner on the ground that he is not qualified to be appointed a Municipal Councillor in spite of the fact that your Petitioner's name has been in the list of candidates eligible for election for several years along with that of the rival candidate and that no objection was taken either by the rival candidate or by any other during these several years, though the rival candidate has been living in the same ward as your Petitioner is living in.

7. That thereupon an enquiry was held by the Ag. Sub-Collector and the rival candidate on whom lay the ~~omis~~ onus of substantiating the alligations made in his Petition against your Petitioner's qualifications to be a Municipal Councillor, adduced no evidence and did not even choose to examine himself in support of such alligations in his objection Petition.

8. That your Petitioner, on the other hand let in evidence to shew.

(1) That the firm of which he is a partner and wherein he has a fourth interest was assessed incometax for the year 1897-98 during which election took place at Rs. 42 and that his share therein is Rs. 10—8—0 an amount sufficient to qualify him for a Councillor's place. +

(2) That your Petitioner has been also paying a house rent of Rs. 11—8—0 in respect of godowns belonging to Dharnipragada Venkata Subba Row and Vemuluri Nagayya who have both been examined as Petitioner's 4th and 2nd witnesses respectively.

(3) And that the firm of which the Petitioner is a partner has rented a big upstair building belonging to Kaki Kristnamurti who was examined as Petitioner's 1st witness, for Rs. 50 from 15th December 1897, the previous month to the date of election. +

9. That all your Petitioner's witnesses gave evidence on solemen affirmation and the rival candidate had neither produced evidence to contradict the same, nor had he chosen to deny on oath the facts sworn to by them.

10. That thereupon the Collector after receiving the report of the Sub-Collector referred the matter to the Tahsildar of Rajahmundry four times for further enquiry and the Tahsildar after a careful and proper enquiry submitted a report to the Collector that the statements made by the Petitioner's witnesses are true and that your Petitioner is qualified to be a Councillor.

11. That the Collector, as your Petitioner understands, has sent in a report to the Government unfavourable to the Petitioner and your Petitioner is unable to say on what grounds as he could not get a copy of the said report.

12. That your Petitioner submits that he possesses the necessary qualifications to be a Councillor for the following reasons:—

(a) That his name appears in the list of Eligible candidates for a series of years and no objection was taken as it ought to have been done if there was any, before the final list was drawn up under the rules framed by the Government. Hence the list is conclusive.

This is no reason
vide GO 644th
15.6.98

(b) That at any rate, the rival candidate whose name also appears in the same list, who lives in the same ward as the Petitioner is in, and who has not objected although he has been a Municipal Councillor and ought to have consequently known the rules relating to the drawing up of the list, till he was defeated in his election, should not be allowed on principle to raise the objection so late after the election.

The rules allow this

(c) That the rival candidate has not produced any sworn testimony or any evidence in support of his alligations in the objection Petition.

(d) That on the other hand, your Petitioner's 1st witness ~~now~~ has sworn that the firm to which Petitioner belongs and in ~~such~~ which he has one fourth share has rented 16 godowns for Rs. 50 per mensem before the date of election. This is supported by a letter written by the Petitioner and another partner to the 1st witness (This letter was filed before the Sub-Collector).

(e) That the Petitioner's 2nd witness states on oath that the Petitioner took for rent a godown belonging to him for Rs. 5 a month, and that the said godown has been in the Petitioner's keeping for the last four years. This is supported by rental agreements executed by the Petitioner in favor of the 2nd witness; and the Petitioner's 4th witness swears that one of his godowns was let to Petitioner for Rs. 6-8-0 a month, Eighteen Months ago. This is supported by accounts produced by the witness.

(The rental agreements & accounts were filed before the Sub-Collector.)

(*f*) That it is admitted that the firm to which the Petitioner belongs and in which he is entitled to one fourth share was assessed at Rs. 42 during the year in which the election was held and the same was subsequently paid by the firm. (The partnership agreement and the receipt for Rs. 42 were filed before the Sub-Collector).

13. The Petitioner further submits that there is no reason to disbelieve the evidence of his witnesses who belong to a different caste from his and against whom no motive was even alleged and that such oral testimony is supported by documents and accounts which show that the Petitioner was paying a rent of Rs. 11—8—0 a month and which alone is sufficient to qualify him to the seat of a Municipal Councillor and that the fact that there is no rental agreement in ~~dispute~~ respect of one godown does not much signify.

14. That your Petitioner begs also to state that the rules do not prohibit a candidate from being qualifi~~l~~ed who pays the nessessary incometax during the year in which the election takes place but on the contrary the rules do require that the candidate should pay the incometax, if that is the only qualification, during the year in which the election takes place.

15. Wherefore your Petitioner humbly prays that the Government will be pleased to send for the whole record, the several reports made by the Tahsildar, and the reports of the Sub-Collector and Collector, peruse the same and do substantial justice to your Petitioner by confirming his election or direct a re-election as the Government may deem meet, and proper under the circumstances.

For which act of kindness, the ~~Government~~ Petitioner as in duty bound will ever pray.

MADRAS,
25th April 1898.

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6 Ward [illegible]

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Municipal Office
Rajahmundry.
14—4—98
M. V. C.

G. L. Narasimham
Chairman delegate.
NR

compd
KV

(True Copy)

MUNICIPAL COMMISSIONERS RAJAHMUNDRY

$\frac{1}{1445M/98}$

Local & Munl. (1898) Department.

CURRENT No. ~~156 Pet / Rev of 98~~ 1141 9 M

UNDER SECY. TO GOVT.
24 APR 98

Order.

From
The Collector,
Godavari Dist.

Ref on Pet *No.* $\frac{156}{Rev}$ of 98

Dated 16-4-98.

Received

Registered

Enclosures /

Spare copies

SUBJECT.

Forwarding certain papers in connection with the election of R. Subbarayudu as a municipal councillor, Rajahmundry Municipality.

[illegible] 25/4/98 25/4

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

[illegible]

[illegible]

Taken before me

Tahr

1/441 9 Aug/98

The Collector
Godavari District.

Report of the Tahsildar of
Rajahmundry Taluk.

With reference to your official memorandum Rev. No. 156 of 98 dated 3-4-98 I beg to submit herewith statement taken from Dhanimpragada Venkata Subba Rao who now states that no lease has been executed by Subbarayudu for the last 18 months that the rent paid by him has been credited to chitta ever since the opening of a chitta by him (Subbarayudu) and that he never pressed him to execute the lease as he is not a man of doubtful solvency. As to the statement made by him before the Sub Collector he says he made it under misconception, as some leases have been executed by others for his other godowns and that he thought that one

5-4-98

R P no 156 of 98

LOCAL & MUN[illegible]
COM[illegible]

Reo [illegible] Forwd 21/4/98

~~[illegible]~~ Returned to the Secretary to Government Local and Munl. Depart. for inclusion in the file of papers submitted with my report upon the [illegible] residents at Rajahmundry regarding the validity of the election as a Municipal Councillor of one R. Subbarayudu. This paper was omitted from the file by oversight.

Rajahmundry
16-4-98

[illegible]
Collector

20 APR 98

Local & Munl. (189) Department.

CURRENT No. 1357/M

From The Voters of the III^d ward of the Rajahmundry Municipality

Order

No.

Dated

Received 18-4-98

Registered

Enclosures

Spare copies.

SUBJECT.

Praying that if the election of R. Subbarayudu as a Councillor of the above Munl[illegible] be not confirmed, a fresh election be held to give an opportunity to them for electing one whom they like.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

SECRETARY TO GOVERNMENT
19-APR-1898
LOCAL & MUNICIPAL DEPARTMENT

To
The Secretary to Government
Local and Municipal Department
Ootacamand.

The humble memorial of the voters of the IIIrd Ward of the Rajahmundry Municipality.

RESPECTFULLY SHEWETH,

I. That there was a vacancy of a Councillorship in the 3rd Ward for the filling of which an election was held on the 8th January 1898 in which M. R. Ry. Rayapudi Subbarayadu Garu obtained a large majority of votes.

II. That the memorialists now learn that the defeated candidate, who secured about half the votes secured by the successful candidate, raised objection to the qualification of the successful candidate.

III. That the name of the said R. Subbarayadu Garu appears in the list of persons eligible for election published by the Municipal Council under the rules found by Govt, and under the belief and impression that he is qualified his nomination was sent up and the majority voted for him.

IV. That the defeated candidate who was unable to secure a sufficient number of votes is trying, against the wishes and desire of the majority, to get into the Council indirectly as an elected member by having it declared that the successful candidate is not qualified to be a Councillor.

V. That in case the successful candidate is declared disqualified at the time of the election it is not only not fair but undesirable that persons who secured only a small number of votes should be allowed to get into the Council as an elected member.

VI. That the memorialists, therefore, humbly pray that in case the above election of R. Subbarayadu Garu be not confirmed, a fresh election be held in order that the voters may be given an opportunity of electing one that they like instead of having thrust on them one whom they would not and didnot elect.

For which act of justice and mercy as in duty bound will ever pray.

Your Excellency's most obedient and humble servants,

P. Veeranah
voter 3rd word Rajahmundry Municipality

The Mahazar containing the Signatures of the Voters of the 3rd ward of Rajahmundry Municipality was sent to Madras

UNDER SECY TO GOVT
18 APR 98
PUBLIC

To

The Secretary to Government
Local and Municipal Department

Madras.

The humble memorial of the voters of the IIIrd Ward of the Rajahmundry Municipality.

RESPECTFULLY SHEWETH,

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II. That the memorialists now learn that the defeated candidate, who secured about half the votes secured by the successful candidate, raised objection to the qualification of the successful candidate.

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IV. That the defeated candidate who was unable to secure a sufficiant number of votes is trying, against the wishes and desire of the majority, to get into the Council indirectly as an elected member by having it declared that the successful candidate is not qualified to be a Councillor.

V. That in case the successful candidate is declared disqualified at the time of the election it is not only not fair but undesirable that persons who secured only a small number of votes should be allowed to get into the Council as an elected member.

VI. That the memorialists, therefore, humbly pray that in case the above election of R. Subbarayadu Garu be not confirmed, a fresh election be held in order that the voters may be given an opportunity of electing one that they like instead of having thrust on them one whom they would not and didnot elect.

For which act of justice and mercy as in duty bound will ever pray.

Your Excellency's most obedient and humble servants,

LOCAL & MUNICIPAL DEPT.
CURRENT No. 1357/M

To

The Secretary to Govt.
Local and Municipal Department
Madras

18 APR 98

The humble Memorial of the Voters of the IIIrd Ward of the Rajahmundri Municipality.

Respectfully Sheweth,

I That there was a vacancy of a Councillorship in the 3rd Ward for the filling of which an election was held on the 8th January 1898 in which M.R.Ry. Rayapudi Subbarayadu garu obtained a large majority of votes.

II That the memorialists

now learnt that the defeated Candidate, who secured about half the votes secured by the Successful Candidate, raised objection to the qualification of the successful Candidate.

III That the name of the said R. Subbarayadu garu appears in the list of persons eligible for election published by the Municipal Council under the rules framed by Govt, and under the belief and impression that he is qualified his nomination was sent up and the majority voted for him.

IV That the defeated Candidate who was unable to secure a sufficient number of votes is trying, against the wishes and desires of the majority, to get into the

Council indirectly as an elected member by having it declared that the Successfu Candidate is not qualified to be a Councillor.

V That in case the Successful Candidate is declare disqualified at the time of the election it is not only not fair but undesirable that persons who secured only a small number of votes should be allowed to get into the Council as an elected member

VI That the memorialists, therefore, humbly pray that in case the above election of R. Subbarayadu Garu be no confirmed, a fresh election be held in order that the voter

[illegible]

may be given an opportunity of electing one that they like instead of having thrust on them one whom they would not and did not elect

For which act of justice and mercy as in duty bound will ever pray.

Your Excellency's Most
Obt & humble Servants

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A copy of the Public Votes list is attached herewith

List of Voters Ward

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179. [illegible]

180. [illegible]

181. [illegible]

182. [illegible]

183. [illegible]

184. [illegible]

185. [illegible]

186. [illegible]

187. [illegible]

188. [illegible]

189. [illegible]

125 [illegible]

190. [illegible]

191. [illegible]

192. [illegible]

193. [illegible]

194. [illegible]

195. [illegible]

196. [illegible]

197. [illegible]

198. [illegible]

199. [illegible]

200. [illegible]

201. [illegible]

202. [illegible]

203. [illegible]

204. [illegible]

205. [illegible]

206. [illegible]

207. [illegible]

208. [illegible]

209. [illegible]

210. [illegible]

211. [illegible]

212. [illegible]

213. [illegible]

214. [illegible]

215. [illegible]

216. [illegible]

217. [illegible]

218. [illegible]

219. [illegible]

220. [illegible]

221. [illegible]
222. [illegible]
223. [illegible]
224. [illegible]
225. [illegible]
226. [illegible]
227. [illegible]
228. [illegible]
229. [illegible]
230. [illegible]
231. [illegible]

Municipal Office
Rajahmundry.
14—4—98.
Chairman delegate.
14/4

N.R.

(True Copy)

To

The Secretary to Government
Local and Municipal Department
Madras.

UNDER SECY TO GOVT
19 APR 98

The humble memorial of the voters of the IIIrd Ward of the Rajahmundry Municipality.

RESPECTFULLY SHEWETH,

I. That there was a vacancy of a Councillorship in the 3rd Ward for the filling of which an election was held on the 8th January 1898 in which M. R. Ry. Rayapudi Subbarayadu Garu obtained a large majority of votes.

II. That the memorialists now learn that the defeated candidate, who secured about half the votes secured by the successful candidate, raised objection to the qualification of the successful candidate.

III. That the name of the said R. Subbarayadu Garu appears in the list of persons eligible for election published by the Municipal Council under the rules found by Govt, and under the belief and impression that he is qualified his nomination was sent up and the majority voted for him.

IV. That the defeated candidate who was unable to secure a sufficiant number of votes is trying, against the wishes and desire of the majority, to get into the Council indirectly as an elected member by having it declared that the succussful candidate is not qualified to be a Councillor.

V. That in case the successful candidate is declared disqualified at the time of the election it is not only not fair but undesirable that persons who secured only a small number of votes should be allowed to get into the Council as an elected member.

VI. That the memorialists, therefore, humbly pray that in case the above election of R. Subbarayadu Garu be not confirmed, a fresh election be held in order that the voters may be given an opportunity of electing one that they like instead of having thrust on them one whom they would not and didnot elect.

For which act of justice and mercy as in duty bound will ever pray.

Your Excellency's most obedient and humble servants,

1 [illegible]
2 [illegible]
3 [illegible]
౪ [illegible]
౫ [illegible]
౬ [illegible]
౭ [illegible]
/ [illegible]
9 [illegible]
10 [illegible]
11 [illegible]
12 [illegible]
13 [illegible]
14 [illegible]

19/4/98

221. [illegible]
222. [illegible]
223.

Local & Munl. (189) Department.

CURRENT No. 1356 M

From Rayapudi Subbarayudu
of Rajahmundry.

Order

No.

Dated 15.4.98
Received 18.4.98
Registered
Enclosures
Spare copies.

SUBJECT.

Praying that in the circs stated his election as Councillor of the Rajahmundry Municipality may be confirmed or a fresh election held.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

LOCAL & MUNICIPAL DEPT.
CURRENT 1350 M

UNDER SECY. TO GOVT.
18 APR 98

COURT FEE
INDIA
2 Rs
TWO RUPEES

The Secretary to Government
Local and Municipal Dept.
Ootacamund

The humble petition of Rajapu
Subbarayadu of Raja[illegible]mundri.

Respectfully Showeth,

I That in January 1898, an election was held for the filling up of a vacancy of a Councellorship in the IIIrd Ward of Rajahmundry Municipality, and the petitioner was elected Councellor by a large majority, he having secured about 90 votes against 50 secured by the other Candidate.

II That the defeated Candidate filed an objection petition to the petitioner's election on the ground that the petitioner is not qualified to be a Candidate.

[illegible] 14/4/98

after the petitioner succeeded
by a large Majority of votes, thus
showing his Conciousness that the
petitioner is qualified to be a
Candidate.

IV That under the rules
framed by the Govt. for the Conduct
of elections, a Municipal Council
has to publish a list of Voters, which
is final after the procedure
referred to therein is gone through,
and after it is approved of by the
Collector. As the rules provide
that a list of persons eligible for
election should also be published,
and that the rules applicable
to the publishing &c. of the list of voters,
apply to the list of persons eligible
for election, the list of persons

entitled to vote whose name is not in the list of voters. But as there is no such rule with regard to the list of persons qualified to be elected, Govt. held in a previous, G. O., that persons otherwise qualified to be elected Councillors, may be elected though their names do not appear in the list of persons qualified to be elected, but neither in that G. O. nor anywhere else has it been held, that though a person's name appears in the lists above named which have become final under the rules that the question can be reopened and it be said that he is not qualified, even if it Should then, appear that he does not possess the qualifications.

Thus the list of persons eligible for election which was published by the Municipality which became final under the rules, having been approved of by the Collector, is conclusive as to the qualifications of persons whose names were published therein (of which the petitioner is one) as otherwise there would be no object in publishing such a list at all under the rules.

V That apart from the above point it can be easily seen that the petitioner is fully qualified to be a Candidate for election.

VI That the petitioner and his three partners who have equal shares with him are assesse to, and paying an incometax of Rs42; his own share being Rs 10½ a year. The petitioner besides other business had a share in a very large concern of about 2 lacks of Rs of supplying stone to the Survey Department and was thus paying incometax for some years Continuou But that business having been over, he ceased paying incometa in 1896 & 97), but again incurri 1897 he became a partner with three others, and for that business they have been all assessed an incometax of Rs 42 for the year 1897-98, the year during which the election took place.

VII That it is said that the petitioner is not qualified because the incometax notice was issued to the petitioner a few days after the day of election, but such an argument is untenable, as the rule lays down that persons paying incometax are qualified, without specifying any time for repaying it. A merchant who has been paying incometax does not, the petitioner begs to submit, cease to be qualified, simply because the incometax Officer delays sending his notice or bill, the real fact being, whether for the year during which the election takes place, he is paying incometax, as the tax is due for the whole year.

VIII That the incometax for 1897–98 was imposed on the petitioner on the 7th January 1898, though notice of it was issued a few days later, and it is thus clear that before the day of election which was the 8th January 1898, the tax was imposed. The petitioner cannot therefore be said to be

~~tiof~~ disqualified on the day of election

IX That besides this the petitioner was paying on his own account to one Vénnelúri Nágayyagáru, a houserent of Rs 3-2-- from 18th June 1894 to 15th July 1895, when it was raised to Rs 3-12 which was again raised to Rs 5- on 20th December 1897, and to Dharnipragada Subbaráu garu and to his mother Annamma garu, a house rent of Rs 6-8- for the last 20 months, thus showing that he has been paying a house rent of not less than Rs 10-2-

for the last 20 months,
and this is in itself sufficient
to qualify him for election
as a Candidate. These
facts are proved by the
evidence of the house owners
who are gentlemen of good
position in life & respectability
as well as by leases and
accounts, which evidence
there is no reason to disbelieve
as these gentlemen who belong
to a different caste (one being a
Jangam and the other a Brahmin)
from the petitioner, who is
a banyan and who have no
interest whatever in the petitioner,
have no motive in speaking or

supporting a falsehood

X That for the above reasons, the Petitioner submits, he is qualified to be a Candidate, and that the objection raised by his rival who, by this means hopes to get into the Council, though he has not secured a majority of votes having secured about half the votes secured by the petitioner, are frivolous and interested. The petitioner therefore, prays that Govt be pleased to send for the whole record made by the Sub Collector, Tahasildar, and the Collector, and confirm his election or order a fresh election as he as he along with others will they have a chance of Competing for the seat, and thus there will be fair play for him as well as for his rival Candidate.

For which act of kindness the petitioner, as in duty bound shall ever pray.

Rajahmundry }
15-4-98. }

Your Excellency's most
Obt & humble servant
[illegible]

E ✓

Local & Munl. (189) Department.

CURRENT No. 1325 M.

From P. Veerannah of Rajahmundry.

Order

No.

Dated 4-4-98

Received 18-4-98

Registered

Enclosures

Spare copies.

SUBJECT.

Praying that either the election of Rayapudi Subbarayudu be confirmed or a fresh election ordered to be held & stating that petition follows—

1814

BACK PAPERS.

G.O.	No.	Department.	Date.
Cu	1301	L/98	

FURTHER PAPERS.

G.O.	No.	Department.	Date.

LOCAL & MUNICIPAL DEPT.
CURRENT No. 1325 M.

SECRETARY TO GOVERNMENT
15-APR-1898
LOCAL & MUNICIPAL DEPARTMENT

INDIAN TELEGRAPHS

Monthly Number. 2007

Code Class. 380

To (Office) Ootacamund

From (Office) Rajahmundry

Words.	Day.	Hour.	Minute.	Official Instructions.
71	14	11	32	

To (Person) Secretary to Govt

From (Person) [illegible]

[illegible] local [illegible]
two [illegible] elected [illegible]
[illegible] as his [illegible]
[illegible] Act of [illegible]
[illegible] for election registration
[illegible] by [illegible]
[illegible] has
[illegible] petition
[illegible] to have [illegible]
as councillors [illegible]
[illegible] election of [illegible]
[illegible] be not confirmed
[illegible] election [illegible]
[illegible] to [illegible]
further petition [illegible]
the full particulars
[illegible] government orders [illegible]

64 Word Form.

F.C.2.

Recd from	LN.	Sent to	LN.	
at Hrs Mts by		at Hrs. Mts by		Telegraph Master.

14 [illegible] 16/4/9

OOTACAMUND 14-4-98

G.O.P.—No 53 T—20 12 96—2,00000

Local & Munl. (1898) Department.

92

CURRENT No. 1301 M.

~~To lie over pending receipt of the report promised in para. 2. of the Collector's letter in G.O. No. 379. M. dated 14th February 1898.~~

S.R.
14/4/98

The report has been received today. These papers will be considered along with it

S.M.
18.4.98

Hay B.

Telegram

From

Paudiry Veerannah
Rajahmundry

No.

Order

Dated 14-4-98

Received —

Registered —

Enclosures

Spare copies.

SUBJECT.

Praying that a fresh election may be ordered in case of R. Subbarayudu not being elected as a member of the Rajahmundry M.C.

11/15/4

BACK PAPERS.

G.O.	No.	Department.	Date.
Cr.	1291	L/98	

FURTHER PAPERS.

G.O.	No.	Department.	Date.

LOCAL & MUNICIPAL DEPT.
CURRENT No. 1391/M

Code DJ

INDIAN TELEGRAPHS.

8162 Monthly Number.

To (Office) Madras	From (Office) Rajahmundry
Words 80 · Day 14 APR · Hour 11 · Minute 30	Official Instructions Pd
To (Person) Secy to Govt of Madras local Municipal deptt	From (Person) Pandiry ~~Veerdo~~ Veerannah.

UNDER SECY. TO GOVT.

We Voters elected Rayapudy Subbarayudu as his Name published list of persons Eligible for Election objection raised by his rival Candidade that he has No qualifications we are unwilling to have his rival as our Councillor if our election of Venkata Subbarayudu garu be Not Confirmed we pray fresh election to enable us to elect another petition posted in the full particulars pray postponement orders until then.

Recd. from MADRAS 14-4-98 At Hrs. Mts. by
Sent to At Hrs. Mts. by

Telegraph Master.

F. C. 2.
64 Word Form.

Local & Munl. (189 8) Department.

To lie over pending receipt of the report promised in para 2 of the ollector's letter in f.o. No 379 M dated 14th February 1898.

V.R.
14/4/98

S.S.R.
98

14.4.

CURRENT No. 1291 M.

Flag B.

Telegram

From R. Subbarayudu
Rajahmundry

Order

No. —

Dated 8-4-98
Received
Registered
Enclosures
Spare copies.

SUBJECT.

Requesting that orders may be postponed on his election as municipal councillor of the Rajahmundry municipality pending receipt of his petition

2/4/4

14

BACK PAPERS.

G.O.	No.	Department.	Date.
Cm	1126	L/98 Lo	ove
No	379	L	14-2-98

FURTHER PAPERS.

G.O.	No.	Department.	Date.

69

Code Class. P

INDIAN TELEGRAPHS.

Monthly Number. 9

To (Office) Ootacamund. From (Office) Rajahmundry

Words.	Day.	Hour.	Minute.	Official Instructions.
56/4	8.	17.	20.	

To (Person) Secy Govt Madras Local and Municipal Dept.

From (Person) Rayapudy Subbiaay 9.4.98

Elected councillor rajahmundry municipality by a majority of 90 against 50. name published in the list of persons qualified for election as councillors and possesing qualifications my rival raised frivolous objections petition in the full particulars posted pray postpone passing orders until receipt of it.

64 Word Form.

Recd. from LN. At Hrs. Mts by

Sent to LN. At Hrs. Mts. by

C. D'Angelo
Telegraph Master.

CAMUND 8 4 98

C G P—No. 527 —15-12-96—2400000.

3

F.C

F C 2.

Code } X 8 **INDIAN TELEGRAPHS** Monthly Number. } 11

To (Office) Ootacamund			From (Office) Rajahmundry	
Words. 59.4	Day. 8	Hour. 17	Minute. 15	Official Instructions. } Urgt. [illegible]

To (Person) Secretary Govt Madras Local

From (Person) ~~Recorded~~ [illegible] Rao [illegible] Rajahmundry subbarao

H.T. 9.4.98

and Municipal Dept. Elected councillor Rajahmundry Municipality by a majority of [illegible] against 50 [illegible] name published in the list of persons qualified for election as councillors and possessing qualifications. My rival raised frivolous objections. Petition in the [illegible]

Recd [illegible] LN. Sent to LN.

Hrs. Mts. by

OOTACAMUND 8-4-98

Telegraph Master.

F.C.1. 3

Code } **INDIAN TELEGRAPHS** Monthly Number. }

To (Office)			From (Office)	
Words.	Day.	Hour.	Minute.	Official Instructions. }

To (Person)

From (Person)

2

Particulars posted pray [illegible] pending [illegible] of [illegible]

Local & Munl. (1898) Department.

To lie over pending receipt of the report promised in para 2 of the Collector's letter in $\frac{379M}{14.2.98}$. Flag B.

28/3/98

22.3.98

CURRENT No. 1126M

Order

From

Navab Khoja
Ahammedalla Khan
Rajahmundry

No.

Dated 24-3-98.

Received 25- "

Registered ———

Enclosures

Spare copies.

SUBJECT.

Praying that no orders may be passed before perusing the sub collector's report on the election of R. Subbarayudu as a member of the Rajahmundry Munl Council, & stating that a memorial follows.

a/28/3

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

LOCAL & MUNICIPAL DEPT.
CURRENT No. 1126M

T—14.

INDIAN TELEGRAPH.

Class. W				Monthly Local No. 519
To Station: Ms Nungambaukum				From Station: Rajahmundry
Words.	Day.	Hour.	Minute.	Official Instruction.
35	24	17	40	Dfd
To (Person.) Secretary to Govt Local Municipal Woodstock				From (Person.) Navab Khoja Ghammedalla Khan

SECRETARY TO GOVERNMENT
25 MAR 1898
LOCAL & MUNICIPAL DEPARTMENT

I applicant municipal Councillorship beg that no orders be pas [illegible] before perusing [illegible] Collectors report which Clearly incapacitates Srayapa Subbarayadoo

memorial follows

Recd. from — L. N. — At — Hrs. — Mts. By

Sent to — L. N. — At — Hrs. — Mts. By

Date

Postmaster.

NUNGUMBAUKUM
24 MA. 98

ven for copying

pied 17-6 98 GM 189

amined

ned (18/6)

AIN G.O., No. DATED

189 ,

NT No.

RS 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.

in

Misc:

ORDER:- No 1092 M Mis d 17-6-98

The Government sees no sufficient reason to alter the existing proportion of the Bimlipatam Municipal tolls payable to the District Board. If the finances of the Municipality are not in a satisfactory condition, the Municipal Council should i prove them by raising the rates of taxation.

2. The attention of the Chairman is drawn to the Collector's remarks in para. 3 of his endorsement.

Note.

The existing rates of the taxes are as under:-

Buildings — $7\frac{1}{2}$ per cent
Lands — $7\frac{1}{2}$ p.c.
Jatkacarts – half maximum rates
Tolls – Do Do

V.R.
10/6/98

H.T.
14.6.98.

Originals?
2u

To,

The Chairman, Municipal Council, Bimlipatam,
through the Collector of Vizagapatam.

,, President, District Board, Vizagapatam.

P.Endt.O
B.O.

Despd. 18/6/98

Municipality

ORDERS.

in

Vide Ch's letter in G.O. 72 M. 23.1.94 D

Para 3. of G.O. 72 M. 23.1.94 E

H

In its budget for 1894-95, the Municipal Council of Bimlipatam requested that, in view of the anticipated decline in the toll revenue, consequent on the opening of the East Coast Railway and of the unsatisfactory state of the Municipal finances, the District Board's share of the Municipal tolls might be reduced. The Government thereupon directed that the Municipal Council should discuss the question with the District Board and report the result to Government. From the Chairman's letter recorded in G.O. No.1654 M dated 7"November 1894, it appears that the District Board then declined to comply with the Council's request.

Vide G.O. 1405 M. 20.8.96. I

Para 3.(3) of G.O. 1734 M. 7.8.97. F

2. In the administration report for 1895-96, the request for a reduction in the District Board's share of the Municipal tolls was repeated by the Municipal Council on the same grounds as before; but as the Collector in his endorsement thereon observed that the District Board's income from tolls had likewise fallen off since the opening of the Railway and that the Board was therefore not in a position to be generous, the Council's attention was drawn to his remarks. The question was however again raised by the Municipal Council in its administration report for 1896-97 and the Government directed "that the Council's request for the reduction of the District Board's share of tolls should

Chairman's statement that the Bimlipatam Municipality ouncil stated that it ha s are of discussion with the District Board, that the District Board did not seem to take cognisance of the requests of the Council and that therefore the matter was brought to the notice of Government for necessary action. The Chairman was then requested, in G.O.No.282 M., dated 1"February 1898, to report through the Collector, the time when, and the principle on which, the District Board's share of tolls in Bimlipatam was fixed at one-fourth, and the rounds on which the request of the Municipal Council to reduce it was based.

Please see Chn's letter in G.O. 282 M. / 1-2-98. G

G

3. The second of the letters read above is the reply to this reference. From this it appears that in G.O.No.286 Financial, dated 8"February 1876, the share of the District Board in the Bimlipatam Municipal tolls was fixed at one-half, on the principle that tolls levied on through traffic should be paid to Local Funds, the balance alone being appropriated by the Municipality. Owing, however, to a large decline in the revenue from tolls in 1879 and the consequent inability of the Municipal Council to make both ends meet, the contribution to the District Board on account of tolls was reduced from one-half to one-fourth by G.O.No.615 Financial, dated 31"March 1879. The grounds on which the Municipal Council now asks for a reduction in the District Board's share of tolls are briefly as follows:-

Cul 1572.2

B.

C.

(1) that the share was fixed at one-fourth

one-fourth at a time ~~whether~~ when the traffic in the Municipality was an inexhaustible source of income, but that of late, the traffic had been on the decrease and the toll income had fallen owing to low bids;

Please see Chn's letter, Cul 1503.2

(2) that the advantage which the Council would derive from the reduction of the District Board's share from one-fourth to one-sixth would be considerable, whereas the District Board would not suffer material loss threby; and

(3) that as the present practice of allowing the District Board to have one-fourth share in the tolls obtains in no other Municipality, neither its wealth nor income justifies its continuance. ~~The~~ The Chairman therefore requests that, in view of the critical state of the finances of the Municipality, the concession prayed for, viz. the reduction of the District Board's share of tolls from one-fourth to one-sixth may be granted.

Please see towards the close of the Chn's letter } Cul 1503.2

4. The Collector, in his endorsement, states that the District Board was of opinion that there was no ground for the reduction prayed for, that the toll receipts of the Municipality have fallen only by Rs.510 since the year 1894-95 and that the Council has not suffered as much loss under this head, as the District Board itself by the opening of the Railway. He also points out that the expenditure on communications in the Municipality during the past four years has only been 32.4 per cent, against the minimum of 50 per cent prescribed by Government, and that the Chairman's statement that the Bimlipatam Municipality

Cul 1572.2

Municipality is the only one in the district, which is paying one fourth share of tolls to the District Board is not correct, as Vizianagram also pays one-fourth, and Anakapalle as much as 60 per cent. The diminution in the general traffic cannot justify a reduction in the District Board's share of tolls, as it affects both the District Board and the Municipality alike. Moreover, the argument that the reduction of the District Board's share would be of considerable advantage to the Municipal Council, without occasioning any material loss to the District Board is not entitled to any weight. It is therefore submitted that no sufficient grounds have been shown for altering the existing proportion of the Bimlipatam toll revenue payable to the Vizagapatam District Board. If the state of the Municipal finances is not satisfactory, the proper way to remedy it is by increasing the rates of taxation.

Para. 3. of the Colls Endt

5. The accompanying draft order is submitted for approval:-

VR
10/6/98

82

Local & Munl. (189) Department.

To lie over pending ~~the~~ receipt of the Chairman's letter No 426 dt 2d March 1898.

VR
7/5/98

9.5.98

CURRENT No. 1503 M

UNDER SECY TO GOVT
1 MAY 98
PUBLIC DEPT

From M R Ry K Betilachalam Puntulugaru Chairman, the Bimlipatam

Order.

No. 20.

Dated 26th April 1898

Received

Registered

Enclosures Two.

Spare copies

SUBJECT.

~~Informing~~ Stating that the report regarding the District Board's share of tolls was submitted on the 2nd March 98 through the Collector Vizagapatam.

a/6/5

65

BACK PAPERS.

G.O.	No.	Department.	Date.
Go	282	Mun	1-2-98
Go	784	〃	7-8-97

FURTHER PAPERS.

G.O.	No.	Department.	Date.

R.C. No 512.

Vizagapatam Collector's Office
dated 19th April 1898.
Desp.d 20th April 1898.

From
W. O. Horne Esqr.
Ag. Collector.
Vizagapatam.

To
The Chairman
Municipal Council
Bimlipatam

Sir,

With reference to your letter no 425 dated 2nd March 1898. I have the honor to state that the Council's proposal regarding the reduction in the District Boards share of the Municipal tolls had to be discussed with the District Board before being sent to Government. The District Board observed that there was no appreciable reduction in the Municipal tolls as stated in your letter to Government no 426 dated 2nd March 98. In fact the Municipal receipts have not fallen more than those from the District Boards own tolls. The Board was not therefore in favour of the reduction. I have already communicated to you a copy of the Board's resolution. Under these circumstances I consider it unnecessary to submit to Government your letter on the subject and will detain it unless you insist on its submission

I have the honor to be
Sir.
Your most obedient Svt
(Sd) R. Govindaram.
for Ag Collector.

(True Copy)
Municipal office
Bimlipatam.
27th April 1898.

M. Nilachalam
Chairman

From
The Collector of
Vizagapatam

To.
The Chairman
Municipal Council
Bimlipatam

Dated 19th
Despatched 20th } April 1898.
Received

No. R.C. 512.

Enclosures.

Subject.

Informing that his letter No. 426 dated 2nd March 98 has been detained in the circumstances stated.

1/1583 M/98

Extract from the Proceedings of the District Board passed at its meeting held on Monday the 4th April 1898 at 4 P.M. in the Collector's Office Vizagapatam.

× × ×

13. Read letter from the Chairman M.C. Bimlipatam to the Collector Vizagapatam No. 425 dated 2nd March 98 requesting to forward a letter addressed to Government regarding the reduction of the District Board's share of its tolls from 1/4 to 1/6.

The Board is not in favour of the reduction and sees no reasons for it.

× × ×

(True Extract)

No. 207
7-4-98.

Communicated to the Collector of Vizagapatam
(Signed) R. Sooriah Row.
For President.

Dis 1180. (True Copy)

Communicated to the Chairman M.C. Bimlipatam with reference to his letter No. 425 dated 2nd March 1898.
(Sd). R. Govinda Row.
For Collector.

Dated 12-4-98.
Despd 15-4-98.

(True Copy)

Bimlipatam
Municipal Office }
27th April 1898.

M. Silachalam
Chairman M.C.

No 20

Municipal office
Bimlipatam.
26th April 98.

From

M. R. Ry. H. B. Nilachalam Puntulu garu
Chairman Mc. Bimlipatam

LOCAL [illegible] CIPAL DEP[illegible]
No. 1503 M

To

The Seretary to Government
Local and municipal department
Madras,

Sir

×to go 282 M
1-2-98

with reference to your× reminder No 456 dated 18th April 98 I have the honor to report that I submitted my letter No 426 dated 2nd March 98 through the collector Vizagapatam stating when and on what principles the District Board's share of tolls in this municipality was fixed at 1/4 and the grounds on which the request of the municipal council to reduce it to 1/6 is based.

But the president District Board Vizagapatam in his letter No 512 dated 19th April 98 states that the councils' proposal regarding the reduction of the District Board's share of tolls had to be discussed with the Board and communicating a copy of the District Board's resolution, observes that the Board was not in favour of the reduction and that under these circumstances he did not consider it necessary to submit my letter No 426 dated 2nd March 98 to Government.

I submit herewith the copies of the collector's letter No 512 dated 19th April 98 and the Board's resolution.

And I in my letter No 17 dated 26th April 98. have once more requested the collector to submit my above letter to Government

Notwithstanding the District Board's resolution, that it is not in favour of the reduction and sees no reasons for it I beg to bring to the notice of the Government the present deplorable condition of the

municipality with respect to its tolls
Long ago when there was heavy traffic in this municipality which was an inexhaustible source of income the District Board's share of tolls was no doubt fixed at 1/4. But of late the traffic has been on the decrease and consequently there has been a fall in the income of the municipality

The tolls are no longer a trustworthy source of income so much so that the council could not obtain high bids at all, in the recent auction sale of tolls and had accordingly kept the tolls under its management which as is known entails an increased expenditure on the municipality with no sure prospect of income which it can look to.

Further considering the present financial crisis of this municipality the advantage which it derives from its getting the District Board's share of tolls reduced from 1/4 to 1/6 is considerable whereas the District Board cannot have a material loss in its income in as much as its income in its share of tolls of this municipality is reduced only by 1/12.

Again let me bring to the notice of the Government that the present practice of allowing the District Board to have 1/4 share in the tolls obtains in no other municipality

This is the only municipality that is made to submit to that procedure. and I do not see whether its wealth or its income justifies this in as much as it is badly wanting in both.

Let me therefore in the interests of this municipality request the Government on its behalf to take this into its favourable consideration and see if the Districts Board's share of tolls cannot now be reduced from 1/4 to 1/6 and thus the interests of the municipality be secured.

I believe it does obtain ~ Trichinopoly
[illegible] 1.5.98

I have the honor
to be; Sir,
Your most obedient servant.
M. Silachalam
Chairman M.C.

UR

Local & Munl. (1898) Department.

CURRENT No. 1572M

UNDER SECY TO GOVT
6 MAY 98

From The Collector of Vizagapatam.

Order

C No. 512

Dated 2 May 1898

Received

Registered

Enclosures 1

Spare copies

SUBJECT.

Submitting letter from the Chairman Municipal Council Bimlipatam, reporting the principle on which the District Board's share of tolls in Bimlipatam was fixed at one fourth.

6/5 14/5

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. 426

Municipal office
Bimlipatam 2nd March 1898.

From
M R Ry K B. Nilachalam puntulugaru
Chairman municipal council
Bimlipatam

To
The Secretary to Government
Local and municipal Department
Madras.
(Through the collector Vizagapatam)

Sir,

With reference to your Proceedings no 282 Mmg dated 1st February 98, I have the honor to submit the following explanation urged for in the Proceedings

The Districh Board's share of tolls in Bimlipatam was first fixed as per G.O. no 286

Flag. B. dated 8th February 1876 at one half in its collections

(2) Subsequently the Vice President of this Bimlipatam municipal commission in his letter no 275 dated 20th ~~November 1878,~~ requested the collector of Vizagapatam and the President of the municipality to reduce the one-

G.O. 615M / 31-3-79. Flag C. half which it was previously paying to the District Board to one fourth showing certain grounds for its reduction

Final G.O. 682 / 8/4/79
" " 615 / 31/3/79

(3) The President in his letter no 1800 dated 2nd December 1878 sanctioned the reduction of the contribution from one half to one fourth. The principle on which the Districh Board's share of tolls in Bimlipatam was fixed at one fourth was attributed to the then ~~heavy~~ traffic

in G.O. no. 72 M / 23-1-94. D. Para 14

(4) In this office no 458 m dated 20th December 1893 para (14) the then chairman requested the Government on behalf of the council to reduce the 1/4 share which it was paying to the District Board, pleading that this is the only municipality in the District that contributes such a long proportion as one fourth of its tolls to the District Board.

in page para flagged
E.

(5) The Government in their order no 72 M dated 23rd January 1894 para 3 directed the council that the reduction of the share of tolls payable to the District Board should be discussed with the body and that the matter should be reported to Government.

(6) Accordingly the chairman in his letter no 80 M dated 12th may 94 to the President District Board requested to obtain the sanction of the District Board to reduce 1/4 share of tolls to 1/6 of its paying fully the financial state of the municipality. +

Put up for reference.

In reply to this ~~the~~ president of the Board in his letter no 560/ dated 18th June 94, stated that the District Board at a meeting held on the 13th July 94 resolved not to reduce the share for the current year.

I further beg to state that this is the only municipality in the District that is paying 1/4 share of tolls to the District Board and that the financial condition of this municipality is not at all encouraging, and that it will suffer much if the reduction prayed for by the council be not granted.

In conclusion, I request once more to give it to your benign consideration and sanction the reduction of 1/4 share of tolls to 1/6.

I have the honor to be
Sir
Your most obedient servant
[illegible]
Chairman. Mc

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

1/1572 m/98

Local & Munl. (189) Department.

CURRENT No.

From M. R. Ry K. B. Nlachalam
pantulu garu
chairman MC

Order.

No. 426

Dated 2nd March 1898
Received
Registered
Enclosures
Spare copies

SUBJECT.

Reporting on what principle the District Boards' share of tolls in Bimlipatam was fixed at one fourth and the grounds on which the request of this Municipal council is based.

-7 MAR 1898

LOCAL & ... DEPT.
CU... 1572 M

C 512

Submitted to Government. I regret the delay which has occurred in forwarding the letter and which is due to my not having received the G.O. to which it is a reply.

2. The Chairman's letter was laid by me before the District Board which considered that there was no ground for the reduction asked for. The Sums realised by the sale of tolls in the Bimilipatam Municipality in the last four years are as under.

Year	Income for tolls Rs.
1894-95	5,510 ✓
1895-96	5,620 ✓
1896-97	5,330 ✓
1897-98	5,000

And in the Current year the tolls are being worked under amani. It will be seen that toll receipts have fallen only by Rs 510 since the Railway was opened, and the Council has not Suffered as much as the District Board itself has done.

departmental management.

3. The Chairman's Statement in the penultimate para of his letter is incorrect. The Vizianagram Municipality pays to the

[illegible] percent of its toll receipts, and the Anakapalle Municipality pays 60 percent. Further the Bimilipatam Council spends only about 32 per cent of its toll receipts on roads.

Vizagapatam
2nd May 1898

For Acting Collector

C.J.

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examined
signed 17/6
189 .

AGAIN G.O., No. DATED
189 ,

RENT No.

NCLOSURES TO C. No.

ORDER OF GOVERNMENT .. .. .. A A A A A A A

LETTER OF GOVERNMENT.

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STATEMENT WITH DITTO.

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

N.B.—

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