[L. & M
2,000--28-10 -97.]

Local & Munl. (1898) Department.

MISCELLANEOUS.

G.O., No. 373 M

DATED 12-2-98

INDEXED. CR

DESPATCHED

[Despatch Abstract.]

Municipal Council Requesting the Collector of South Arcot to state his reasons for wishin Government to take steps to cancel the resolution of the Chidambaram — requi the removal of the manager of the municipality from his post.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Gno 820 M/98							

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Local & Munl. (1898) Department.

CURRENT No. 739 M

UNDER SECY TO GOVT
11 FEB 98
PUBLIC

From

The Collector of
South Arcot

DESPATCHED
10 FEB. 98

Order No. 373 Munis
order 9/12/2/98

The Coll. should set forth his reasons for wishing Govt. to take steps to cancel the Resolution of the Council.
H. T.
11. 2 - 98

on Regr. **No.** 125 Suf. of 1898

Dated 10th February 98
Received 11-2-98.
Registered 11-2-98
Enclosures 1
Spare copies

SUBJECT.

Submitting with remarks for very early orders Resolution dated 3rd Feby. 98 of the Chidambaram Municipal Council.

The Collector of South Arcot Despd. 12/2/98

Despr.
Please send this to V.T.R. after despatch. – H
12/2/98

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BACK PAPERS.

G.O.	No.	Department.	Date.
No.	1325	Mil	6-[illegible]
	190	R	25-7-[illegible]
	311	Mil	2-2-9[illegible]
	182	Mil	25-7-98
	918	L	25-4-89
	1657	R	6-10-91

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Submitted for the information and orders of Government with reference to Resolution No. VI and the Head Asst: Collector's endorsement thereon.

2. A section of the Municipal Council apparently seek to make the present Chairman's position untenable and the result of the resolution above cited which was only carried by 7 votes to 5 is, that he came to me two days ago prepared to offer his resignation; at my request he has refrained from doing so till I have been to Chidambaram where I am going in a few days.

3. My predecessor's representations against the two Councillors - who are the Manager's chief supporters - having proved insufficient to move Government to direct their removal, it is improbable that they will pay much attention to any warnings from me. In the event of the present chairman resigning, the Head assistant Collector will become the Exofficio Chairman, but with Jamabandi ~~first~~ just coming on it will be

BACK PAPERS.

G.O.	No.	Department.	Date.
✓	1325	ML	[illegible]
	190	L	25-7-
	311	ML	2-2-
✓	182	ML	25-7-98
✓	918	L	25-4-99
	1654	L	6-10-91

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is impossible for him to spend much time in Chidambaram and he is at a loss to recommend any Councillor to whom he could delegate his powers with any confidence that he would be able to manage this particularly troublesome Council.

4. I am unable to find any authority under the Act for setting aside this Resolution, but Government might direct its recommendations with a view to its cancellation under § 30 (b) and order execution to be postponed. I have already had a consultation with the Head Assistant Collector & the present Chairman and am unable to discover any other means of counteracting the pernicious influence of certain mischievous Councillors. The favour of very early orders is requested as I purpose going to Chidambaram on or about the 20th instant and orders from Government would materially strengthen my hands in dealing with the Councillors.

Cuddalore
10th Feb. 1898

K. Sundara Sastri
For A. Collector

10-2-98.

5

[L/2,000-]

Copy Govr. 7/2/98

HEAD ASSISTANT COLLECTOR'S OFFICE
8 - FEB 1898
COURT AT

COLLECTOR'S OFFICE
9 FEB 98

L. M. W.
10 FEB 98

Proceedings of the Municipal Council, Chidambaram, held at the [illegible] office on 8th February 1898

Present:

M. R. Ry. [illegible] Ramaswami Iyer avargal, Chairman
S. G. [illegible] Mudaliar [illegible]
M. R. Ry. M. Srinivasachariar avargal
V. Swaminatha [illegible] avargal
Vrishabhachala [illegible] avargal
[illegible] avargal
K. Varadachariar avargal
C. N. Srinivasa Aiyar avargal
[illegible] Sastri avargal
M. R. Ry. [illegible]
[illegible] Aiyar [illegible]
V. Subbaraya Mudaliar avargal
" M. C. Ramaswami Aiyar avargal
Absent 2 Councillors.

I. Read letter dated 18th January 1898 from Rajah Sir S. Ramaswamy Mudaliar Kt. C.I.E., suggesting the advisability of selling the present Hospital premises to Pachaiyappa's trustees for Rs. 10000 and offering a contribution of Rs. 10000 for the construction of a new Hospital and other papers relating to the same subject.

The District Medical and Sanitary officer will be requested to visit the town and select a suitable site for the hospital and on his doing so the probable cost of acquiring or purchasing the site and of erecting a new hospital in accordance with the standard plan will be estimated and the matter will then be considered by the Council.

II Read Sections 188 and 207 of the Dt. Municipalities Act [illegible] Act.

The subject of issue of a notice under Section 188

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[illegible] after the receipt of the copy of judgment [illegible] No. 667 which is already applied for. Resol[ved] that a notification be published under Section 203 prohibit[ing] the sale or exposure for sale of fish, meat etc in public street[s]

III [illegible] Professional tax arrear due for 1894-95 from abkari renter Kumbulinga Nadar.

Steps will be taken to recover the tax due for the second half year I of 1894-95 by filing a suit against the heirs of Kumbulinga Nadar.

IV Read G.O. No. 190 M. Mcl. dated 29th January 1898.

With reference to para 2 of the G.O. it is resolved that Government be informed that the period of employment of the Special Officer to be appointed for the revision of the tax registers may be extended from 3 to 4 months and that he be required to attend both to the revision of the registers and to the work connected with the removal of encroachments in the town.

M.R.Ry. M. [illegible] arrived at this stage.

V Resolved that Miscellaneous Petitions Nos. 949, 976, 982, 1122, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1024, 1034 in connection with the encroachment cases be referred to the Special Dy. Tahsildar for [illegible] report.

VI Read appeal petition of S. Rajagopala Aiyangar, late Manager.

M.R.Ry. V. Subbaraya Mudaliar avargal arrived at this stage.

Proposed by S.W.G. [illegible] Esquire and seconded by M.R.Ry. M. Srinivasachariar avargal that the appeal be rejected. The proposition is lost by 7 to 5 one Councillor abstaining from voting.

Proposed by M.R.Ry. M. R. Ramaswami Aiyar avargal and seconded by M.R.Ry. K. Varadachariar avargal that the petitioner be considered to have ~~been~~ under suspension from 11th October last the date on which his services were dispensed with and that he be reinstated; carried by a

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majority of 8 against 4 one Councillor refraining from voting.

The other subjects to lie over as the Councillors dispersed saying ~~that~~ it was late.

(Signed) M. Ramaswami Iyer
Chairman

(True copy)

M Ramaswami Iyer
Chairman

139

No 261/998
Cur

8

~~F~~ Forwarded to the Collector.

(2) With ref. to resolution V, it will be remembered that in consequence of the discovery that the manager and two councillors had had secret transactions with the ~~[illegible]~~ toll contractor ~~to~~ (or his partner). Mr Stuart advised that the services of the manager should be dispensed with and reported the councillors to Government. It was also reported that these councillors had previously created dissension in the council that Govt was pleased to opine that there ~~[illegible]~~ was not a sufficient case for removing the councillors. The Manager's services were dispensed with after a consideration of his explanation by the chairman and he has now been restored on appeal to the council a majority of the members having decided that his misconduct ~~has been~~ will be adequately punished by a period of suspension. The immediate cause of the removal of the manager was the discovery of his money

view of the decision of Govt. in the case of the councillors it could not ~~cannot~~ perhaps be expected that the decision of the council ~~would~~ was unduly lenient but for the fact that the removal of the manager was very desirable quite apart from any question of inflicting a punishment on him the manner in which collections were made and the general work of the office carried on under his management clearly shows that he is quite unfit for his post. This view of the matter was pointed out to the council but considerations of pity and friendship for an old servant prevailed and it is to be feared that the interests of the municipality in having ~~the~~ its work efficiently carried out ~~were~~ was not sufficiently considered. A late chairman, Mr Appaswamy Iyer dismissed this ~~clerk~~ manager but cancelled his order as he says, rather than have his order upset on appeal. The manager must now feel that he is secure of a good post for life provided that he can avoid conviction of some fault so gross as to overcome all personal considerations. This is a very fortunate position for the

it is not likely to lead to improvement in the office. The Chairman has now under the orders of Govt to carry out with the assistance of a special officer the work of revising the house tax and getting rid of ~~the~~ the encroachments. ~~In both~~ Both of these duties are unpleasant for an inhabitant of the town as ~~they~~ the people are sure to ignorantly blame the chairman for increasing their taxes and putting them to the inconvenience of vacating public property encroached on by them and it is therefore specially necessary that the council should not at present ~~not make~~ ~~[illegible]~~ increase the difficulties of their elected chairman by weakly refusing to uphold his authority over his establishment and if they should be so ill advised as to ~~prevent~~ make the efficient management of affairs and carrying out of Govt orders impossible there is no doubt that the end will be the withdrawal of elective powers and the appointment of a paid chairman ~~at a~~ which will [illegible] dishonour to the municipality as well as a considerable pecuniary loss. If you agree with these views it is requested that you will warn the councillors accordingly.

& Some of the councillors expressed

doubts as to the power of the
Council to restore a servant
who had not been 'dismissed'
but whose services had been
dispensed with. Sec 42(3) Act IV of 1884
gives the Chairman power to fine,
reduce or dismiss servants.
Nothing is said in the act about
dispensing with the services of servants
but an appeal× ~~[illegible]~~ lies against
dismissals. If it be argued that there [illegible]
appeal against an order to
dispense with services of a servant
because nothing is [illegible] of such an
appeal it might equally well be
argued that such an order is ultra
~~[illegible]~~ vires because there is no
authority given for such an order.
No doubt 'dismissal' includes
dispensing with the services of a
servant.

Ag. N. P. [illegible]
8. 2. 98

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9 FEB 1898

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ain G.O., No. , dated
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Letter of Government.

Statement with ditto.

s not filled up, being meant for despatch
original.

N.B.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.