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Local & Munl. (189) Department.

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G.O., No. 435 M

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[Despatch Abstract.]

Municipal Council:-

Ordering with remarks the issue of a notification declaring that the Chairman of the Municipal Council of Tellicherry shall be appointed by the Governor in Council & that the number of Councillors to be appointed by election shall be nine.

BACK PAPERS.

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

FURTHER PAPERS.

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

Government {1898} of Madras.

LOCAL AND MUNICIPAL.

Recd. } 1898. *Enclosures*

Regd. *Spare copies*

G.O., No. 435 M., 23rd February 1898.

FEBRUARY.

Municipal Council.

Ordering, with remarks, the issue of a notification declaring that the Chairman of the Municipal Council of Tellicherry shall be appointed by the Governor in Council and that the number of councillors to be appointed by election shall be nine.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

Read—again the following paper:—

G.O., Mis. No. 2815 M., dated 16th December 1897.

Abstract.—Proposing to withdraw for reasons stated from the Municipal Council of Tellicherry the privilege of electing its own Chairman and to reduce the number of councillors from 18 to 12 and the elective seats thereon from 12 to 3; requesting the council to state within one month its objections, if any, to these proposals; and directing the Sub-Collector in the meanwhile to resume charge of the Chairman's office without delay.

Read— also the following paper:—

From M. J. MURPHY, Esq., Chairman, Municipal Council, Tellicherry, to the Secretary to Government, Local and Municipal Department (through the Collector and Sub-Collector of Malabar), dated 15th January 1898.

In accordance with G.O., Mis. No. 2815 M., dated 16th December 1897, I have the honour to forward herewith the statement of the objections of the municipal council to the proposals of Government embodied in the above mentioned Government order. This statement of objections was approved of by the council, eight members voting for it and six against it. As regards the six dissentient members they have prepared and signed jointly a statement of their objections which, although it is only the statement of the minority of the council, I also forward for the information of Government.

2. Extracts from the council's proceedings on the subject, dated 10th and 14th January 1898, are also enclosed.

Enclosures.

Proceedings of the Municipal Council, Tellicherry, at a special meeting held on Monday the 10th January 1898.

* * * * *

Read G.O., Mis. No. 2815 M., dated 16th December 1897, calling upon the council for reasons stated to show cause within a month why the privilege of electing the Chairman should not be withdrawn and the strength of the council reduced from eighteen to twelve and the number of elected Councillors from twelve to three.

Proposed by Mr. Lemerle and seconded by Mr. K. Ramunni that the council resolve to address Government stating its objections to the proposals of Government.

Carried, all members voting for the resolution except Chairman, who did not vote.

Resolution.—The council unanimously resolve that the matter be postponed for finally deciding on the statement of objections to Government to a meeting to be held on Friday the 14th January 1898 at 5 P.M.

Proceedings of the Municipal Council, Tellicherry, at a special meeting held on Friday the 14th January 1898.

* * * * *

Read again G.O., Mis. No. 2815 M., dated 16th December 1897, calling upon the council for reasons stated to show cause within a month why the privilege of electing the Chairman should not be withdrawn and the strength of the council reduced from eighteen to twelve and the number of elected councillors from twelve to three.

2. Read also council's resolution, dated 10th January 1898.

On the subject coming on for discussion, two draft memoranda of objections were read, one by Mr. E. S. Fernandez and the other by Mr. K. Ramunni. Mr. T. Richmond proposed and Mr. V. B. Pocker seconded that the statement of objections prepared by Mr. E. S. Fernandez be adopted as the objections of the council to the proposals of Government.

These voted for the proposal—

Mr. T. Richmond.	Mr. Bava.
„ V. B. Pocker.	„ H. Fernandez.
„ P. Forte.	„ Ambadi Marar.
„ Essu.	„ E. S. Fernandez.

The following voted against the resolution:—

Mr. K. Ramunni.	Mr. Issak Haji Ayab.
„ A. F. Lemerle.	„ C. Ahmad Kutti Haji.
„ Govindan Nair.	„ V. Karunakara Menon.

The Chairman not voting. The resolution of Mr. Richmond was therefore carried by a majority.

Memorandum of Objections.

In accordance with the suggestion made at the meeting of the 10th instant, we beg to state below our objections on G.O., Mis. No. 2815 M., dated 16th December 1897.

2. We have given the memorandum drawn up by the late Chairman-Delegate our careful consideration. We find the memorandum abundantly supported by the municipal records and the several tabular and other statements subscribed to by the manager and other employés of the municipality and attached to the memorandum. The memorandum was publicly read at the meeting of the council on the 4th November 1897, and we understand that the document and the statements above referred to were handed over by the Collector to such of the councillors who took exception to its correctness. The memorandum was in their possession from 1st to 14th December 1897, when it was returned by them to the office. We note that, amongst the dissatisfied councillors, there are three gentlemen who had filled the position of Chairman of this municipality and therefore presumably acquainted with the working of the executive department. Apart from an obstinationist policy pursued by these councillors, curiously enough, headed by a *nominated* member ever since the drawing up of the above memorandum, the council has not yet seen any attempt at vindication of the administration condemned in the memorandum. The additional facts brought to the notice of the council at its meeting on the 17th December (*vide* copy of office-note of the Chairman-Delegate enclosed), namely, the great delay—nearly six months—in bringing distrained properties to sale and the existence in the office now of some undisposed of distrained articles without proper records, confirm us in the view we take of the past administration of this municipality, and we entirely agree with Government in their view in regard to the same.

3. We would, however, respectfully urge that the council as a whole or all its elected members are not responsible for the state of affairs. The first three signatories to this memorandum, who are elected members, had long ago drawn attention to the lax management of the municipality and only when one of the councillors, whose views agreed with ours, assumed charge of its affairs as Chairman-Delegate, was our voice heeded. We have stood all along for reform and we would particularly draw the attention of Government to paragraphs 11 to 14 of the enclosure B.

4. We would also respectfully bring to the notice of Government that Tellicherry is a town rising daily in importance, and that the proposed extension of the Madras Railway would further accelerate its rise. We would, therefore, urge upon Government to modify slightly the proposed remedial measures. We would ask that the present strength of the council, viz., eighteen, be retained and the elected members be fixed at half its number. At present there are thirteen elected members (not twelve as stated in the Government order). The town contains four wards, and the reduction of the elected councillors to three would deprive one of the wards its privilege of electing a member which could not have been the intention of Government. It is further submitted for the consideration of Government that a member for each ward would be quite an inadequate representation of the rate-payers, especially in view of the fact that each ward is inhabited by different sections of the community, notably Muhammadans and Hindus.

5. We would suggest that the A ward, containing principally the officials—Europeans and Eurasians—and which now returns four members be allowed three members, and that the remaining wards which now return three members, two each, thus making up the proposed half. In making this prayer, we would draw the attention of Government that it is due to an *elected* member that the mal-administration of this town has been at last forcibly brought to light and that it was a few elected members who are signatories to this memorandum together with only *one nominated* member out of the four, who throughout fought for reform along with the late Chairman-Delegate.

6. If Government, in spite of this representation, is of opinion that a reduction in the number of councillors is called for, though it is not alleged that the municipality got mismanaged owing to an excessive number of councillors, we would beg to propose that the strength be reduced to fifteen, that exclusive of the ex-officio councillor, seven be nominated by Government and the other half be appointed by election and the members be distributed as follows:—

A, B and C wards	2 each.
D	1

We, however, strongly hope that the Government will see its way to allowing the present strength.

7. We are in entire accord with the views of Government in regard to the Chairmanship, and we have every hope that a purely honorary Chairman nominated by Government with an able and efficient full-time secretary will put the administration of this town on a satisfactory and salutary footing.

8. In conclusion, we pray that the changes herein suggested, which are more or less in accord with the views of Government, may be enforced only as a tentative measure and that when the administration proves efficient, Government may be pleased to restore to the council its present constitution.

TELLICHERRY,
14*th January* 1898. (Signed) E. S. FERNANDEZ, and others.

Endt. on C. No. 138-R.

Submitted.

2. The facts and figures in the statement of the majority have not been verified, but if Government so desire, this will be done. It may not, of course, be impossible to pick holes here and there in the memorandum, but I can say with confidence from my experience since I took over the office of Chairman that the state of affairs in the office justifies the worst that could be said of it.

TELLICHERRY,
18*th January* 1898. (Signed) M. J. MURPHY,
Ag. Sub-Collector.

Endt. on C. No. 39-M.

Submitted.

2. I recommend that the suggestions made by the majority of the council be adopted, viz.—

(*a*) That the Chairman should be nominated by Government.

(*b*) That the strength of the council should remain as it is, half of its members being elected.

(*c*) That of the nine elected councillors three should be returned for the A ward, and two each for the other three.

CALICUT,
25*th January* 1898. (Signed) G. W. DANCE,
Collector.

ORDER—No. 435 M., dated 23rd February 1898.

The withdrawal from the municipal council of the privilege of electing its Chairman, proposed in the proceedings read above, to which the council has no objection, is approved; but in the circumstances stated, the council's proposal to leave the total number of councillors unaltered and to reduce the number to be appointed by election from thirteen to nine is accepted. The following notification will be published in the Fort St. George and the Malabar District Gazettes:—

NOTIFICATION.

Whereas the Municipal Council of Tellicherry, as at present constituted, appears unequal to the administration of municipal affairs in an efficient manner, His Excellency the Governor in Council is pleased to declare, under the provisions of section 12 of Act IV of 1884, as amended by Act III of 1897, and in modification of Notification No. 24, published in the *Fort St. George Gazette* Extraordinary, dated 19th March 1885, that the Chairman of the Municipal Council of Tellicherry shall be appointed by the Governor in Council and that the number of councillors to be appointed by election shall be nine.

2. As suggested by the municipal council and the Collector, three elective seats will be assigned to the A ward of the town and two seats to each of the other three wards. The necessary alterations in the schedule attached to the election rules will be made when the revised rules are issued.

(True Extract.)

H. TREMENHEERE,
Ag. Secretary to Government.

To the Chairman, Municipal Council, Tellicherry,
through the Collector of Malabar.

Gazette.

Exd. P. Seetharam.

Government {1898} of Madras.

LOCAL AND MUNICIPAL.

Proof for approval.

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LOCAL AND MUNICIPAL DEPARTMENT.

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ABSTRACT.—Proposing to withdraw for reasons stated from the Municipal Council of Tellicherry the privilege of electing its own Chairman and to reduce the number of councillors from 18 to 12 and the election seats thereon from 12 to 3; requesting the council to state within one month its objections, if any, to these proposals; and directing the Sub-Collector in the meanwhile to resume charge of the Chairman's office without delay.

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2. Extracts from the council's proceedings on the subject, dated 10th and 14th January 1898, are also enclosed.

ENCLOSURES.

From E. S. FERNANDEZ, Esq., and others, Municipal Councillors, Tellicherry, to the Secretary to Government, Local and Municipal Department, dated July 1897.

We, councillors of the Tellicherry Municipality, beg respectfully to submit that we had proposed the appointment of a secretary to this municipality in accordance with the provisions of the new Act, but owing to the Chairman's representation that no funds are available, the proposal fell through. We then drew up the enclosed letter, but finding that the Chairman has already addressed Government to defer the appointment, we think it our duty to submit the same to Government for consideration along with the Chairman's letter on the subject.

2. In addition to what we have said in our letter, we beg to state that even the administration report, which was due to Government on the 1st of June, has not been taken in hand as yet. We therefore request that Government will be pleased to see the necessity of a secretary being appointed as early as possible.

From E. S. FERNANDEZ, Esq., and others, Municipal Councillors, Tellicherry, to the Chairman, Municipal Council, dated 29th June 1897.

In accordance with a requisition signed by some of us, you called a meeting of the council to consider the question of appointing a secretary for this municipality on the 24th instant but at the meeting you represented that no secretary could be entertained for want of funds as the council would have to its credit only a paltry balance of Rs. 127 after meeting all expenditure during the current official year. The council by a majority therefore resolved to ask Government to defer the appointment of a secretary.

2. We have since examined the budget figures and the statement drawn up by you and we find that they have a different tale to tell. We are constrained to remark that had the statement been circulated with the notice instead of having it sprung upon us at the meeting, the council would not have resolved, as it did, without discussing the figures.

3. We propose in the following paragraphs to deal with some of the principal items in your statement and to show to the council that it is by no means in such sore straits in respect of its finances as it has been given to understand.

4. *Receipts.*—For 1897-98 these amount to Rs. 50,430. Now it remains to be explained why the large increase resulting under the provisions of the amendment Act III of 1897 in the profession taxes, the rates of which have been fixed higher than hitherto, have not been taken into account in your statement. Under G.O., No. 1313 M., dated 31st May 1897, the new rates are to be imposed and levied *at once*.

5. *Expenditure—Grant 1, New Works.*—Rs. 450 is provided for an operation room and an incinerator, but these works have not been undertaken as yet. There is really no hurry for purchasing an incinerator, seeing that the depôt for the rubbish which is proposed to be burnt is situated far beyond the limits of the municipality. It is only if the depôt is to be transferred to some site within the limits that the incinerator would be an absolute necessity but we know a site cannot easily be made available. Hence we can safely count upon a saving of Rs. 250 under this head.

Repairs to Communications.—Though Rs. 1,940 is provided, yet the contract was given only for Rs. 1,477 and there is a clear saving of Rs. 463 here.

Repairs to Buildings and Drainage.—Rs. 970 is provided for this, but the average of the actuals for the past three years is only Rs. 691-12-0. Saving Rs. 278-4-0.

Grant 3.—Rs. 1,090 is provided for plague charges, but we know that at most the council will have to spend only Rs. 360 for the year if it continues to rent the Green Island at Rs. 20 and pays the hospital assistant's allowance at Rs. 10 per mensem. The monsoon having set in and the island is almost inaccessible owing to the rough sea, it is a question if Rs. 20 per month should be wasted any longer on this island. Even allowing it to remain undisturbed we may (*D.V.*) safely calculate upon a savings of Rs. 700 under this head after making provision for other petty charges.

6. We feel bound to protest against the manner in which Rs. 250 has been shown on the debit side under "Pay for additional teacher for the Brennen College" without at the same time taking credit for a sum at least equal to that amount on the receipt side. The additional teacher was sanctioned on the distinct assurance given by the headmaster in his letter, No. 51, dated 17th February 1897, that the extra cost would be more than covered by fees from the larger number of students admitted and which necessitated the additional appointment.

7. Rs. 1,300 has been deducted in your statement on account of anticipated receipts under house and land taxes, but which will not accrue by reason of the revision under the amendment Act not taking effect till next official year. Now at the consideration of the budget, it was not expected that the amendment Act would be passed and the increase was anticipated independent of the result of any revision under that Act. The revision is the quinquennial revision directed to be undertaken in 1896-97 (*vide* G.O., No. 1632 M., dated 23rd September 1896) and which the council has already taken in hand and entertained a special establishment therefor. We do not think that clause 3 of section 66 of the new Act debars us from levying the increase resulting by the revision undertaken *before* that Act came into force. We do not therefore see any grounds for eliminating the anticipated increase from the total receipts at any rate without obtaining, with the consent of the council, orders of Government on the point.

8. Then it seems remarkable that just when the question of appointing a secretary was mooted in accordance with the imperative provisions of the law, it occurred to you that you have to pay off a sum of Rs. 1,273 being the cost of medicines due *more than three years ago and not provided for in the budget*. Why this item was not provided for in the budget, we fail to see.

9. We have not considered the allotments under several other heads, but we know that there will more or less be savings under them. For our present purpose, however, the above suffices to show that without even taking into account the anticipated increases in assessment and making allowance for increased charge under lighting, &c., there will be a saving of about Rs. 1,500. Besides, we can point out many items under which retrenchment is possible.

10. We, however, shall not require more than Rs. 700 for the next seven months (March pay being drawn and charged for in April 1898) if we appointed a secretary on Rs. 100 a month from 1st August next, allowing the period between that date and this for obtaining the necessary sanction of Government.

11. We do not forget that the appointment of secretaries—a wise provision—under the new Act means considerable curtailment of powers of chairmen but we are convinced from the present state of this municipality that it is sadly wanting in systematic and effective supervision and management which any chairman who has his own concerns to attend to, cannot possibly find

time for. We need only in support of our statement refer to the following remarks recorded on 16th January 1897 by Mr. Harding, the Revenue Divisional officer, when he took charge of the office of Chairman on its vacation by the late incumbent :—

"Old arrears of Rs. 3,740–3–1 are still outstanding. Current arrears, Rs. 13,524–6–11, are still due though only 2½ months more have to run in this year. Process has not been issued for these amounts The process register is blank from August. The manager does not seem to know how much is covered by process, evidently the bill collectors have neglected their work. They are fined Re. 1 each and will be dismissed if I am not satisfied with the collections by the 1st of February. The manager has not supervised collections and has not prepared the budget yet. If the budget is not ready within a week and if collections are not properly supervised by him, and all the arrears covered by process by the end of this month, I shall dismiss the manager."

An extract from the same officer's remarks made on the 2nd of February is noted below :—

"The detail book of receipts is not written up to date. It must be kept tallying with the cash book. The demand registers are only now being written. They should all be ready by the beginning of the official year. The petition register is not kept properly, disposals are not marked * * *."

12. In forwarding the budget for 1897–98 to Government Mr. Harding again remarked as follows (*vide* G.O , No. 635 M., dated 20th March 1897) :—

"I regret the delay (of about two months) in submission of this budget, but when I succeeded the late Chairman on 16th January nothing at all had been done towards its preparation."

13. Then there are the Inspector's last audit notes which have brought to light several and serious irregularities and omissions and which show that the office and its records require thorough overhauling. Defects pointed out in previous audits continued to exist. These shortcomings would not, we feel sure, have occurred, had there been a full-time officer at the head of affairs.

14. In the above circumstances we think it our duty to represent to Government the urgent need there is for appointing a full-time secretary ; but before doing so we desire that the council should reconsider their resolution on the subject and accordingly request you will be good enough to convene a meeting on the 5th July next for the purpose and till then hold over the submission of the last resolution to Government.

Memorandum of Objections.

In accordance with the suggestion made at the meeting of the 10th instant, we beg to state below our objections on G.O., Mis. No. 2815 M., dated 16th December 1897.

2. We have given the memorandum drawn up by the late Chairman-Delegate our careful consideration. We find the memorandum abundantly supported by the municipal records and the several tabular and other statements subscribed to by the manager and other employés of the municipality and attached to the memorandum. The memorandum was publicly read at the meeting of the council on the 4th November 1897, and we understand that the document and the statements above referred to were handed over by the Collector to such of the councillors who took exception to its correctness. The memorandum was in their possession from 1st to 14th December 1897, when it was returned by them to the office. We note that, amongst the dissatisfied councillors, there are three gentlemen who had filled the position of Chairman of this municipality and therefore presumably acquainted with the working of the executive department. Apart from an obstinationist policy pursued by these councillors, curiously enough, headed by a *nominated* member ever since the drawing up of the above memorandum, the council has not yet seen any attempt at vindication of the administration condemned in the memorandum. The additional facts brought to the notice of the council at its meeting on the 17th December (*vide* copy of office-note of the Chairman-Delegate enclosed), namely, the great delay—nearly six months—in bringing distrained properties to sale and the existence in the office now of some undisposed of distrained articles without proper records, confirm us in the view we take of the past administration of this municipality, and we entirely agree with Government in their view in regard to the same.

3. We would, however, respectfully urge that the council as a whole or all its elected members are not responsible for the state of affairs. The first three signatories to this memorandum, who are elected members, had long ago drawn attention to the lax management of the municipality and only when one of the councillors, whose views agreed with ours, assumed charge of its affairs as Chairman-Delegate, was our voice heeded. We have stood all along for reform and we would particularly draw the attention of Government to paragraphs 11 to 14 of the enclosure B.

4. We would also respectfully bring to the notice of Government that Tellicherry is a town rising daily in importance, and that the proposed extension of the Madras Railway would further accelerate its rise. We would, therefore, urge upon Government to modify slightly the proposed

remedial measures. We would ask that the present strength of the council, viz., eighteen, be retained and the elected members be fixed at half its number. At present there are thirteen elected members (not twelve as stated in the Government order). The town contains four wards, and the reduction of the elected councillors to three would deprive one of the wards its privilege of electing a member which could not have been the intention of Government. It is further submitted for the consideration of Government that a member for each ward would be quite an inadequate representation of the rate-payers, especially in view of the fact that each ward is inhabited by different sections of the community, notably Muhammadans and Hindus.

5. We would suggest that the A ward, containing principally the officials—Europeans and Eurasians—and which now returns four members be allowed three members, and that the remaining wards which now return three members, two each, thus making up the proposed half. In making this prayer, we would draw the attention of Government that it is due to an *elected* member that the mal-administration of this town has been at last forcibly brought to light and that it was a few elected members who are signatories to this memorandum together with only *one nominated* member out of the four, who throughout fought for reform along with the late Chairman-Delegate.

6. If Government, in spite of this representation, is of opinion that a reduction in the number of councillors is called for, though it is not alleged that the municipality got mismanaged owing to an excessive number of councillors, we would beg to propose that the strength be reduced to fifteen, that exclusive of the ex-officio councillor, seven be nominated by Government and the other half be appointed by election and the members be distributed as follows :—

A, B and C wards	2 each.
D	1

We, however, strongly hope that the Government will see its way to allowing the present strength.

7. We are in entire accord with the views of Government in regard to the Chairmanship, and we have every hope that a purely honorary Chairman nominated by Government with an able and efficient full-time secretary will put the administration of this town on a satisfactory and salutary footing.

8. In conclusion, we pray that the changes herein suggested, which are more or less in accord with the views of Government, may be enforced only as a tentative measure and that when the administration proves efficient, Government may be pleased to restore to the council its present constitution.

(Signed) E. S. FERNANDEZ, and others.

Tellicherry,
14*th January* 1898.

Office Note.

I have to bring the following matters to the notice of the council :—

(*a*) A spring carriage lying exposed in the municipal office compound appears to have been brought and left there some time in June 1895, under verbal orders of councillor Mr. A. F. Lemerle for some fees due thereon by the owner, one Pakki. There is no warrant of attachment or other record in the office relating to it and no action seems to have been taken for its disposal during the last 2½ years.

(*b*) There are three kinnams (bell metal vessels) lying in the office. They are said to have formed part of the property attached under warrant No. 24 in July 1896. But there is no information available whether they were sold or unsold. There is also one kindi attached in February 1895 which should have been returned to the owner as the arrears were covered by proceeds of other items sold.

(*c*) One item of moveable property attached in April and four items attached in May last under warrants 30, 32, 33, 50 and 57 of 1896–97 for arrears of tax were lying in the office for nearly six months though they should have been sold seven days after attachment. One item was released by me on payment of arrears and the remaining items sold ; but in three cases the sale-proceeds are not sufficient to cover the dues as the property consisting of planks is said to have decayed through exposure.

(Intld.) H. F.

17–12–97.

From A. F. LEMERLE, Esq., and others, Municipal Councillors, Tellicherry, to the Secretary to Government, Local and Municipal Department, dated .

We have the honour to submit, for the consideration of Government, the following facts and explanations *in re* the memorandum of Mr. H. Fernandez, the late Chairman-Delegate, on the

state of municipal affairs as he found them, upon the strength of which Government has proposed in its order, dated 16th December 1897, to take away from this important town the franchise it has enjoyed ever since the introduction of local self-government in the country.

2. In its review of Municipal Administration report for 1895–96, Government was pleased to remark that "the year closed with a balance of Rs. 3,877 or 8·4 per cent. of the current receipts, and that the administration of the municipality during the year under review showed an improvement on that of the previous year in several respects and was *very fairly efficient*"; and for 1896–97, that "the year closed with a balance of Rs. 1,505 or 3·5 per cent. of the current receipts, and that the administration of the municipality during the year under review was *fairly satisfactory.*" The previous administration referred to in the Government order must therefore be that of the period commencing with the 1st of April 1897.

3. The three important points in respect of which this administration is condemned are—

I. *Negligence in the collection of municipal revenue.*
II. *The deplorable condition of the sanitation of the town.*
III. *The hopeless condition of the office records and registers.*

4. I. *Negligence in collection.*—Mr. Fernandez seeks to establish that previous administration has been negligent in the matter of collection by pointing out that previous collections were very poor and that "*recovery of taxes* does not appear to be difficult" seeing that in his time, within the short space of fifteen days, "*the collection* amounted to Rs. 3,224–4–5", but a careful examination of the following statement and figures will show how far the statement itself is correct and the induction justifiable :—

Statement of collection during the above fifteen days.

	Rs.	A.	P.
(1) House and land tax	721	10	5
(2) Tax on arts	261	0	0
(3) Scavenging fee	230	7	0
(4) Tax on animals and vehicles	130	8	0
(5) Sale-proceeds of latrine No. 1	147	0	0
(6) Sale of Pulikkandi house attached to the hospital and intended to be used as a lying-in ward	113	0	0
(7) Collection from bandy and cart stand contractors	145	5	9
(8) Fine levied from the cart-stand contractor against the terms of the contract	10	0	0
(9) Hospital contributions	663	5	0
(10) Toll contributions	525	0	0
(11) School-fees and grants from Provincial funds	110	1	2
(12) Sale of avenues	47	13	0
(13) Deposit on account of tax on arts	50	0	0
(14) Fees, fines and other items	69	2	1
Total ..	3,224	4	5

5. The collection from taxes alone thus amounts to only Rs. 981–10–5, excluding a sum of Rs. 130–8–0 under vehicles and animals, which was realized by an order by Mr. Fernandez insisting on all vehicles that came within municipal limits from adjoining towns and villages being seized and taxes levied on them indiscriminately. This procedure has since been pronounced illegal by the Collector on a representation made by the toll contractors, and we understand that they and the carriage owners contemplate suing the municipality for damages.

6. The following remarks are offered on the other items :—

Items (5) *and* (6).—Credit was not taken for these in the budget. The demolition of these buildings was suddenly resolved upon by the council and the materials were sold almost immediately (*vide* our letter to Government, dated 11th December 1897, paragraphs 4—7).

Items (9), (10) *and* (11).—These come in at fixed intervals, without any effort on the part of the executive. Item (11) has not been shown in the statement of demand for the half-year put down in the memorandum. In respect of item (10) application was made by the previous Chairman to the President of the District Board on the 11th September.

Item (12).—It is noteworthy that in the short space of fifteen days the collection from the sale of avenue trees should have aggregated to Rs. 47–13–0.

7. As to the laxity alleged in the collection of taxes before Mr. Fernandez took charge, we have to point out that the uncollected current balance for the half-year ending 30th September 1897 as shown in the memorandum is Rs. 10,070–6–10 and comprises—

	Rs.	A.	P.
(1) House and land tax	6,962	15	10
(2) Tax on arts	450	0	0
(3) Tolls	903	2	0
(4) Slaughter-house fees	36	0	0
(5) Rent of cart-stands	467	8	0
(6) Private scavenging fees	627	13	0
(7) Tax on vehicles and animals	573	0	0
(8) Tax on carts	16	0	0
(9) Rent of lands, &c.	34	0	0
Total ..	10,070	6	10

8. These figures cannot be said to represent accurately the actual demands. In two instances at least the actual demands are considerably less than these figures, viz., in the case of toll contribution, where the actual is Rs. 525 (since received), and also in that of cart-stands, where it is only Rs. 240, according to the terms of the contract, for the first half-year when traffic is less. The total is thus decreased by Rs. 623.

9. With reference to the items Nos. (1) and (2), viz., house and land tax, and tax on arts we have to submit that—

(1) Bills can be issued only after the demand register is written up, and the Chairman's revision is over. A revision of assessment was ordered by Government (*vide* G.O., No. 1632 M., dated 23rd September 1896). The work was undertaken only in the beginning of the current year for reasons already submitted to Government. The new Amendment Act providing that a revised assessment ought to be brought into force only after a year of the revision, the question naturally arose whether the new rates could be levied in view of the fact that the revision was undertaken before the Amendment Act came into force, or the old rates had to be followed; and a reference was made to Government, the reply to which was obtained only on the 26th July 1897.

(2) The new bill forms prescribed were, as per letter of the Accountant-General, dated 12th February 1897, and received on the 15th, ordered to be printed in Madras. The Accountant-General was written to on the 25th February, but the forms were received only in August.

In consequence of the delay, the Chairman seems to have taken upon himself the responsibility of issuing profession-tax bills on old bill forms, on the 13th July 1897, and out of a demand of Rs. 2,023, Rs. 1,573 was collected. The house and land tax bills could not possibly be issued before the receipt of the Government Order. By the 4th September 3,300 bills under these heads had been prepared and issued.

10. As regards item No. 3, we have to point out that the tolls are due quarterly, and the amount under it was payable only after the 30th September 1897. The late Chairman, as already stated, had addressed the President of the District Board for the contribution on the 11th September.

11. In connection with the collection of scavenging fees, it has to be observed that the sanitary establishment which was responsible for its collection had to concentrate all its energies to the stamping out of cholera which broke out in this municipality in July, and continued till September, and raged with a virulence unknown for many years past.

12. Deducting the amounts thus accounted for, the total of the other items come up only to Rs. 899 (the amount under tolls being calculated at Rs. 240, and not Rs. 467–8–0, for reasons already stated).

13. Regarding the collection of the previous year's arrears, we have to point out that the demand under this head is Rs. 5,097–11–1, and not Rs. 5,907–5–1, as stated in paragraph 3 of the memorandum—*vide* G.O., No. 2410, dated 2nd November 1897, paragraph 3 (2). Of this Rs. 1,543–7–10 is admitted to have been collected. Of the balance, viz., Rs. 3,554–3–3, it has to be pointed out that defaulters have been prosecuted before the Bench of Magistrates for a sum of Rs. 1,196–2–8, and suits filed in the Munsif's Court for a total approximating to Rupees 1,333–15–3. The other items are comparatively petty sums. Those in respect of which no processes have been issued are deemed almost irrecoverable, and will, in all probability, have to be written off the accounts.

14. Of processes issued 689 warrants are shown as left unexecuted. This is not correct. The items in respect of which prosecutions were lodged, and suits filed are those for which originally warrants were issued. These warrants are included in the No. 689. Again, in several instances, the parties against whom warrants were taken had died, or else become bankrupt, and further action obviously was useless. We have not been able to look over the books for all the wards. But the warrants pertaining to the A ward shown below may be taken as fairly representative :—

A Ward—House and Land Tax.

	Rs.	A.	P.	Persons against whom taken.
1892–93—12 warrants—Total sum	14	8	6	
Large item (1)	7	2	6	Kakkuzhi chirutha, died.
1893–94—21 warrants—Total sum	26	12	6	
Large items (1)	6	9	10	Choakkarin Orkkatturi Bappen, died.
(2)	7	2	6	Kukkuzhi Bappu, insolvent.
1894–95—24 warrants—Total sum	28	3	7	
Large items (1)	2	11	4	O. Bappen, died.
(2)	6	9	10	O. Bavotti, died.
(3)	7	2	6	Kukkuzhi Bappu, insolvent.
1895–96—49 warrants—Total sum	61	14	4	
Large items (1)	5	5	8	O. Bappen, died.
(2)	2	11	3	,, ,,
(3)	7	0	0	Chettayil Krishmannair, died.
(4)	6	9	10	O. Bappen, died.
(5)	7	2	6	K. Bappu, insolvent.
1896–97—67 warrants—Total sum	120	1	5	All for petty sums.

15. The number of warrants left actually unexecuted is thus considerably small. These warrants were taken out against persons of poor circumstances and for petty sums, and their execution was not urged in consequence, as we learn, of the famine that prevailed in the town. In fact on the 5th July the Collector wrote to the Chairman a demy-official advising the remission of taxes to the poor.

16. It has also to be remarked that till the beginning of the current year the bill collectors were allowed each a peon to assist them in their work, but the services of these peons were dispensed with in the budget proposals for the current year. It was discovered that without the peons distraint was difficult to obtain, and in accordance with a resolution of the council, sanction was solicited from Government on this very ground to retain the peons. Government, however, declined to cancel the original order.

17. The inability to meet regularly the demands on municipal exchequer is thus due to the paucity of collections explained above. It has, however, to be observed that in the list of liabilities, every item of expenditure has been included, bills not scrutinized and passed by the bill committee and even those to be received.

18. With regard to the threats of the contractors and scavengers we have only to remark that fortunately for this town they have not been carried into effect. It is significant, however, that these threats, as alleged, were made only after Mr. Fernandez took charge.

19. II. *The deplorable condition of sanitation.*—The only defects in respect of sanitation noticed by the Sanitary Commissioner in his last inspection notes, recorded in G.O., No. 1027 M., dated 26th January 1895, are that a latrine should be built near the temple tank, and a new burial-ground selected for the Mappilla community. In other respects the sanitation of the town was satisfactory.

20. As for the present condition of sanitation, it may be remarked that during the late outbreak of cholera the Civil Surgeon's reports all positively assert that the sanitary arrangements of the town were very satisfactory and the disease was imported. It has also to be brought to the notice of Government that Tellicherry was not infected to that extent to which the two sister municipalities of Calicut and Cannanore were.

21. As to masonry dust-bins being out of repair, we beg to point out that, in accordance with the suggestion of the Deputy Sanitary Commissioner (*vide* G.O., dated 25th April 1894) to replace masonry dust-bins by those made of metal, the council resolved to allot Rs. 50 every year to purchase corrugated iron dust-bins. The masonry dust-bins, as they get out of repair, are thus being gradually replaced by those made of iron, and in the town there are already six of the latter kind out of a total of 36. To spend money to keep the old ones in *thorough* repair would in the circumstances be to waste it.

22. The drains were constructed in the days of the Towns' Improvement Act. Mr. Fernandez states that "water and dirt stagnate in them and intolerable nuisance is caused." Against this we have only to quote the remarks of the Civil Surgeon in his report for 1896–97. "The drainage of the town is natural, there being only five surface masonry drains at Chali; these are square in section, they are *flushed daily and kept clean.*"

23. III. *The hopeless condition of Records and Registers.*—To begin with the demand registers, that it has not been written up is literally, true, *i.e*, a new register has not been made. The Government Order regarding the levy of rates, already alluded to, having been received late, it appears to have been decided that in the old demand register fresh figures should be written up in the remarks column wherever the demand for the new year differed from the old, and the bills issued at once, as otherwise still further delay would ensue. The old register with the modifications made was then to be written up neat to form the new register. It is submitted that the action was justifiable by the exigency of the circumstances.

24. The register of miscellaneous licenses has been maintained. There is but one register of licenses for animals and vehicles, and one for deposits, but these had not been written up for the current year. As advances were never made, there did not plainly exist any necessity for opening a register for it.

25. The other five registers were not written up in the new forms, because the new forms were received too late. The other matters complained of are most of them trivial, notably that of the tappal book not having been totalled up daily.

26. Distrained property and records used to be kept in the same room, as there is only one safe room in the office, and both have to be guarded against loss. The distrained articles are in the custody of the manager who locks the room every evening and keeps the key with him. The room is opened on the morrow only after the clerks arrive, the manager himself living downstairs. The night watch guards the whole at night, and never has even a pin been lost.

27. The records have now been re-arranged. Whatever the old arrangement, never was difficulty experienced, in the knowledge of the councillors, in picking up a required record from the whole mass. And here we have to bring to the notice of Government that on a certain occasion Mr. Fernandez took objection to an order passed by his predecessor on the ground that no notice was served to the party, positively affirming that he could not find any among the records of the office, but the councillors present, without accepting his statement called upon the clerk in attendance to see whether the notice was among the records; and the notice was, to the great discomfiture of Mr. Fernandez, at once produced.

28. Two lamps are also kept in the record-room; these are table lamps used by the councillors at meetings. The oil used not to be kept in the room.

29. No estimates have been lost.

30. The contracts have all been signed.

31. No security was taken from the two acting bill collectors, as they were entertained temporarily for a short period during the absence of the permanent incumbents on revision work. The peon who used to carry money to the treasury had furnished security to the extent of Rs. 100. He died three days before Mr. Fernandez took charge. If the new peon has not furnished security it is Mr. Fernandez's own fault.

32. We have not been able to ascertain what references made to councillors have not been received by them. A local tappal book is maintained, which contains the names of persons to whom covers are addressed and sent, and their initials have invariably been taken as a token that they have been delivered.

33. Regarding the attendance of councillors, it need only be said that, except on three occasions, no meeting had to be adjourned for want of a quorum, and Government in its review of administration report for the year was pleased to remark that "the average attendance of both the official and non-official members again improved and was fair." In the current year not a single meeting had to be adjourned for want of a quorum.

34. There are several other remarks in the memorandum which are either unwarranted by facts or else grossly exaggerated. As these have not been referred to in the Government Order to which this is intended as an explanation, we do not purpose to burden this letter, already long, with an examination of them.

35. We venture to hope that Government will be pleased to see from the facts and explanations herein set forth that the administration of this municipality, if not so efficient as may be desired, is certainly not so hopelessly bad as Mr. Fernandez has attempted to discribe it and as calls for so severe a measure as the disenfranchisement of the town. We solicit that in passing orders on the subject Government will be pleased to read also the letter that we sent on the 11th December 1897, and if necessary to call for reports from sanitary authorities and auditor of municipal accounts.

Proceedings of the Municipal Council, Tellicherry, at a special meeting held on Monday the 10th January 1898.

* * * * *

Read G.O., Mis. No. 2815 M., dated 16th December 1897, calling upon the council for reasons stated to show cause within a month why the privilege of electing the Chairman should not be withdrawn and the strength of the council reduced from eighteen to twelve and the number of elected Councillors from twelve to three.

Proposed by Mr. Lemerle and seconded by Mr. K. Ramunni that the council resolve to address Government stating its objections to the proposals of Government.

Carried, all members voting for the resolution except Chairman, who did not vote.

Resolution.—The council unanimously resolve that the matter be postponed for finally deciding on the statement of objections to Government to a meeting to be held on Friday the 14th January 1898 at 5 P.M.

PROCEEDINGS of the Municipal Council, Tellicherry, at a special meeting held on Friday the 14th January 1898.

* * * * *

Read again G.O., Mis. No. 2815 M., dated 16th December 1897, calling upon the council for reasons stated to show cause within a month why the privilege of electing the Chairman should not be withdrawn and the strength of the council reduced from eighteen to twelve and the number of elected councillors from twelve to three.

2. Read also council's resolution, dated 10th January 1898.

On the subject coming on for discussion, two draft memoranda of objections were read, one by Mr. E. S. Fernandez and the other by Mr. K. Ramunni. Mr. T. Richmond proposed and Mr. V. B. Pocker seconded that the statement of objections prepared by Mr. E. S. Fernandez be adopted as the objections of the council to the proposals of Government.

These voted for the proposal—

Mr. T. Richmond.	Mr Bava.
„ V. B. Pocker.	„ H. Fernandez.
„ P. Forte.	„ Ambadi Marar.
„ Essu.	„ E. S. Fernandez.

The following voted against the resolution :—

Mr. K. Ramunni.	Mr. Issak Haji Ayab.
„ A. F. Lemerle.	„ C. Ahmad Kutti Haji.
„ Govindan Nair.	„ V. Karunakara Menon.

The Chairman not voting. The resolution of Mr. Richmond was therefore carried by a majority.

* * —

Endt. on C. No. 138-R.

Submitted.

2. The facts and figures in the statement of the majority have not been verified, but if Government so desire, this will be done. It may not, of course, be impossible to pick holes here and there in the memorandum, but I can say with confidence from my experience since I took over the office of Chairman that the state of affairs in the office justifies the worst that could be said of it.

TELLICHERRY,
18*th January* 1898.

(Signed) M. J. MURPHY,
Ag. Sub-Collector.

Endt. on C. No. 39-M.

Submitted.

2. I recommend that the suggestions made by the majority of the council be adopted, viz.—

(*a*) That the Chairman should be nominated by Government.

(*b*) That the strength of the council should remain as it is, half of its members being elected.

(*c*) That of the nine elected councillors three should be returned for the A ward, and two each for the other three.

CALICUT,
25*th January* 1898.

(Signed) G. W. DANCE,
Collector.

ORDER—No. 435 M., dated 23rd February 1898.

The withdrawal from the municipal council of the privilege of electing its Chairman, proposed in the proceedings read above, to which the council has no objection, is approved; but in the circumstances stated, the council's proposal to leave the total number of councillors unaltered and to reduce the number to be appointed by election from thirteen to nine is accepted. The following notification will be published in the Fort St. George and the Malabar District Gazettes :—

NOTIFICATION.

Whereas the Municipal Council of Tellicherry, as at present constituted, appears unequal to the administration of municipal affairs in an efficient manner, His Excellency the Governor in Council is pleased to declare, under the provisions of section 12 of Act IV of 1884, as amended by Act III of 1897, and in modification of notification No. 24, published in the *Fort St. George Gazette* Extraordinary, dated 19th March 1885, that the Chairman of the Municipal Council of Tellicherry shall be appointed by the Governor in Council and that the number of councillors to be appointed by election shall be nine.

2. As suggested by the municipal council and the Collector three elective seats will be assigned to the A ward of the town, and two seats to each of the other three wards. The necessary alterations in the schedule attached to the election rules will be made when the revised rules are issued.

(True Extract.)

Ag. Secretary to Government.

To the Chairman, Municipal Council, Tellicherry,
through the Collector of Malabar.

Gazette.

Exd. P. Seetharam.

Ind-agen the [illegible]

Lm 435 M Dy 23/2

G.O. No. 2815. M.
Dy. 16th December/1897.

1 abstract

Municipal Council—

Proposing to withdraw for reason stated from the Municipal Council, Tellicherry the privilege of electing own Chairman and to reduce the number of Councillors from 18 to 12 and election seats thereon from 12 to 3; requesting the

Abstract.

Proposing to withdraw for reasons stated from the Municipal Council of Tellicherry the privilege of electing its own chairman and to reduce the number of Councillors from 18 to 12 and the election seats thereon from 12 to 3; requesting the Council to State within one month its objections, if any, to these proposals and directing the Sub-Collector in the meanwhile to resume charge of the Chairman's office without delay.

the

Municipal Office.

Tellicherry. 15th January 1898.

From

W. J. Murphy Esquire,
Chairman, Municipal Council,
Tellicherry.

To.

The Secretary to Government,
Local and Municipal Department,
Fort St. George.

Thro':

The Collector
and
The Sub-Collector of
Malabar.

Sir,

In accordance with Government order no. 2815 M. dated 16th December 1897. I have the honour to forward herewith the statement of the objections of the Municipal Council to the proposals of Government embodied in the above mentioned Government order. This statement of objections was approved of by the Council, 8 members voting for it and

against it. As regards the Sic dis-
-Sentient members they have prepared
and signed jointly a statement of
their objections which although it is
only the statement of the minority of
the Council I also forward for the
information of Government.

2. Extracts from the Council's Pro-
-ceedings on the subject, dated 10th
and 14th January 1898 are also enclosed.

I have the honour to be,

Sir,

your most obedient Servant,

W. J. Munsiff
Chairman.

Office note.

I have to bring the following matters to the notice of the Council.

(a) A spring carriage lying exposed in the Municipal office compound appears to have been brought and left there some time in June 1895 under ~~[illegible]~~ verbal orders of Councillor Mr A. J. Lemerle for some fees due thereon by the owner one Pakki. There is no warrant of attachment or other record in the office relating to it and no action seems to have been taken for its disposal during the last 2½ years.

(b) There are 3 Kinnams (bell metal vessels) lying in the office. They are said to have formed part of the property attached under warrant No. 24 in July 1896. But there is no information available whether they were sold or unsold. There is also one Kindi attached in February/95 which should have been returned to the owner as the arrears were covered by proceeds of other items sold.

(c) One item of moveable property attached in April and four items attached in May last under warrants 30. 32. 33. 60. and 57 of 1896-97 for arrears of tax were lying in the office for nearly six months though they should have been sold seven days after attachment. One item was released by me on payment of arrears & the remaining items sold; but in three cases the sale proceeds are not sufficient to cover the dues as the property consisting of planks is said to have decayed through exposure.

(Initialled) H. F.
17.12.97.

It appears also from Current No. 466 that over Rs. 1200 has been owing to the Govt. Medical Store Depot on account of Store supplied from Nov. 1893!
H.
4.2.98

x Go. 3072
2-2-98

1 / 4414 [illegible] 1898

Memorandum of objections.

1. In accordance with the suggestion made at the Meeting of the 10th Instant, we beg to state below our objections on G. O. No. 2815 Mis, dated 16th December 1897.

2. We have given the Memorandum drawn up by the late Chairman Delegate our careful consideration. We find the Memorandum abundantly supported by the Municipal records and the several tabular and other statements subscribed to by the Manager and other employés of the Municipality and attached to the Memorandum. The Memorandum was publicly read at the Meeting of the Council on the 4th November 1897 and we understand that the document and the statements above referred to were handed over by the Collector to such of the Councillors who took exception to its correctness. The Memorandum was in their possession from 1st to 14th December '97 when it was returned by them to the office. We note that, amongst the dissatisfied Councillors, there are three gentlemen who had filled the position of Chairman of this Municipality and therefore presumably acquainted with the working of the executive department. Apart from an obs-

tructionist

: tionist policy pursued by these Coun-
: cillors, curiously enough, headed by a nomi-
nated member, ever since the drawing up
of the above Memorandum, the Council has
not yet seen any attempt at vindication
of the administration condemned in the
Memorandum. The additional facts brought
to the notice of the Council at its meeting
on the 17th December (vide Copy of office note
of the Chairman Pelgate enclosed) namely,
the great delay — nearly six months — in bring-
ing distrained properties to sale and the
existence in the office now of some un-
disposed of distrained articles without proper
records, confirm us in the view we take
of the past administration of this Munici-
pality and we entirely agree with Govern-
ment in their view in regard to the same.

3. We would, however, respectfully
urge that the Council as a whole or all its
elected members are not responsible for the
state of affairs. The first three signatories
to this Memorandum who are elected mem-
bers had long ago drawn attention to the
bad management of the Municipality and
only when one of the Councillors, whose
views agreed with ours, assumed charge

of

of its affairs as Chairman Pelgate, was
our voice heeded. We have stood all along
for reform & we would particularly draw
the attention of Government to paras 11 to
14 of the enclosure B.

4. We would also respectfully bring
to the notice of Government that Tellicherry
is a town rising daily in importance
and that the proposed extension of the
Madras Railway would further accelerate
its rise. We would therefore urge upon
Government to modify slightly the proposed
remedial measures. We would ask that
the present strength of the Council, viz
18, be retained and the elected members
be fixed at half its number. At pre-
sent there are 13 elected members (not
12 as stated in the G.O.) The town con-
tains four wards and the reduction
of the elected Councillors to 3 would
deprive one of the wards its privilege of
electing a member which could not
have been the intention of Government.
It is further submitted for the consider-
tion of Government that a member for
each ward would be quite an inadequa

representation

nominated Council also represent the rate payers

representation of the rate payers, especially in view of the fact that each ward is inhabited by different sections of the community, notably Mahomedans and Hindus.

5. We would suggest that the A ward containing principally the officials, Europeans and Eurasians and which now returns four members be allowed three members and that the remaining wards which now return three members, two each, thus making up the proposed half. In making this prayer, we would draw the attention of Government that it is due to an elected member that the mal-administration of this town has been at last forcibly brought to light and that it was a few elected members who are signatories to this memorandum together with only one nominated member out of the four, who throughout fought for reform along with the late Chairman Pilegati.

6. If Government, in spite of this representation, is of opinion that a reduction in the number of Councillors is called for, though it is not alleged that the Municipality got mismanaged owing to an excessive number of Councillors we would beg to propose that the strength be reduced to 15, that exclusive of the ex-officio Councillor, 7 be nominated by Government and the other half be appointed by election and the members be distributed as follows.

A, B and C wards - 2 each.

D ——— 1

We, however, strongly hope that the Government will see its way to allowing the present strength.

7. We are in entire accord with the views of Government in regard to the Chairmanship and we have every hope that a purely honorary Chairman nominated by Government with an able and efficient full-time Secretary will put the administration of this town on a satisfactory and solutary footing.

8. In conclusion, we pray that the changes herein suggested, which are more or less in accord with the views of Government, may be enforced only as a tentative measure and that

when the administration proves efficient, Government may be pleased to restore to the Council its present constitution.

Tellicherry 14th January 1898. 3

1. E. L. Fernandez
2. C. Esson
3. A. V. Bava.
4. P. Forte
5.
6. P. Ambady Marar.

Municipal Councillors.

18

Tellicherry, July 1897.

To,

The Secretary to Government,

LOCAL AND MUNICIPAL DEPARTMENT,

MADRAS.

Sir,

We, the undersigned Councillors of the Tellicherry Municipality, beg respectfully to submit that we had proposed the appointment of a Secretary to this Municipality in accordance with the provisions of the new Act, but owing to the Chairman's representation that no funds are available, the proposal fell through. We then drew up the enclosed letter, but finding that the Chairman has already addressed Government to defer the appointment, we think it our duty to submit the same to Government for consideration along with the Chairman's letter on the subject.

2. In addition to what we have said in our letter we beg to state that even the Administration Report which was due to Government on the 1st of June, has not been taken in hand as yet. We therefore request that Government will be pleased to see the necessity of a Secretary being appointed as early as possible.

We have the honor to be,

Sir,

Your Most Obedient Servants.

(Signed) E. L. Fernandez.
A. V. Bava.
C. Esson.
P. Forte.
A. Fernandez.
Municipal Councillors.

Exhibit A.

Tellicherry, 29th June 1897.

To,

THE CHAIRMAN,
MUNICIPAL COUNCIL,
TELLICHERRY.

SIR,

In accordance with a requisition signed by some of us, you called a meeting of the Council to consider the question of appointing a Secretary for this Municipality on the 24th Instant but at the meeting you represented that no Secretary could be entertained for want of funds as the Council would have to its credit only a paltry balance of Rs. 127 after meeting all expenditure during the current official year. The Council by a majority therefore resolved to ask Government to defer the appointment of a Secretary.

2. We have since examined the budget figures and the statement drawn up by you and we find that they have a different tale to tell. We are constrained to remark that had the statement been circulated with the notice instead of having it sprung upon us at the meeting, the Council would not have resolved, as it did, without discussing the figures.

3. We propose in the following paragraphs to deal with some of the principal items in your statement and to show to the Council that it is by no means in such sore straits in respect of its finances as it has been given to understand.

4. *Receipts.*—For 1897-98 these amount to Rs. 50,430. Now it remains to be explained why the large increase resulting under the provisions of the amendment Act III of 97 in the profession taxes, the rates of which have been fixed higher than hitherto, have not been taken into account in your statement. Under G. O. No. 1313 M. dated 31st May 97 the new rates are to be imposed and levied *at once*.

5. *Expenditure. Grant I. New works.*—Rs. 450 is provided for an operation room and an Incinerator, but these works have not been undertaken as yet. There is really no hurry for purchasing an incinerator, seeing that the depot for the rubbish which is proposed to be burnt is situated far beyond the limits of the Municipality. It is only if the depot is to be transferred to some site within the limits that the incinerator would be an absolute necessity but we know a site cannot easily be made available. Hence we can safely count upon a saving of Rs. 250 under this head.

Repairs to communications:—Though Rs. 1,940 is provided, yet the contract was given only for Rs. 1,477 and there is a clear saving of Rs. 463 here.

Repairs to Buildings and Drainage:—Rs. 970 is provided for this but the average of the actuals for the past three years is only Rs. 691-12-0. Saving Rs. 278-4-0.

Grant III.—Rs. 1,090 is provided for Plague charges but we know that at most the Council will have to spend only Rs. 360 for the year if it continues to rent the Green Island at Rs. 20 and pays the Hospital Assistant's allowance at Rs. 10 per mensem. The monsoon having set in and the Island is almost inaccessible owing to the rough sea, it is a question if Rs. 20 per month should be wasted any

longer on this Island. Even allowing it to remain undisturbed we may (D. V.) safely calculate upon a saving of Rs. 700 under this head after making provision for other petty charges.

6. We feel bound to protest against the manner in which Rs. 250 has been shown on the debit side under "Pay for additional teacher for the Brennen College" without at the same time taking credit for a sum at least equal to that amount on the receipt side. The additional teacher was sanctioned on the distinct assurance given by the Head Master in his letter No. 51 dated 17th February 97 that the extra cost would be more than covered by fees from the larger number of students admitted and which necessitated the additional appointment.

7. Rs. 1,300 has been deducted in your statement on account of anticipated receipts under House and Land taxes, but which will not accrue by reason of the revision under the amendment act not taking effect till next official year. Now at the consideration of the budget, it was not expected that the amendment Act would be passed and the increase was anticipated independent of the result of any revision under that Act. The revision is the quinquennial revision directed to be undertaken in 1896-97. (*Vide* G. O. 1632 M. dated 23—9—96) and which the Council has already taken in hand and entertained a special establishment therefor. We do not think that Cl. 3 of Section 66 of the new Act debars us from levying the increase resulting by the revision undertaken *before* that Act came into force. We do not therefore see any grounds for eliminating the anticipated increase from the total receipts at any rate without obtaining, with the consent of the Council, orders of Government on the point.

8. Then it seems remarkable that just when the question of appointing a Secretary was mooted in accordance with the imperative provisions of the law, it occurred to you that you have to pay off a sum of Rs. 1,273 being the cost of medicines due *more than three years ago and not provided for in the budget*. Why this item was not provided for in the budget, we fail to see.

9. We have not considered the allotments under several other heads but we know that there will more or less be savings under them. For our present purpose however, the above suffices to show that without even taking into account the anticipated increases in assessment and making allowance for increased charge under lighting &c. there will be a saving of about Rs. 4,500, Besides we can point out many items under which retrenchment is possible.

10. We however shall not require more than Rs. 700 for the next seven months (March pay being drawn and charged for in April 98) if we appointed a Secretary on Rs. 100 a month from 1st August next, allowing the period between that date and this for obtaining the necessary sanction of Government.

11. We do not forget that the appointment of Secretaries—a wise provision—under the new Act means considerable curtailment of powers of Chairmen, but we are convinced from the present state of this Municipality that it is sadly wanting in systematic and effective supervision and management which any Chairman who has his own concerns to attend to, cannot possibly find time for. We need only in support of our statement refer to the following remarks recorded on 16th January 97 by Mr. Harding the Revenue Divisional Officer when he took charge of the office of Chairman on its vacation by the late incumbent.

"Old arrears of Rs. 3,740-3-1 are still outstanding. Current arrears Rs. 13,524-6-11 are still due though only 2½ months more have to run in this year. Process has not been issued for these amounts. The process register is blank from

August. The Manager does not seem to know how much is covered by process evidently the bill collectors have neglected their work. They are fined one rupee each and will be dismissed if I am not satisfied with the collections by the 1st of February. The Manager has not supervised collections and has not prepared the budget yet. If the budget is not ready within a week and if collections are not properly supervised by him and all the arrears covered by process by the end of this month, I shall dismiss the Manager". An extract from the same Officer's remarks made on the 2nd of February is noted below.

"The detail book of receipts is not written up to date. It must be kept tallying with the cash book. The demand registers are only now being written. They should all be ready by the beginning of official year. The petition register is not kept properly, disposals are not marked. * * *"

12. In forwarding the budget for 1897-98 to Government, Mr. Harding again remarked as follows (*Vide* G. O. 635 M. dated 20th March 97).

"I regret the delay (of about 2 months) in submission of this budget but when I succeeded the late Chairman on 16th January nothing at all had been done towards its preparation."

13. Then there are the Inspector's last audit notes which have brought to light several and serious irregularities and omissions and which show that the office and its records require thorough overhauling. Defects pointed out in previous audits continued to exist. These shortcomings would not we feel sure, have occurred, had there been a full-time officer at the head of affairs.

14. In the above circumstances we think it our duty to represent to Government the urgent need there is for appointing a full-time Secretary; but before doing so we desire that the Council should reconsider their resolution on the subject and accordingly request you will be good enough to convene a meeting on the 5th July next for the purpose and till then hold over the submission of the last resolution to Government.

We have the honor to be,
Sir,
Your Most Obedient Servants.

(Signed) E. S. Fernandez.
A. V. Rava.
L. Essoo.
P. Forte.
A. Fernandez.
Municipal Councillors.

1.

108ᴬ

From,

Messrs. A. F. Lemerle,
Isak Haji Ayoub-sett,
Kottieth Ramunni,
V. Karunakara menon,
C. Govindan nair,
C. Ahmed Kutti Haji
} Councillors

To,
The Secretary to Government,
Local & municipal department,
Madras.

Sir,

We have the honor to submit for the consideration of Govt, the following facts & explanations in re the memorandum of Mr. H. Fernandez, the late chairman delegate on the state of municipal affairs as he found them, upon the strength of which Govt has proposed in its order dated 16th December 97, to take away from this important town the franchise it has enjoyed ever since the introduction of Local self Government in the Country.

2. In its review of municipal administration report for 95-96 Govt was pleased to remark that "the year closed with a balance of Rs 3877 or 8.4 p.c of the current receipts

Exhibit B.

3/444 MOP 1898

(10) School fund grants from Provincial funds } Rs 110-1-2

(2) Sale of trees ——— Rs 47-13-"

(13) Deposits on account of Tax on Arts } Rs 50-"-"

(14) Fees, fines & other items — Rs 69-2-1

Total. Rs 3224-4-5.

5. The collection from taxes alone thus amounts only Rs 982-10-5, excluding a sum of Rs 130-8-" under vehicles and animals, which was realized by an order by Mr Fernandez, insisting on all vehicles that came within municipal limits from adjoining towns and villages being seized and taxes levied on them indiscriminately. This procedure has since been pronounced illegal by the Collector on a representation made by the Toll Contractors, and we understand that they

1284

They and the Carriage owners contemplate suing the Municipality for damages.

6. The following remarks are offered on the other items:—

Items (5) & (6) - Credit was not taken for these in the Budget. The demolition of these buildings was suddenly resolved upon by the Council, and the materials were sold almost immediately (Vide our Letter to Govt dd 11th Dec. 97. paras 4-7).

Items (9) (10) & (11) These come in at fixed intervals, without any effort on the part of the executive - Item (11) has not been shown in the Statement of Demand for the half year put down in the memorandum. In respect of item (10) application was made by the previous Chairman & the President of the District Board on the 11th Sept.

Item (12) It is noteworthy that in the short space of 15 days the collection from the sale of avenue trees should have aggregated to Rs 47-13-" to.

7. As to the laxity alleged in the collection of taxes before Mr Ramchandra took charge, we have to point out that the uncollected current balance for the half-year ending 30th Septr 97 as shewn in the memorandum is Rs 10,070-6-10, and comprises

(1)	Housed Land Tax	Rs. 6962-15-10
(2)	Tax on Arts	450-"-"
(3)	Tolls	903-2-"
(4)	Slaughter House fees	36-"-"
(5)	Rent of cart stands	467-8-"
(6)	Private scavenging fees	627-13-"
(7)	Tax on Vehicles & Animals	573-"-"
(8)	Tax on Carts	16-"-"
(9)	Rent of Lands &c	64-"-"
		10,070-6-10

8. These figures cannot be said to represent accurately the actual demands. In two instances at least the actual demands are considerable less than these figures, viz in the case of Toll contribution, where the actual is Rs 525 (since received), and also in that of cart stands, where it is only Rs 240, according to the terms of the Contract; the first half year when th
is less. The total is thus
by Rs 623-"-".

9. With reference to

nos (1) & (2), viz House & Land Tax & Tax on Arts we have to submit that

(1) Bills can be issued only after the demand Register is written up, and the Chairman's revision is over. A revision of assessment was ordered by Govt (Vide G. O. No 1632 M d/ 23rd Septr 96). The work was undertaken only in the beginning of the current year, for reasons already submitted to Govt. The new Amendment Act providing that a revised assessment ought to be brought into force only after a year of the revision, the question naturally arose whether the new rates could be levied in view of the fact that the revision was undertaken before the Amendment Act came into force, or the old rates had to be followed; and a reference was made to Govt, the reply to which was obtained only on the 26th July 97.

(2) The new bill forms prescribed were, as per letter of the Accountant General d/ 12th February 97, & received on the 15th, ordered to be printed in Madras. The Accountant General was written to on the 25th February, but the forms were received only in August.

In consequence of the delay, the Chairman seems to have

have taken upon himself the responsibility of issuing Profession Tax bills on old Bill forms, on the 13th July 97, and out of a demand of Rs 2023-11-4, Rs 1573-11-4 was collected. The house and land Tax Bills could not possibly be issued before the receipt of the Govt order. By the 4th Septr 3300 bills under these heads had been prepared & issued.

10. As regards item no 3, we have to point out that the tolls are due quarterly, and the amount under it was payable only after the 30th Septr 97. The late Chairman, as already stated, had addressed the President of the District Board for the Contribution on the 11th Septr.

11. In connection with the collection of scavenging fees, it has to be observed that the sanitary establishment which was wholly for its collection had to Concentrate all its energies to the stamping out of cholera which broke out in this municipality in July, and Continued till Septr, and raged with a virulence unknown for many years past.

12. Deducting the amounts thus accounted for, the total of the other items come up only to Rs 899-11-4 (the amount under

under Tolls being calculated at Rs 240-4-4, and not Rs 467-8-4 for reasons already stated).

13. Regarding the collection of the previous years arrears, we have to point out that the demand under this head is Rs 5097-11-1, and not Rs 5407-6-1 as stated in para 3 of the memorandum. (Vide G.O. No 2410 d/ 2nd Nov 97. para 3(2)). Of this Rs 1543-7-10 is admitted to have been collected. Of the balance viz Rs 3554-3-3 it has to be pointed out that defaulters have been prosecuted before the Bench of magistrates for a sum of Rs 1196-2-8, and suits filed in the munsiffs Court for a total approximating to Rs 1333-15-3. The other items are Comparatively petty sums. Those in respect of which no processes have been issued are deemed almost irrecoverable, and will, in all probability, have to be written off the accounts.

14. Of processes issued 689 warrants are shown as left unexecuted. This is not correct. The items in respect of which prosecutions were lodged, and suits filed are those for which originally warrants were issued. These warrants are included in the number 689. Again in

several instances the parties against whom warrants were taken had died, or else become bankrupt, and further action obviously was useless. We have not been able to look over the Books for all the wards. But the warrants pertaining to the A. Ward shewn below may be taken as fairly representative.

A. Ward. House & Land Tax.

			Persons against whom Taken
92/93. 12 warrants.	Total sum Rs	14-8-6.	
	Large Items (1) Rs	7-2-6	Kakkuzhi Chirutha - died
93/94. 21 do -	Total sum Rs	26-12-6	
	Large Items (1) Rs	6-9-10	Cheakkanu Erkkattari Bappu —— died.
	(2) Rs	7-2-6	Kakkuzhi Bappu - Insolvent
94/95. 24 do -	Total sum Rs.	28-3-7.	
	Large Items (1) Rs	2-11-4.	C. Bappu —— died
	(2) Rs	6-9-10.	C. Bavotti —— do.
	(3) Rs	7-2-6.	Kakkuzhi Bappu - Insolvent.
95/96. 49 do -	Total sum Rs	61-14-4	
	Large Items (1) Rs	5-6-8.	C. Bappu —— died.
	(2) Rs	2-11-3.	do —— do
	(3) Rs	1-11-4.	Chettayil Krishnankutty - do -
	(4) Rs	6-9-10.	C. Bappu —— do -
	(5) Rs	7-2-6.	K. Bappu — Insolvent —
96/97. 67 do -	Total sum Rs	120-1-5 -	All for petty sums

P. D. O.

1588

15. The number of warrants left actually unexecuted is thus considerably small. These warrants were taken out against persons of poor circumstances and for petty sums, and their execution was not urged in consequence, as we learn, of the famine that prevailed in the town. In fact on the 5th July the Collector wrote to the Chairman a D.O. advising the remission of taxes to the poor.

16. It has also to be remarked that till the beginning of the current year the bill collectors were allowed such a peon to assist them in their work, but the services of these peons were dispensed with in the Budget proposals for the current year. It was discovered that without the peons distraint was difficult to obtain, and in accordance with a resolution of the Council, sanction was solicited from Govt on this very ground to retain the peons. Govt however declined to cancel the original order.

17. The inability to meet regularly the demands on municipal exchequer is thus due to the paucity of collections explained above. It has however to be observed that in the list of liabilities, every item of expenditure

expenditure has been included, bills not scrutinized & passed by the Bill Committee & even these to be received.

18- With regard to the threats of the Contractors and Sirdarjees we have only to remark that fortunately for this town they have not been carried into effect. It is significant however that these threats, as alleged, were made only after Mr Fernandez took charge.

II. The deplorable Condition of Sanitation

19. The only defects in respect of Sanitation noticed by the Sanitary Commissioner in his last inspection notes, recorded in G. O. No 1027 M dated 26th Jan 95, are that a latrine should be built near the Temple tank, and a new burial ground selected for the Hindu Community. In other respects the sanitation of the town was satisfactory.

20. As for the present Condition of Sanitation, it may be remarked that during the late out-break of cholera the Civil Surgeons reports all positively assert that the sanitary arrangements of the town were very satisfactory and

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93.

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168

and the disease was imported. It has also to be brought to the notice of Govt that Tellicherry was not infected to that extent to which the two sister municipalities of Cabicut & Cannanore were.

21. As to masonry dust bins being out of repair we beg to point out that in accordance with the suggestion of the Deputy Sanitary Commissioner (Vide G. O. d/ 25th April '94) to replace masonry dust bins by those made of metal the Council resolved to allot Rs50 every year to purchase Corrugated iron dust bins. The masonry dust bins, as they get out of repair, are thus being gradually replaced by those made of iron, and in the town there are already 6 of the latter kind out of a total of 36. To spend money to keep the old ones in thorough repair would in the circumstances be to waste it.

22. The drains were Constructed in the days of the Towns Improvement Act. Mr Fernandez states that "water & dirt stagnate in them & intolerable nuisance is caused."

was difficulty experienced, in the knowledge of the Councillors, in picking up a required record from the whole mass. And here we have to bring to the notice of Government that on a certain occasion Mr Fernandez took objection to an order passed by his predecessor on the ground that no notice was served to the party, positively affirming that he could not find any among the records of the office, but the Councillors present without accepting his statement called upon the Clerk in attendance to see whether the notice was among the records; and the notice was, to the great discomfiture of Mr Fernandez, at once produced.

28. Two Camps are also kept in the record room; these are table Camps used by the Councillors at meetings. The oil used not to be kept in the room-

29. No estimates have been lost.

30. The Contracts have all been signed.

31. No security was taken from the two acting bill Collectors, as they were entertained to ~~[illegible]~~ only for a short period. ~~[illegible]~~ licensees of the permanent

The peon who used to carry money to the Treasury had furnished security to the extent of Rs100. He died 3 days before Mr Fernandez took charge - If the new peon has not furnished security it is Mr Fernandez's own fault.

32. We have not been able to ascertain what references made to Councillors have not been received by them. A local Copy book is maintained, which Contains the names of persons to whom Comms are addressed sent, and their initials have invariably been taken as a that they have been delivered

33. Regarding the attendance of Councillors, it need only said that except on three occa no meeting had to be adjou for want of a quorum, an Govt in its review of Muni report for the year was ple to remark that "the avera attendance of both the offi & non-official members a improved & was fair." c current year not a sin had to be adjourned of a quorum.

34. There are several oth in the memorandum either unwarranted

these have not been referred to in the Govt order to which this is intended as an explanation, ~~with~~ we do not purpose to burden this letter, already long, with an examination of them.

35. We venture to hope that Govt will be pleased to see from the facts & explanations herein set forth, that the administration of this municipality, if not so efficient as may be desired, is certainly not so hopelessly bad as Mr Fernandez has attempted to describe it and calls for so severe a measure as the disenfranchisement of the town. We solicit that in passing orders on the subject Government will be pleased to read also the letter that we sent on the 11th December 97, and if necessary to call for reports from Sanitary authorities and Auditor of municipal accounts.

We have the honor to be,

Sir,

Your most obedient Servants,

[illegible signatures]

E. H. Ayoob

144 Wop1898

Proceedings of the Municipal Council Trincomalee
at a Special meeting held on Monday the 10th
January 1898.

Present. The J. Murphy Esquire,
Chairman,
T. Richmond Esquire,
E. S. Fernandez Esquire,
Mr. R. R. C. Essu Mal
" C. Ahmadkutti Haji Mal
" K. Rammmi Mal
" V. Karunakara menon Mal
" G. Govindan Nair Mal,
H. Fernandez Esquire,
" A. V. Bava Mal
" V. B. Pocker Mal
P. Forke Esquire,
A. F. Lemerle Esquire,
" Ishak Haji Ayub Sett Mal

1. Read Government Order No 2815 N. Mis dated 6 December 1897, calling upon the Council for reasons stated, to show cause within a month why the privilege of electing the Chairman should not be withdrawn and ~~why~~ the strength of the Council reduced from 18 to 12 and the number of elected Councillors from 12 to

Proposed by Mr Lemerle and Seconded by Mr K. Rammmi that the Council resolve to address Government stating its

Objections

jections to the proposals of Government.

Carried, all members voting for the
esolution except Chairman, who did not

ote.

The Council unanimously resolve
hat the matter be postponed for finally
eeding on the statement of objections
o Government to a meeting to be held
on Friday the 14th January 1898 at 5 P.M.

(Signed) M J. Murphy.
Chairman
10- 1- 1898.

(True Extract)

M. J. Murphy
Chairman
15- 1- 98.

Proceedings of the Municipal Council
delivered at a Special meeting held on
Friday the 14th January 1898.

Present, M J Murphy Esquire,
Chairman
E. S. Fernandez Esquire.
A. Fernandez Esquire.
M.R.R. P. Ambedi Maravar Avl.
" A. V. Bava Avl.
" C. Ebou Avl
P. Ferte Esquire
T. Richmond Esquire.
" V. B. Pocker Avl.
" K. Kannimi Avl
" C. Ahmad Kutti Haji Avl.
A. F. Lemerle Esquire.
" Ismail Haji Ayab Sait Avl.
" V. Karunakara Menon Avl.
" G. Govindan Nair Avl.

1. Read again Government order no. 2815, M.
Mis. dated 16 December 1897, calling upon
the Council for reasons stated, to show
cause within a month why the privi-
lege of electing the Chairman should
not be withdrawn and the strength
of

of the Council reduced from 18 to 12 and the number of elected Councillors from 12 to 3.

2. Read also Council's resolution dated 10 January 1898.

On the subject coming on for discussion, two draft memoranda of objections were read, one by Mr E. S. Fernandez and the other by Mr K. Ramunni. Mr T. Richmond proposed and Mr V. B. Pocker seconded that the statement of objections prepared by Mr E. S. Fernandez be adopted as the objections of the Council to the proposals of Government.

There voted for the proposal

Mr T. Richmond
" V. B. Pocker
" P. Forte.
" Esau.
" Bava
" A. Fernandez
" Ambadi Marar
" E. S. Fernandez. 8.

The following voted against the resolution:—

Mr K. Ramunni
" A. F. Lemerle
" Goundan nair
" Issak Haji Ayab
" C. Ahmad Kutti Haji
" V. Karunakara menon. 6.

The Chairman not voting.

The resolution of Mr Richmond was therefore carried by a majority.

Signed. Alb. J. Alberuply.
Chairman.

(True extract)

Alb. J. Alberuply
Chairman.
15. 1. 1898.

6/444 M of 1898

1228 E IK Endt on C No 138 / R98

Local & Munl. (1898) Department.

Endt on C.No 138 / 898

Submitted.
The facts and figures in the statement of the minority have not been verified but if Government so desire, this will be done. It may not, of course be impossible to pick holes here and there in the Memorandum but I can say with confidence from my experience since I took over the office of Chairman that the state of affairs in the office justifies the worst that could be said of it.

Order

Telly. 18/1/98 } M. J. Murphy
Ag. Sub. Collr.

C No 39/m 98

CURRENT No. 444/M

COLLECTOR 20-JAN-1898 MALABAR

M. J. Murphy
18 JAN 98

From

The Chairman
Municipal Council
Tellicherry

SECRETARY TO GOVERNMENT 27 JAN 1898 LOCAL & MUNICIPAL DEPARTMENT

No. 27/98

Endt on C No 39/m 98.

Submitted.

2. I recommend that the Suggestions made by the majority of the Council be adopted Viz

(a) That the Chairman should be nominated by Government.

(b) That the Strength of the Council should remain as it is, half of its members being elected.

(c) That of the nine elected councillors three should be returned for the A ward, and two each for the other three.

[signature]
for Collector.

Malabar Collr's office } Calicut 25-1-98 }
[initials]

Dated 15th January 1898.
Received 27-1-98
Registered 27-1-98
Enclosures 6 4
Spare copies

COLLECTOR ..-JAN-1898 ..ALABAR

SUBJECT.

Submitting the Council's objections to the proposals of Government embodied in its order No 2815 L. Mis dated 16th December 1897 to withdraw certain privileges from the Council.

8

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

[G. 25]
250—7-4-97.

LOCAL AND MUNICIPAL DEPARTMENT.

again G.O. No. 2815. M, dated 16th December 1897
C. No. 444. M of 1898.

SUBJECT.

Withdrawal of Elective privileges, Tellicherry Municipality.

H.M. to H.E. The Governor.

FOR ORDERS.

In its Proceedings read above, the Government proposed, in view of the unsatisfactory state of the affairs of the Tellicherry municipality, the withdrawal from the municipal council of the privilege of electing its Chairman and the reduction of the number of municipal councillors from 18 to 12, and of the number to be appointed by election from 12 to 3, and under the proviso to section 12 of the Madras District Municipalities Act IV of 1884, as amended by Act II of 1897, the municipal council was requested to state its objections, if any, to these proposals.

2. With the letter read above the chairman forwards a copy of the council's resolution of the

The average attendance last year was 10.2. See G.O. 2410 M Dt 2.11.97. H.T.

Para 3 of the Chairman's report.

8

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

[G. / 25]
250—7-4-97.

R.G.O 435 M / 23/2/98

1

LOCAL AND MUNICIPAL DEPARTMENT.

again G.O. No 2815 M, dated 16th December 1897

C. No. 444 M of 1898.

SUBJECT.

Withdrawal of Elective privileges; Tellicherry municipality.

H.M. & H.E. The Governor.

FOR ORDERS.

The average attendance last year was 10.2. See G.O.× 2410 M D / 2.11.97. H.T.

× Para 3 of the Chairman's report.

In its Proceedings read above, the Government proposed, in view of the unsatisfactory state of the affairs of the Tellicherry municipality, the withdrawal from the municipal council of the privilege of electing its Chairman and the reduction of the number of municipal councillors from 18 to 12, and of the number to be appointed by election from 12 to 3, and under the proviso to section 12 of the Madras District Municipalities Act IV of 1884, as amended by Act III of 1897, the municipal council was requested to state its objections, if any, to these proposals.

2. With the letter read above the chairman forwards a copy of the council's resolution of th

A

B
Not to be confused with H. Fernandez late Chairman Delegate.
K.T.

14th January 1898 adopting the state-
ment of objections contained in
a memorandum prepared by Mr
E. S. Fernandez and some other
councillors. It is therein urged that
as the council as a whole, or all
its elected members are not respon-
sible for the state of affairs, and
as Tellicherry is a rising town and
will become important by the
proposed extension of the Madras
Railway, the present strength of
the council, viz: 18, should be
retained and the proportion
of elected members fixed at one-
half of this number. It is stated
that the town contains four wards
that the proposed reduction of
elected councillors to three, would
deprive one of the wards of the
privilege of electing a member,
which could not have been the
intention of Government, and
that further, a single member for
each ward will be quite an
inadequate representation of the
ratepayers, especially in view of
the fact that each ward is in-
habited by different sections of

Indiscriminately, they mean K.T.

Seemingly, load A. K.T.

the community, notably Muhammadans
and Hindus. It is accordingly
suggested that the ward which
consists mostly of officials, Europeans
and Eurasians and which now
returns four members may be
allowed three members and
that the remaining three wards
which now return three members
may be allowed two each, thus
making up the proposed one half.
It is further pointed out that it
was an elected member who
brought the maladministration
to notice and that it was a few
elected members who are the signato-
ries to this memorandum, that throng-
out fought for reform, together
with a nominated member. If,
in spite of the above representation
the Government is of opinion that
a reduction in the total number
of councillors is necessary, it is
requested that the number may
be reduced to 15, of whom 7 may
be appointed by election, and
that two seats may be assigned
to each of the wards A, B and C,
and one to the D ward. The
council entirely concurs in

Well, he was the Sub-Collr's Head Clerk, Hon. Chairman Delegate. K.T.

× For a Seat, Flag N. K.T.

views of Government in regard to the Chairmanship, and requests that the changes above referred to may be enforced as a tentative measure and that when the administration proves efficient, its present constitution may be restored. The Collector recommends that the suggestions made by the majority of the Council may be adopted viz:—

(1) That the Chairman should be nominated by Government.

(2) That the strength of the council should remain as it is, half of its members being elected and.

(3) That of the nine elected councillors, three should be returned for the A ward and two for each of the remaining three.

It is submitted that the Collector's recommendation may be approved.

3. The Chairman also forwards a memorandum put in by six of the other municipal councillors, in which an attempt is made to show that the representations of the Chairman-Delegate regarding

the state of affairs in the municipality were not correct. But the Sub Collector in his endorsement says that from his experience, since he took over the office of Chairman, the state of things in the office justified the worst that could be said of it.

V.R.
3/2/98

The Council by 8 to 6 admit the impeachment. It only remains to consider what sh^d. be done.

2. They agree that the Chairman sh^d. be nominated. This may be ordered.

H.S.
A.G.H.

3. As to Election, they point out that there are 4 wards; I submit that an elected member may be allowed to each ward.

4. The Council has become a bear garden & needs a lesson; it is true they admit facts now, but they fought hard against them at first. May the number of the Council be reduced to 12? Or shall the more lenient Course advocated by the Coll. be adopted both as to numbers & as to the proportion of election?

H.T.
4.2.98

I like the tone of the representation sent up by the 8 members & would accept their proposals, which the Collr. supports — That is, I would leave the total number of Councillors unaltered but have half (nine) only elected. This is a bad case — But perhaps others will be going for example. I think not, we might accept the 15 Councillors + 7 elected Councillors alternative.

H.S.
7/2/98

A.E.

Turner.

A.G.H. 10.2.98

H.T.
11.2.98

23P

Again G.O. No 2815 Rd 16th December 1897
and C.R. 4447/98.

See
Ps.

Order. No. 435 M dy 23/2/98

The withdrawal from the municipal Council of the privilege of electing its Chairman, proposed in the Proceedings read above, to which the Council has no objection is approved; but in the circumstances stated, the Council's proposal to leave the total number of Councillors unaltered and to reduce the number to be appointed by election to from thirteen to nine is accepted.

The following notification will be published in the Fort Saint George and the Malabar District Gazettes: —

Notification

Whereas the municipal Coun-
-cil of Tellicherry, as at present
Constituted, appears unequal
to the administration of muni-
-cipal affairs in an efficien-
manner, His Excellency the Gover
in Council is pleased to declare
under the provisions of section 12 of

f Act IV of 1884, as amended by
Act III of 1897, and in modification
modification No. 24. published
the Fort Saint George Gazette
traordinary dated 19th March
855, that the Chairman of the
unicipal Council of Tellicherry
hall be appointed by the Governor
Council and that the number
Councillors to be appointed
election shall be nine.

2. As suggested by the mun.
and the Collector
cipal Council, three electoral
eats will be assigned to the A
ward of the town, and two seats
each of the other three wards.
he necessary alterations in the
chedule attached to the Election
ules, will be made, when the
evised rules are issued.

| From orders |

I.R.
22/2/98

87

To
The Chairman, Mc. Tellicherry
thro' the Coll. of Malabar.
Gazetted 15/3/98 Dy. 19/3/98

Press 24-2-98

NUMBER OF COPIES { Order complete. 50
Letter only.

ed

of Act IV of 18

Memorandum of objections on G. O. regarding the Municipal franchise.

First copy sent to Press. 24-2-98

Returned for signature. 18-3-98

Despatched in print. 19-3-98

24

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READ AGAIN G.O., No. 2815 DATED 16th Decem 1897. P

189

444 M/98 A

CURRENT No

ENCLOSURES TO C. No.

Post

DR

22/2/98

ORDER OF GOVERNMENT .. .. (A)

LETTER OF GOVERNMENT.

STATEMENT W...

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

N.B.—

A = Print in full.

B = Not to be printed.

P = Print abstract only.

Q = Print heading only.