[L. & M. 2,000—13-9-98.]

Local & Munl. (1898) Department.

MISCELLANEOUS.

G.O., No. 1969 M.

DATED 19-11-98.

INDEXED. DESPATCHED

[Despatch Abstract.]

Plague preventive measures — Requesting the municipal council of Nellore to reserve the amount specified for expenditure in —— in the current year

BACK PAPERS.

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

FURTHER PAPERS.

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

[L. & M.]

500 -16-3-98.

Papers to be read in Proceedings :—

Again G.O., No. dated 189 ,

Again G.O., No. dated 189 ,

Current No. 3407/M of 1898, dated 4th November 1898, from the Chairman, M.C., Nellore.

" " " 189 , "

" " " 189 , "

Mis ORDER. No 1949 Mis 9 19/11/98

The Municipal Council should reserve in addition to the unexpended balance of Rs 592 in the provision for epidemic charges (not Rs 897 as shown in column 3 of the Statement), the allotments of Rs 450 and Rs 400 respectively for the works Nos. 33 and 38 in column 7 and the saving of Rs 100 anticipated under work no. 34, for expenditure on plague preventive measures in the current year. The necessary provision should be made in the Revised Estimate.

V.R
18/11/98

Note. The estimate of plague expenditure in the Municipalities in the Nellore District is Rs 1,310, of which the portion

debitable to Nellore is Rs 991. But advantage has been taken of the surrenders made by the Council to provide a larger sum.

To

The Chairman, M.C., Nellore.

Financial Departt Do Dup 22/11/98

Local & Munl. (189) Department.

CURRENT No. 34072

RECEIVED TO GOVT. PUBLIC 15 NOV 98

From

The Chairman,
Municipal Council,
Nellore.

Dis.

Order

No. 1152

As there is a large closing balance of Rs. 3196 available for allotment, the Govt. considers that works numbered 33 and 38 in column 7 of the Statement need not be postponed. The municipal Council should reserve in addition will be sufficient if the unexpended balance of Rs 592 in the provision for epidemic charges not Rs 897 as shown in Col. 3 of the allotment and Rs 400 out of the closing balance are restored for expenditure on plague preventive measures in the current year. The necessary provision should be made in the Revised Estimate.

Dated

Received

Registered

Enclosures

Spare copies

SUBJECT

Rs 400 and Rs 100 respectively for the works 33 and 38 in the list, and the saving of Rs 100 anticipated under work No 34,

Submitting information called for in G.O. No. 2031/L dated 22d October 1898.

V.B
16/11/98

To The Chairman M.C. Nellore.

Note. The estimate of plague expenditure in the municipalities in the Nellore district is

is Rs 1310, of which the portion debitable to Vellore is Rs 991. But advantage has been taken of the Surrender Rules by the Council to provide a large sum

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Buildings &c	150	104	46	Of these Nos 29 & 31 were not provided in the
Latrines.	50	-	50	Budget for this year and had to be executed
Travellers Bangalow.	70	-	70	on the ground of emergency to meet this
Parkhana.				No 28 has been given up for this year.
Municipal Office	30	-	30	
Hospitals	200	-	200	
Flooring	200	-	200	
Katt Jatra.	70	-	70	
School Building	53	53	-	
Hospital Building	50	50	-	
Drainage.				
De Lanoy Street	50	-	50	Of these No 1 cannot be postponed and No 2
and Thompsonthi Street	450	-	450	may be postponed for the present. X
Works Water Supply.				
Repairs to Wells	200	-	200	Of the Balance left under this a Saving
Cattle Well.	23	23	-	may be made of Rs 100. X
Pension Lane	4	4	-	
Christian Lane.	6	6	-	
Nos 2 new lights	400	-	400	Putting up of additional lights to may be postponed for the present.

General Remarks:— Subject to the above remarks I have a revised Estimate prepared for 1898-99. Taking credit for excess receipts and less expenditure under other minor Items the expected closing balance would be Rs 7000. For any further reductions in works urgent orders are requested.

D Runcastle
Chairman.

Municipal Office
Close
November 1898

No 1152 dated 4th November 1898.
Statement of information required in G.G. No 2031 F dated 22nd October 1898 regarding the provision of additional allotments necessary for expenditure on Plague preventive measures.

Despatched 4th November 1898

Provision made in the Budget for Plague Expenditure including amounts subsequently allotted.	Expenditure incurred upto date on Plague Preventive measures.	Balance of allotment (Difference between Cols 1 and 2)	Anticipated Closing balance of 1898-99 as revised with reference to the actual opening balance of the year.	Allotments sanctioned upto date from the Closing balance.	Balance available for allotment (Difference between Cols 4 & 5)	Works provided for in the Budget for 1898-99 (New works & repairs).	allotment for the Year.	Expenditure or liabilities actually incurred upto date.	Balance of allotment (Difference between Columns 8 & 9).	Remarks.
1	2	3	4	5	6	7	8	9	10	11.
~~Rs 1160~~ 1160	Rs 568	~~894~~	3600	410	3190	New works: Buildings				
11.	*Plague 263	592				1 Putting up iron latrine.	800	365	435	Materials purchased & work to be begun. Cannot be postponed.
	Cholera 305					2 Const of 2 sheds in Civil Hospital.	100	300	+200	The difference to be met from the allotment for drainage.
	568					Drainage.				
						3. Drain in Mantapam Street	100	"	100	Postponed in preference to No 2 above.
						4. Do in Washerman Street	100	"	100	
						Repairs; Communications				
						5 Stone house petta road	530	"	530	The allotment for road repairs Rs 5[illegible]
						6 Nabolapetta road.	645	"	645	for this year according to the Budget is Rs 5[illegible]
						7 Krishnapatam road	400	280	120	Rs 20 & 22 having become urgent had to be [illegible]
						8 Post office road	135	135	-	Rs though not provided in the Budget. To meet
						9 Godown Street	390		390	Rs 13 has been given Rs for this year. As
						10 Hamsala Street.	145		145	the other roads yet to be repaired their condition is such
						11 Kapew Street	145	126	19	that the repairs should be done without
						12 Audiakshamkari Street	135		135	further delay. Any postponement of these
						13 Ranganaikulapetta Branch road	730		730.	works will cause great inconvenience for
						14 Thadivari Street	90		90	next year as it may become necessary to
						15 Kamatty Street.	165		165	these other roads have to be repaired all
						16 Melastanadwaraswami Street	450		450	once.
						17 Nabolapetta Gondla Street	100		100	
						18 Anjanaseela Street	240	61	179	
						19 Maintenance	1000	615	385	
						20 Rajasee Street	176	176	"	
						21 Nagulamitta road	82	82	"	
						22. Branch road from Railway Station to Ranganaikulapetta	440	-	440.	

DOAL & MUNGALETH.

CURRENT No. 3107/11

When given for copying
When copied
When examined
When signed 21/4 } 189 .

READ AGAIN G.O., No. , DATED
189 .

CURRENT No.

ENCLOSURES TO C. No.

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

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B.—
A = Copy in full.
P = Copy abstract only.
Q = Copy heading only.

Read—again G.O., No. 883 M., dated 7th May 1898, and Current Nos. 2244 M., &c.

FOR ORDERS.

In the Government Order read above, the draft rules for the election of Municipal Councillors, framed under section 250 (1) (*a*) of the Act as amended, were published for information and criticism under section 256 (1). The letters read above are the replies received.

2. The Municipal Councils of Cocanada and Nellore approve the proposed rules. The remarks and suggestions made by the others will now be considered.

3. *Rule* 1.—

"For electoral purposes the municipalities enumerated in the schedule attached hereto shall be divided into the wards specified against each. The number of elected councillors for each ward shall be as shown in this schedule."

The Municipal Council of Berhampur states that the Ramalingam tank ward, which is an important one, has only a single elective seat assigned to it, while the Berhampur ward has four seats, and requests that one of the four seats assigned to the latter ward may be transferred to the former. The Municipal Council of Guntúr suggests that three elective seats may be assigned to the Sangadigunta ward and two to the old Guntúr ward instead of two and three, respectively, as at present and requests that, in view of the fact that the municipality has not, ever since the grant of the elective franchise, shown any cause for incurring the displeasure of Government, but has been managing its affairs so satisfactorily as to win its approbation, the number of elected councillors may be increased from ten to twelve out of a total strength of twenty.

The re-arrangement of the elective seats proposed by the Berhampur and the Guntúr Councils may be approved, but the request of the latter to increase the number of elected councillors cannot be complied with, as the Collector does not think that the time has yet come to increase this number—*vide* his endorsement on Current No. 2527 M., ~~flag~~ B.

4. *Rule* 3.—

"The following persons shall be entitled to have their names registered as voters :—

(*a*) Every owner of buildings or lands situated within the limits of the municipality, who is liable to pay to the municipality a tax on buildings or on lands amounting, either separately or in the aggregate, to Rs. 4 per annum and upwards, provided such ownership is evidenced by registration in the municipal books.

(*b*) All persons who, in the current official year, have paid profession-tax to the amount of not less than Rs. 4.

(*c*) All persons who, in the current official year, have paid income-tax.

(*d*) All Government pensioners drawing Rs. 15 per mensem and upwards.

(*e*) All persons drawing a salary of Rs. 30 per mensem and upwards.

(*f*) All persons paying a house-rent of Rs. 3 per mensem and upwards.

(*g*) All graduates of any recognized University.

Provided that no person shall be entitled to have his name registered as a voter under this rule unless he has been resident in the ward or possessed of the necessary property qualification under class (*a*) in the town, for at least six months immediately preceding the day of publication of the register of voters.

NOTE 1.—The word "persons" in clauses (*b*), (*c*) and (*f*) above, includes all companies or associations or bodies of individuals, whether incorporated or not, and all undivided Hindu families. The votes of such companies or families may be given by the secretary of the company or by any partner, member or agent, whose name the company or family shall cause to be entered in the municipal register.

NOTE 2.—A person may be registered for more wards than one, provided he has the requisite property qualification under clause (*a*) in each such ward, and in that case may vote in each such ward. A person who pays the requisite amount of taxes to entitle him to be a voter, but has his property scattered over more than one ward may be registered for any one such ward as he may elect.

NOTE 3.—In this Rule and in Rule 5, the word "house" includes a shop and any building used for the storage of property."

(1) *Clause* (*a*).—The Municipal Council of Ellore states that there is no reason for increasing the minimum house-tax prescribed in this clause and suggests that, if any change is considered necessary to secure a round figure, the amount should be reduced to Rs. 3, as by so doing, the franchise will be extended to a larger number of people and thus partly compensate for the decrease in the number of voters caused by raising the qualification under the profession-tax, [clause (*b*).] This suggestion, however, cannot be approved. The minimum amount of house or land tax, the payment of which would qualify a person to vote at elections, was fixed in the original rules at Rs. 3-12-0, which was half of the maximum tax leviable under Act IV of 1884 on a house rented at Rs. 100 per annum. The maximum rate of the tax having been raised to 8½ per cent. of the annual value in the amended Act, the Hon'ble Member directed that the amount specified in this clause should also be increased to Rs. 4-4-0, which is half of this rate, or to Rs. 4 in round figure, and the latter figure, viz., Rs. 4, has accordingly been adopted. The suggestion made by the inhabitants of Kumbakónam that the minimum should be raised to Rs. 5, cannot be adopted, as it does not appear to be desirable or necessary to increase this amount any further.

Muhammad Magdum Ravuttar, a Councillor of Dindigul, suggests that no person should be considered as being qualified to be registered as a voter merely by reason of his name appearing in the municipal books, unless at the time of preparation of the voters' lists he really owns such property. For instance, A's name may appear in the municipal books as the owner of certain property and if at the time of preparing the lists he had sold it, but the registry had not been transferred in the name of the purchaser, A's name will wrongly be included in the lists, but not the name of the real owner. It seems, however, unnecessary for the purposes of preparation of voters' lists to enter into the question as to who is the real owner of the property. It will be sufficient if the man's name is registered in the municipal books. If any property has been transferred by one person to another, it will in the natural course of events be followed by the transfer of registry in the municipal books, and it should be the interest of the purchaser to see that this is done as soon as possible.

(2) *Clauses* (*b*) and (*c*).—The Municipal Councillors of Berhampur and Ellore suggest that the minimum amount of profession-tax prescribed in clause (*b*) may be reduced from Rs. 4 to Rs. 2. It is argued that a tax of Rs. 4 is imposed on persons whose income or salary amounts to Rs. 100 a month, while under clause (*c*) of this rule persons drawing a salary of Rs. 30 a month are entitled to be registered as voters, and that as a tax of Rs. 2 is levied on persons drawing a salary of Rs. 50 a month, it is more equitable to reduce the minimum limit of profession-tax to Rs. 2. The Tinnevelly and Vániyambádi Councils suggest that all persons liable to pay profession-tax may be registered as voters, as the number of voters will be very few, if the limit is fixed at Rs. 4, there being in Vániyambádi only forty persons paying a profession-tax of Rs. 4. Koyamma Elaya, a Municipal Councillor of Cannanore, states that under clause (*b*) a person may be a voter if he pays a profession tax of not less than Rs. 4 a year, that is, if his minimum income amounts to Rs. 100 a month or Rupees 1,200 a year, while under clause (*c*) a person whose income amounts to Rs. 500 a year will be entitled to vote, as he is liable to pay income-tax, and points out that the disparity in the qualification in the two cases is striking.

The minimum amount of profession-tax prescribed in the original rules was Rs. 3, which was the tax payable by persons assessed under class VI of the old schedule attached to the District Municipalities Act. As there was no class in the revised schedule A, liable to a tax of Rs. 3, it was necessary to alter the minimum, which was fixed at Rs. 4, as directed by the Hon'ble Member—*vide* his remarks on page 2 of the note for orders in G.O., No. 883 M., dated 7th May 1898. In the circumstances now stated, however, it is submitted that the limit may be reduced to Rs. 2, which is the tax on persons getting a monthly income of Rs. 50.

M.R.Ry. P. P. Karunakara Menon, a Councillor of Calicut, and the Municipal Council of Guntur, point out that clauses (*b*) and (*c*) of this rule make only those who have already paid the requisite tax eligible for registration as voters, that persons who have been assessed and are liable, but who have not already paid the tax, are therefore disqualified and that, consequently, the rule is unnecessarily stringent. They accordingly suggest that the words "are liable to pay" should be substituted

for "have paid", while the Ellore Council proposes that the words "who are assessed or liable to pay" should be substituted for "have paid" so as to avoid unnecessary curtailment of voters' privileges in cases in which the assessees have neither paid the tax nor paid it in full owing to the tax falling due in instalments. The Municipal Council of Tinnevelly and Koyamma Elaya of Cannanore point out that as the lists of voters and of persons qualified to be elected are to be prepared in October of every year under Rule 7 and as only one-half of the profession-tax due for the year could have been paid by that time, clause (*b*) of Rule 3 and clause (*b*) of Rule 5, as they now stand, may mean that those who have actually paid Rs. 4 and Rs. 25, respectively, for the half-year will alone be entitled to be registered as voters and candidates, and accordingly request that, if this be the intention of the rules, it may be made clear. Koyamma Elaya of Cannanore adds that the above remarks apply to clause (*c*) of this rule, so far as the expression "have paid" is concerned. He also states that clause (*b*) of Rule 3 provides that persons who have paid not less than Rs. 4 as profession-tax are entitled to be registered as voters, while clause (*a*) extends the right to all those who are liable to pay the building and land tax, and that this distinction which is invidious should be omitted. The Bellary Council suggests that the words "in the preceding official year" may be substituted for "in the current official year" in clauses (*b*) and (*c*), while the Cannanore Municipal Councillor would alter the term "official year" occurring in this and in the following rules into "financial year" so as to bring it into accord with the wording used in the District Municipalities Act.

It does not seem to be the intention of this Rule or of Rule 5, that only persons who have paid a profession tax of Rs. 4 and Rs. 25, respectively, before October of every year, or in other words those who have paid these amounts as their profession tax for the first half-year, are entitled to be registered as voters and candidates. The intention of this rule seems to be that the persons should be paying or liable to pay annually the taxes specified. The proposal of the Ellore Council to substitute the words "who are assessed or liable to pay" for "have paid" in these clauses, is open to the objection that persons who are assessed to the tax at the time of the preparation of the lists might subsequently become disqualified by reason of the tax being remitted in whole or in part on appeal. The best course therefore seems to be to substitute the words "are liable to pay" for "have paid" in clauses (*b*) and (*e*) of Rules 3 and 5 and thus bring them into accord with clause (*a*). The suggestion of the Bellary Council that the words "in the preceding official year" should be substituted for "in the current official year" cannot be adopted as, owing to fluctuations in trade and other causes, a person who paid the tax in a previous year may not be liable to taxation in the next and as it can be ascertained before the preparation of the lists, which is taken up only in October, whether or not a person is liable to the tax in the "current year." The expression "official year" occurring in these and in the following rules may, however, be altered into "financial year," so as to bring it into accord with the wording of the Act.

(3) *Clause* (*f*) The inhabitants of Kumbakónam point out that the minimum house-rent of Rs. 3 entitling persons to vote at elections is too low, as persons drawing a salary of Rs. 20 a month have in many cases to pay a rent of Rs. 3 a month so that, while in consideration of their salary they are not eligible to vote, the rent which they pay qualifies them. They accordingly suggest that the limit should be raised to Rs. 5. Muhammad Magdum Ravuttar of Dindigul, while joining in the above suggestion, proposes that as the consideration of the question "whether any individual is qualified under this clause" gives rise to much confusion and friction, it is desirable to introduce a restriction to the effect that no persons should be allowed to have their names registered in the lists of voters unless they produce registered documents or receipts with accounts. The Negapatam Council and the Chairman of the Tinnevelly Municipality, however, would raise the minimum house-rent prescribed by this rule to Rs. 6, while Koyamma Elaya of Cannanore suggests that the word "paying" should be altered into "liable to pay."

The minimum house-rent prescribed in this clause may be raised to Rs. 5, as suggested above; but the proposal to require the production of registered documents to prove payment of rent cannot be approved, as the registered document, if there is one, will be in the possession of the owner of the house and not of the tenant who claims qualification under it, and there is no provision in the Act or in the rules

enabling the Chairman or the Council to require its production as evidence in such matters. Nor does it appear to be desirable to adopt the suggestion that the words "liable to pay" should be substituted for "paying" in this clause, as mere liability to pay is not sufficient in this case. There does not, however, appear to be any objection to require the production of receipts or accounts to prove payment of rent. As thus modified clause (*f*) will stand as follows:—

"(*f*) All persons paying a house-rent of Rs. 5 per mensem and upwards, provided such payment is evidenced by receipts or accounts."

(4) The suggestion made by Jagadisa Aiyar of Vellore, that all members of any Chartered Society of London should be declared to be eligible to vote, need not be adopted, as the number of such persons is not likely to be so large as to warrant a provision in the rules to include them in the list of voters.

(5) *Proviso.*—Mr. Fernandez, a Municipal Councillor of Tellicherry, states that the proviso to rule 3, as it now stands, would seem to imply that a person possessing the requisite property qualification in any one ward is entitled to be registered as a voter in any other ward, which he may elect; but as from the tenor of Note 2 to Rule 3, this does not appear to be the intention of the rules, he proposes that the word "town" in this proviso may be altered into "ward".

The above interpretation of the proviso is not correct and the proposed alteration will be inconsistent with Note 2, which provides for cases of persons having property scattered over more than one ward.

(6) *Note 1.*—Muhammad Magdum Ravuttar of Dindigul suggests that persons possessing the qualification prescribed in clause (*a*) of this rule may also be included in this note, as a company or family may possess such qualification and it is well and good that some member of such firm or family should be allowed to vote. The note defines the word "persons," which occurs only in clauses (*b*), (*c*) and (*f*) of Rule 3 and as it is desirable to bring the owners of buildings and lands also within the purview of this note, it is submitted that clause (*a*) may also be inserted in this note and the expressions "every owner of" and "who is liable" in clause (*a*) of Rule 3, may be altered into "all persons owning" and "who are liable."

Koyamma Elaya of Cannanore states that it is not clear why undivided Muhammadan families are excluded from the definition of "persons," and points out that in Malabar a large section of Mappilas follow the Marumakkatayam law of succession and belong to undivided families. As the undivided family system is peculiar to the Hindus and does not obtain among the Muhammadans, it will be incorrect to talk of an undivided Muhammadan family. The word "Hindu" occurring before "family" may, however, be omitted, so as to cover the cases of Mappilas governed by the Marumakkatayam law.

(7) *Note 2.*—Muhammad Magdum Ravuttar of Dindigul raises the question, whether a man who possesses property in two wards, *e.g.*, two houses in a ward, one of which is assessed to a house-tax of Rs. 4 and the other of Rs. 2, and one house in another ward, on which a tax of Rs. 2-8-0 is assessed, can, in addition to his being registered as a voter in the former ward, claim to be registered as a voter in the latter by adding the tax of Rs. 2 on the second house in the first ward with that of the house in the second ward, viz., Rs. 2-8-0, thus making Rs. 4-8-0. The reply to this question is in the negative, but it is submitted that it is purely a matter of detail which it is unnecessary to provide for in the rules.

It is also pointed out by Koyamma Elaya of Cannanore that the distinction, which appears to have been made in this note, between persons paying house or land tax and falling under clause (*a*) of Rule 3 and those falling under clauses (*b*) and (*c*) of the same rule, is unnecessary. A person who possesses property qualification under clause (*a*) in more wards than one may be registered as a voter in each such ward, but persons falling under clauses (*b*) and (*c*) who may be paying a larger amount as profession or income tax in respect of trade or property in more than one ward can only be voters in one ward. It seems desirable to remove this anomaly, and as a similar argument applies to qualifications under clause (*f*) of Rule 3, the expression "the requisite qualification under clauses (*a*), (*b*), (*c*) or (*f*)" may be substituted for "the requisite property qualification under clause (*a*)".

(8) *Note 3.*—The Ellore Municipal Council suggests that cattle sheds, which in certain municipalities are separately assessed, should also be brought under the definition of "house" given in this note, unless occupation by cattle is covered by the expression "storage of property." This suggestion, however, cannot be adopted, as the definition of "house" given in this note has been adopted from the opinion of the Advocate-General in G.O., No. 2691 M., dated 3rd December 1897, and does not appear to be intended to cover cattle sheds. The interpretation of the expression "storage of property" as covering occupation by cattle seems far-fetched.

Vide Hon'ble Member's remarks on page 16 of the note for orders in G.O., No. 883 M., dated 7th May 1898.

(9) Mr. Fernandez of Tellicherry states that under the Proviso to Rule 3, residential qualification in a ward is made indispensable to entitle a person to be a voter in that ward, and that this is hard on those who live in rented houses in the municipality. A person exercises his profession in, say, ward A, where he has permanent business and pays the taxes specified in clauses (*b*) and (*c*) of Rule 3, but lives in a rented house in ward B for a time and then shifts to ward C. Is he to be regarded as a voter in ward B or C, in neither of which he has any permanent interest? Then, again, a person who carries on a trade or profession in any one ward of a municipality and pays the necessary taxes, resides outside the municipal limits. He is entitled to be elected as a Councillor under Rule 5, but he has no right to vote. This seems anomalous. It is therefore desirable that, in order to meet such cases, an option should be allowed to the tax-payer to elect the ward in which he wishes to be registered, viz., either the ward in which he lives, or the one in which he exercises his profession, and it is accordingly suggested that the following may be added as Note 4 to Rule 3 :—

"*Note* 4.—A person exercising his profession in one ward, but living in another, may be registered in either of the wards which he may elect."

The suggestion seems to be a good one, but instead of making the proposed addition as Note 4, the following may be added to Note 2 :—

"A person exercising his profession in one ward, but living in another ward, may be registered in one of these wards which he may elect."

In this connection it has to be observed that while a person who carries on a trade or profession in any one ward of a municipality and pays the requisite amount of taxes to entitle him to be elected as a Councillor, but resides outside the municipal limits, is eligible for election as a Councillor under Rule 5, he is not now competent to vote. Section 10-A of the Act says that a person is qualified to be appointed a Councillor, whether he resides in the town or within two miles of the limits thereof, and this provision has been embodied in Rule 5. It seems desirable to extend this rule to the case of voters also, as it is anomalous that a man qualified to be a Councillor should not be competent to vote. The words "resident in the town or within two miles of the limits thereof" may therefore be substituted for "resident in the ward" occurring in the Proviso to Rule 3.

5. *Rule 4.*—

"The following persons are disqualified from being registered as voters :—

(*a*) Persons who are less than 21 years of age.

(*b*) Persons who have been convicted of any such offence or subjected by a criminal court to any such order as implies a defect of character.

(*c*) Persons of unsound mind and deaf-mutes."

(1) The Municipal Councils of Berhampur and Karúr, the Chairman of the Municipal Council of Tinnevelly and Mr. Fernandez of Tellicherry propose that females should also be included among persons disqualified from being registered as voters. It is stated that women of respectability will not undertake to exercise this privilege owing, among other reasons, to the fact that they are prohibited by custom from taking part in any public function. Besides, the majority of them do not understand or appreciate it. In Presidency towns women are not allowed to vote and it does not seem to be consistent that in less advanced places they should have the privilege. The Karúr Council further remarks as follows :—

"It may look illiberal to suggest the disenfranchisement of women, but the consequences resulting from the women's rights at the municipal elections under the present conditions are too serious to be let alone. There may be a time when we may demand for our women this and other privileges, but at present the right to elect councillors will do more harm than good."

Mr. Fernandez of Tellicherry states, in support of this suggestion, that the majority of females in that part of the country (apparently means Malabar) being Muhammadans and Sudras, it will be difficult to identify them as they live in seclusion. But the Collector of Coimbatore considers that the disenfranchisement of females will be a retrograde step.

It must be admitted with regret that the majority of the Indian women of the present day and particularly those in this Presidency are in a backward condition and cannot appreciate the advantage of the elective franchise which they cannot exercise, not being allowed by custom to appear freely in public or to take part in public matters. It will be several years before this state of affairs may be expected to improve so as to render the extension of the privilege to women desirable, and at present the privilege is almost a dead letter. It is therefore submitted that, following the practice obtaining in the Madras Municipality, the franchise may be withdrawn from women for the present. If this proposal is approved, it will be unnecessary to consider the suggestion made by the Collector of Kurnool that a separate date or at least separate hours should be selected for the voting of women.

Vide section 9 (x) of the City of Madras Municipal Act.

(2) The Municipal Council of Negapatam suggests that all illiterate persons should be declared to be disqualified to vote, while the inhabitants of Kumbakónam would exclude all persons who cannot sign their own names from the privilege of voting at elections. These proposals, however, seem to be inexpedient, as they will exclude a large number of persons from the franchise, most of the artisans, traders, &c., in the mufassal towns being illiterate.

(3) The Municipal Council of Vániyambádi and Mr. Fernandez of Tellicherry propose that among the disqualified persons specified in this rule, lepers and persons suffering from other contagious and [redacted] loathsome diseases should be included. Magdum Ravuttar of Dindigul, while joining in this suggestion, also proposes the addition of the two following clauses to Rule 4:—

"(i) Government servants dismissed from service for misconduct.

(ii) Persons who are not assessed or who have not paid profession or income tax in the year in which the election is held."

The proposed inclusion of lepers and Government servants dismissed for misconduct among persons disqualified to vote may be approved, but the proposal to extend the prohibition to persons suffering from other contagious and loathsome diseases must be disallowed, as the expression "other contagious and loathsome diseases" is indefinite. As the term "Leper" is defined in the Leper Act III of 1898 (India) as meaning "any person suffering from any variety of leprosy in whom the process of ulceration has commenced," it is submitted that a note embodying this definition may be added to this rule and also to Rule 6. The addition of clause (ii) proposed by Magdum Ravuttar is unnecessary, with reference to the alterations in clauses (*b*) and (*c*) of Rule 3 proposed in paragraph 4 (2) *supra*.

(4) *Clause* (*b*).—Karunakara Menon of Calicut and Koyamma Elaya of Cannanore point out that this clause does not specify the authority which should decide whether or not an order of a Criminal Court implies a defect of character. As, under the corresponding clause (*e*) of Rule 6, this question is to be decided by the Governor in Council (*vide* section 10-A of the Act), the latter suggests that, in the case of voters, the Collector of the district should be designated as the deciding authority. The suggestion is a good one and may be adopted.

6. *Rule* 5—

"The following persons shall be qualified for election as Councillors:—

(*a*) Every owner of buildings or lands situated within the limits of the municipality, who is liable to pay to the municipality a tax on buildings or on lands amounting, either separately or in the aggregate, to Rs. 8-8-0 per annum and upwards, provided that such ownership is evidenced by registration in the municipal books.

(*b*) All persons who, in the current official year, have paid profession-tax to the amount of not less than Rs. 25.

(*c*) All persons who, in the current official year, have paid income-tax.

(*d*) All Government pensioners drawing Rs. 30 per mensem and upwards.

(*e*) All persons drawing a salary of Rs. 60 per mensem and upwards.

(*f*) All persons paying a house-rent of Rs. 10 per mensem and upwards.

(*g*) All graduates of any recognized university.

"Provided that no person shall be eligible for election unless his name appears in the list of candidates qualified for election, prepared under Rules 7 to 10, and unless he has been resident in the town or within two miles of the limits thereof for at least six months immediately preceding the publication of the list of candidates.

NOTE 1.—When a company or an undivided Hindu family has fulfilled the conditions prescribed in clauses (*b*), (*c*) and (*f*) of this rule, only one member thereof, whose name the company or family shall cause to be entered in the municipal register, shall be eligible to be elected as a Municipal Councillor.

NOTE 2.—A person whose name has been registered in the list of persons qualified to be elected for any one ward of a municipality may stand for election in any other ward."

(1) *Clause* (*a*).—The inhabitants of Kumbakónam suggest that the minimum amount of the tax on buildings and lands which is specified in this clause as qualifying a person to be elected as a Councillor may be raised to Rs. 12, as a person who pays only a tax of Rs. 8–8–0 cannot possess an income of more than Rs. 100 per annum.

In the original rules, the minimum amount of house or land tax, the payment of which was held to qualify a person to be elected as a Councillor, was fixed at Rupees 7–8–0, which was the maximum tax payable by a person owning a house fetching an annual rental of Rs. 100. As the maximum rate of the tax was increased to 8½ per cent. by the Amendment Act, the limit specified in this clause was also raised to Rs. 8–8–0, which is ~~more than~~ double the tax that would qualify a person to vote at elections (*vide* Rule 3). The limit of Rs. 12 proposed seems to be high and cannot be approved.

(2) *Clauses* (*b*) and (*c*).—The Municipal Council of Berhampur suggests that the minimum amount of profession-tax prescribed in clause (*b*) may be reduced to Rs. 8, which is the tax leviable on persons whose annual income is Rs. 200, while the Municipal Council of Vániyambádi would reduce it to Rs. 4, as in minor municipalities there will be very few persons paying a profession-tax of Rs. 25 a year to entitle them to seats on the Municipal Council. It is also stated that in Vániyambádi there is only one person paying a profession-tax of Rs. 25 and none pays more than that amount. Koyamma Elaya of Cannanore and Karunakara Menon of Calicut state that under clause (*b*) a person may be elected as a Councillor if he pays a profession-tax of not less than Rs. 25 a year, while all persons paying income-tax, however low it may be, are entitled to be registered as candidates for election under clause (*c*). A profession-tax of Rs. 25 will cover an income of Rs. 500 to Rs. 1,000 *a month* under class IV of schedule A appended to the Act, while a person whose income amounts to Rs. 500 *a year* will be liable to pay income-tax and thus be eligible for election. It is therefore suggested that the profession-tax limit should be reduced to Rs. 8 a year which is double the minimum required for voters, as in the cases falling under clauses (*a*), (*d*) and (*e*) of this rule, and that the amount of income-tax, the payment of which would qualify a person for election, should be raised to at least Rs. 20 a year to make it also double the minimum prescribed for voters under Rule 3. The Berhampur and the Guntúr Councils and the inhabitants of Kumbakónam also join in the latter suggestion. Magdum Ravuttar of Dindigul points out that, under the District Municipalities Act, as amended, the profession-tax has become more or less an income-tax, and that persons who are assessed to an income-tax of Rs. 10 will be liable to a profession-tax of only Rs. 2. He accordingly suggests that it is highly desirable that the limit of Rs. 25 should be reduced to Rs. 12 and that the income-tax limit should be raised to Rs. 25.

The limit of profession-tax, viz., Rs. 25, prescribed in clause (*b*) is, as pointed out above, high, while the minimum amount of income-tax, which will qualify a person for being elected as a councillor, is the same as that prescribed in Rule 3 as a qualification for being registered as a voter. In view of the several representations now made and of the principle adopted in clauses (*a*), (*d*) and (*e*) of Rule 5 in fixing the minimum taxes which would qualify persons for election, at double the amounts prescribed in the corresponding clauses of Rule 3, it seems desirable to reduce the profession-tax limit in clause (*b*) to Rs. 8, and to raise that of the income-tax in clause (*c*) to Rs. 20.

(3) The Municipal Council of Guntúr, Karunakara Menon of Calicut and Koyamma Elaya of Cannanore point out that clauses (*b*) and (*c*) are unnecessarily stringent in excluding persons who have been assessed to the taxes therein specified,

but who have not paid them before the preparation of the lists and accordingly suggest that the words "are liable to pay" may be substituted for "have paid"; while the Municipal Council of Ellore suggests the substitution of the words "who have been assessed or liable to pay profession or income tax as per municipal or revenue accounts" for "have paid" and the Municipal Council of Bellary suggests that the words "in the preceding official year" may be substituted for "in the current official year". For the reasons given in paragraph 4 (2) *supra*, however, the words "have paid" will be altered into "are liable to pay".

(4) *Clause* (*e*).—Magdum Ravuttan of Dindigul suggests that if the income-tax limit is not raised as proposed above, the salary limit prescribed by this clause should be reduced to Rs. 45. The income-tax limit having now been raised [*vide* paragraph 6 (2) *supra*] it seems to be unnecessary to consider this suggestion.

(5) *Clause* (*f*).—Karunakara Menon of Calicut suggests that the minimum house-rent prescribed in this clause should be reduced from Rs. 10 to Rs. 6 a month to make that also double the minimum prescribed in the case of voters, while the inhabitants of Kumbakónam would raise this to Rs. 20.

A house-rent of Rs. 20 is very high. The minimum house-rent in the case of voters having now been raised to Rs. 5 [*vide* paragraph 4 (3) *supra*], there is no need to consider the proposal to reduce the limit to Rs. 6, but with reference to the alterations made in the corresponding clause of Rule 3, the following will be added at the end of this clause:—

"provided such payment is evidenced by receipts or accounts."

(6) The suggestion made by Jagadisa Aiyar of Vellore that all members of any Chartered Society of London should be eligible to be appointed as Councillors cannot be approved for the reason assigned in respect of a similar suggestion in regard to Rule 3—*vide* paragraph 4 (4) *supra*. The inhabitants of Kumbakónam propose that considering the great strides that education has made and is making in this Presidency, it would be well to require a little knowledge of English as a qualification for the Councillorship. The proposal is a good one; but please see paragraph 7 (3) of this note *infra*.

The Municipal Council of Vellore suggests that the undivided members of a Hindu family may also be voters or candidates when they are liable to be taxed separately or have other qualifications.

It is unnecessary to provide for such cases in the rules, as it is purely a question of fact whether a man claims qualification on account of taxes, &c., paid on his own account, in which case he will be eligible to be registered under the rules, or on account of the taxes, &c., paid by the joint family, in which case Note 1 will apply.

(7) *Proviso*.—The Municipal Council of Tinnevelly states that Rule 5 enables persons residing within two miles of the limits of the town to stand as candidates, although they may have no sort of interest in the town itself, and that the persons referred to in clauses (*c*) to (*g*) may stand as candidates although they neither possess any property within the town nor carry on any trade therein and accordingly suggests that the proviso should be so modified as to enable persons living outside the municipal limits to stand as candidates only if they possess the qualification referred to in clauses (*a*) or (*b*), as persons not possessing these special qualifications and residing outside the municipal limits may be nominated by Government, if necessary. This proposal is sensible and may be approved.

Karunakara Menon of Calicut points out that the wording of this proviso differs from that of the proviso to Rule 3, and suggests that, as this rule relates to the preparation of registers of candidates for election, the proviso to Rule 3 should be repeated *mutatis mutandis* under this rule, without any reference to the question of eligibility for election, which may be decided under the proviso to Rule 6.

It is submitted that the proviso may be recast as follows:—

"Provided that no person shall be entitled to be registered as eligible for election under this rule, unless he has been resident in the town or within two miles of the limits thereof for at least six months immediately preceding the publication of the list of candidates and in the latter

case unless he is possessed of the requisite qualification under clause (*a*) or (*b*), and no person shall be eligible for election unless his name appears in the list of candidates qualified for election prepared under Rules 7 to 10."

The rule will also be amended by the insertion of the words "entitled to be registered as" between "shall be" and "qualified" in the opening sentence.

(8) *Note* 1.—With reference to the suggestions made by Koyamma Elaya of Cannanore and Magdum Ravuttar of Dindigul, this note will also be modified on the lines of the corresponding note appended to Rule 3.

7. *Rule* 6—

"The following persons are disqualified for election :—

(*a*) All persons of the female sex.

(*b*) All persons under the age of 25 years.

(*c*) All persons who are municipal councillors or who hold office under the Madras District Municipalities Act.

(*d*) All persons who are Honorary Magistrates for the municipal town, unless the Governor in Council exempts them from the disqualification.

(*e*) All persons who have been convicted of any such offence or subjected by a criminal court to any such order as implies, in the opinion of the Governor in Council, a defect of character, which unfits them to be municipal councillors.

(*f*) Uncertificated bankrupts and undischarged insolvents.

(*g*) All persons interested, otherwise than as shareholders in a Joint Stock Company, in any contract made with, or work done for, the municipal council.

(*h*) Any person whose servant is a member of the municipal council or who is employed in the service of a municipal councillor.

(*i*) All persons of unsound mind and deaf-mutes.

(*j*) All servants of Government who have been dismissed for misconduct.

Provided that the disqualifications mentioned above exist at the time of nomination under Rule 16 *infra* or of election."

(1) *Clause* (*d*).—The Municipal Council of Berhampur suggests that Honorary Magistrates may be omitted from this clause, District Munsifs and Police officers being included instead, while the Collector of Kurnool would include Sub-Magistrates in municipal towns, as they have to try cases under the Municipal Regulations.

The proposal to omit Honorary Magistrates from this clause cannot be approved, as under section 10-A (*i*) (*d*) of the Act they are disqualified for election unless specially exempted by Government. The Sub-Magistrate in municipal towns is one of the Bench of Magistrates which tries cases under the municipal laws and while it is desirable to limit the number of Honorary Magistrates sitting on the Municipal Council, it seems to be unnecessary to disqualify Sub-Magistrates for election as Councillors. Nor does it appear to be desirable to exclude Police officers generally from standing for election, although in individual cases, in which the appointment of any particular officer is inadvisable, the Government can prevail upon him to resign his seat on the Council. The proposal to include District Munsifs in the category of disqualified persons however seems to be a good one and may be approved—*vide* G.O., No. 1566, Public, dated 11th December 1867.

(2) *Clause* (*j*).—Koyamma Elaya of Cannanore states that the word "misconduct" in this rule is too vague. If it is meant that the misconduct should be such as implies a defect of character or in consequence of which the person's re-employment in the public service is forbidden, it is suggested that the meaning should be made clear. It is, however, submitted that it is not necessary that the misconduct should be such as to imply a defect of character, but it is enough if the re-employment of the dismissed servant in the public service is forbidden. The words "provided their re-employment in the public service is forbidden" may accordingly be added at the end of this clause. A similar addition will also be made in the corresponding clause of Rule 14.

(3) The Berhampur Council would also add to the list of disqualified persons all who cannot read and write. The proposed addition appears to be very desirable and may be adopted, for if such persons get into the Council there is nothing to prevent their being elected as Chairmen. It is, however, observed that the expression "who cannot read and write" is rather vague, and it would be better to specify the language which a person must be able to read and write in order to be eligible for election as a candidate. As all the Proceedings of the Council are conducted in English and as knowledge of only the vernacular languages will not be of any use, it is for consideration whether it will not be desirable to prescribe that a person should be able to read and write English in order to be eligible for election as a candidate.

(4) Karunakara Menon of Calicut suggests that the opening sentence of this rule should be altered so as to correspond with that of Rule 4.

The proposed alteration, however, cannot be approved, for although it is the obvious intention of this rule to exclude the persons referred to in clauses (*a*), (*b*), (*i*) and (*j*) from being registered as eligible for election, yet it would be inequitable and probably illegal to deprive the other persons therein mentioned of the right to stand for election as Councillors by omitting their names from the list of candidates. For instance, a person may not be eligible to stand for election if at that time he is a Municipal Councillor—*vide* clause (*c*), but the fact of his being a Municipal Councillor cannot be said to disqualify him from being registered in the list of candidates as the disqualification may cease to exist subsequently. Again section 10-A of the Act and clause (*d*) of this rule which has been based on it say that an Honorary Magistrate is disqualified to be appointed a Municipal Councillor unless Government exempts him from the disqualification, but if the rule is altered as proposed, he will be excluded from the list, and then he will not be eligible to stand as a candidate, even if the Government exempts him from the disqualification subsequently at the time of the election—*vide* the Proviso to Rule 5. As regards clause (*e*) it has to be observed that the question whether the order of the Court implies a defect of character has to be decided by the Governor in Council before the preparation of the lists and this will throw much of unnecessary work on the Government office. In the case of persons specified in clauses (*f*), (*g*) and (*h*) although the disqualification may exist at the time of the preparation of the lists, it may cease to exist at the time of election. It seems, however, to be desirable to lay down clearly that the persons referred to in clauses (*a*), (*b*), (*i*) and (*j*) are not qualified to be registered as candidates for election and it is therefore submitted that a note to this effect may be added to Rule 5 and these four clauses omitted from Rule 6.

(5) *Clause* (*i*).—The Municipal Council of Chidambaram suggests that the words "and lepers" may be added at the end of this clause, while the Municipal Council of Vániyambádi, Koyamma Elaya of Cannanore and Mr. Fernandez of Tellicherry would add a separate clause disqualifying lepers and persons suffering from other loathsome or objectionable diseases of a permanent nature from being registered for election as Councillors. Magdum Ravuttar of Dindigul suggests that persons suffering from leprosy or other contagious diseases as would be declared to be dangerous to the public health and those who have not paid their profession or income tax on or before the date of the election within the year in which the election is held, should also be declared ineligible for election. He further states that in the case of lepers and persons suffering from contagious diseases, the Chairman should be empowered to reject such persons and that they can only be included in the lists if they produce medical certificates from the District Surgeon that they are not suffering from such diseases. The proposal to declare lepers ineligible for election may be approved, but the inclusion in this rule of persons suffering from loathsome or objectionable diseases cannot be approved for the reason assigned in paragraph 5 (3) *supra*. It seems also to be unnecessary to require the production of a certificate from the District Surgeon to prove that a person is not suffering from leprosy as it is a question of fact whether a man is suffering from the disease or not, and it may be left to the Chairman to call for such evidence as he considers necessary in the matter. The proposed inclusion of persons who have not actually paid profession or income tax before the date of election is unnecessary with reference to the alteration made in clauses (*b*) and (*c*) of Rule 5—*vide* paragraph 6 (3) *supra*.

(6) The Collector of Coimbatore suggests that it is desirable to limit the number of members of one family (not necessarily Hindus) that can sit on the same Council. The inhabitants of Kumbakónam state that there is an omission in the Act itself regarding persons disqualified for election and that while a master and his servant cannot be members of the same Council, there appears to be no prohibition against members of the same family crowding into the Council and forming a clique among themselves. As the Act now stands, uterine brothers, whether separated in interest or not, uncles and nephews, &c., may all sit in the same Council and form an impregnable majority for good or for evil.

In its report on the Bill to amend Act IV of 1884, the Select Committee proposed the following as sub-section 2 of section 10-A.:—"No person is qualified to be appointed a Municipal Councillor if any of his *relatives* or servants or any person, in whose service he is employed, is a member of the Municipal Council," and stated that the

object of the sub-section was to prevent "the formation of family cliques." The term "relatives" was defined in the Bill as meaning with reference to any individual "his lineal ancestors and descendants, fathers-in-law, mothers-in-law, sons-in-law, daughters-in-law, brothers, sisters, brothers-in-law, sisters-in-law, uncles, aunts, nephews, nieces, and first cousins." This word, however, was omitted from the above sub-section by the Legislative Council at its meeting held on the 11th March 1896, and the reasons for omitting it are nowhere stated. It is however for consideration whether the words "relative or" may not be inserted between "whose" and "servant" in clause (*h*) of this rule, the definition of "relatives" given in the Bill to amend the Act being added as a note to this rule.

Vide page 2 of the Select Committee's report, flagged M.

Vide page 3, lines 53 to 57 and page 4, lines 1 to 3 of the Bill flagged B.

8. *Rule* 7.—

"Lists of persons qualified to vote and to be elected in each ward shall be prepared and published by the Chairman on or before the 1st October in each year. Such publication shall be made by fixing a copy of the lists for each ward in some conspicuous position in that ward and in or near the municipal office, and the lists shall continue so affixed for one month."

(1) Magdum Ravuttar of Dindigul suggests that the words "with the assistance of the respective ward Councillor if any" should be inserted after "prepared" in this rule. The rules as they now stand impose the duty of preparing the lists on the Chairman, and it is for him to get the assistance of such persons as he considers necessary for the purpose. There is no reason why any special mention should be made of the ward Councillors in these rules.

The inhabitants of Kumbakónam suggest that the publication of the lists of voters and of candidates should be done in the same manner as lists of jurors and assessors. They state that at present the municipal executive entrust the lists to a subordinate, who is supposed to publish them, and that they are usually in the form of a book which he carries with him and shows only to those whom he wishes to favour, and therefore propose that the lists as prepared by the Chairman should be printed and copies of them pasted at the municipal office and in at least ten conspicuous places in the wards. The rule as it stands requires that the lists for each ward shall be published by fixing a copy of them in some conspicuous position in that ward and in or near the municipal office and this seems sufficient.

(2) In the draft rule the 1st of October in each year was fixed as the date on which the lists of voters and of persons qualified for election should be prepared and published by the Chairman. The lists prepared under this rule will, under Rule 11, come into operation on the 1st of January following, and will have effect for twelve months, *i.e.*, during the whole of the calendar year. It is, however, submitted that it is not possible that the new lists can be brought into force on the 1st of January next, as it is not likely that the draft order approving the amendments will be ready before the end of October, while the rules themselves cannot, under section 256 (2) of the Act, come into force before the expiry of three months from the date of their final publication. The Government can, however, in the special circumstances of the case, direct that the rules shall come into force before the expiry of the usual period of three months, but in any case it is not possible that the lists of voters, &c., can be prepared and published on the 1st October as originally proposed. The Hon'ble Member having expressed the opinion that it is immaterial whether these lists are for the calendar or for the official year, it is submitted that the date fixed in Rule 7 may be altered into 1st January. If this proposal is appoved, the date specified in Rules 8, 10 and 11 will have to be altered into 1st February, 20th March and 1st April, respectively.

Vide para. 6, page 5 of the note for orders issued vide No. 883 M, dated 7th May 1898 flagged

9. *Rule* 8.—

"Any person qualified to vote or to be elected, whose name is omitted from the list, may apply in writing to the Chairman of the Council on or before the 1st November next ensuing to enter his name therein, and any person objecting to the entry of any name in the list may, within the same period, lodge an objection thereto in writing with the Chairman, who shall pass orders on such claim or objection on or before the 20th idem."

Koyamma Elaya of Cannanore points out that the time allowed for raising objections to the lists of voters and of candidates is insufficient and states that applications for entering the names should be made on or before the 15th October or fifteen days after the publication of the lists and that objections should be made on or before

the 1st November. It seems, however, to be unnecessary to make any such distinction between claims and objections. As suggested by Magdum Ravuttar of Dindigul, the words "by hearing the parties in person" may be added at the end of this rule.

10. *Rule* 10.—

"The Collector of the district may, at any time not later than the 20th day of December next ensuing, for reasons which he shall record in writing, direct the Chairman of the Municipal Council to insert in, or remove from, the list of electors and of persons qualified to be elected for any ward the name of any person, upon which the Chairman shall at once give notice to the persons affected and shall correct the list or lists accordingly."

(1) Koyamma Elaya of Cannanore states that this rule does not say how the Collector is to exercise the power which it confers on him, and therefore suggests that the words "on the presentation of a revision petition or on his own motion" should be inserted in the rule. If the power to receive revision petitions is not expressly provided for, he points out that the Collector may decline to admit such petitions.

The proposed addition seems unobjectionable and may be approved.

(2) Mr. Fernandez of Tellicherry states that under Rule 9 the Chairman's order under Rule 8 upon an objection petition is final, subject to any correction which may be made by the Collector who has to pass the order within a fixed period under Rule 10. He thinks that there should be some control placed over the Chairman's order in this matter by way of an appeal to the Council, subject of course to the Collector's right to modify or cancel the order within the prescribed time. He instances a case in Tellicherry in which the Collector called for a report from the Chairman on an objection petition, but not having received the report in time, passed an order that he could not direct the alteration to be made as the prescribed time had elapsed, though he was apparently convinced that the objection should be allowed. In order that the right of a voter may not be prejudicially affected by similar accidents, he considers that the voter should have the advantage of an appeal to the Council, as the Council is sure to have a more intimate acquaintance with the local affairs than the Collector who is not likely to have sufficient time to go into these matters in detail.

In view, however, of the provision in Rule 10, under which the Collector is the revising authority of the Chairman's order, it seems to be unnecessary to complicate matters by giving a right of appeal to the Council.

(3) The Municipal Council of Chidambaram suggests that provision may be made for an appeal to Government against the orders passed by the Collector. This, however, is quite unnecessary.

11. *Rule* 11.—

"The ward lists of electors and of persons qualified to be elected shall thereupon be held to be completed and shall come into operation from the 1st day of January next ensuing, and shall continue in operation for twelve months. If on the occurrence of any vacancy among the elected members of the Council no valid lists are in existence, such vacancy shall be filled up by Government by nomination."

(1) The Municipal Council of Vellore suggests that the vacancy in elective seats which may occur when no valid lists are in existence should be filled up by election in accordance with the previous valid lists and not by Government, while Koyamma Elaya of Cannanore points out that the provision in this rule, that in the absence of valid lists of voters the vacancy among elected members should be filled up by Government by nomination, is calculated to enable an erring Chairman to defeat the elective system altogether; and to provide against this contingency he suggests that words to the following effect should be added to the last sentence of this rule:—

"Unless the absence of the lists is due to the laches of the Chairman, who will be liable to removal from his office if the Governor in Council finds that the omission to prepare the lists was intentional."

The Municipal Council of Ellore states that this rule is a retrograde step and ought not to affect the innocent public for the fault of the Chairman, and suggests that, in cases of such default, the former lists should be declared to hold good, the Chairman being directed to draw up fresh lists within a time to be fixed by Government.

Under No. 13 of the existing rules, the Governor in Council has power to extend the period of currency of the lists until fresh lists are completed under the rules. Municipal Councils, however, have frequently neglected to revise the lists within the prescribed dates and requested Government that, in order to permit of elections being held to fill up vacancies, the period of validity of the old lists might be extended. Although the Councils were repeatedly warned that any future neglect to comply with the provisions of the election rules would entail the loss of their elective privileges, there has been no improvement, and it was with a view to rouse Municipal Councils from their torpor and ensure the punctual preparation of these lists that the Government considered it desirable to make the rule absolute as to the period of currency of the lists and to provide that if no valid lists were in existence the vacancies should be filled up by Government by nomination. The suggestions made by the Municipal Councils of Vellore and Ellore amount to a reversion to a state of things which it is now sought to remedy and should not therefore be approved. Nor does it seem to be necessary to provide in these rules that any Chairman wilfully neglecting to prepare these lists shall be liable to removal, for, if it is proved that the Chairman intentionally omitted to prepare the lists, he may be removed under clause (iv) of section 19 (1) of the Act as amended, on the ground that his continuance in office is likely to bring the municipal administration into contempt.

(2) The Vice-Chairman of the Municipal Council of Cochin states that as under the existing rules the list of voters which is prepared on the 1st October of each year comes into force on the 1st December and continues in operation until 1st December of the following year, and as under the proposed rules the list prepared in October will come into force only in January, *i.e.*, a month after the lists prepared under the old rules cease to have force, all the Municipalities in the Presidency will be disenfranchised during the month of December immediately following the introduction of the new rules, and that all the elective seats in the Presidency falling vacant during that month will have to be filled up by Government by nomination—a contingency not contemplated by the rules. He therefore suggests that either the last sentence of Rule 11 should be eliminated or that it should be specifically provided that the lists in force at the time of the introduction of the new rules will continue in operation until the 1st January following.

The elimination of the last sentence of Rule 11 as proposed cannot be approved, as it has been advisedly put in for the reasons stated in the preceding clause. It is however to be noted that the date fixed for the delivery of the voters' lists in the several Municipalities of this Presidency is not now uniform. The difficulty raised by the Vice-Chairman of the Cochin Council can, however, be met by ordering under No. 13of the present rules that the existing lists shall be in operation until fresh lists are prepared or by the Municipal Councils keeping all vacancies open until the new lists under the revised rules are ready.

(3) The inhabitants of Kumbakonam suggest that the lists when completed may be published in the same manner as the original lists. This, however, seems to be unnecessary as no purpose can be served by such publication, while persons desirous of looking into them may obtain copies of the lists from the Municipal office on payment of the necessary fees.

12. *Rule* 12—

"No election shall be held to be invalid merely because of an irregularity in the preparation or publication of the lists of voters and of persons qualified to be elected or either of them, unless the irregularity is, in the opinion of His Excellency the Governor in Council, such as to affect materially the accuracy of such lists or list, in which case all vacancies occurring among the elected councillors before fresh lists have been correctly and regularly prepared in accordance with these rules shall be filled up by Government by nomination."

The Municipal Council of Ellore suggests that the words, "in which case all vacancies occurring among the elected councillors before fresh lists have been correctly and regularly prepared in accordance with these rules shall be filled up by Government by nomination", in this rule should be omitted, as it is not fair that the public should suffer in their privileges for any fault or neglect on the part of the Chairman and

* *Vide* paragraph 3 of the order proposed to be issued in 1894 ~~flagged D~~, and page 8 (paragraph 7) of the note for orders in G.O., No. 883, M., dated 7th May 1898.

that the Government should direct the Chairman to prepare fresh lists within a time to be fixed by Government and permit the former lists to be in force pending the completion of fresh lists. The Vice-Chairman of Cochin states that when a list has been declared to be materially inaccurate, the Council may be given an opportunity of amending the same within one month for the purpose of future elections.

It seems to be desirable to give the Council an opportunity of correcting the lists within some specified time, and, if it fails to do so, then the vacancies may be filled up by nomination by Government until fresh lists are prepared. The following may therefore be inserted after "case" in this rule :—

"the Government shall direct the Council to amend the lists within a specified time, and if the council fails to do so."

13. *Rule* 13—

"Elections shall be held as vacancies in elective seats occur, the choice of the particular ward where they should begin being left to the Collector in case the vacancy does not occur in any particular ward."

(1) The Municipal Council of Vellore states that this rule is not very explicit and should be recast. It is not stated in what respects the rule requires amendment; but as it is contemplated to introduce into this Presidency the system of holding the elections in all municipalties simultaneously, and as it is proposed to fix the date of the first general elections as the 1st February 1899—*vide* page 14 of the note in G.O., No. 883 M., dated 7th May 1898, it seems to be necessary to amend this rule so as to provide for these matters. Again, the object of the expression "the choice of the particular ward where they should begin being left to the Collector in case the vacancy does not occur in any particular ward" is not clear. It is apparently intended to cover the cases of those municipalities into which the elective system is for the first time introduced and it is therefore desirable that the rule should be altered accordingly in order to avoid misapprehension. The rule may therefore be amended as follows :—

"13. The first general elections shall be held in all the municipalties, in which the elective system of appointing Councillors is in force, on the 1st February next after these rules come into operation and every subsequent general elections, after the expiry of three years from the date of those immediately preceding. Elections to fill up vacancies in the elective seats which occur during the period intervening two general elections will, however, be held as vacancies occur. In Municipalities where the elective system is introduced for the first time, the choice of the particular ward where the elections should begin shall be left to the Collector."

(2) In paragraph 11 of the notification for orders in G.O., No. 883 M., dated 7th May 1898, it was proposed to issue when the revised Election Rules were finally published, a notification under the proviso to sub-section (1) of section 17 of the Act, prescribing the 1st of January as the date on which all Municipal Councillors appointed by election prior to that date in all the Municipalities should vacate office, and to fix the 1st of February 1899 as the date of the first general elections in all Municipalities. The date of delivery of the voters' lists having now been changed from 1st October to 1st January, the date of the notification under section 17 (1) should, it is submitted, be altered to 1st April 1899, which is the date on which the lists will come into force, and, as under rule 14, an election can be held at any time within two months after the occurrence of a vacancy without the special sanction of Government, and as there must be sufficient time to go through the preliminaries of an election, the date of the first general elections may be fixed as the 1st June 1899. If, as is apparent, it is intended that municipal elections all over the Presidency should be held on the same date, and that the date now fixed should be adhered to in the case of all future general elections, it is submitted that there are several practical difficulties in securing this end.

(*a*) In the first place a revision petition may be put in before the Collector against the Chairman's decision on objections to the list of nominations under Rule 18, and if the Collector's decision is for any reason not passed in time to permit of the inclusion of the candidate's name in the schedule of valid nominations referred to in Rule 19, the election will have to be postponed for such period as may be necessary for its inclusion.

(*b*) In the second, objections may be raised under No. 35 of the Election Rules to the validity of some of the elections and the enquiry and disposal of such objection petitions will delay the publication of the names of the successful candidates in the *Fort St. George Gazette*; while even in the case of uncontested elections and elections in which no objections have been taken, the necessary notifications cannot be issued until after the expiry of the period of fifteen days prescribed in Rule 34. The

result of most of the elections held on the 1st [illegible]une will thus be notified only after the expiry of fifteen days, while in the case [illegible]hers there may be delays of weeks and sometimes of months. As under section [illegible](1) of the Act, as amended, a Municipal Councillor continues in office for three y[illegible] from the date of the *Fort St. George Gazette*, wherein his appointment was notifie[illegible]e result will be that, on the 1st of June 1902, which is the date on which the [illegible] general elections should take place, none of the members will have vacated their seats, and it will not thus be possible to ensure either that the next general elections are held on the same day as that fixed for the present ones, or that those elections are held in all the Municipalities simultaneously.

The scheme of general elections contemplated in No. 13 of the election rules, as proposed to be revised, is not therefore practicable.

14. *Rule* 14—

"The day on which, the hours during which, and the places where, votes shall be taken shall be decided upon by the Chairman; but no election shall be held on Sundays or gazetted holidays. The day of election shall not be deferred for more than two months from the date of the vacancy without the special sanction of Government.

NOTE.—A gazetted holiday means a day which has been notified as a holiday in the *Fort St. George Gazette*, or in the official gazette of the district in which the municipality is situated."

(1) Koyamma Elaya of Cannanore and [illegible]the inhabitants of Kumbakónam suggest that the power of fixing the day, hour an[illegible] place of election should continue to be vested in the Municipal Council as at pres[illegible]t and not in the Chairman as in the draft rule, as such a provision will prevent th[illegible] Chairman from selecting undesirable or objectionable places for recording votes f[illegible]m bad motives. The Municipal Council of Vellore proposes that the Council shoul[illegible] have power to fix the place or that the Chairman may fix the place and that if it[illegible] objected to by any candidate, an appeal shall lie to the Council.

Under the existing rule the power o[illegible]ng the day, hour and place or election vests in the Council. As it was thought t[illegible]rable to avoid the delay and trouble involved in convening a meeting of the Cou[illegible] for this purpose, the power was vested in the Chairman. The only objection r[illegible] against this alteration is that the Chairman may select undesirable or obje[illegible]ble places for recording votes from bad motives and it is suggested that either [illegible]r should be restored to the Council or that there should be a right of appeal t[illegible]e Council against the Chairman's order. The proposal to restore to the Council t[illegible]power of selecting the time and place of elections should not, it is submitted, be ap[illegible]ved. Nor does it appear to be desirable or expedient to give to the candidates at t[illegible]lection a right of appeal to the Council against the Chairman's order on the subject[illegible] The candidates are nominated only sixteen days before the day of election, and tho[illegible]ominees cannot be expected to consider seriously about the desirability or otherw[illegible]e of the place of election, etc., until the schedule of nominations is published unde[illegible]Rule 17, which is fourteen days before the day of election. In the first place there[illegible]t not sufficient time for an appeal to the Council and for the Council to pass ord[illegible]s the appeal. Secondly, should there be a right of appeal to the Council against [illegible]lle[illegible]tairman's order, the result will be that no arrangements can be made by the Chai[illegible]non[illegible]r holding the election at the time and place originally fixed by him, until the appe[illegible]posed of by the Council; and if the Council disapproves the Chairman's selection [illegible]En[illegible] deal of delay and inconvenience will arise, as a fresh place will have to be selected. [illegible]reover, the Chairman may be trusted to fix the time and place of elections properly se[illegible]

(2) Mr. Fernandez of Te[illegible]y points out that this rule authorizes the Chairman to fix the day of el[illegible]n[illegible] that there is great objection to the rule standing as it is, for a Chairman[illegible]irm[illegible] if he chooses, delay the election to fill any particular vacancy unnecessarily by [illegible] holding the election within the period of two months, and he accordingly suggest[illegible] it should be laid down that the Chairman shall be bound to fix a date for holding t[illegible]ction ten days before the occurrence of every vacancy. The proposal seems to be[illegible]d one and may be adopted, but it appears to be better to lay down that the Chai[illegible] may fix the day of election at least ten days before, or within ten days after, the [illegible]rrence of a vacancy. The words "at least ten days before or within ten days after [illegible]occurrence of every vacancy" may therefore be inserted after "Chairman" in [illegible]le.

There may soon be political objections to it. Suppose a question of taxation is moved shortly before the general elections, there will be universal agitation, & agitators always being stronger than their real numbers, the election may less truly represent the popular voice than would the vote of Councillors fixed firmly in office.

15. *Rule* 15.—

"Thirty days before the day fixed by him [illegible] the election, the Chairman shall prepare and sign a notice thereof, stating the n[illegible]er of persons to be elected in each ward, the day on which, the hours during w[illegible] and the place where, if there be a poll, the votes of the electors will be taken, [illegible] date within which nominations must be submitted, and the person by whom [illegible] nominations will be received. Such notice shall be affixed in a conspicuous position at not less than three different places in each of the wards for which the election is to be held."

(1) Karunakara Menon of Calicut and Koyamma Elaya of Cannanore state that the words "and the person by whom the nominations will be received" occurring in this rule are inconsistent with the note under Rule 16, which says that the nominations "may be sent to the Chairman or delivered at the municipal office", for, although the Chairman may, under Rule 15, name a person by whom the nominations will be received, the nominators are not bound to hand over the nominations to such person, as under Rule 16 they are at liberty to deliver the same at the municipal office.

It is submitted that, in order to remove this inconsistency, the words "such person as the Chairman may have appointed for the purpose under Rule 15" may be substituted for "the Chairman or delivered at the municipal office" in clause (3) of Rule 16.

(2) Magdum Ravuttar, of Dindigul, suggests that the following should be added to this rule:—

"Printed lists of voters for the ward o[illegible] wards and of persons qualified to be elected shall also be prepared and hung at the municipal [illegible]fice."

The proposed addition seems to b[illegible] desirable and may be approved.

16. *Rule* 16.—

"Every candidate shall be nominated by [illegible] least two electors, in the following form, at least sixteen days before the date of the election:—

Municipality of———

ELECTION for the ward of [illegible]d on day of

We, the undersigned, nominate the unde[illegible]ned as candidate at the ensuing election:—

Name.	Description.	Abode.	Occupation.

Date

No elector shall nominate more candid[illegible]ed)

Nominations in the foregoing form ma[illegible]than there are vacancies.

pal office. [illegible]sent to the Chairman or delivered at the municipal office.

If no nominations are received within [illegible]prescribed date, the vacancy or vacancies shall be filled up by Government by nomination."

(1) Mr. Cumming, the Colle[illegible] Joint Secretary, states that the nomination paper should be signed by the non[illegible]token of his willingness to serve, as he believes this to be the practice in En[illegible] to be necessary, as under Rule 21, a candidate may, if he is unwilling to se[illegible] withdraw his candidature at any time before the close of the poll.

(2) Mr. Cumming also propos[illegible]t the nomination paper should be in duplicate, one copy to be signed by the Chairm[illegible] and returned to the nominators within 48 hours of its receipt in token of his [illegible] received the paper, and the other to be retained by him, and that failing th[illegible]ipt of the duplicate within the prescribed time, the proposer and the seconde[illegible]uld be allowed to send a nomination to the Divisional Officer for communicatio[illegible] the Chairman, as this will guard against the suppression of nomination papers.

The course suggested seems to be un[illegible]sary and complicated. Moreover, Rule 18 provides for a remedy in cases of su[illegible]sion of nomination papers by enabling a voter to put forward his objections to the [illegible]f nominations published under Rule 17.

(3) The Municipal Councils of Chi[illegible]naram and Ellore and the Vice-chairman of Cochin suggest that when no nominatio[illegible]re received for a vacancy, the Chairman should be authorized to publish a second [illegible]otice allowing thirty days' time after the date prescribed in the first notice and thus give the voters another chance of submitting nominations before the Government proceeds to fill up the vacancy by nomination.

The proposal seems to be a good one and may be approved, and the following words may be inserted between "date" and "the vacancy" in clause (4) of Rule 16 :—

"the Chairman shall give a further notice allowing thirty days' time from the date prescribed in the original notice, and if no nominations are received within that period,"

(4) Mr. Fernandez, of Tellicherry, proposes that the expression "nor shall he nominate more than one candidate if there is only one vacancy" may be added to the second clause of this rule which runs as follows :—

"No elector shall nominate more candidates than there are vacancies."

The object of the proposed addition is not understood, as the rule, as it stands, covers also the cases which the proposed addition contemplates.

(5) Magdum Ravuttar, of Dindigu[illegible] suggests that the rule should be amended so as to provide that candidates at an elec[illegible]ion shall be allowed to take copies of voters' lists at the municipal office with the per[illegible]ssion of the Chairman, or that copies of the list of voters of any ward in which such[illegible]persons stand as candidates may be granted to them on payment of a fee of 8 annas.

It seems, however, to be undesira[illegible]e to give the candidates at an election free access to the voters' lists at the municipal[illegible]ffice, so as to enable them to take copies of them. Nor does it appear to be necessa[illegible] to provide in these rules that the candidate may be granted copies of the lists on pa[illegible]ment of a fee, as this is a matter of administrative detail and as any person can, in t[illegible]e ordinary course of business, obtain copies of the records of the municipal office on [illegible]ayment of requisite fees. Moreover, under Rule 15 as proposed to be amended in[illegible]ragraph 15 (2) *supra*, copies of the lists of voters and of candidates have to be pub[illegible]d along with the notice of election, and any person desiring to have a copy of t[illegible]ts may take it from the published lists.

17. *Rule* 17.—

"The Chairman of the Municipal Counc[illegible], at least a fortnight before the election is held, publish, by a notice hung up in the Munic[illegible]ffice and in conspicuous places in the ward or wards for which election or elections are to [illegible]eld, a list of such nominations as appear to him valid, in the following form :—

Name.	Description.	Abode.	Ward for which nominated.
			"

(1) The Collector of Kistna s[illegible]s that the rule should be altered so as to require the publication of the list o[illegible]inations three weeks before the date of election instead of a fortnight as now[illegible]ided. He states that in the case of towns like Guntúr, situated at a distance from[illegible]Collector's head-quarters, it is not possible for the Collector to pass orders on re[illegible]petitions and communicate the same to the Chairman in time to enable h[illegible]ublish the list of valid nominations under Rule 19, that it is inevitable tha[illegible]arge majority of cases in which revision petitions are presented to the Collec[illegible]lections will have to be postponed under Rule 18 and that, as it must be in[illegible]ent to postpone the elections, the period should be extended as proposed. [illegible]so suggests that if this modification be approved, the periods fixed in Rules[illegible]d 16 may be raised to forty and twenty-four days respectively.

The proposed alterations seem[illegible]desirable and may be approved.

(2) Mr. Fernandez of Tellicherry suggests that the Chairman should be required to record his reasons for considering any nomination not valid and that an appeal should lie to the Collector against such order, as Rule 18 provides for an appeal only against the Chairman's orders in respect of the list of valid nominations published under Rule 17.

The proposed addition seems to be unnecessary as, under Rule 18, objections can be taken not only to the entry of any names made in the list of nominations, but also to any omissions therefrom and an appeal lies to the Collector against the Chairman's decisions on such petitions.

(3) The suggestion made by Koyamma Elaya of Cannanore that the words "in a conspicuous position at not less than three different places" should be substituted for "in conspicuous places" in this rule, may be adopted.

18. *Rule* 18.—

"The Chairman shall attend at the Municipal office on the third day after the day upon which the list of candidates nominated has been published, in order to hear any objections which may be made to that list. Such objections may be put forward by any registered voter in writing. The Chairman shall give his decision on every such objection in writing, which decision shall be final, unless, within one week of his giving the same, a petition for revision be put in before the Collector. In such case the Collector's decision shall be final. In case the objection is allowed, the decision of the Chairman shall be communicated to the candidate affected thereby. If the decision of the Chairman or the Collector under this rule is for any reason not passed in time to permit of the inclusion of the candidate's name in the schedule of valid nominations referred to in Rule 19, the election shall be postponed for such period as may be necessary for its inclusion."

(1) The Municipal Councils of Nellore and Chidambaram suggest that the expression "provided the same be not a Sunday or a gazetted holiday" be added after "third day" in this rule.

The proposed addition seems to be desirable and may be approved.

(2) The Municipal Council of Erode suggests that a limit should be fixed of the time for which elections may be postponed for want of information from the Collector as to the result of an appeal presented to him under this rule, as otherwise there would be inordinate delay in elections if the Chairman had to wait to hear from the Collector whether he has passed any order on an appeal presented to him.

It does not appear to be desirable to lay down any limit of time within which elections can be postponed under this rule. The period will vary according to the nature of the objection raised and the time that will be taken for its disposal and there is no use in laying down any hard and fast rule on the subject.

(3) Magdum Ravuttar of Dindigul suggests that the rule should be modified so as to empower the Collector to refer petitions submitted to him under Rules 10 and 18, to the Divisional officer for enquiry and report.

Such an amendment seems to be unnecessary, as there is nothing in the rules as they stand to prevent him from doing so.

19. *Rule* 19.—

"Three days before the election, the Chairman shall prepare a schedule of valid nominations of candidates for election in each ward and publish the same by affixing one copy to the Municipal office and copy in a conspicuous position in the ward."

The Municipal Council of Srirangam suggests, and the Collector of Trichinopoly supports the suggestion, that the period fixed in this rule should be increased from three to five days.

The proposal may be approved in view of the alterations in Rule 17 made in paragraph 17 (1) *supra*.

20. *Rule* 21.—

"Any candidate whose name is included in the list of valid nominations published under Rule 19 may withdraw his candidature before the close of the poll by a written and signed paper, which shall be delivered to the Chairman if the poll has not commenced, or to the polling officer if it has commenced. In such case Rule 20 shall apply as regards the remaining nominations. The Chairman shall remove such candidate's name from the list of candidates in considering the result of the election under Rule 29."

(1) The Municipal Council of Kumbakonam enquires whether, in cases where there are only two candidates for a seat, one of whom withdraws, if the withdrawal petition is presented to the Chairman before the commencement of the poll, the Chairman has power to stop the poll and whether if the withdrawal petition is presented to the polling officer after commencement of the poll, that officer can stop the poll at once and report the fact to the Chairman. The answer to these questions is in the affirmative, but as these are matters of detail, there is no need to make any express provision in the rule to this effect.

Note.
This alteration not being important has not been referred to in the above but the Rule has been amended
V. Raghavachariar

(2) The Municipal Council of E[illegible] proposes that the words "or marked" should be inserted between "signed" a[illegible] paper" in this rule so as to provide for the case of illiterate candidates, as wa[illegible] education is no disqualification under the rules.

The proposed addition seems to be un[illegible]ssary as "signed" includes "marked" —*vide* section 3 of the Madras General [illegible]auses Act I of 1891. Moreover under clause (*h*) of Rule 6 which is to be newly [illegible]dded, persons who cannot read and write are disqualified from being elected as Co[illegible]uncillors. *Vide* paragraph 7, (3) page 9, *supra*.

21. *Rule* 22.—

"In the case of a poll at an election, the Chairman shall appoint two members of the council who are neither councillors for the ward of which the poll is to be taken, nor registered voters in it—one to be identifying officer and the other polling officer at the time of the election. The identifying officer shall remain outside the booth, identify electors as they arrive, and send into the polling booth, one by one, those of them who are satisfactorily identified, with a ticket inscribed with their name and number to be delivered to the polling officer, who shall record their votes. It shall be the duty of the polling officer to see that the votes are recorded with absolute secrecy, that only electors are admitted to the polling booth, and that persons who have recorded their votes leave immed[illegible]tely."

(1) Mr. Fernandez of Tellicherr[illegible] and the Collector of Coimbatore state that this rule requires that the identifying office[illegible] should be some member of the Council who is neither a Councillor for the ward of [illegible] which the poll is taken, nor a registered voter in it; but as a Councillor of a different [illegible]rd cannot be expected to have that know-ledge of the voters which is necessary t[illegible]nable him to identify them as belonging to that ward, they suggest that the identif[illegible]g officer should always be a member of the ward. The Municipal Council of Vello[illegible] also considers that it is absolutely necessary that the identifying officer should be eit[illegible]r a Councillor for that ward or a registered voter in it, in order to be able to identi[illegible] electors and prevent false personation.

There does not appear to be any [illegible]tion to the identifying officer being a voter or councillor for the ward, although i[illegible]very undesirable that such persons should be appointed polling officers. On the [illegible]er hand, it would be advantageous to have as the identifying officer some one in t[illegible] with the voters in the ward rather than one who is quite unacquainted with t[illegible]. It is therefore submitted that the first sentence of the rule may be altered as[illegible]s :—

"In the case of a poll at an electi[illegible] Chairman shall appoint two members of the council, one to be identifying officer and [illegible]ther polling officer at the time of election, but t[illegible]e person appointed as polling officer shou[illegible]neither a Councillor for the ward of which the poll is to be taken nor a registered voter in[illegible]

(2) In view of the alteration p[illegible]ed above, it seems to be unnecessary to consider the suggestion of the Berhan[illegible] Council that the mode of identification of voters should be specially provided fo[illegible]he rules, seeing that the ward Councillors who may be expected to know most, i[illegible]all the voters in the ward, are prohibited from taking part in the elections, or t[illegible] the Ellore Council that the Chairman and his staff should be given admission [illegible]the polling booth in order to assist the identifying officer.

(3) The Collector of Coimbato[illegible]es that the Divisional officer of Erode takes exception to the polling officer being [illegible]ncillor, that it must be admitted that where party feeling runs high a great dea[illegible]ower is left in the hands of the Councillor selected a[illegible] polling officer and that suc[illegible]ystem is nowhere carried out in England and as under the new Act the elect[illegible]will fall once in three years besides bye-elections, he suggests that the arrange[illegible] should be put in the hands of the Divisional Officers, who should select as polling [illegible]rs such persons, officials or non-officials, unconnected with the Council as they [illegible]der most suitable. He further points out that the demand on their time will [illegible]e great and that the change will place all elections above suspicion and propos[illegible]t no Municipal servants should be allowed within or in the precincts of the polli[illegible]h, unless with the permission of the polling officer.

It does not seem to be necessa[illegible]legate to the Divisional Officers the power of conducting these elections which [illegible]ll be left in the hands of Chairmen. It is, however, observed that as all the [illegible]ed members will vacate their seats before each general election, the Chairman [illegible]ave to choose persons for appointment as identifying or polling officers from an[illegible]he nominated members; and as elections in

all the wards of a town will be held simultaneous
Councillors for appointment as identifying or po
as Tanjore, Kumbakónam, Bellary, Mangalore,
large number of wards and which have the max
Councils. For instance, Tanjore is divided into six wa
wards are to take place simultaneously, twelve Council
appointed as identifying and polling officers; but as there are only six nominated
Councillors including the ex-officio member, the Chairman will be in a fix in arrang-
ing for the elections. In order therefore to provide against such difficulties it seems
to be desirable to lay down that when a sufficient number of Councillors is not
available for appointment as identifying or polling officers, the Chairman may appoint
to these offices such persons as the Revenue Di sional officer considers desirable.
The proposal that Municipal servants may be allowed within the polling booth
with the permission of the polling officer is undesi able, as such power in the hands
of polling officers is liable to abuse. The rule a it stands absolutely prohibits the
entrance into the polling booth of all persons are not voters and it does not
appear that any object will be gained by autho the polling officer to admit
municipal servants. For the same reason, the sug tion of the Municipal Council of
Guntúr that the words "only electors are admitte into the polling booth" should
be omitted, cannot be adopted.

22. *Rule* 23.—

"The votes shall be given by ballot."

(1) The Municipal Council of Mangalore st s that in G.O., No. 977 M., dated
11th June 1896, it was held that a candidate at an ction was prohibited from voting
for himself, that there is no express provision in t draft rules to this effect, but that
it is unanimously of opinion that the rules should lare that a candidate is eligible
to vote for himself.

It is objectionable on principle that a candid should vote for himself; but as
the voting is by ballot, it is impossible to find out ether a candidate has voted for
himself or for others. It seems therefore to be able to prohibit candidates from
taking part in the ballot as has been done in th of the rules for the election of
Chairmen and Vice-Chairmen of Municipal Cou ad the following may be added
at the end of this rule :—

Vide No. 4 of the rules issued in G.Os., No. 61 M., dated 11th January 1898, and No. 1421 M., dated 15th August 1898.

"but no candidate at an election shall take part ballot."

(2) The Municipal Council of Máyavaran gests that absentee electors may
be permitted to vote by registering their votes b a Magistrate as is done in the
case of elections of fellows of the University. proposal, however, need not be
adopted as the Municipal elections differ from lection of University fellows, in
that all the electors in the former are residents Municipality, while in the latter
they are scattered all over the Presidency.

23. *Rule* 24.—

"The ballot of each elector shall consist of a lope supplied at the polling office, on
the face of which the number of vacancie filled and the names of the canditates
for election whose nominations have been ed in the nomination schedule for his
ward under Rule 19 shall be printed or l written. The elector shall write his
name and number inside the envelope a d it over to the polling officer, who
shall, after seeing that the name and s of the elector are legibly entered,
close the envelope, seal it or write his na oss the flap and give it to the elector.
In the case of illiterate electors, the officer shall enter their name and
number inside the envelope."

(1) The Municipal Council of Máyav suggests that the names of the
candidates who may have withdrawn their ca ure should be scored out from the
ballot paper. The suggestion is a good one y be adopted.

(2) The Collector of Coimbatore su hat on handing over the sealed
envelope to the voter, the polling officer shou off the name of the elector on the
list of electors as, unless he does so, the same may vote more than once.

This, however, seems to be unnecessary under Rule 27, the polling officer
has to satisfy himself that a person who prese nself to vote has not already voted
and it may be left to him to do this in such as he thinks best.

(3) Mr. Fernandez of Tellicherry l
between this rule and Rule 26, in that
write his name and number inside the
ballot paper being signed, and suggests tha
paper should be signed.

The signature referred to in Rule
and the words "sign across the flap" ma
the flap" in Rule 24.

(4) The suggestion of Magdum Re
may attend the polling booth if so desired
need not be adopted, as such a provisi
influence being exercised on the voters b

24. *Rule* 25.—

"The elector shall then go into a priv
polling booth, score out the name
vote, retaining the name or nam
persons to be elected for whom
ballot box which shall be so co
not extracted without the
sealed and certified by
being entrusted to the polling of
Collector in case of necessity."

(1) The Municipal Councils of T
should be so worded as to enable the p
of candidates for whom an illiterate voter
do so, while the Chairman of Tinnevelly
prohibited from scoring out the names
Koyamma Elaya of Cannanore states tha
rule that the polling officer should on
voter is in it unless the voter is liter
Councils of Tinnevelly and Ma ra a
improvements and may be adopted.

(2) The Chairman of Tinnevelly
made in this rule for enabling the voter
allowing the polling officer to see for wh

The words "so that the polling
may be inserted after "himself put the
the intention of the rule clear.

(3) Mr. Fernandez of Tellicherry
the ballot box, after being securely se
Chairman personally at the polling offi
provision, and the following words m
sentence of this rule:—

"to whom the Chairman shall hand
election."

(4) The suggestion of the C
arrangements were entrusted to the I
be provided that the duty of sealing th
should be done by that officer need not
been adopted.

25. *Rule* 26.—

"Any ballot paper which is not sig
which the names of more candi
shall be invalid."

Koyamma Elaya of Cannanore
ballot paper being signed, and that
officer are only required to write thei
on the flap, it is not clear what is n

ut that there is a want of agreement
ner rule says that "the elector shall
e," while the latter speaks of the
24 should also provide that the ballot

apparently that of the polling officer
substituted for "write his name across

ar that the expression "the Chairman
ould be added at the end of this rule
ill give rise to complaints of undue
resence in the booth.

icle, which should be provided within the
es of the candidates for whom he does not
he candidates, not exceeding the number of
tes and himself put the envelope into the
that the ballot paper can be introduced but
locked. The ballot boxes shall be securely
the Council, in writing, to be empty before
The envelopes may be opened only by the

evelly and Madura suggest that this rule
ng officer to strike out the name or names
es not vote, if such voter requires him to
nsiders that the polling officer should be
n at the request of the illiterate voter.
here should be a distinct provision in the
ount be at the private cubicle when a
The proposals made by the Municipal
oyamma Elaya of Cannanore are real

ests that an express provision should be
he envelope into the ballot box without
votes.

may not see for whom he has voted"
ope into the ballot box," so as to make

ests that this rule should provide that
d certified, should be delivered by the
he day of election. This is a desirable
added at the end of the penultimate

ersonally at the polling office on the day of

of Coimbatore, that if the polling
al officer as proposed by him, it should
boxes and certifying them to be empty
sidered, as the former proposal has not

sealed in the way required by Rule 24, or on
retained than there are persons to be elected,

hat Rule 24 does not provide for the
er that rule the voter and the polling
, the one in the envelope and the other
a "ballot paper which is not signed,"

referred to in Rule 26. He says that
opened except by the Collector in cases
does not refer to the elector and sugge
olling officer, it should be made clear.

The alteration in Rule 24 proposed i
tion of this rule clear.

26. *Rule* 27.—

"When a person presents himself to
he has a right to vote in the ward

The Municipal Council of Guntúr
that Rule 27 gives power to the polling
a right to vote in the ward in which t
takes the trouble of finding out whether
therefore held responsible for the pro
required to go over the same ground, it
wrangle between the polling officer
make one officer solely responsible for
officer, and when once a person is ident
by the polling officer as competent to v
"has a right to vote in the ward in que

The suggestion may be approved,

27. *Rule* 28.—

"At the close of the poll, the polling
their agents as may be present, s

"Certified that the election for the
day of at in my
with the rules."

Date
and securely seal and personally
at the Municipal office."

The Collector of Coimbatore sugg
by the polling officer to the Divisiona
duty of making arrangements for elec
not been accepted, the proposed amend

28. *Rules* 29 *and* 31.—

29. "On receipt of the ballot box f
Council shall, in the presence
councillors or members for som
held, open the ballot box and
signature witnessed by the sig
ballot papers shall then be fo
his seal and may not again b
These papers may be destroye
inquiry (if any) into the valid
final orders passed."

31. "In cases where there may ha
didates the Chairman shall ca

(1) For the reason assigned
the Collector of Coimbatore, that R
be opened by the Divisional officer a
to cast lots need not be considered.

(2) The proposal of Magdum
conducted the election" after "in t
not be adopted, as such a provision
witness the counting of the ballot
difference.

(3) The Municipal Council
be added to Rule 31:—

"Such casting of lots shall take p

It seems, however, to be unnec
place before a special meeting of th
meeting is convened, as there is no
on the spot, as required by the rule

Rule 25 the envelopes will not be
ssity, it is evident that the signature
if it is intended to be that of the

graph 23 (3) *supra* will make the inten-

he polling officer shall satisfy himself that
tion, and has not already voted."

Koyamma Elaya of Cannanore state
r to find out whether the elector has
ection is held. The identifying officer
the person who should vote and he is
entification. If the polling officer is
lead to complications and unnecessary
e identifying officer. It is better to
identification, that is, the identifying
by him and sent in, he must be accepted
They therefore suggest that the words
nd" should be omitted.
the provision referred to is unnecessary.

ficer, in the presence of such of the candidates or
sign the following certificate:—

ward was held this
esence and was conducted in accordance

(Signed)

Polling officer.

r the ballot box to the Chairman of the council

hat the ballot boxes should be delivered
er at his office. As the proposal that the
hould be left to the Divisional officer, has
unnecessary.

polling officer, the Chairman of the Municipal
o councillors, who shall be either nominated
other than that in which the election has been
he votes, and shall record the result under his
of the two municipal councillors present. The
to the Collector and sealed up by him under
except under his orders and in his presence.
aths after the date of the election, provided the
e election has by that time been concluded and

an equality of votes for any two or more can-
to who shall fill the vacancy."

preceding paragraph, the suggestions of
should provide that the ballot box should
Rule 31 should authorize the same officer

ar to add the words "other than those who
nce of two councillors" in Rule 29 need
essary. The fact that the Councillors who
conducted the election cannot make any

hmbaram suggests that the following should

ore a special meeting held for the purpose".

o require that the casting of lots should take
il or that it should be delayed until such a
tion to its being done by the Chairman and
present form.

Read

29. *Rule* 33.—

"Upon the expiration of the period menti
raised under Rule 35, the names o
to Government for publication in t
tion, the candidates shall not enter

Mr. Fernandez of Tellicherry sugg
to have been elected under Rule 20 (*b*
publication immediately after the electio
gazetting of a person who has been elec
days.

It is, however, observed that althou
of an uncontested election under clauses
an objection under clauses (*b*) and (*d*) m
the names of successful candidates at suc
of the period specified in Rule 34.

30. *Rule* 35.—

"The Collector shall then proceed to i
in charge of the division in w
the election held, which may onl
(*a*) that fraud, intimidation
materially affected the r
(*b*) that the person whose ele
held, not qualified as a
(*c*) that he was not duly elec
(*d*) that such an irregularity
of persons qualified to
the accuracy of such li

Karunakara Menon of Calicut sta
Collector of the power to enquire into
Divisional Officers are often discharg
chairmen, and, in such cases, the
it will be rediculous if, in such cases,
conduct of the election should enquir
it is desirable that Collectors themsel
said, the Council states, that, in cases
will not delegate the power to enq
Officers, but that such an instance act

It is no doubt undesirable that
objections made against the validit
does not seem to be a serious objecti
to pass final orders on these petitions

31. *Rule* 36.—

"At the conclusion of the inquir
he thinks fit, and report h
Collector under this rule, i
shall be final. In the case
pass orders."

Magdum Ravuttar of Dindigu
of deciding objection petitions aga
(*c*) in the hands of Collectors, each
of one member from each municip
respective Municipalities presided
is adopted, he states, the strength
bers, and recommends that the du

(1) deciding objection peti
(2) passing remarks on bu
palities in the distr
(3) framing bye-laws appl
(4) Interpellating the Pre
(5) passing remarks or o
through the Collec

The constitution of the Board
district is now able to discharge t
satisfactorily. Moreover, such a

V. Raghava Chetty
26/1/98

le 34, if there have been no objections
dates duly elected shall be forwarded
George Gazette and until such publica-
unctions as Municipal Councillors."

the names of candidates deemed
be forwarded to Government for
e appears to be no reason why the
osed should be detained for fifteen

bjection can be taken to the validity
c) of Rule 35, still it is possible that
ken and it is therefore desirable that
ns are not gazetted before the expiry

ther personally or by the Divisional officer
Municipality is situated, into the validity of
ioned on the ground—

ry was practised at such election and
ch election;
stioned was, at the time the election was

UBJE
jority of votes;
the preparation of the lists of voters and
or either of them, as to affect materially

this rule allows the delegation by the
n petitions to Divisional Officers, that
uties of Chairmen or are themselves
ave to be conducted by them and that
er who was responsible for the proper
objection petition, and suggests that
ue enquiry in such cases. It might be
ription above referred to the Collectors
objection petitions to the Divisional
rred lately in Calicut.

sional Officer should enquire into the
election conducted by himself, but this
der Rule 36 it is the Collector that has

tor shall pass such orders on the matter as
Government. All orders passed by the
petitions under Rule 35 (*a*), (*b*) and (*c*),
under Rule 35 (*d*), the Government will itself

su that, instead of leaving the entire power
tions presented under Rule 35 (*a*), (*b*) and
ould have a Municipal Board consisting
d by the Council or the Chairmen of the
Collector of the district. If this course
d will not in any case exceed five mem-
Board should be confined to—

No. 35 of the election rules;
administration reports of all the munici-

ll the municipalities in the district;
at Board, and
important municipal matters which pass

sted is unnecessary, as the Collector of the
hich it is proposed to assign to this Board
give rise to delays and complicate matters.

H. Irvine
4.10.98

98] H.W.R. Elliss
14.10.98

I suggest the insertion of the words "or in the printing of the ballot-papers", as a case occurred of a candidate's name being wrongly printed. This will require "or ballot-papers" at the end.
H.I.

F.P. 16&21
3.10.98

that some member of such firm or family may possess such qualification and it is well and good
the word "persons," which occurs

approval

Pm 4/11/7

LOCAL AND MUNICIPAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 1950 M., DATED 19TH NOVEMBER 1898.

SUBJECT.—*Rules for the election of Councillors in Mufassal Municipalities.*

G.O., No. 883 M., dated 7th May 1898.

File of replies received.

In the Government Order read above, the draft rules for the election of Municipal
councillors, framed under section 250 (1) (*a*) of the Act, as amended, were published
information and criticism under section 256 (1). The letters read above are the
s received.

2. The Municipal Councils of Cocanada and Nellore approve the proposed rules.
e remarks and suggestions made by the others will now be considered.

3. *Rule* 1.—

"For electoral purposes the municipalities enumerated in the schedule attached hereto
shall be divided into the wards specified against each. The number of elected coun-
illors for each ward shall be as shown in this schedule."

The
which is
Berhampu
the latter
suggests that
to the old Gun
requests that, in view of the fact that the municipality has not, ever since the grant
of the elective franchise, shown any cause for incurring the displeasure of Govern-
ment, but has been managing its affairs so satisfactorily as to win its approbation, the
number of elected councillors may be increased from ten to twelve out of a total
strength of twenty.

nicipal Council of Berhampur states that the Ramalingam tank ward,
portant one, has only a single elective seat assigned to it, while the
has four seats, and requests that one of the four seats assigned to
ay be transferred to the former. The Municipal Council of Guntúr
e elective seats may be assigned to the Sangadigunta ward and two
r ward instead of two and three, respectively, as at present and

The re-arrangement of the elective seats proposed by the Berhampur and the Guntúr Councils may be approved, but the request of the latter to increase the number of elected councillors cannot be complied with, as the Collector does not think that the time has yet come to increase this number—*vide* his endorsement on Current No. 2527 M.

H. TREMENHEERE.

H. W. B[LISS].

4. *Rule* 3.—

"The following persons shall be entitled to have their names registered as voters:—

(*a*) Every owner of buildings or lands situated within the limits of the municipality, who is liable to pay to the municipality a tax on buildings or on lands amounting, either separately or in the aggregate, to Rs. 4 per annum and upwards, provided such ownership is evidenced by registration in the municipal books.

(*b*) All persons who, in the current official year, have paid profession-tax to the amount of not less than Rs. 4.

(*c*) All persons who, in the current official year, have paid income-tax.

(*d*) All Government pensioners drawing Rs. 15 per mensem and upwards.

(*e*) All persons drawing a salary of Rs. 30 per mensem and upwards.

(*f*) All persons paying a house-rent of Rs. 3 per mensem and upwards.

(*g*) All graduates of any recognized University.

Provided that no person shall be entitled to have his name registered as a v
rule unless he has been resident in the ward or possessed of the nec
qualification under class (*z*) in the town, for at least six months imm
the day of publication of the register of voters.

NOTE 1.—The word "persons" in clauses (*b*), (*c*) and (*f*) above, includes
or associations or bodies of individuals, whether incorporated or not, and
Hindu families. The votes of such companies or families may be g
secretary of the company or by any partner, member or agent, whos
company or family shall cause to be entered in the municipal register.

NOTE 2.—A person may be registered for more wards than one, provided
requisite property qualification under clause (*a*) in each such ward, and
may vote in each such ward. A person who pays the requisite amount
entitle him to be a voter, but has his property scattered over more than or
be registered for any one such ward as he may elect.

NOTE 3.—In this Rule and in Rule 5, the word "house" includes a sh
building used for the storage of property."

(1) *Clause* (*a*).—The Municipal Council of Ellore states that there i
for increasing the minimum house-tax prescribed in this clause and sugges
any change is considered necessary to secure a round figure, the amount
reduced to Rs. 3, as by so doing, the franchise will be extended to a larger n
people and thus partly compensate for the decrease in the number of voters c
raising the qualification under the profession-tax, [clause (*b*).] This suggest
ever, cannot be approved. The minimum amount of house or land tax, the
of which would qualify a person to vote at elections, was fixed in the origi
at Rs 3-12-0, which was half of the maximum tax leviable under Act IV
on a house rented at Rs. 100 per annum. The maximum rate of the tax havi
raised to 8½ per cent. of the annual value in the amended Act, the Honourable
directed that the amount specified in this clause should also be increased to Rs.
which is half of this rate, or to Rs. 4 in round figure, and the latter figure, viz
has accordingly been adopted. The suggestion made by the inhabitants of K

H. TREMENHEERE,
H. W. B[LISS].

kónam that the minimum should be
to Rs. 5 cannot be adopted, as it do
appear to be desirable or necessa
increase this amount any further.

Muhammad Magdum Ravuttar, a Councillor of Dindigul, suggests that no p
should be considered as being qualified to be registered as a voter merely by r
of his name appearing in the municipal books, unless at the time of preparation
voters' lists he really owns such property. For instance, A's name may appe
the municipal books as the owner of certain property and if at the time of prepa
the lists he had sold it, but the registry had not been transferred in the nam
the purchaser, A's name will wrongly be included in the lists, but not the name
the real owner. It seems, however, unnecessary for the purposes of preparatio
voters' lists to enter into the question as to who is the real owner of the prope
It will be sufficient if the man's name is registered in the municipal books. If
property has been transferred by one person to another, it will in the natural cou

H.T.

Yes. We can't enquire as to ownership.
H.W.B.

of events be followed by the transfer
registry in the municipal books, and
should be the interest of the purchaser
see that this is done as soon as possible.

(2) *Clauses* (*b*) and (*c*).—The Municipal Councillors of Berhampur and Ellore
suggest that the minimum amount of profession-tax prescribed in clause (*b*) may be
reduced from Rs. 4 to Rs. 2. It is argued that a tax of Rs. 4 is imposed on persons
whose income or salary amounts to Rs. 100 a month, while under clause (*c*) of this
rule persons drawing a salary of Rs. 30 a month are entitled to be registered as voters,
and that as a tax of Rs. 2 is levied on persons drawing a salary of Rs. 50 a month, it
is more equitable to reduce the minimum limit of profession-tax to Rs. 2. The Tinne-
velly and Vániyambádi Councils suggest that all persons liable to pay profession-tax
may be registered as voters, as the number of voters will be very few, if the limit is
fixed at Rs. 4, there being in Vániyambádi only forty persons paying a profess
tax of Rs 4. Koyamma Elaya, a Municipal Councillor of Cannanore, states
under clause (*b*) a person may be a voter if he pays a profession-tax of

(6) *Note 1.*—Muhammad Magdum Ravuttar of Dindigul suggests that persons
possessing the qualification prescribed in clause (*a*) of this rule may also be included in
this note, as a company or family may possess such qualification and it is well and good
that some member of such firm or family should be allowed to vote. The note defines
the word
is desira
note, it

mad
Malr, that is, if his minimum income amounts to Rs. 100 a month or Rupees
and r, while under clause (*c*) a person whose income amounts to Rs. 500 a
Hindu ntitled to vote, as he is liable to pay income-tax, and points out that the
an ume qualification in the two cases is striking.

e minimum amount of profession-tax prescribed in the original rules was Rs. 3,
s the tax payable by persons assessed under class VI of the old schedule
to the District Municipalities Act. As there was no class in the revised
A, liable to a tax of Rs. 3, it was necessary to alter the minimum, which was
Rs. 4, as directed by the Hon'ble Member—*vide* his remarks on page 2 of
for orders in G.O., No. 883 M., dated 7th May 1898. In the circumstances
now stated, however, it is submitted that
the limit may be reduced to Rs. 2, which
is the tax on persons getting a monthly
income of Rs. 50.

H. TREMENHEERE.
I don't object.
H. W. B[LISS].

M.R.Ry. P. P. Karunakara Menon, a Councillor of Calicut, and the Municipal
of Guntúr, point out that clauses (*b*) and (*c*) of this rule make only those
ve already paid the requisite tax eligible for registration as voters, that
who have been assessed and are liable, but who have not already paid the tax,
refore disqualified and that, consequently, the rule is unnecessarily stringent.
ccordingly suggest that the words "are liable to pay" should be substituted
e paid", while the Ellore Council proposes that the words "who are assessed
to pay" should be substituted for "have paid" so as to avoid unnecessary
ument of voters' privileges in cases in which the assessees have neither paid the
nor paid it in full owing to the tax falling due in instalments. The Municipal
ncil of Tinnevelly and Koyamma Elaya of Cannanore point out that as the lists of
rs and of persons qualified to be elected are to be prepared in October of every
r under Rule 7 and as only one-half of the profession-tax due for the year could
e been paid by that time, clause (*b*) of Rule 3 and clause (*b*) of Rule 5, as they
stand, may mean that those who have actually paid Rs. 4 and Rs. 25, respectively,
the half-year will alone be entitled to be registered as voters and candidates, and
cordingly request that, if this be the intention of the rules, it may be made clear
oyamma Elaya of Cannanore adds that the above remarks apply to clause (*c*) of this
ule, so far as the expression "have paid" is concerned. He also states that clause
b) of Rule 3 provides that persons who have paid not less than Rs. 4 as profession-tax
are entitled to be registered as voters,
while clause (*a*) extends the right to all
those who are liable to pay the building
and land tax, and that this distinction which is invidious should be omitted. The
Bellary Council suggests that the words "in the preceding official year" may be
substituted for "in the current official year" in clauses (*b*) and (*c*), while the Canna-
nore Municipal Councillor would alter the term "official year" occurring in this and
in the following rules into "financial year" so as to bring it into accord with the
wording used in the District Municipalities Act.

But here there is the house to go against.
H.W.B.

It does not seem to be the intention of this Rule or of Rule 5, that only persons
who have paid a profession-tax of Rs. 4 and Rs. 25, respectively, before October of
every year, or in other words those who have paid these amounts as their profession-
tax for the first half-year, are entitled to be registered as voters and candidates. The
intention of this rule seems to be that the persons should be paying or liable to pay
annually the taxes specified. The proposal of the Ellore Council to substitute the
words "who are assessed or liable to pay" for "have paid" in these clauses, is open
to the objection that persons who are assessed to the tax at the time of the preparation
of the lists might subsequently become disqualified by reason of the tax being remitted
in whole or in part on appeal. The best
course therefore seems to be to substitute
the words "or liable to pay" for "have
paid" in clauses (*b*) and (*c*) of Rules 3 and
5 and thus bring them into accord with
clause (*a*). The suggestion of the Bellary
Council that the words "in the preceding official year" should be substituted for "in
he current official year" cannot be adopted as, owing to fluctuations in trade and other

Better keep "have paid". If people value the franchise let them pay up their second instalments in advance.
H.W.B.

I suggest "have paid at the rate of", to cover the case of instalments.
H.T.

a "Three d
elector

causes, a person who paid the tax in a previous year may not be liable
the next and as it can be ascertained before the preparation of the list
up only in October, whether or not a person is liable to the tax

H. TREMENHEERE. | year." The expression
H. W. B[LISS]. | occurring in these and in
rules may, however, be

"financial year," so as to bring it into accord with the wording of the A

(3) *Clause* (*f*) The inhabitants of Kumbakónam point out that t
house-rent of Rs. 3 entitling persons to vote at elections is too low, as per
a salary of Rs. 20 a month have in many cases to pay a rent of Rs. 3 a mo
while in consideration of their salary they are not eligible to vote, the ren
pay qualifies them. They accordingly suggest that the limit should be rai
Muhammad Magdum Ravuttar of Dindigul, while joining in the above
proposes that as the consideration of the question "whether any individua
under this clause" gives rise to much confusion and friction, it is desirable
a restriction to the effect that no persons should be allowed to have
registered in the lists of voters unless they produce registered documents
with accounts. The Negapatam Council and the Chairman of the Tinneve
pality, however, would raise the minimum house-rent prescribed by this ru
while Koyamma Elaya of Cannanore suggests that the word "paying"
altered into "liable to pay."

The minimum house-rent prescribed in this clause may be raised
suggested above; but t

Note.—The Honourable Member has not passed any orders on the proposal to increase the house-rent limit from Rs. 3 to Rs. 5.

H.T. | to require the productio
tered documents to pr
ment of rent cannot be
as the registered doc

V. RAGHAVA CHARLU.

there is one, will be in the possession of the owner of the house and not of t
who claims qualification under it, and there is no provision in the Act or in
enabling the Chairman or the Council to require its production as evidence
matters. Nor does it appear to be desirable to adopt the suggestion that th

H.T. | "liable to pay" should be sub
H.W.B. | for "paying" in this clause,
liability to pay is not sufficient

case. There does not, however, appear to be any objection to require the pr
of receipts or accounts to prove payment of rent. As thus modified clause (
stand as follows :—

I think this need not come into the rules, being a matter of evidence.

Just so.

H.T. | "(*f*) All persons paying a house
H.W.B. | Rs. 5 per mensem and upwards, provid
payment is evidenced by receipts or acc

(4) The suggestion made by Jagadisa Aiyar of Vellore, that all mem
any Chartered Society of London should be declared to be eligible to vote, need

H.T. | adopted, as the number of such
H.W.B. | is not likely to be so large as to
a provision in the rules to include
in the list of voters.

(5) *Proviso.*—Mr. Fernandez, a Municipal Councillor of Tellicherry, states t
the proviso to Rule 3, as it now stands, would seem to imply that a person possess
the requisite property qualification in any one ward is entitled to be registered a
voter in any other ward, which he may elect; but as from the tenor of Note 2 to R
3, this does not appear to be the intention of the rules, he proposes that the w
"town" in this proviso may be altered into "ward".

The above interpretation of the proviso is not correct and the proposed alterat

H.T. | will be inconsistent with Note 2, w
H.W.B. | provides for cases of persons
property scattered over more
ward.

(6) *Note 1.*—Muhammad Magdum Ravuttar of Dindigul suggests that persons possessing the qualification prescribed in clause (*a*) of this rule may also be included in this note, as a company or family may possess such qualification and it is well and good that some member of such firm or family should be allowed to vote. The note defines the word "persons," which occurs only in clauses (*b*), (*c*) and (*f*) of Rule 3 and as it is desirable to bring the owners of buildings and lands also within the purview of this note, it is submitted that clause (*a*) may also be inserted in this note and the expressions "every owner of" and "who is liable" in clause (*a*) of Rule 3, may be altered into "all persons owning" and "who are liable."

H. TREMENHEERE.
H. W. B[LISS].

Koyama Elaya of Cannanore states that it is not clear why undivided Muhammadan families are excluded from the definition of "persons," and points out that in Malabar a large section of Mapillas follow the Marumakkattayam law of succession and belong to undivided families. As the undivided family system is peculiar to the Hindus and does not obtain among the Muhammadans, it will be incorrect to talk of an undivided Muhammadan family. The word "Hindu" occurring before "family" may, however, be omitted, so as to cover the cases of Mapilas governed by the Marumakkatayam law.

H.T.
H.W.B.

(7) *Note 2.*—Muhammad Magdum Ravuttar of Dindigul raises the question, whether a man who possesses property in two wards, *e.g.*, two houses in a ward, one of which is assessed to a house-tax of Rs. 4 and the other of Rs. 2, and one house in another ward, on which a tax of Rs. 2–8–0 is assessed, can, in addition to his being registered as a voter in the former ward, claim to be registered as a voter in the latter by adding the tax of Rs. 2 on the second house in the first ward with that of the house in the second ward, viz., Rs. 2–8–0, thus making Rs. 4–8–0. The reply to this question is in the negative, but it is submitted that it is purely a matter of detail which it is unnecessary to provide for in the rules.

H.T.
H.W.B.

It is also pointed out by Koyama Elaya of Cannanore that the distinction, which appears to have been made in this note, between persons paying house or land tax and falling under clause (*a*) of Rule 3 and those falling under clauses (*b*) and (*c*) of the same rule is unnecessary. A person who possesses property qualification under clause (*a*) in more wards than one may be registered as a voter in each such ward, but persons falling under clauses (*b*) and (*c*) who may be paying a larger amount as profession or income tax in respect of trade or property in more than one ward can only be voters in one ward. It seems desirable to remove this anamoly, and as a similar argument applies to qualifications under clause (*f*) of Rule 3, the expression "the requisite qualification under clauses (*a*), (*b*), (*c*) or (*f*)" may be substituted for "the requisite property qualification under clause (*a*)".

H.T.

Better leave it as it is. I think property is one thing and personal qualifications another.

H.W.B.

(8) *Note* 3.—The Ellore Municipal Council suggests that cattle sheds, which in certain municipalities are separately assessed, should also be brought under the definition of "house" given in this note, unless occupation by cattle is covered by the expression "storage of property." This suggestion, however, cannot be adopted, as the definition of "house" given in this note has been adopted from the opinion of the Advocate-General in G.O., No. 2691 M., dated 3rd December 1897, and does not appear to be intended to cover cattle sheds. The interpretation of the expression "storage of property" as covering occupation by cattle seems far-fetched.

Vide Hon'ble Member's remarks on page 16 of the note for orders in G.O., No. 883 M., dated 7th May 1898.

H.T.
H.W.B.

(9) Mr. Fernandez of Tellicherry states that under the Proviso to Rule 3, residential qualification in a ward is made indispensable to entitle a person to be a voter in that ward, and that this is hard on those who live in rented houses in the municipality. A person exercises his profession in, say, ward A, where he has permanent business and pays the taxes specified in clauses (*b*) and (*c*) of Rule 3, but

...quiry and report. ...ular Officer for
they stand to prevent him from doing so.
19. *Rule* 19.—
"...ree days before the electi...

lives in a rented house in ward B for a time and then shifts to ward C. Is he to be regarded as a voter in ward B or C, in neither of which he has any permanent interest? Then, again, a person who carries on a trade or profession in any one ward of a municipality and pays the necessary taxes, resides outside the municipal limits. He is entitled to be elected as a Councillor under Rule 5, but he has no right to vote. This seems anomalous. It is therefore desirable that, in order to meet such cases, an option should be allowed to the tax-payer to elect the ward in which he wishes to be registered, viz., either the ward in which he lives, or the one in which he exercises his profession, and it is accordingly suggested that the following may be added as Note 4 to Rule 3 :—

This seems right; only residents should have votes.

H. W. B[LISS].

"*Note* 4.—A person exercising his profession in one ward, but living in another, may be registered in either of the wards which he may elect."

H. TREMENHEERE.

Yes. But this clashes with the proviso under which a man must be "resident in *the* ward" before he can be regarded as a voter. It ought to be "resident in the town."

H.W.B.

The suggestion seems to be a good one, but instead of making the proposed addition as Note 4, the following may be added to Note 2 :—

"A person exercising his profession in one ward, but living in another ward, may be registered in one of these wards which he may elect."

In this connection it has to be observed that while a person who carries on a trade or profession in any one ward of a municipality and pays the requisite amount of taxes to entitle him to be elected as a Councillor, but resides outside the municipal limits, is eligible for election as a Councillor under Rule 5, he is not now competent to vote. Section 10-A of the Act says that a person is qualified to be appointed a Councillor, whether he resides in the town or within two miles of the limits thereof, and this provision has been embodied in Rule 5. It seems desirable to extend this rule to the case of voters also, as it is anomalous that a man qualified to be a Councillor should not be competent to vote. The words "resident in the town or within two miles of the limits thereof" may therefore be substituted for "resident in the ward" occurring in the Proviso to Rule 3.

H.T.

I think not. See above.

H.W B.

5. *Rule* 4.—

"The following persons are disqualified from being registered as voters :—

(*a*) Persons who are less than 21 years of age.

(*b*) Persons who have been convicted of any such offence or subjected by a criminal court to any such order as implies a defect of character.

(*c*) Persons of unsound mind and deaf-mutes."

(1) The Municipal Councils of Berhampur and Karúr, the Chairman of the Municipal Council of Tinnevelly and Mr. Fernandez of Tellicherry propose that females should also be included among persons disqualified from being registered as voters. It is stated that women of respectability will not undertake to exercise this privilege owing, among other reasons, to the fact that they are prohibited by custom from taking part in any public function. Besides, the majority of them do not understand or appreciate it. In Presidency towns women are not allowed to vote and it does not seem to be consistent that in less advanced places they should have the privilege. The Karúr Council further remarks as follows :—

"It may look illiberal to suggest the disenfranchisement of women, but the consequences resulting from the women's rights at the municipal elections under the present conditions are too serious to be let alone. There may be a time when we may demand for our women this and other privileges, but at present the right to elect councillors will do more harm than good."

Mr. Fernandez of Tellicherry states, in support of this suggestion, that the majority of females in that part of the country (apparently means Malabar) being Muhammadans and Sudras, it will be difficult to identify them as they live in seclusion. But the Collector of Coimbatore considers that the disenfranchisement of females will be a retrograde step.

What else can he mean?

H.W.B.

It must be admitted with regret that the majority of the Indian women of the present day and particularly those in this Presidency are in a backward condition and cannot appreciate the advantage of the elective franchise which they cannot exercise, not being allowed by custom to appear freely in public or to take part in public matters. It will be several years before this state of affairs may be expected to improve so as to render the extension of the privilege to women desirable, and at present the privilege is almost a dead letter. It is therefore submitted that, following the practice obtaining in the Madras Municipality, the franchise may be withdrawn from women for the present. If this proposal is approved, it will be unnecessary to consider the suggestion made by the Collector of Kurnool that a separate date or at least separate hours should be selected for the voting of women.

Vide section 9 (*a*) of the City of Madras Municipal Act.

I don't think it need or should be withdrawn.

H. TREMENHEERE.

Better withdraw it, I think.

H. W. B[LISS].

(2) The Municipal Council of Negapatam suggests that all illiterate persons should be declared to be disqualified to vote, while the inhabitants of Kumbakónam would exclude all persons who cannot sign their own names from the privilege of voting at elections. These proposals, however, seem to be inexpedient, as they will exclude a large number of persons from the franchise, most of the artisans, traders, &c., in the mufassal towns being illiterate.

H.T.

Nearly all these people can at least sign their names. It may be left as it is, but Rule 25 should not be altered so as to assist illiterate voters.

H.W.B.

(3) The Municipal Council of Vániyambádi and Mr. Fernandez of Tellicherry propose that among the disqualified persons specified in this rule, lepers and persons suffering from other contagious and loathsome diseases should be included. Magdum Ravuttar of Dindigul, while joining in this suggestion, also proposes the addition of the two following clauses to Rule 4 :—

"(i) Government servants dismissed from service for misconduct.

(ii) Persons who are not assessed or who have not paid profession or income tax in the year in which the election is held."

The proposed inclusion of lepers and Government servants dismissed for misconduct among persons disqualified to vote may be approved, but the proposal to extend the prohibition to persons suffering from other contagious and loathsome diseases must be disallowed, as the expression "other contagious and loathsome diseases" is indefinite. As the term "Leper" is defined in the Leper Act III of 1898 (India) as meaning "any person suffering from any variety of leprosy in whom the process of ulceration has commenced," it is submitted that a note embodying this definition may be added to this rule and also to Rule 6. The addition of clause (ii) proposed by Magdum Ravuttar is unnecessary, with reference to the alterations in clauses (*b*) and (*c*) of Rule 3 proposed in paragraph 4 (2) *supra*.

I do not think so.

H.T.

H.W.B.

I think it inadvisable to exclude lepers.

H.T.

(4) *Clause* (*b*).—Karunakara Menon of Calicut and Koyamma Elaya of Cannanore point out that this clause does not specify the authority which should decide whether or not an order of a Criminal Court implies a defect of character. As, under the corresponding clause (*e*) of Rule 6, this question is to be decided by the Governor in Council (*vide* section 10-A of the Act), the latter suggests that, in the case of voters, the Collector of the district should be designated as the deciding authority. The suggestion is a good one and may be adopted.

H.T.

H.W.B.

6. *Rule* 5.—

"The following persons shall be qualified for election as Councillors :—

(*a*) Every owner of buildings or lands situated within the limits of the municipality, who is liable to pay to the municipality a tax on buildings or on lands amounting, either separately or in the aggregate, to Rs. 8–8–0 per annum and upwards, provided that such ownership is evidenced by registration in the municipal books.

(*b*) All persons who, in the current official year, have paid profession-tax to the amount of not less than Rs. 25.

(*c*) All persons who, in the current official year, have paid income-tax.

(*d*) All Government pensioners drawing Rs. 30 per mensem and upwards.

(*e*) All persons drawing a salary of Rs. 60 per mensem and upwards.

(*f*) All persons paying a house-rent of Rs. 10 per mensem and upwards.

(*g*) All graduates of any recognized university.

"Provided that no person shall be eligible for election unless his name appears in the list of candidates qualified for election, prepared under Rules 7 to 10, and unless he has been resident in the town or within two miles of the limits thereof for at least six months immediately preceding the publication of the list of candidates.

NOTE 1.—When a company or an undivided Hindu family has fulfilled the conditions prescribed in clauses (*b*), (*c*) and (*f*) of this rule, only one member thereof, whose name the company or family shall cause to be entered in the municipal register, shall be eligible to be elected as a Municipal Councillor.

NOTE 2.—A person whose name has been registered in the list of persons qualified to be elected for any one ward of a municipality may stand for election in any other ward."

(1) *Clause* (*a*).—The inhabitants of Kumbakónam suggest that the minimum amount of the tax on buildings and lands which is specified in this clause as qualifying a person to be elected as a Councillor may be raised to Rs. 12, as a person who pays only a tax of Rs. 8–8–0 cannot possess an income of more than Rs. 100 per annum.

In the original rules, the minimum amount of house or land tax, the payment of which was held to qualify a person to be elected as a Councillor, was fixed at Rupees 7–8–0, which was the maximum tax payable by a person owning a house fetching an annual rental of Rs. 100. As the maximum rate of the tax was increased to 8½ per cent. by the Amendment Act, the limit specified in this clause was also raised to Rs. 8–8–0, which is double the tax that would qualify a person to vote at elections (*vide* Rule 3). The limit of Rs. 12 proposed seems to be high and cannot be approved.

H. TREMENHEERE.
Say 10.
H. W. B[LISS].

(2) *Clauses* (*b*) and (*c*).—The Municipal Council of Berhampur suggests that the minimum amount of profession-tax prescribed in clause (*b*) may be reduced to Rs. 8, which is the tax leviable on persons whose annual income is Rs. 200, while the Municipal Council of Vániyambádi would reduce it to Rs. 4, as in minor municipalities there will be very few persons paying a profession-tax of Rs. 25 a year to entitle them to seats on the Municipal Council. It is also stated that in Vániyambádi there is only one person paying a profession-tax of Rs. 25 and none pays more than that amount. Koyamma Elaya of Cannanore and Karunakara Menon of Calicut state that under clause (*b*) a person may be elected as a Councillor if he pays a profession-tax of not less than Rs. 25 a year, while all persons paying income-tax, however low it may be, are entitled to be registered as candidates for election under clause (*c*). A profession-tax of Rs. 25 will cover an income of Rs. 500 to Rs. 1,000 *a month* under class IV of schedule A appended to the Act, while a person whose income amounts to Rs. 500 *a year* will be liable to pay income-tax and thus be eligible for election. It is therefore suggested that the profession-tax limit should be reduced to Rs. 8 a year which is double the minimum required for voters, as in the cases falling under clauses (*a*), (*d*) and (*e*) of this rule, and that the amount of income-tax, the payment of which would qualify a person for election, should be raised to at least Rs. 20 a year to make it also double the minimum prescribed for voters under Rule 3. The Berhampur and the Guntúr Councils and the inhabitants of Kumbakónam also join in the latter suggestion. Magdum Ravuttar of Dindigul points out that, under the District Municipalities Act, as amended, the profession-tax has become more or less an income-tax, and that persons who are assessed to an income-tax of Rs. 10 will be liable to a profession-tax of only Rs. 2. He accordingly suggests that it is highly desirable that the limit of Rs. 25 should be reduced to Rs. 12 and that the income-tax limit should be raised to Rs. 25.

The limit of profession-tax, viz., Rs. 25, prescribed in clause (*b*) is, as pointed out above, high, while the minimum amount of income-tax, which will qualify a person for being elected as a Councillor, is the same as that prescribed in Rule 3 as a qualification for being registered as a voter. In view of the several representations now

made and of the principle adopted in clauses (*a*), (*d*) and (*e*) of Rule 5 in fixing the minimum taxes which would qualify persons for election, at double the amounts prescribed in the corresponding clauses of Rule 3, it seems desirable to reduce the profession-tax limit in clause (*b*) to Rs. 8, and to raise that of the income-tax in clause (*c*) to Rs. 20.

H. TREMENHEERE.
H. W. B[LISS].

(3) The Municipal Council of Guntúr, Karunakara Menon of Calicut and Koyamma Elaya of Cannanore point out that clauses (*b*) and (*c*) are unnecessarily stringent in excluding persons who have been assessed to the taxes therein specified, but who have not paid them before the preparation of the lists and accordingly suggest that the words "are liable to pay" may be substituted for "have paid"; while the Municipal Council of Ellore suggests the substitution of the words "who have been assessed or liable to pay profession or income tax as per municipal or revenue accounts", for "have paid" and the Municipal Council of Bellary suggests that the words "in the preceding official year" may be substituted for "in the current official year". For the reasons given in paragraph 4 (2) *supra*, however, the words "have paid" will be altered into "are liable to pay".

Have paid at the rate of.
H.T.
No—see above.
H.W.B.

(4) *Clause* (*e*).—Magdum Ravuttar of Dindigul suggests that if the income-tax limit is not raised as proposed above, the salary limit prescribed by this clause should be reduced to Rs. 45. The income-tax limit having now been raised [*vide* paragraph 6 (2) *supra*] it seems to be unnecessary to consider this suggestion.

H.T.

(5) *Clause* (*f*).—Karunakara Menon of Calicut suggests that the minimum house-rent prescribed in this clause should be reduced from Rs. 10 to Rs. 6 a month to make that also double the minimum prescribed in the case of voters, while the inhabitants of Kumbakónam would raise this to Rs. 20.

A house-rent of Rs. 20 is very high. The minimum house-rent in the case of voters having now been raised to Rs. 5 [*vide* paragraph 4 (3) *supra*], there is no need to consider the proposal to reduce the limit to Rs. 6, but with reference to the alterations made in the corresponding clause of Rule 3, the following will be added at the end of this clause :—

I deprecate this.
H.T.
Not needed.
H.W.B.

"provided such payment is evidenced by receipts or accounts."

(6) The suggestion made by Jagadisa Aiyar of Vellore that all members of any Chartered Society of London should be eligible to be appointed as Councillors cannot be approved for the reason assigned in respect of a similar suggestion in regard to Rule 3—*vide* paragraph 4 (4) *supra*. The inhabitants of Kumbakónam propose that considering the great strides that education has made and is making in this Presidency, it would be well to require a little knowledge of English as a qualification for the Councillorship. The proposal is a good one; but please see paragraph 7 (3) of this note *infra*.

H.T.
H.W.B.

The Municipal Council of Vellore suggests that the undivided members of a Hindu family may also be voters or candidates when they are liable to be taxed separately or have other qualifications.

It is unnecessary to provide for such cases in the rules, as it is purely a question of fact whether a man claims qualification on account of taxes, etc., paid on his own account, in which case he will be eligible to be registered under the rules, or on account of the taxes, etc., paid by the joint family, in which case Note 1 will apply.

Who shall examine? Undesirable.
H.T.
H.W.B.

they stand to prevent him from doing so.

19. *Rule* 19.—

(7) *Proviso.*—The Municipal Council of Tinnevelly states that Rule 5 enables persons residing within two miles of the limits of the town to stand as candidates, although they may have no sort of interest in the town itself, and that the persons referred to in clauses (*c*) to (*g*) may stand as candidates although they neither possess any property within the town nor carry on any trade therein and accordingly suggests that the proviso should be so modified as to enable persons living outside the municipal limits to stand as candidates only if they possess the qualification referred to in clauses (*a*) or (*b*), as persons not possessing these special qualifications and residing outside the municipal limits may be nominated by Government, if necessary. This proposal is sensible and may be approved.

H. TREMENHEERE.

If the voters like to elect non-residents, why should not they? Leave it as it is.

H. W. B[LISS].

Karunakara Menon of Calicut points out that the wording of this proviso differs from that of the proviso to Rule 3, and suggests that, as this rule relates to the preparation of registers of candidates for election, the proviso to Rule 3 should be repeated *mutatis mutandis* under this rule, without any reference to the question of eligibility for election, which may be decided under the proviso to Rule 6.

It is submitted that the proviso may be recast as follows:—

"Provided that no person shall be entitled to be registered as eligible for election under this rule, unless he has been resident in the town or within two miles of the limits thereof for at least six months immediately preceding the publication of the list of candidates and in the latter prepared under Rules 7 to 10."

H.T.

For "candidates—election" *substitute* "persons so eligible."

H.W.B.

The rule will also be amended by the insertion of the words "entitled to be registered as" between "shall be" and "qualified" in the opening sentence.

H.T.

Eligible?

H.W.B.

(8) *Note* 1.—With reference to the suggestions made by Koyamma Elaya of Cannanore and Magdum Ravuttar of Dindigul, this note will also be modified on the lines of the corresponding note appended to Rule 3.

7. *Rule* 6.—

"The following persons are disqualified for election:—

(*a*) All persons of the female sex.

(*b*) All persons under the age of 25 years.

(*c*) All persons who are municipal councillors or who hold office under the Madras District Municipalities Act.

(*d*) All persons who are Honorary Magistrates for the municipal town, unless the Governor in Council exempts them from the disqualification.

(*e*) All persons who have been convicted of any such offence or subjected by a criminal court to any such order as implies, in the opinion of the Governor in Council, a defect of character, which unfits them to be municipal councillors.

(*f*) Uncertificated bankrupts and undischarged insolvents.

(*g*) All persons interested, otherwise than as shareholders in a Joint Stock Company, in any contract made with, or work done for, the municipal council.

(*h*) Any person whose servant is a member of the municipal council or who is employed in the service of a municipal councillor.

(*i*) All persons of unsound mind and deaf-mutes.

(*j*) All servants of Government who have been dismissed for misconduct.

Provided that the disqualifications mentioned above exist at the time of nomination under Rule 16 *infra* or of election."

(1) *Clause* (*d*).—The Municipal Council of Berhampur suggests that Honorary Magistrates may be omitted from this clause, District Munsifs and Police officers being included instead, while the Collector of Kurnool would include Sub-Magistrates in municipal towns, as they have to try cases under the Municipal Regulations.

The proposal to omit Honorary Magistrates from this clause cannot be approved, as under section 10-A (*i*) (*d*) of the Act they are disqualified for election unless specially exempted by Government. The Sub-Magistrate in municipal towns is one of the Bench of Magistrates which tries cases under the municipal laws and while it is desirable to limit the number of Honorary Magistrates sitting on the Municipal Council, it seems to be unnecessary to disqualify Sub-Magistrates for election as Councillors. Nor does it appear to be desirable to exclude Police officers generally from standing for election, although in individual cases, in which the appointment of any particular officer is inadvisable, the Government can prevail upon him to resign his seat on the Council. The proposal to include District Munsifs in the category of disqualified persons however seems to be a good one and may be approved—*vide* G.O., No. 1566, Public, dated 11th December 1867.

H. TREMENHEERE.

H. W. B[LISS].

H.T.

H W.B.

(2) *Clause* (*j*).—Koyamma Elaya of Cannanore states that the word "misconduct" in this rule is too vague. If it is meant that the misconduct should be such as implies a defect of character or in consequence of which the person's re-employment in the public service is forbidden, it is suggested that the meaning should be made clear. It is, however, submitted that it is not necessary that the misconduct should be such as to imply a defect of character, but it is enough if the re-employment of the dismissed servant in the public service is forbidden. The words "provided their re-employment in the public service is forbidden" may accordingly be added at the end of this clause. A similar addition will also be made in the corresponding clause of rule 4.

Not necessary, I think. Many are dismissed; the employment of few is forbidden.

H.T.

H.W.B.

(3) The Berhampur Council would also add to the list of disqualified persons all who cannot read and write. The proposed addition appears to be very desirable and may be adopted, for if such persons get into the Council there is nothing to prevent their being elected as Chairman. It is, however, observed that the expression "who cannot read and write" is rather vague, and it would be better to specify the language which a person must be able to read and write in order to be eligible for election as a candidate. As all the proceedings of the Council are conducted in English and as knowledge of only the vernacular languages will not be of any use, it is for consideration whether it will not be desirable to prescribe that a person should be able to read and write English in order to be eligible for election as a candidate.

Not recommended.

H.T.

We are not likely to have such case.

H.W.B.

NOTE.—It is however submitted that there have been some such cases, *e.g.*, Namasivaya Chetti in Conjeeveram, Thitharappa Mudaliyar in Tinnevelly and T. A. Alaga Pillai in Máyavaram. These got into the Chairmanship and had to sign in the vernacular all letters addressed to Government.

V. RAGHAVA CHARLU.

(4) Karunakara Menon of Calicut suggests [illegible] opening sentence of this rule should be altered so as to correspond with that of rule 4.

[illegible] seems to be unnecessary, as there is nothing in the rules [illegible] to prevent him from doing so.

19. *Rule* 19.—

"[illegible] ee days be[illegible]

The proposed alteration, however, cannot be approved, for although it is the obvious intention of this rule to exclude the persons referred to in clauses (*a*), (*b*), (*i*) and (*j*) from being registered as eligible for election, yet it would be inequitable and probably illegal to deprive the other persons therein mentioned of the right to stand for election as Councillors by omitting their names from the list of candidates. For instance, a person may not be eligible to stand for election if at that time he is a Municipal Councillor—*vide* clause (*c*), but the fact of his being a Municipal Councillor cannot be said to disqualify him from being registered in the list of candidates as the disqualification may cease to exist subsequently. Again section 10-A of the Act and clause (*d*) of this rule which has been based on it say that an Honorary Magistrate is disqualified to be appointed a Municipal Councillor unless Government exempts him from the disqualification, but if the rule is altered as proposed, he will be excluded from the list, and then he will not be eligible to stand as a candidate, even if the Government exempts him from the disqualification subsequently at the time of the election—*vide* the proviso to rule 5. As regards clause (*e*) it has to be observed that the question whether the order of the Court implies a defect of character has to be decided by the Governor in Council before the preparation of the lists and this will throw much of unnecessary work on the Government office. In the case of persons specified in clauses (*f*), (*g*) and (*h*) although the disqualification may exist at the time of the preparation of the lists, it may cease to exist at the time of election. It seems, however, to be desirable to lay down clearly that the persons referred to in clauses (*a*), (*b*), (*i*) and (*j*) are not qualified to be registered as candidates for election and it is therefore submitted that a note to this effect may be added to rule 5 and these four clauses omitted from rule 6.

H. TREMENHEERE.

H. W. B[LISS].

(5) *Clause* (*i*).—The Municipal Council of Chidambaram suggests that the words "and lepers" may be added at the end of this clause, while the Municipal Council of Vániyambádi, Koyamma Elaya of Cannanore and Mr. Fernandez of Tellicherry would add a separate clause disqualifying lepers and persons suffering from other loathsome or objectionable diseases of a permanent nature from being registered for election as Councillors. Magdum Ravuttar of Dindigul suggests that persons suffering from leprosy or other contagious diseases as would be declared to be dangerous to the public health and those who have not paid their profession or income tax on or before the date of the election within the year in which the election is held, should also be declared ineligible for election. He further states that in the case of lepers and persons suffering from contagious diseases, the Chairman should be empowered to reject such persons and that they can only be included in the lists if they produce medical certificates from the District Surgeon that they are not suffering from such diseases. The proposal to declare lepers ineligible for election may be approved, but the inclusion in this rule of persons suffering from loathsome or objectionable diseases cannot be approved for the reason assigned in paragraph 5 (3) *supra*. It seems also to be unnecessary to require the production of a certificate from the District Surgeon to prove that a person is not suffering from leprosy as it is a question of fact whether a man is suffering from the disease or not, and it may be left to the Chairman to call for such evidence as he considers necessary in the matter. The proposed inclusion of persons who have not actually paid profession or income tax before the date of election is unnecessary with reference to the alteration made in clauses (*b*) and (*c*) of rule 5—*vide* paragraph 6 (3) *supra*.

I think not.

H.T.

H.W.B.

H.T.

Please see my note thereto.

H.T.

And mine.

H.W.B.

(6) The Collector of Coimbatore suggests that it is desirable to limit the number of members of one family (not necessarily Hindus) that can sit on the same Council. The inhabitants of Kumbakónam state that there is an omission in the Act itself regarding persons disqualified for election and that while a master and his servant cannot be members of the same Council, there appears to be no prohibition against members of the same family crowding into the Council and forming a clique among themselves. As the Act now stands, uterine brothers, whether separated in interest or not, uncles and nephews, etc., may all sit in the same Council and form an impregnable majority for good or for evil.

In its report on the Bill to amend Act IV of 1884, the Select Committee proposed the following as sub-section 2 of section 10-A.: "No person is qualified to be appointed a Municipal Councillor if any of his *relatives* or servants or any person, in whose service he is employed, is a member of the Municipal Council," and stated that the object * of the sub-section was to prevent "the formation of family cliques." The term "relative" was † defined in the Bill as meaning with reference to any individual "his lineal ancestors and descendants, fathers-in-law, mothers-in-law, sons-in-law, daughters-in-law, brothers, sisters, brothers-in-law, sisters-in-law, uncles, aunts, nephews, nieces, and first cousins." This word, however, as omitted ‡ from the above sub-section by the Legislative Council at its meeting held on the 11th March 1896, and the reasons for omitting it are nowhere stated. It is however for consideration whether the words "relative or" may not be inserted between "whose" and "servant" in clause (*h*) of this rule, the definition of "relatives" given in the Bill to amend the Act being added as a note to this rule.

* *Vide* page 2 of the Select Committee's report.

† *Vide* page 3, lines 53 to 57 and page 4, lines 1 to 3 of the Bill.

‡ *Vide* page 109 of the Legislative Council's proceedings for 1906.

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Hardly necessary to interfere thus with freedom of election until an evil exists.

H. TREMENHEERE.

I believe in some places it does exist already, though.

H. W. B[LISS].

8. *Rule* 7.—

"Lists of persons qualified to vote and to be elected in each ward shall be prepared and published by the Chairman on or before the 1st October in each year. Such publication shall be made by fixing a copy of the lists for each ward in some conspicuous position in that ward and in or near the municipal office, and the lists shall continue so affixed for one month."

(1) Magdum Ravuttar of Dindigul suggests that the words "with the assistance of the respective ward Councillor if any" should be inserted after "prepared" in this rule. The rules as they now stand impose the duty of preparing the lists on the Chairman, and it is for him to get the assistance of such persons as he considers necessary for the purpose. There is no reason why any special mention should be made of the ward Councillors in these rules.

H.T.

H.W.B.

The inhabitants of Kumbakónam suggest that the publication of the lists of voters and of candidates should be done in the same manner as lists of jurors and assessors. They state that at present the municipal executive entrust the lists to a subordinate, who is supposed to publish them, and that they are usually in the form of a book which he carries with him and shows only to those whom he wishes to favour, and therefore propose that the lists as prepared by the Chairman should be printed and copies of them pasted at the municipal office and in at least ten conspicuous places in the wards. The rule as it stands requires that the lists for each ward shall be published by fixing a copy of them in some conspicuous position in that ward and in or near the municipal office and this seems sufficient.

H.T.

H.W.B.

(2) In the draft rule the 1st of October in each year was fixed as the date on which the lists of voters and of persons qualified for election should be prepared and published by the Chairman. The lists prepared under this rule will, under rule 11, come into operation on the 1st of January following, and will have effect for twelve months, *i.e.*, during the whole of the calendar year. It is, however, submitted that it is not possible that the new lists can be brought into force on the 1st of January next, as it is not likely that the draft order approving the amendments will be ready before the end of October, while the rules themselves cannot, under section 256 (2) of the Act, come into force before the expiry of three months from the date of their final publication. The Government can, however, in the special circumstances of the case, direct that the rules shall come into force before the expiry of the usual period of three months, but in any case it is not possible that the lists of voters, etc., can be prepared and published on the 1st October as originally proposed. The Honourable

they stand to prevent him from [illegible] seems to be unnecessary [illegible] report.

Member having expressed the opinion that it is immaterial whether these lists are for the calendar or for the official year, it is submitted that the date fixed in rule 7 may be altered into 1st January. If this proposal is approved, the date specified in rules 8, 10 and 11 will have to be altered into 1st February, 20th March and 1st April, respectively.

Vide paragraph 6, page 5 of the note for orders in G.O., No. 883 M., dated 7th May 1898.

H. TREMENHEERE.
H. W. B[LISS].

9. *Rule* 8.—

"Any person qualified to vote or to be elected, whose name is omitted from the list, may apply in writing to the Chairman of the Council on or before the 1st November next ensuing to enter his name therein, and any person objecting to the entry of any name in the list may, within the same period, lodge an objection thereto in writing with the Chairman, who shall pass orders on such claim or objection on or before the 20th idem."

Koyamma Elaya of Cannanore points out that the time allowed for raising objections to the lists of voters and of candidates is insufficient and states that applications for entering the names should be made on or before the 15th October or fifteen days after the publication of the lists and that objections should be made on or before the 1st November. It seems, however, to be unnecessary to make any such distinction between claims and objections. As suggested by Magdum Ravuttar of Dindigul, the words "by hearing the parties in person" may be added at the end of this rule.

H.T.

I think not. Better not tie the Chairman down.
H.W.B.

10. *Rule* 10.—

"The Collector of the district may, at any time not later than the 20th day of December next ensuing, for reasons which he shall record in writing, direct the Chairman of the Municipal Council to insert in, or remove from, the list of electors and of persons qualified to be elected for any ward the name of any person, upon which the Chairman shall at once give notice to the persons affected and shall correct the list or lists accordingly."

(1) Koyamma Elaya of Cannanore states that this rule does not say how the Collector is to exercise the power which it confers on him and therefore suggests that the words "on the presentation of a revision petition or on his own motion" should be inserted in the rule. If the power to receive revision petitions is not expressly provided for, he points out that the Collector may decline to admit such petitions.

Questionable.

H.T.

Disapproved.

H.W.B. The proposed addition seems unobjectionable and may be approved.

(2) Mr. Fernandez of Tellicherry states that under rule 9 the Chairman's order under rule 8 upon an objection petition is final, subject to any correction which may be made by the Collector who has to pass the order within a fixed period under rule 10. He thinks that there should be some control placed over the Chairman's order in this matter by way of an appeal to the Council, subject of course to the Collectors right to modify or cancel the order within the prescribed time. He instances a case in Tellicherry in which the Collector called for a report from the Chairman on an objection petition, but not having received the report in time, passed an order that he could not direct the alteration to be made as the prescribed time had elapsed, though he was apparently convinced that the objection should be allowed. In order that the right of a voter may not be prejudicially affected by similar accidents, he considers that the voter should have the advantage of an appeal to the Council, as the Council is sure to have a more intimate acquaintance with the local affairs than the Collector who is not likely to have sufficient time to go into these matters in detail.

In view, however, of the provision in rule 10, under which the Collector is the revising authority of the Chairman's orders, it seems to be unnecessary to complicate matters by giving a right of appeal to the Council.

H.T.
H.W.B.

(3) The Municipal Council of Chidambaram suggests that provision may be made for an appeal to Government against the orders passed by the Collector. This, however, is quite unnecessary.

H. TREMENHEERE.
H. W. B[LISS].

11. *Rule* 11.—

"The ward lists of electors and of persons qualified to be elected shall thereupon be held to be completed and shall come into operation from the 1st day of January next ensuing, and shall continue in operation for twelve months. If on the occurrence of any vacancy among the elected members of the Council no valid lists are in existence, such vacancy shall be filled up by Government by nomination."

(1) The Municipal Council of Vellore suggests that the vacancy in elective seats which may occur when no valid lists are in existence should be filled up by election in accordance with the previous valid lists and not by Government, while Koyamma Elaya of Cannanore points out that the provision in this rule, that in the absence of valid lists of voters the vacancy among elected members should be filled up by Government by nomination, is calculated to enable an erring Chairman to defeat the elective system altogether; and to provide against this contingency he suggests that words to the following effect should be added to the last sentence of this rule :—

"Unless the absence of the lists is due to the laches of the Chairman, who will be liable to removal from his office if the Governor in Council finds that the omission to prepare the lists was intentional."

The Municipal Council of Ellore states that this rule is a retrograde step and ought not to affect the innocent public for the fault of the Chairman, and suggests that, in cases of such default, the former lists should be declared to hold good, the Chairman being directed to draw up fresh lists within a time to be fixed by Government.

Under No. 13 of the existing rules, the Governor in Council has power to extend the period of currency of the lists until fresh lists are completed under the rules. Municipal Councils, however, have frequently neglected to revise the lists within the prescribed dates and requested Government that, in order to permit of elections being held to fill up vacancies, the period of validity of the old lists might be extended. Although the Councils were repeatedly warned that any future neglect to comply with the provisions of the election rules would entail the loss of their elective privileges, there has been no improvement, and it was with a view to rouse Municipal Councils from their torpor and ensure the punctual preparation of these lists that the Government considered* it desirable to make the rule absolute as to the period of currency of the lists and to provide that if no valid lists were in existence the vacancies should be filled up by Government by nomination. The suggestions made by the Municipal Councils of Vellore and Ellore amount to a reversion to a state of things which it is now sought to remedy and should not therefore be approved. Nor does it seem to be necessary to provide in these rules that any Chairman wilfully neglecting to prepare these lists shall be liable to removal, for, if it is proved that the Chairman intentionally omitted to prepare the lists, he may be removed under clause (iv) of section 19 (1) of the Act as amended, on the ground that his continuance in office is likely to bring the Municipal administration into contempt.

* *Vide* paragraph 3 of the order proposed to be issued in 1894 and page 8 (paragraph 7) of the note for orders in G.O., No. 883 M., dated 7th May 1898.

H.T.
H.W.B.

H.T

H.T

(2) The Vice-Chairman of the Municipal Council of Cochin states that as under the existing rules the list of voters which is prepared on the 1st October of each year comes into force on the 1st December and continues in operation until 1st December of the following year, and as under the proposed rules the list prepared in October will come into force only in January, *i.e.*, a month after the lists prepared under the old rules cease to have force, all the Municipalities in the Presidency will be disenfranchised during the month of December immediately following the introduction of the new rules, and that all the elective seats in the Presidency falling vacant during that month will have to be filled up by Government by nomination—a contingency not contemplated by the rules. He therefore suggests that either the last sentence of Rule 11 should be eliminated or that it should be specifically provided that the lists in force at the time of the introduction of the new rules will continue in operation until the 1st January following.

19. *Rule* 19 ... prevent him from doing so ... be unnecessary, as there is ...

The elimination of the last sentence of Rule 11 as proposed cannot be approved, as it has been advisedly put in for the reasons stated in the preceding clause. It is however to be noted that the date fixed for the delivery of the voters' lists in the several Municipalities of this Presidency is not now uniform. The difficulty raised by the Vice-Chairman of the Cochin Council can, however, be met by ordering under No. 13 of the present rules that the existing lists shall be in operation until fresh lists are prepared or by the Municipal Councils keeping all vacancies open until the new lists under the revised rules are ready.

H. TREMENHEERE.
H. W. B[LISS].

(3) The inhabitants of Kumbakonam suggest that the lists when completed may be published in the same manner as the original lists. This, however, seems to be unnecessary as no purpose can be served by such publication, while persons desirous of looking into them may obtain copies of the lists from the Municipal office on payment of the necessary fees.

H.T.
H.W.B.

12. *Rule* 12.—

"No election shall be held to be invalid merely because of an irregularity in the preparation or publication of the lists of voters and of persons qualified to be elected or either of them, unless the irregularity is, in the opinion of His Excellency the Governor in Council, such as to affect materially the accuracy of such lists or list, in which case all vacancies occurring among the elected councillors before fresh lists have been correctly and regularly prepared in accordance with these rules shall be filled up by Government by nomination."

The Municipal Council of Ellore suggests that the words, "in which case all vacancies occurring among the elected councillors before fresh lists have been correctly and regularly prepared in accordance with these rules shall be filled up by Government by nomination", in this rule should be omitted, as it is not fair that the public should suffer in their privileges for any fault or neglect on the part of the Chairman and that the Government should direct the Chairman to prepare fresh lists within a time to be fixed by a Government and permit the former lists to be in force pending the completion of fresh lists. The Vice-Chairman of Cochin states that when a list has been declared to be materially inaccurate, the Council may be given an opportunity of amending the same within one month for the purpose of future elections.

It seems to be desirable to give the Council an opportunity of correcting the lists within some specified time, and, if it fails to do so, then the vacancies may be filled up by nomination by Government until fresh lists are prepared. The following may therefore be inserted after "case" in this rule :—

H.T.

I think not. The lists *can* only be prepared once a year.

H.W.B.

"the Government shall direct the Council to amend the lists within a specified time, and if the Council fails to do so."

13. *Rule* 13.—

"Elections shall be held as vacancies in elective seats occur, the choice of the particular ward where they should begin being left to the Collector in case the vacancy does not occur in any particular ward."

(1) The Municipal Council of Vellore states that this rule is not very explicit and should be recast. It is not stated in what respects the rule requires amendment; but as it is contemplated to introduce into this Presidency the system of holding the elections in all Municipalities simultaneously, and as it is proposed to fix the date of the first general elections as the 1st February 1899—*vide* page 14 of the note in G.O., No. 883 M., dated 7th May 1898, it seems to be necessary to amend this rule so as to provide for these matters. Again, the object of the expression "the choice of the particular ward where they should begin being left to the Collector in case the vacancy does not occur in any particular ward" is not clear. It is apparently intended to cover the cases of those [illegible] the elective system is for the first time introduced and it is therefore desirable that the rule should be altered accordingly in order to avoid misapprehension. The rule may therefore be amended as follows :—

H. TREMENHEERE.
H. W. B[LISS].

"13. The first general elections shall be held in all the Municipalities, in which the elective system of appointing Councillors is in force, on the 1st February next after these rules come into operation and every subsequent general elections, after the expiry of three years from the date of those immediately preceding. Elections to fill up vacancies in the elective seats which occur during the period intervening two general elections will, however, be held as vacancies occur. In Municipalities where the elective system is introduced for the first time, the choice of the particular ward where the elections should begin should be left to the Collector."

(2) In paragraph 11 of the note for orders in G.O., No. 883 M., dated 7th May 1898, it was proposed to issue, when the revised Election Rules were finally published, a notification under the proviso to sub-section (1) of section 17 of the Act, prescribing the 1st of January as the date on which all Municipal Councillors appointed by election prior to that date in all the Municipalities should vacate office, and to fix the 1st of February 1899 as the date of the first general elections in all Municipalities. The date of delivery of the voters' lists having now been changed from 1st October to 1st January, the date of the notification under section 17 (1) should, it is submitted, be altered to 1st April 1899, which is the date on which the lists will come into force, and, as under rule 14, an election can be held at any time within two months after the occurrence of a vacancy without the special sanction of Government, and as there must be sufficient time to go through the preliminaries of an election, the date of the first general elections may be fixed as the 1st June 1899. If, as is apparent, it is intended that Municipal elections all over the Presidency should be held on the same date, and that the date now fixed should be adhered to in the case of all future general elections, it is submitted that there are several practical difficulties in securing this end.

H.T.
H.W.B.

(*a*) In the first place a revision petition may be put in before the Collector against the Chairman's decision on objections to the list of nominations under Rule 18, and if the Collector's decision is for any reason not passed in time to permit of the inclusion of the candidate's name in the schedule of valid nominations referred to in Rule 19, the election will have to be postponed for such period as may be necessary for its inclusion.

(*b*) In the second, objections may be raised under No. 35 of the Election Rules to the validity of some of the elections, and the enquiry and disposal of such objection petitions will delay the publication of the names of the successful candidates in the *Fort St. George Gazette*; while even in the case of uncontested elections and elections in which no objections have been taken, the necessary notifications cannot be issued until after the expiry of the period of fifteen days prescribed in Rule 34. The result of most of the elections held on the 1st of June will thus be notified only after the expiry of fifteen days, while in the case of others there may be delays of weeks and sometimes of months. As under section 17 (1) of the Act, as amended, a Municipal Councillor continues in office for three years from the date of the *Fort St. George Gazette*, wherein his appointment was notified, the result will be that, on the 1st of June 1902, which is the date on which the next general elections should take place, none of the members will have vacated their seats, and it will not thus be possible to ensure either that the next general elections are held on the same day as that fixed for the present ones, or that those elections are held in all the Municipalities simultaneously.

There may even be political objections to it. Suppose a question of taxation is moved shortly before the general elections, there will be universal agitation, and agitators always being stronger than their real numbers, the election may less truly represent the popular voice than would the vote of councillors fixed firmly in office.

H.T.

True. Alter rule.

H.W.B.

The scheme of general elections contemplated in No. 13 of the election rules, as proposed to be revised, is not therefore practicable.

[illegible] amendment seems to be unnecessary, as there is nothing in the rules [illegible] enquiry and report. [illegible] Officer for they stand to prevent him from doing so.

19. *Rule* 19.—

"Three days bef[illegible]

t sentence of Rule 11 as proposed cannot be approved,

(3) The Municipal Coun[illegible] the reasons stated in the p[illegible] for the delivery o[illegible] and the Vice-Chairman of Cochin suggest that when no nominationd the proceed for a vacancy, the Chairman should be authorized to publish a second notice allowing thirty days' time after the date prescribed in the first notice and thus give the voters another chance of submitting nominations before the Government proceeds to fill up the vacancy by nomination.

I doubt it. People must not go to sleep.
H. TREMENHEERE.

Quite so.
H. W. B[LISS].

The proposal seems to be a good one and may be approved, and the following words may be inserted between "date" and "the vacancy" in clause (4) of Rule 16 :—

"the Chairman shall give a further notice allowing thirty days' time from the date prescribed in the original notice, and if no nominations are received within that period,"

(4) Mr. Fernandez, of Tellicherry, proposes that the expression "nor shall he nominate more than one candidate if there is only one vacancy" may be added to the second clause of this rule which runs as follows :—

"No elector shall nominate more candidates than there are vacancies."

Unnecessary.
H.T.
H.W.B.

The object of the proposed addition is not understood, as the rule, as it stands, cover also the cases which the proposed addition contemplates.

(5) Magdum Ravuttar, of Dindigul, suggests that the rule should be amended so as to provide that candidates at an election shall be allowed to take copies of voters' lists at the Municipal office with the permission of the Chairman, or that copies of the list of voters of any ward in which such persons stand as candidates may be granted to them on payment of a fee of 8 annas.

It seems, however, to be undesirable to give the candidates at an election free access to the voters' lists at the Municipal office, so as to enable them to take copies of them. Nor does it appear to be necessary to provide in these rules that the candidate may be granted copies of the lists on payment of a fee, as this is a matter of administrative detail and as any person can, in the ordinary course of business, obtain copies of the records of the Municipal office on payment of the requisite fees. Moreover, under Rule 15 as proposed to be amended in paragraph 15 (2) *supra*, copies of the lists of voters and of candidates have to be published along with the notice of election, and any person desiring to have a copy of the lists may take it from the published lists.

H.T.
H.W.B.

17. *Rule* 17.—

"The Chairman of the Municipal Council shall, at least a fortnight before the election is held, publish, by a notice hung up in the Municipal office and in conspicuous places in the ward or wards for which election or elections are to be held, a list of such nominations as appear to him valid, in the following form :—

Name.	Description.	Abode.	Ward for which nominated.

"

(1) The Collector of Kistna suggests that the rule should be altered so as to require the publication of the list of nominations three weeks before the date of election instead of a fortnight as now provided. He states that in the case of towns like Guntúr, situated at a distance from the Collector's head-quarters, it is not possible for the Collector to pass orders on revision petitions and communicate the same to the Chairman in time to enable him to publish the list of valid nominations under Rule 19, that it is inevitable that in a large majority of cases in which revision petitions are presented to the Collector the elections will have to be postponed under Rule 18 and that, as it must be inconvenient to postpone the elections, the period should be extended as proposed. He also suggests that if this modification be approved, the periods fixed in Rules 15 and 16 may be raised to forty and twenty-four days, respectively.

H. TREMENHEERE.
H. W. B[LISS].

The proposed alterations seem to be desirable and may be approved.

(2) Mr. Fernandez of Tellicherry suggests that the Chairman should be required to record his reasons for considering any nomination not valid and that an appeal should lie to the Collector against that order, as Rule 18 provides for an appeal only against the Chairman's orders in respect of the list of valid nominations published under Rule 17.

The proposed addition seems to be unnecessary as, under Rule 18, objections can be taken not only to the entry of any names made in the list of nominations, but also to any omissions therefrom and an appeal lies to the Collector against the Chairman's decisions on such petitions

H.T.
H.W.B.

Note.—This alteration not being important, has not been referred to in the draft order. But the rule has been amended accordingly.

V. RAGHAVA CHARLU.

(3) The suggestion made by Koyamma Elaya of Cannanore that the words "in a conspicuous position at not less than three different places" should be substituted for "in conspicuous places" in this rule, may be adopted.

18. *Rule* 18.—

"The Chairman shall attend at the Municipal office on the third day after the day upon which the list of candidates nominated has been published, in order to hear any objections which may be made to that list. Such objections may be put forward by any registered voter in writing. The Chairman shall give his decision on every such objection in writing, which decision shall be final, unless, within one week of his giving the same, a petition for revision be put in before the Collector. In such case the Collector's decision shall be final. In case the objection is allowed, the decision of the Chairman shall be communicated to the candidate affected thereby. If the decision of the Chairman or the Collector under this rule is for any reason not passed in time to permit of the inclusion of the candidate's name in the schedule of valid nominations referred to in Rule 19, the election shall be postponed for such period as may be necessary for its inclusion."

(1) The Municipal Councils of Vellore and Chidambaram suggest that the expression "provided the same be not a Sunday or gazetted holiday" be added after "third day" in this rule.

H.T.
H.W.B.

The proposed addition seems to be desirable and may be approved.

(2) The Municipal Council of Ellore suggests that a limit should be fixed of the time for which elections may be postponed for want of information from the Collector as to the result of an appeal made to him under this rule, as otherwise there would be inordinate delay in elections if the Chairman had to wait to hear from the Collector whether he has passed any orders on an appeal presented to him.

It does not appear to be desirable to lay down any limit of time within which elections can be postponed under this rule. The period will vary according to the nature of the objection raised and the time that will be taken for its disposal and there is no use in laying down any hard and fast rule on the subject.

H.T.
H.W.B.

And is right. No harm in so providing.
H.W.B.

This is the present practice. The point however was taken in one appeal, but was overruled.

H.T.

(3) Magdum Ravuttar of Dindigul suggests that the rule should be modified so as to empower the Collector to refer petitions submitted to him under Rules 10 and 18, to the Divisional Officer for enquiry and report.

Such an amendment seems to be unnecessary, as there is nothing in the rules they stand to prevent him from doing so.

19. *Rule* 19.—

"Three days before the electi[illegible]

The Municipal Council of Srirangam suggests, and the Collector of Trichinopoly support the suggestion, that the period fixed in this rule should be increased from three to five days.

H. Tremenheere
H. W. B[liss].

The proposal may be approved in view of the alterations in Rule 17 made in paragraph 17 (1) *supra*.

20. *Rule* 21.—

"Any candidate whose name is included in the list of valid nominations published under Rule 19 may withdraw at any time before the close of the poll by a written and signed paper, which shall be presented to the Chairman if the poll has not commenced, or to the polling officer if it has. In such case Rule 20 shall apply as regards the remaining nominations. The Chairman shall remove such candidate's name from the list of candidates in recording the result of the election under Rule 29."

(1) The Municipal Council of Máyavaram enquires whether, in cases where there are only two candidates for a vacancy of whom one withdraws, if the withdrawal petition is presented to the Chairman before the commencement of the poll, the Chairman has power to stop the poll, and whether if the withdrawal petition is presented to the polling officer after the commencement of the poll, that officer can

H.T.
H.W.B.

stop the poll at once and report the fact to the Chairman. The answer to these questions is in the affirmative, but as these are matters of detail, there is no need to make any express provision in the rules to this effect.

(2) The Municipal Council of Ellore proposes that the words "or marked" should be inserted between "signed" and "paper" in this rule so as to provide for the case of illiterate candidates, as want of education is no disqualification under the rules.

The proposed addition seems to be unnecessary as "signed" includes "marked" —*vide* section 3 of the Madras General Clauses Act I of 1891. Moreover under clause (*h*) of Rule 6 which is to be newly added, persons who cannot read and write are disqualified from being elected as Councillors. *Vide* paragraph 7 (3), page 9, *supra*.

H.T.

Who said so ?

H.W.B.

21. *Rule* 22.—

"In the case of a poll at an election, the Chairman shall appoint two members of the council who are neither councillors for the ward of which the poll is to be taken, nor registered voters in it—one to be identifying officer and the other polling officer at the time of the election. The identifying officer shall remain outside the booth, identify electors as they arrive, and send into the polling booth, one by one, those of them who are satisfactorily identified, with a ticket inscribed with their name and number to be delivered to the polling officer, who shall record their votes. It shall be the duty of the polling officer to see that the votes are recorded with absolute secrecy, that only electors are admitted to the polling booth, and that persons who have recorded their votes leave immediately."

(1) Mr. Fernandez of Tellicherry and the Collector of Coimbatore state that this rule requires that the identifying officer should be some member of the Council who is neither a Councillor for the ward of which the poll is taken, nor a registered voter in it; but as a Councillor of a different ward cannot be expected to have that knowledge of the voters which is necessary to enable him to identify them as belonging to that ward, they suggest that the identifying officer should always be a member of the ward. The Municipal Council of Vellore also considers that it is absolutely necessary that the identifying officer should be either a Councillor for that ward or a registered voter in it, in order to be able to identify electors and prevent false personation.

[illegible] the identifying officer being a voter [illegible] persons who

as the identifying officer some one in touch with the voters in the ward rather than one who is quite unacquainted with them. It is therefore submitted that the first sentence of the rule may be altered as follows :—

H. Tremenheere.
H. W. B[liss].

"In the case of a poll at an election the Chairman shall appoint two members of the council, one to be identifying officer and the other polling officer at the time of election, but the person appointed as polling officer should be neither a Councillor for the ward of which the poll is to be taken nor a registered voter in it."

(2) In view of the alteration proposed above, it seems to be unnecessary to consider the suggestion of the Berhampur Council that the mode of identification of voters should be specially provided for in the rules, seeing that the ward Councillors who may be expected to know most, if not all the voters in the ward, are prohibted from taking part in the elections, or that of the Ellore Council that the Chairman and his staff should be given admission into the polling booth in order to assist the identifying officer.

H.T.

(3) The Collector of Coimbatore states that the Divisional Officer of Erode takes exception to the polling officer being a Councillor, that it must be admitted that where party feeling runs high a great deal of power is left in the hands of the Councillor selected as polling officer and that such a system is nowhere carried out in England and, as under the new Act the elections will fall once in three years besides bye-elections, he suggests that the arrangements should be put in the hands of the Divisional Officers, who should select as polling officers such persons, officials or non-officials, unconnected with the Council as they consider most suitable. He further points out that the demand on their time will not be great and that the change will place all elections above suspicion and proposes that no Municipal servants should be allowed within or in the precincts of the polling booth, unless with the permission of the polling officer.

It does not seem to be necessary to delegate to the Divisional Officers the power of conducting these elections which can well be left in the hands of Chairmen. It is, however, observed that as all the elected members will vacate their seats before each general election, the Chairman will have to choose persons for appointment as identifying or polling officers from among the nominated members; and as elections in all the wards of a town will be held simultaneously, it will be impossible to find Councillors for appointment as identifying or polling officers in such large towns as Tanjore, Kumbakónam, Bellary, Mangalore, etc., which are divided into a large number of wards and which have the maximum elective strength on their Councils. For instance, Tanjore is divided into six wards, and if elections in all these wards are to take place simultaneously, twelve Councillors will be required for being appointed as identifying and polling officers; but as there are only six nominated Councillors including the ex-officio member, the Chairman will be in a fix in arranging for the elections. In order therefore to provide against such difficulties it seems to be desirable to lay down that when a sufficient number of Councillors is not available for appointment as identifying or polling officers, the Chairman may appoint to these offices such persons as the Revenue Divisional Officer considers desirable. The proposal that Municipal servants may be allowed within the polling booth with the permission of the polling officer is undesirable, as such power in the hands of polling officers is liable to abuse. The rule as it stands absolutely prohibits the entrance into the polling [illegible] persons who are not voters and it does not [illegible] authorizing the [illegible] restric[illegible]

Note.—A provision like this is however now unnecessary, as the system of general elections will be abandoned.

V. Raghava Charlu.

H.T.
H.W.B.

22. *Rule* 23.—

"The voter shall be given by ballot."

(1) The Municipal Council of Mangalore states that in G.O., No. 977 M., dated 11th June 1896, it was held that a candidate at an election was prohibited from voting for himself, that there is no express provision in the draft rules to this effect, but that it is unanimously of opinion that the rules should declare that a candidate is eligible to vote for himself.

It is objectionable on principle that a candidate should vote for himself; but as the voting is by ballot, it is impossible to find out whether a candidate has voted for himself or for others. It seems therefore to be desirable to prohibit candidates from taking part in the ballot as has been done in the case of the rules for the election of Chairmen and Vice-Chairmen of Municipal Councils, and the following may be added at the end of this rule:—

Vide No. 4 of the rules issued in G.Os., No. 61 M., dated 11th January 1898, and No. 1421 M., dated 15th August 1898.

H. TREMENHEERE.

H. W. B[LISS].

"but no candidate at an election shall take part in the ballot."

(2) The Municipal Council of Máyavaram suggests that absentee electors may be permitted to vote by registering their votes before a Magistrate as is done in the case of elections of fellows of the University. This proposal, however, need not be adopted as the Municipal elections differ from the election of University fellows, in that all the electors in the former are residents of the Municipality, while in the latter they are scattered all over the Presidency.

H.T.

H.W.B.

23. *Rule* 24.—

"The ballot of each elector shall consist of an envelope supplied at the polling office, on the face of which the number of vacancies to be filled and the names of the candidates for election whose nominations have been included in the nomination schedule for his ward under Rule 19 shall be printed or legibly written. The elector shall write his name and number inside the envelope and hand it over to the polling officer, who shall, after seeing that the name and number of the elector are legibly entered, close the envelope, seal it or write his name across the flap and give it to the elector. In the case of illiterate electors, the polling officer shall enter their name and number inside the envelope."

(1) The Municipal Council of Máyavaram suggests that the names of the candidates who may have withdrawn their candidature should be scored out from the ballot paper. The suggestion is a good one and may be adopted.

H.T.

H.W.B.

(2) The Collector of Coimbatore suggests that on handing over the sealed envelope to the voter, the polling officer should tick off the name of the elector on the list of electors as, unless he does so, the same elector may vote more than once.

This, however, seems to be unnecessary as, under Rule 27, the polling officer has to satisfy himself that a person who presents himself to vote has not already voted and it may be left to him to do this in such manner as he thinks best.

H.T.

H.W.B.

(3) Mr. Fernandez of Tellicherry points out that there is a want of agreement between this rule and Rule 26, in that the former rule says that "the elector shall write his name and number inside the envelope," while the latter speaks of the ballot paper being signed, and he suggests that Rule 24 should also provide that the ballot paper should be signed.

Note.—This is unimportant and has not been mentioned in the draft Government order.

V. RAGHAVA CHARLU.

The signature referred to in Rule is neither a [illegible] in it; but as a Councillor of a different ward cannot be expected to have [illegible] edge of the voters which is necessary to enable him to identify them as belonging [illegible] that ward, they suggest that the identifying officer should always be a member of t[illegible] ward. The Municipal Council of Vellore also considers that it is absolutely necessa[illegible] that the identifying officer should be either a Councillor for that ward or a register[illegible] in order to be able to identify electors and prevent false personation.

[illegible] the identifying officer being a vot[illegible]

(4) The suggestion of Magdum Ravuttar that the expression "the Chairman may attend the polling booth if so desired" should be added at the end of this rule need not be adopted, as such a provision will give rise to complaints of undue influence being exercised on the voters by his presence in the booth.

H. TREMENHEERE.

H. W. B[LISS].

24. *Rule* 25.—

"The elector shall then go into a private cubicle, which should be provided within the polling booth, score out the name or names of the candidates for whom he does not vote, retaining the name or names of the candidates, not exceeding the number of persons to be elected for whom he votes and himself put the envelope into the ballot box which shall be so constructed that the ballot paper can be introduced but not extracted without the box being unlocked. The ballot boxes shall be securely sealed and certified by the Chairman of the Council, in writing, to be empty before being entrusted to the polling officer. The envelopes may be opened only by the Collector in case of necessity."

(1) The Municipal Councils of Tinnevelly and Madura suggest that this rule should be so worded as to enable the polling officer to strike out the name or names of candidates for whom an illiterate voter does not vote, if such voter requires him to do so, while the Chairman of Tinnevelly considers that the polling officer should be prohibited from scoring out the names even at the request of the illiterate voter. Koyamma Elaya of Cannanore states that there should be a distinct provision in the rule that the polling officer should on no account be at the private cubicle when a voter is in it unless the voter is illiterate. The proposals made by the Municipal Councils of Tinnevelly and Madura and Koyamma Elaya of Cannanore are real improvements and may be adopted.

H.T.

I think not. See above. Let the illiterates take care of themselves.

H.W.B.

(2) The Chairman of Tinnevelly suggests that an express provision should be made in this rule for enabling the voter to put the envelope into the ballot box without allowing the polling officer to see for whom he votes.

The words "so that the polling officer may not see for whom he has voted" may be inserted after "himself put the envelope into the ballot box," so as to make the intention of the rule clear.

H.T.

H.W.B.

(3) Mr. Fernandez of Tellicherry suggests that this rule should provide that the ballot box, after being securely sealed and certified, should be delivered by the Chairman personally at the polling office on the day of election. This is a desirable provision, and the following words may be added at the end of the penultimate sentence of this rule:—

H.T.

H.W.B.

"to whom the Chairman shall hand it over personally at the polling office on the day of election."

(4) The suggestion of the Collector of Coimbatore that, if the polling arrangements were entrusted to the Divisional officer as proposed by him, it should be provided that the duty of sealing the ballot boxes and certifying them to be empty should be done by that officer need not be considered, as the former proposal has not been adopted.

H.T.

H.W.B.

25. *Rule* 26.—

"Any ballot paper which is not signed or sealed in the way required by Rule 24, or on which the names of more candidates are retained than there are persons to be elected, shall be invalid."

Koyamma Elaya of Cannanore stat[illegible] ballot paper being signed and [illegible] [illegible]es not provid[illegible] [illegible]cer are only [illegible] [illegible] [illegible]he f[illegible]

opened except by the Collector in cases of necessity, it is evident that the signature does not refer to the elector and suggests that, if it is intended to be that of the polling officer, it should be made clear.

H. Tremenheere. H. W. B[liss]. The alteration in Rule 24 proposed in paragraph 23 (3) *supra* will make the intention of this rule clear.

26. *Rule* 27.—

"When a person presents himself to vote, the polling officer shall satisfy himself that he has a right to vote in the ward in question, and has not already voted."

The Municipal Council of Guntúr and Koyamma Elaya of Cannanore state that Rule 27 gives power to the polling officer to find out whether the elector has a right to vote in the ward in which the election is held. The identifying officer takes the trouble of finding out whether he is the person who should vote and he is therefore held responsible for the proper identification. If the polling officer is required to go over the same ground, it may lead to complications and unnecessary wrangle between the polling officer and the identifying officer. It is better to make one officer solely responsible for the identification, that is, the identifying officer, and when once a person is identified by him and sent in, he must be accepted by the polling officer as competent to vote. They therefore suggest that the words "has a right to vote in the ward in question and" should be omitted.

H.T. H.W.B. The suggestion may be approved, as the provision referred to is unnecessary.

27. *Rule* 28.—

"At the close of the poll, the polling officer, in the presence of such of the candidates or their agents as may be present, shall sign the following certificate :—

"Certified that the election for the ward was held this day of at in my presence and was conducted in accordance with the rules."

(Signed)

Polling officer.

Date

and securely seal and personally deliver the ballot box to the Chairman of the Council at the Municipal office."

The Collector of Coimbatore suggests that the ballot boxes should be delivered by the polling officer to the Divisional officer at his office. As the proposal that the duty of making arrangements for elections should be left to the Divisional officer has not been accepted, the proposed amendment is unnecessary.

H.T. H.W.B.

28. *Rules* 29 *and* 31.—

29. "On receipt of the ballot box from the polling officer, the Chairman of the Municipal Council shall, in the presence of two councillors, who shall be either nominated councillors or members for some ward other than that in which the election has been held, open the ballot box and count the votes, and shall record the result under his signature witnessed by the signatures of the two municipal councillors present. The ballot papers shall then be forwarded to the Collector and sealed up by him under his seal and may not again be opened except under his orders and in his presence. These papers may be destroyed six months after the date of the election, provided the inquiry (if any) into the validity of the election has by that time been concluded and final orders passed."

31. "In cases where there may have been an equality of votes for any two or more candidates the Chairman shall cast lots as to who shall fill the vacancy."

(1) For the reason assigned in the preceding paragraph, the suggestions of the Collector of Coimbatore that Rule 29 should provide that the ballot box should be opened by the Divisional officer and that Rule 31 should authorize the same officer to cast lots need not be considered.

H.T. H.W.B.

(2) The propos[illegible] Council of Vellore a[illegible]ar to add the words "other than those who conducted the election" after "in the [illegible]er should be either a [illegible]presence of two councillors" in Rule 29 in order to be able to identify electors and p[illegible]ch a provi[illegible] the identifying officer bef[illegible] the lot [illegible] persons sho[illegible]

(3) The Municipal Council of Chidambaram suggests that the following should be added to Rule 31 :—

"Such casting of lots shall take place before a special meeting held for the purpose."

It seems, however, to be unnecessary to require that the casting of lots should take place before a special meeting of the Council or that it should be delayed until such a meeting is convened, as there is no objection to its being done by the Chairman and on the spot, as required by the rule in its present form.

This gives how they distrust one another. H. W. B[liss]. Clearly the critics don't trust the Chairmen! H. Tremenheere.

29. *Rule* 33.—

"Upon the expiration of the period mentioned in Rule 34, if there have been no objections raised under Rule 35, the names of the candidates duly elected shall be forwarded to Government for publication in the *Fort St. George Gazette* and until such publication, the candidates shall not enter on their functions as Municipal Councillors."

Mr. Fernandez of Tellicherry suggests that the names of candidates deemed to have been elected under Rule 20 (*b*) should be forwarded to Government for publication immediately after the election, as there appears to be no reason why the gazetting of a person who has been elected unopposed should be detained for fifteen days.

It is, however, observed that although no objection can be taken to the validity of an uncontested election under clauses (*a*) and (*c*) of Rule 35, still it is possible that an objection under clauses (*b*) and (*d*) may be taken and it is therefore desirable that the names of successful candidates at such elections are not gazetted before the expiry of the period specified in Rule 34.

H.T. H.W.B.

30. *Rule* 35.—

"The Collector shall then proceed to inquire, either personally or by the Divisional Officer in charge of the division in which the municipality is situated, into the validity of the election held, which may only be questioned on the ground—

(*a*) that fraud, intimidation or bribery was practised at such election and materially affected the result of such election;

(*b*) that the person whose election is questioned was, at the time the election was held, not qualified as a candidate;

(*c*) that he was not duly elected by a majority of votes;

(*d*) that such an irregularity occurred in the preparation of the lists of voters and of persons qualified to be elected or either of them, as to affect materially the accuracy of such lists or list."

I suggest the insertion of the words "or in the printing of the ballot-papers," as a case occurred of a candidate's name being wrongly printed. This will require "or ballot-papers" at the end.

H.T. H.W.B.

G.O., No. 1682 M., dated 3rd October 1898.

Karunakara Menon of Calicut states that that this rule allows the delegation by the Collector of the power to enquire into objection petitions to Divisional Officers, that Divisional Officers are often discharging the duties of Chairmen or are themselves Chairmen, and, in such cases, the election will have to be conducted by them and that it will be ridiculous if, in such cases, the officer who was responsible for the proper conduct of the election should enquire into any objection petition, and suggests that it is desirable that Collectors themselves hold the enquiry in such cases. It might be said, the Council states, that, in cases of the description above referred to the Collectors will not delegate the power to enquire into objection petitions to the Divisional Officers, but that such an instance actually occurred lately in Calicut.

It is no doubt undesirable that the Divisional Officer should enquire into the objections made against the validity of an election conducted by himself, but this does not seem to be a serious objection, as under Rule 36 it is the Collector that has to pass final orders on these petitions.

H.T. H.W.B.

31. *Rule* 36.—

"At [illegible] of the inquiry, the Co[illegible] [illegible]nch ord[illegible]

he thr[illegible] ar[illegible]

Coll[illegible]

Magdum Ravuttar of Dindigul suggests that, instead of leaving the entire power of deciding objection petitions against elections presented under Rule 35 (*a*), (*b*) and (*c*) in the hands of Collectors, each district should have a Municipal Board consisting of one member from each municipality elected by the Council or the Chairmen of the respective Municipalities presided over by the Collector of the district. If this course is adopted, he states, the strength of the Board will not in any case exceed five members, and recommends that the duties of the Board should be confined to—

(1) deciding objection petitions under No. 35 of the election rules;

(2) passing remarks on budgets and administration reports of all the municipalities in the district;

(3) framing bye-laws applicable to all the municipalities in the district;

(4) interpellating the President of that Board; and

(5) passing remarks or opinions on important municipal matters which pass through the Collector.

The constitution of the Board as suggested is unnecessary, as the Collector of the district is now able to discharge the duties which it is proposed to assign to this Board satisfactorily. Moreover, such a Board will give rise to delays and complicate matters.

H. TREMENHEERE.
H. W. B[LISS].

V. RAGHAVA CHARLU—26-9-98.

H. TREMENHEERE—4-10-98.
H. W. B[LISS]—19-10-98.

[G.O., No. 1950 M., dated 19th November 1898.]

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(2) The p... Vellore al... ar to ad... ...ut ...
...that the re... ...cer should be either a... conducted the election" after "in the ...
...ase of two councillors" in Rule 29 ...

Date taken out.	For what purpose. Department.	C. No.	Year.	Initials of clerk taking the paper or of attender.	Date returned.
9-11-98					
11-11-12					
3-7-13					
10-10-13					
1-5-06	Sent to apply				11-5-06
	Reg in connection with the				
	Municipalities Act				22-11-06
					17-12-06
					29/1/07
1-1-07					