[L. & M. / 5,000—5-4-99.]

Local & Munl. (1899) Department.

MISCELLANEOUS.

G.O., No. 1317 Mis

DATED 11-9-'99

INDEXED.

[Despatch Abstract.]

Market

Passing orders on the rep
of the Collector of Godavari regard
the strike in the Munl Market a
Ellore

BACK PAPERS.

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

FURTHER PAPERS.

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

---

an artificial agitation promoted by a few individuals to ~~the threats of the mob~~. shown

[L. & 25]
500—19-12-98.

LOCAL AND MUNICIPAL DEPARTMENT.

C. No. L. 2976, 2996, 3230/3232 m of '98, 915 m & 2080 m of '99.

SUBJECT.

Market strikes in the Ellore municipality.

JHM

desp

Misc.

ORDER. No. 1317 Mis. 11-9-99

5.9.99

Note

The papers deal with the action of the Ellore Municipal Council in Aug & Septr 98 – The Council took measures to stop & bring under control the selling of vegetables on the sides of the streets in Ellore – The steps they took were legal and it is very much to be regretted that the Depy. Colr. allowed the resolution which gave offence to be withdrawn & cancelled in the face of threats of violence by the mob, instigated as the mob were by these leading mischief making persons whose motives were any thing but laudable – It is useless now to go back & reopen the question – Action however will be necessary no doubt before very long & it is submitted that it is well to warn the Council not to show the white feather again. The Chairman has died & so no notice need be taken of his conduct. He appears to have done his best, and deserved more support than he got.

ix 99

~~Recorded.~~

2/. With reference to th Collector's remarks in para. 5 o his letter, it is observed that under Sections 193 A and 194 o the Madras District Municipali -ties Act IV of 1884, as amende by Act III of 1897, the muni -cipal council was competen to notify the localities refer to in its resolution of the 17th September 1898 to be markets a to levy fees therein without -ference to Government. In its o No. 930 M. dated 17th May 18 the Government merely approved t proposal of the Council to le fees in two other localities, these main limits reg

G:

ownership.

2. As observed by the Collector in para. 6 of his letter, the levy by the Municipal Council of a rent for the space occupied on the planks over the drains was quite legal. The Council's action in prohibiting the sale of vegetables &c on road sides in places other than those specially set apart for the purpose was also within the powers conferred on it by Section 203 (1) of the Act.

3. The Government agrees with the Collector in considering that there are not sufficient grounds to justify any action being taken against the persons referred to in para. 8 of his letter.

N.R.
29/8/99

4. Viewing the whole case, the action of the Municipal Council appears to have been wanting in judgment and weak. It is ~~very~~ inadvisable to [illegible] the objectionable practice of occupying the drains on the sides of the streets, by the levy of fees for the use of planks placed over the drains; on the other hand the [illegible] of the Council in giving way

To The Chairman, M.C. Ellore
& Collr. of Godavari

Copy to Prest

20800

exp 13/9/99

AH

to an artificial agitation promoted by a few individuals ~~the [illegible] of the [illegible]~~. ~~[illegible]~~ shows great weakness. The proper course in such a case would apparently have been for the Council, in the first place to have ~~sufficient~~ convenient areas for use as market places ~~at~~ on payment of moderate fees, & then after having provided these markets to have taken proper action under § 203(1) to stop altogether the objectionable practice of using the sides of the roads as sites for the sale of vegetables. If the Council take further action in the matter, it will be well for them to proceed with caution & to take care ~~and to~~ that they take ~~no action~~ no step which they will have to retrace afterwards.

Their authority must have been ~~very much~~ greatly weakened by the vacillation exhibited in the matter in the past year.

~~The cancelling of [illegible] year~~
~~[illegible] Council [illegible]~~
~~[illegible] of September [illegible]~~

5. The delay in the submission of the report called for has been very inadequately explained, & the Dy Coll. should take due notice of the matter. The clerk in his office who ~~was~~ is responsible for not ~~bringing~~ having brought the matter to his notice earlier sh'd be punished.

AH
5.9.99

2.ix.99

Local & Munl. (1898) Department.

Re 5/10/98
C8

Reg 241

CURRENT No. 2976 M

Telegram

Dy. Genl. Duties,
13 OCT. 1898
Ellore.

Current Nos. 2976 M + 2996 M

No. 1092 28/9/98

TO BE RETURNED WITH REPLY.

~~**Order**~~

Referred to the Chairman, municipal Council, Ellore, for report through the Collector.

By order

A. Edgington
Ag Assistant Secretary.

AR
22/9/98

From The inhabitants of Ellore, Godavari

No.

Dated 19-9-98

Received 22-9-98 31 AUG. 1899

Registered prepaid reply pass for 8 as

Enclosures [illegible]

Spare copies.

To

The Chairman, M.C. Ellore

SUBJECT.

Stating that the Chairman Munl. Council Ellore has assessed additional tax at 3 ps a day per yard upon raised planks adjoining merchants' shops, that all shops are closed and people put to great inconvenience and praying that the grievance may be redressed

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

2

C.P.U., GENERAL DUTIES, ELLORE.
13 OCT. 1898

LOCAL & MUNICIPAL DEPT.
CURRENT No. 2976 M

INDIAN TELEGRAPHS.

Code Class.	DP	Monthly Number.	1383
To (Office)	Ooty	From (Office)	Ellore

Words	Day.	Hour.	Minute.	Official Instructions
16	19	16	55	Refd up eight

To (Person)	Chairman [illegible] Government Madras	From (Person)	[illegible]

20 SEP. 1898

Municipal Chairman assessed additional tax at three pies a day per yard upon raised planks adjoining merchants shops the sides and planks over belong to merchants only and are in their enjoyments such tax never posted this day all shops closed no eatables for sale in the whole town people groaning rioting inevitable no hope please pray redress grievances

KR 22/9/98

Recd. from	L.N.	Sent to	L.N.
Pass for ans eight enclosed			
At Hrs. Mts.		At Hrs. Mts.	J Mason Telegraph Master.

OOTACAMUND 19-9-98

64 Word Form

F. C. 2.

Local & Munl. (1898) Department.

CURRENT No. 2996 Mo

DEPUTY COLLECTOR, GENERAL DUTIES
13 OCT. 1898
ELLORE.

Order

From The People of Ellore
Godavari

Telegram

.. **No.**

Dated 21-9-98

Received 26-9-98

Registered

Enclosures

Spare copies.

SUBJECT.

Stating that the shops in the locality have been closed that the Munl Chairman is indifferent to their grievances and praying that the Collector may be wired to go to the place and settle matters personally

27/9

BACK PAPERS.

G.O.	No.	Department.	Date.
Ctw	2976	dy/98	

FURTHER PAPERS.

G.O.	No.	Department.	Date.

the People of Ellore
Godavari

Telegram

21-9-98
21-9-98

Stating that the shops
in the locality being shut
since Chairman
indifferent & that
[illegible] that [illegible]
that the Collector
be asked [illegible]
[illegible]

LOCAL & MUNICIPAL DEPT.
CURRENT No. 2996M

DEPUTY COLLECTOR, GENERAL DUTIES, ELLORE.
13 OCT. 1898

Code Class. P 8th

INDIAN TELEGRAPHS. Monthly Number. 1497

To (Office) Ootacamund

From (Office) Ellore Godavari

Words.	Day.	Hour.	Minute.	Official Instructions.
34	21	12	10.5	Read at Madras

To (Person) The Chief Secretary
Madras Government
Ootacamund

From (Person) People of
Ellore

SECRETARY TO GOVERNMENT
22 SEP. 1898
LOCAL & MUNICIPAL DEPARTMENT

Shops closed chairman some commissioners
indifferent Collector not arrived
pray wire collector hear grievances
settle matters personally people helpless

32 Word Form

F. C. I.

Recd. from I.N. Sent to I.N.

At Hrs. Mts. by At Hrs. Mts. by

Telegraph Master.

OOTACAMUND 21-9-98

C G P—No. 3 T—12-7-97—200000.

G B 1267/Nov 98 RVC

Local & Munl. (189 8) Department.

DEPUTY COLLECTOR, GENERAL DUTIES
4 DEC.1898
ELLORE.

COLLECTOR
2 NOV.98
[illegible]

Ellore

Dro: Dy Collr

TO BE RETURNED WITH REPLY.

CURRENT No. 3230

~~Order~~ No. 1283 d/17-11-98

Referred to the Collector of Godavari for report.

(By order)

A. Edgington
Ag Assistant Secretary

DESPATCHED
2 DEC.1898

15/11/98

N Rajong B Cur 1267 Nov 98 27 Nov 98

Forwarded to the Deputy Collector in charge of the Head assistant Collector's Dvn., Ellore, for early report.

[illegible]
Collector

De/To 23.11.98 A/23.11.98 D/28.11.98

The Collector of Godavari

From The residents of Ellore.

No.

Dated 15-10-98.

Received

Registered

Enclosures

Spare copies.

SUBJECT.

Bringing to the notice of Government the irregular way in which municipal affairs of the town are managed by the present Chairman, M.R.Ry. C. Sitha Ramayya Pantulu Garu And praying for redress.

27/10

15/11

BACK PAPERS.

G.O.	No.	Department.	Date.
Extt No 1092/98			
Go	1738	Loc	24-10-95

FURTHER PAPERS.

G.O.	No.	Department.	Date.

LOCAL & MUNICIPAL DEPT.
CURRENT No. 323

Recd a/c 15/10/98

To

The Government of
Madras.

The humble representation of the Townsmen of Ellore humbly sheweth—

The petitioners beg to approach your Excellency with the following representation regarding the irregular way in which municipal affairs of the town are managed by the present Chairman M.R.Ry. C. Sitharamayya Pantulu garu.

2 There has never been in the town a market coming under any of the provisions of the municipal act. To meet the requirements of the town and to promote its sanitary condition, Government at the instance of the municipal Council was pleased sometime ago, to sanction the construction of a market.

1 A 15/10/98

3. In the bazaar the wealthiest merchants of the town some of whom are also members of the council, own some go-downs which pay them enormous rates of rent, being occupied for the location of shops. If a market were constructed, no doubt, most of these shop-keepers would remove their shops from the bazaar godowns to the market, so that its construction may be correctly said to affect the income of the owners of the godowns. Any how the proposal has been given up for the present. People are not very sorry for it, but what makes their condition worse is that without bringing ~~any~~ market into existence, the Chairman in Council has considered it best to collect market fees from the shop keepers in respect of foot boards attached to the godowns and in respect of planks (which cover the drains) that have been in the long undisturbed enjoyment of the shop-keepers.

This is misrepresentation. It was not the
Chairman but the Council. Remember there
proposals which I believe did not bring
before the Council in pursuance of Resolutions
of the Council [illegible]

4. Prior to the introduction of the municipality into the town the shop-keepers (who sell vegetables) in one part of the bazaar had in their undisturbed enjoyment from time immemorial the vacant sites, between their shops and the street, for exposing their articles for sale thereon. After the Municipality came into force, drains had to be dug through the vacant site. The authorities both Municipal and Government looking to the shop-keepers' long undisturbed enjoyment for two or three hundred years, ordered that these shop-keepers should continue to keep their articles for sale ~~thereon~~ on the planks over the drains, as it would cause no inconvenience whatever either to the municipality or to the public. But the present Chairman would not respect orders that have been in full force for the last so many years, and ordered that market fees should be levied in respect of the use of these planks and in respect of the use of foot boards belonging to private persons (which the Municipality can never be said to possess any rights whatever to interfere with). Resolutions

This again must be untrue. Before
drains were dug the whole front of
the shops were being
used as street and passed by people
[illegible]

How vacant? Remember
used by the public
resorting to the shops
& even passing them
[illegible]

"Permitted" I fancy
would be the truer
word [illegible]

x Not the Chairman
but the Council after
getting the sanction
of Govt. [illegible]

x Lower Court appeal:- where
held that the shop keepers
were entitled to expose
goods for sale on the planks
spanning the side drain [illegible]

3. In the bazaar the wealthiest

were also passed to this effect.

5 The passing of these resolutions caused much fear and annoyance to the persons concerned (the few wealthiest merchants who own these godowns being excepted). If the resolutions passed by the Chairman × in Council were to the effect that these market fees should be collected from the owners of the godowns instead of from the shop-keepers (most of whom are mere tenants) no doubt the owners of the godowns (some of whom are also members of the Council) would have strongly protested against the passing of these resolutions.

xxx The chairman in Council is a new idea altogether & not accurate. For the petrs to hold the Chairman answerable for the acts of the Council of which he is merely ~~the~~ presiding member points to personal malice.

But ~~as~~ the shop-keepers were obliged to pay the tax and it was why ~~that~~ they felt it hard to pay it in addition to the heavy taxes × already ~~paying~~ hanging upon their heads.

Did the shop-keepers have to pay the market fees or the vegetable dealers who are I believe the lessees of the shop-keepers. I believe it was the vegetable sellers which is right.?

6 If the Chairman had, before passing the resolution taken the trouble of enquiring into the matter

It was from the vegetable dealers, not from the godown owners that the charge was proposed to be levied.
ARB

I believe he made all necessary inquiries but took with the Council generally a wrong view of what was expedient.

Such unfortunate events would not have happened.

The matter has been under discussion since March 97 ARB

Was it the whole bazaar or the roadway of the bazaar?

For purposes of collecting market fees, the whole bazaar (where all articles other than those referred to in sec 193 of Act 4 of 1884 are also sold) was converted into a market. In so doing petitioners venture to submit that the requisite formalities provided in Sec 193 A & 194 were not even observed.

The statement in the petition is incorrect. All that the Municipality proposed to do was to levy a charge on occupations of Municipal property, viz the public street; and in particular that portion of the street lying between the side drains and the adjacent houses.

What necessary formalities were omitted?

As for the observation of the necessary formalities, vide the Council's Resolutions of 20.7.98, & 3.8.98, referred to in paras 11 & 12 of the Chairman's Let-Repon C 241 d. 12.10.98 to the Govt: ARB

8 A day or two after the resolutions were passed, the Chairman gave orders to his own municipal servants for the collection of these market fees (they may be correctly termed non-market fees.) In some cases collections were also made in spite of the objections advanced by the shop-keepers. In one case the box of a shop-keeper was removed to the municipal office as he said he would not pay the fees; but it was returned afterwards.

All this irregular procedure of the chairman in enacting illegal fees vexed the shop-keepers to such a great height that all the shop-keepers, without a single exception, preferred closing their shops to undergoing difficulties under the hard rule of the present chairman.

9. In this way all the town shops were closed for three days. Men as concerned represented their grievances to the Chairman but he would not condescend to hear them at least. Much less he pitied the condition of the whole population of the town amounting to 30,000 people. No provisions were available. No sales were effected. People actually suffered a great deal for want of provisions. All these sufferings are much beyond description.

It seems some of the Shopkeepers & not the Chairman or Council caused them. For want of proceedings of the Council & Chairman the disorders means of letters & closing shops is not one day

While there was so great an agitation felt in the town, the Chairman did not seem to possess the least idea of rectifying evils. He was always, during these three days, confined himself to his own house and never moved out of it. People therefore lost all hopes of confidence in the Chairman. They were therefore thus driven to the necessity of obtaining help

He held to his view that he was right & the Shop keepers wrong. So far as I could see that this morning about [illegible] have done any good. VAB

help from Government and its officials. Some telegrams were sent to the Government as well as to the Collector.

10. On the third day, say at 3 p.m. Some of the councillors paid their respects to their Chairman at his quarters; what transpired there people did not know; but a few councillors returned with tom-tom, proclaiming that the collection of fees in respect of footboards would be suspended for the time being and that the shop keepers might re-open their shops. This produced no effect whatever upon the afflicted minds of the sad poor people.

11 In the morning of the 4th day (after the shops had been closed) the Dy Collector convened a special meeting in the municipal office; almost all the members of the Council attended the meeting; but the Chairman alone was absent apparently as he thought it was not worthy of him to take part in a council which sat then purposely to cancel the resolutions passed by him. Fortunately the Dy Collector presided the meeting. He patiently heard all the representations made on behalf

2

of the shop keepers pointing out several illegalities in the resolutions previously passed by the chairman. Being satisfied that the passing of the resolution was quite illegal, the Dy Collector and the Council came to the unanimous conclusion that effect should not be given to the resolutions and that they should therefore be cancelled. They were accordingly cancelled; the shopkeepers were informed of the same and all the shops were then reopened. In this state of events the petitioners beg your Excellency will be pleased to observe whether Townsmen can have any chance of prospering under the hard rule of the present Chairman.. No doubt Government has been kind enough to extend all privileges (which municipalities are entitled to) to their municipality as well. But people of this town are unfortunate in not having a chairman who takes any interest in the welfare of the town. They also fear that they cannot expect ~~any~~ to receive any help whatever from the present Chairman in times of danger; (It is apprehended that ~~they~~ there are yet in store for them) Except where

What representations were made? & by whom? By Councillors or shopkeepers or outsiders?

The Municipal Proceedings Book shows that the Council "heard the public & their agent D. Sundaraswara Row Garu, and as a result, Resolution No I d. 17.9.98 was on reconsideration cancelled."
ARB

the Government Officials interfere. Petitioners owe no personal grudge whatever towards the chairman. All they want to see is that affairs are managed in such a way that people are not put to unnecessary hardships. Petitioners therefore request your Excellency will be pleased to order a thorough enquiry be made into this matter.

what

12 In this connection petitioners beg to submit for your Excellency's information and for such action as your Excellency may deem fit, ~~most~~ some of the other irregularities that do at present find a place in the administration of the municipal affairs by the present Chairman.

13. Sec 32 requires that the resolutions passed by the municipal Council should be carried out by the Chairman. This provision in the municipal Act does not appear to have required any force whatever here. There

Head Asst Collr will please report fully & in detail on this para submitting the Chairman's explanation if there is truth in it. I can hardly believe 300 resolutions were not given effect to as I don't suppose the Council passes 300 resolutions a year

6

There are several resolutions passed by the municipal Council long ago that have not yet been carried out by the Chairman. In fact no notice of this has ever been taken. The object of passing a resolution is that effect should be given to it. When effect is not given to a resolution there is no good of passing it. The above omission must be an intentional one and for it the Chairman is personally responsible. Last year some how or other, this matter went to the notice of the Dy Collector Mr Liviah Under his orders a list of such resolutions (300 in number) as were not carried out was furnished by the Chairman to the Dy Collector. What took place afterwards the petitioners do not know. These resolutions also do not appear to have been since carried out. To this must be added the number of such resolutions as not have been carried during the present year. These taken together must make the list still heavier.

X

11

14 The Council does not seem to have as yet prescribed any monthly reports to be furnished by the Chairman regarding the progress made by him in carrying out the resolutions and in collecting the taxes &c. The Legislature appears to have particularly inserted this clause (2) under sec 3 to offer the Chairman's work to the Council for scrutiny. But the Chairman would not like; for he expects that nobody should have a pry into affairs managed by him. Petitioners in their humble opinion think that if the provisions of the section were followed there would not have been any room for the existence of such defects as are referred to in para 13 Supra.

If so the fault is the Council's
Cll

This appears to be pure presumption as no case is quoted of the Chairman refusing to obey the Council even if he has neglected to do so
Clls

It is for the Council if it thinks fit to prescribe such monthly reports. The Council has not prescribed them. The remarks in the petition are therefore uncalled for
ARB

15 Some resolutions were passed long ago for the removal of certain encroachments in the town; but no effect was given to them.

Why? What cases are these & what is the Chairman's explanation.

Vide paras 2 & 6 of the report now submitted by the Chairman ARB

16 In some cases the matter was reported to Government but no action has been taken as yet.

Which? When & why has action been taken?

The allegation is too vague to enable me to inquire into it ARB

17 Whenever the Chairman leaves the town for other places on his own private business, (This is of frequent occurrence) he does not generally delegate his powers to one of the members of the council. Apparently it is his object that others should should

Is this so? What occasions of this have there been?

This is perfectly optional for the Municipal Chairman to delegate his powers. Vide, however para 8. of his report ARB

13/

on no account step into his place at least temporarily.

18. Clause ~~4~~ 3 of Sec 14/ Act IV of 1884 (as amended) empowers the Council Chairman to appoint a vice chairman for the municipality. The Act came into force so long ago as 1897 but the Chairman (out of pure selfishness) would not appoint one to the office. A vice-Chairman would be of immense use to the Chairman too, in as much as the latter might be relieved of a portion of his work to enable him to devote his valuable time to other important work. Apparently the Chairman takes advantage of the word "may" in the section and thinks that he may or may not act up to the Section. Here the word "may" carries with it discretion, that is most sound and reasonable but not quite arbitrary. The act further empowers Chairman to entertain a secretary; but as our municipality is not rich enough to maintain one the chairman should have seen the necessity of appointing a vice Chairman who would as well work gratuitously. In

Has any Council [illegible] to appoint one? The [illegible] of Chairman [illegible] Council here appears to indicate personal malice

It is the Municipal Council which has to appoint a Vice-Chairman, not the Chairman himself. ARB these circumstances petitioners appeal to your Excellency to call upon the Chairman to appoint a vice Chairman.

10 Can he???
ACG

18 By sec 250 every tax payer has a right to inspect the ~~[illegible]~~ account books and Registers. An influential tax payer went into the office and asked the manager for permission to have a look into the books The manager refused permission. The matter was taken to the Chairman's notice but to no purpose. Petitioners request that the Chairman be directed not to deprive the tax payers of their legal rights. The Chairman also though requested by a certain gentlemen was not pleased to fix a date on which the account books should be kept open to ~~the~~ inspection by the tax payers. (Vide Cl 2 Sec 250 a).

What is the Chairman's manager's explanation of this. Who is the tax payer referred to?
ACG

Who?
ACG

Vide para of the Report now submitted by the Chairman
ARG

19 Roads. While most of the the roads in other parts of the town are kept in a bad order the chairman has taken particular care to see that the road ~~in front of~~ leading to his house is put in an efficient state. A Comparision of the state of this road with that of the other roads in the town will convince Authorities of the truth of the assertion. The house of the Chairman is at one end of the town. Beyond his
house

The Head Asst Collr is requested to report fully on this para
ACG

15

house there are but few houses and those mostly belong to the Cooly Class of people. A new road has been built from his house which leads through Nealapally (Pariah Village) to a place where the Chairman resorts to for easing purposes.

20 The accounts show that the works in the municipality are generally Commenced towards the Close of the year and finished in a great haste before March. This Course is open to several serious objections.

Looks bad but the Council was much to blame as the Chairman
ACG

21. During the time of the present Chairman there were many law Suits against municipality which caused unnecessary expenditure. In some cases written statements were first filed denying the claims, but later on the claims were admitted by the Chairman.

Details of each case for 6 years should be given
ACG

22. In 1895 there was a criminal case against the Chairman that he made use of municipal lanterns and oil for his own private purposes. An enquiry was made by the Head Assistant Collector and a report furnished to the Government. Fortunately, the Chairman had a narrow escape in the affair. The record about the case is in

previous papers.
ACG

G.O. 1738 Mis
24-10-95

Government Office and a reference to it is solicited in the ends of justice. vide G.O L & M Dept 1738 mis of 24.10.95.

23. Removal of Irrigation channels from the heart of the town. - There are two channels which run through the heart of the town. The sanitary commissioner having declared that their existence would tend to the outbreak of Epidemics (to which the town is often subject), the Chairman and the Council passed resolution for the removal of those channels. The DPW officers inspected the channels and found that they might be removed at a cost of Rs 5000 to be borne by the municipality; Subsequently it was found by the chairman that the removal of the channel would greatly affect the fertility of the lands of his father-in-law (who has no male issue and with whom he lives jointly). The result was that the chairman afterwards estimated the cost of the removal at so high a figure as forty or fifty thousand Rupees and gave up the proposal.

The petitioners pray that steps be taken to order the removal of the channels. As they are a great impediment to the progress of Sanitation which stands the foremost among points requiring the

Perusing papers this a question of fact [illegible] [illegible] [illegible] [illegible]

I have perused all the papers on this subject and I find there is no basis whatever for the statement made against the Chairman in the matter
ARB

17

attention of a municipality.

24. In making assessments the Chairman never takes the trouble of inspecting thes houses. This year the manager has inspected all the houses. If the Chairman had inspected the houses and then made the assessment, there would not have been so many reductions in the tax made on appeals. In the case of a house no tax was imposed until the owner himself was kind enough to invite the attention of the chairman to the fact.

Please call for [illegible] report [illegible] the para [illegible] the Chairman's explanation

refer para. 15 of the Chairmans report
ARB

25. This chairman removed old servants and introduced in their place his own relatives or friends. In the time of this Chairman there ~~were~~ have been strikes among municipal servants. About 15 days ago (on one Amavashya - a full dark night new moon day) the municipal lamps were not lighted.

26. To the South of the town there lies a tank called Vencanna's tank. About 10000 people depend upon it for drinking purposes. To the west of the tank lies a poramboke channel which leads water through an inlet in its western bund into the tank. Last year the munsiff of the village dammed up the channel without

any right whatever and prevented water from flowing into the tank. All the people were put to much difficulty as there was no water in the tank. The trustee ~~n~~ brought a criminal charge against the munsiff. The Tahsildar magistrate found him guilty and sentenced him to pay a fine. On appeal the conviction was however quashed. But what makes the petitioners submit the matter here is that in the criminal case the father-in-law of the chairman viz Nandivada Ibravannarthy garu [who has some land near the tank dependant on this channel for irrigation appeared as a witness in the case on the munsiff's behalf and stated on oath that the tank never received water through the channel in question. That more or less the chairman is concerned in the affair (he being the heir apparent of his father in law) the petitioners need not submit as it would be clear from the fact that the Chairman afterwards got the tank declared to be unfit for drinking purposes and posted a peon at that ~~people~~ place to see that no one drank its waters. There was a great struggle

Is this so? Under what law?

Who is the trustee so that [illegible] he & the Chairman personally. Is it not an ordinary [illegible] What is the [illegible]

between the chairman and the trustee but the latter at last gave way and had to give up the channel to the municipality for management, and the tank is at present under the control of the municipality. This year water was let into the tank not through the usual old ~~tank~~ channel but through a dirty channel which runs through the heart of the town and which carries very filthy matter into the tank, thereby rendering the water in the tank unfit for drinking purposes within a very short time after ~~the water through the channel~~ it gets into the tank. With what peculiar motives this course has been adopted, petitioners leave it to your excellency to decide. On the tank ~~the~~ its southern side ~~of the tank~~ it has an outlet. Just along the outlet channel, runs also a channel leading water into the fields (16 acres in extent) of the chairman's father-in-law lying to the south of the tank. If water in the tank is let out, it is feared that there will be some damage caused to the irrigation channel of the Chairman's father-in-law. The existence of an outlet in the tank is considered also to be a source of danger to those fields. The

Cultivates [illegible] this tank? Is the channel necessary to the tank in point of [illegible] [illegible] outlet channel was blocked up last year by the father-in-law of the chairman. This prevented water in the tank from being drained off through the outlet. The Tahsildar inspected the channels and charged prohibitory assessment for blocking up the channel in poramboke.

Is this true [illegible]

Not true
ARB

27. The Chairman is an old man verging 60, of a very delicate constitution. He cannot walk or ride. He often falls sick and is not therefore capable of doing out-door work. He fills in the office only to command respect rather than to do justice to his position. His election to the chairmanship is entirely due to the exertions of the wealthiest merchants Chundury Subbarayudu & Motte Venkataswamy who are his friends and councillors.

They are not Councillors but [illegible] [illegible] [illegible] to compel him to [illegible] office. What is his age? [illegible] [illegible] 46 or 47 - [illegible]

28. Petitioners need only in conclusion refer your Excellency to the remarks made by Mr. Moberley the District Judge in OS $\frac{97}{1896}$ to the effect that "He
" (chairman) is wanting in self respect.
" I can only hope that he is a solitary
" instance of a man who in defiance

" of the tradition of the honorable profession
" to which he belongs will allow his greed
" for money to override all feelings of honor.
" Plaintiff's conduct in demanding
" money from a lady for work done in
" defiance of her wishes was most repre-
" hensible, for, his attempt to obtain money
" is suspiciously like an attempt to blackmail."

The Honorable J. J. Parker and Best in another appeal before the High Court no 139 of 1893 remarked against this Chairman " We think it right to express
" our disapproval of the conduct of the
" Plaintiff as disclosed in the case, not
" only has his conduct in soliciting a gift
" been unworthy of his profession but he
" has imposed upon the lady by charging
" against sums altogether outside his
" agreement. while he himself has
" accepted a monthly allowance on a
" scale altogether beyond the value
" of the service which it was in his
" power to render."

29 The Government were also pleased to remark in one of the administration reports that a perusal of the past year's

administration report during the time of the present chairman shewed that the Government was even prepared to divest the people of the privileges which they were entitled to and that his administration was most reprehensible

30 The petitioners therefore pray your Excellency to take notice of the above circumstances and afford every possible help to the townsmen that lies in your Excellency's power which is unlimited. For which act of kindness the petitioners remain as in duty bound

When
drafted
the petition
by the petrs
and the pet
[illegible]
have they
been signed
all the [illegible]
[illegible]

Your Excellency's most obedt. Servt.

15/10/98
Ellore

K Rama Krishniah

Sn A

Local & Munl. (189) Department.

CURRENT No. 3232M

From The residents of Ellore-

Order

No.

Dated 15-10-98

Received 18-10-98.

Registered

Enclosures 2

Spare copies.

SUBJECT.

~~Stating~~ Requesting Govt. to ~~remove~~ exercise the power vested in Govt under Section 19, to remove the elected Chairman of the Ellore Munl Council from his place-

BACK PAPERS

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Recd 2/10/98

LOCAL & MUNICIPAL DEPT.
CURRENT No. 32322

B

To.

The Government of
Madras.

The humble
petition of the Townsmen
of Ellore.

Humbly sheweth.

Petitioners sent a petition to Govt. thro Collector regarding Chairman's removal. - The Collector returned the petition with endt. Copy enclosed

2. As petitioners do not possess the power of removing an elected Chairman, they request that the Govt be pleased to exercise the power vested under Sec 19 in the Govt.

3. A petition setting forth the irregularities in the Municipality is separately sent.

Your obt servts.

TA 18/10/98

Despatched
12. oct 1898

Dis on Pet $\frac{2345}{Rev}$ of 1898 d/ 6.10.98.

Endorsement on the Collector's petition d/ 20-9-98 from the inhabitants of Ellore requesting the removal of their Chairman from his chairmanship and the appointment of another in his stead.

Lodged.

The remedy lies in the hands of the petitioners themselves if what they say is true, as the Chairman is elected by the Council and the great majority of the Council by the petitioners and other towns folk themselves.

(Sd) V. A. Brodie.
Collector

(Sd)

for Collector.

(true copy).

$\frac{1}{3232/M/98}$

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

LOCAL & MUNICIPAL DEPT.
CURRENT No. 915 M

[illegible]
[illegible]
[illegible]

[illegible]
[illegible]

1 [illegible]
[illegible]
[illegible]
[illegible]
[illegible] 15.10.98 [illegible]
[illegible]

2 [illegible]
[illegible]

3 [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

4 [illegible]
[illegible] 2-2-99 [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

5 [illegible]
[illegible]

[illegible]

12 [illegible]

13 [illegible]

14 [illegible]

15 [illegible]

16 [illegible]

22 [illegible]

23 [illegible]

24 [illegible]

25 [illegible]

26 [illegible]

27 [illegible] 32 [illegible]

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] 24-2-99

~~Sai~~

10 That the following questions alone were put to every petitioner and no question was asked regarding the details of the petition

(a) Who wrote the petition?

(b) Can you enumerate every one of all the facts embodied in the petition.

(c) What personal loss have you sustained from the Chairman.

11 That the petitioners answered that some of the facts were within their knowledge & that others got by information and they would prove all the facts by oral and documentary evidence.

12 That though the petitioners urged the desirability of engaging a pleader on their behalf, the Hd Assistant Collector refused to grant their request.

5 26. That the petitioners

13 That the statements of petitioners were taken in English, as Chairman was interrupting the statements with his remarks, & as the statements were not read over & translated to the petitioners are not in a possession to say whether they were accurate or not.

14 That as the petitioners were disallowed the previlage of engaging a vakil some of them could not properly represent the facts of the petition, others could not speak out their minds before the Chairman who was made to be present on the occasion and when some other petitioners wanted to speak of facts (mentioned in petition) other than those to which the Head Assistant Collector referred in the above questions they were not allowed to do so.

15 That on the third instant the witnesses were, at the outset, called & directed to be present on the morning of the 5th

~~Sri~~

tioners alone

10 remaining petitioners was held as on the previous day.

That on the morning of 5th instant without giving ~~the~~ notice to the petitioners, the Head Assistant Collector went ~~away~~ into the town, Chairman alone accompanying him passed along main road, saw only the places which the Chairman showed him, did not allow some of the petitioners and other townsmen to approach him when they went with the object of making certain representations to him & did not inspect the localities referred in the petitions, including those in which the Chairman has a special interest.

That as the Head Assistant Collector did not see roads, that ~~are out~~ are out of repairs, streets which require improvements & places that were causing inconvenience to the people, his inspection was practically ~~out~~ of no use.

---

petitioners believing those
explanation

18 That the truths of some of the facts referred
to in the petition would be evident by
~~mere~~ local inspection.

19 That on the 5th instant some of the
witnesses attended the Head Assist
Collector's Bungalow as directed & the
on his return he asked them, why they
were there, to which they replied that
they had been directed to be pres
Whereupon they were without being exami
told to go away.

20 That in the morning of 6th instant
Chairman alone was given audience
in the evening those of the petitioner
that had not been already summone
were sent for ~~& were examined~~, in the
same way as the others had been.

21 That a major portion of the ~~petition~~
allegations in the petition would b
proved by the records & by local inspec
and are of such a nature as cannot
be clearly explained without
petitioners engaging a competent
and representing them in a proper

~~Said~~ petition Said

2 That though the petitioners often solicited the Head Assistant Collector to give them an opportunity of proving the allegations by evidence, their prayers were unheeded.

3 That, perhaps on the representation of Chairman or otherwise, the Head Assistant Collector, ~~were~~ even before commencing the enquiry, remarked in the presence of respectable witnesses that the petitioners were mere Coolies.

4 That the petitioners were merchants of substantial worth paying decent amounts of Income tax Professional tax &c. That it is therefore evident from the above ~~gratuitous~~ gratuitous remark that the Head Assistant Collector had been misinformed by some interested persons & had been prejudiced against the petitioners.

That the petitioners have been given to understand that the Chairman was asked to submit his explanation on the petitions and that one has already been submitted

26. That the petitioners believe that the explanation submitted would have ~~been~~ no bearing on the allegations of the petition, and as before the said explanation was called for, no details have been brought on record either from the petitioners or by the examination of witnesses.

27 That it has come to the knowledge of the petitioners, that the chairman had, subsequent to the petition, ~~done~~ done some acts so that he may have material for an explanation which he anticipated and that the most important is his procuring written opinions from Councillors, which he could easily secure, against his furnishing a progress report which is ~~allegatory~~ obligatory under Section 32 Subsection (2) of the Municipal Act & that under these circumstances, the chairman's explanation cannot be accepted as final without giving the petitioners an opportunity of meeting the facts in his explanation.

The petitioners in conclusion pray that a proper enquiry of the petition be ordered and that

the petitioners be permitted to 26
engage a vakil during the enquiry
as the one held by the Head Assistant
Collector has been incomplete and unsatis-
-factory, as he had been, prior to
the enquiry, prejudiced against the
petitioners & as there is the evidence
of public records to substantiate
the allegations in the petition and
as the petitioners among others have 27
been suffering much from the
administration of the Chairman.
Some acts so that he may have material
for an explanation which he anticipates
4 and that the most important is his —
procuring written opinions from
Councillors which the Court is easy
leaves against his forwarding a proper
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of the petitioners be ordered and that

10

Local & Munl. (1899) Department.

CURRENT No. 2080 M

Order

From The Collector
Godavery.

D Dis No 2743 Rev of 99

DESPATCHED 29 JUL 1899

Dated 20. 7. 99.

Received 21 AUG 1899

Registered 2nd

Enclosures J. & C. nos 2976 M g 98
2996 M g 98, 3230 M g 98

Spare copies 3232 M g 98, 915 M g 99

SUBJECT.

Submitting report on the
Ellore market strikes.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Ellore Municipal Office.

Dated the
Despatched } 12-10-98

NO. ~~No 65~~ Ref on C. 241

FROM,

M-R-Ry.

C. SITARAMAYYA PANTULU GARU;

CHAIRMAN,

MUNICIPAL COUNCIL, ELLORE.

., GENERAL DUTIES,
13 OCT. 1898
ELLORE.

To,

The Secretary to Government
Local and Municipal Department
Madras.

Sir,

(Through the Collector Godavari)

+ herewith returned. With reference to Government No.+ 1092 dated 28-9-98, calling for report on certain telegrams to Government from some inhabitants of Ellore, I have the honor to report as follows:—

In the Budget estimate (vide G.O. No. 63 M.; dated 20th March 1897 page 7 para 46) Rs 445 were anticipated on account of the proposal made by the Council to levy rent on the Vegetable Shops &c opened on public sites and in the Streets. The Government while reviewing the Budget for 1897-98 (vide para 3 of the said G.O.) wanted "the authority under which the "Council proposes to levy fees on the Vegetable shops on public site and in the Streets," but

allowed the amount taken credit for under
this head to stand." In this connection the
" attention of the Council is drawn to the
" Collector's remarks in paragraph 6 of his
" endorsement" which runs thus:— "An increase
" of Rs 445 is expected from "Markets", to be
" derived from shops to be opened outside the
" market. The item has not been fully explained,
" nor does the Council appear to have passed
" any resolution in this respect."

2. On receipt of this G.O, the Council
passed a resolution on 16-4-97 thus:—
" Resolved that under Section 194 of the Act IV
" of 1884 three places be fixed for the sale
" of Vegetables &c, one, the vacant place on
" both sides of the main road leading to
" Madepally from Kudali to Abbasally Panja,
" 2, the road between S. Appalaswamy naidu
" house to Maddula Perayya's tank, and the
" 3rd " road sides of road from Sanku Venkata
" Chelam's Choultry to Kanchula Jogayya's house.
" The same be published by beat of tom-tom
" and by publication in the District Gazette
" and sale of the same elsewhere be prohibited."
This proceedings was published in the District
Gazette supplement dated 1-7-97.

3. In submitting this resolution to Government,
I addressed the Secretary to Government in
this office letter No. 75 dated 29-4-97 "to obtain
" early sanction for the collection of fees on
" Vegetable shops &c".

4. The Government on this, directed by G.O.
No. 1294 M. Mis; dated 28th May 1897 para
2 that "a plan showing "the road sides which
" have been allotted for the sale of Vegetables should
" be submitted and that it should be stated
" whether these lands belong to the Municipal
" Council or to Government."

5. In reply to the above Government Order, a
letter was sent in this office No. 247 dated
6-8-97 submitting plans and stating "that
" by virtue of Section 23 of the District Munici-
-palities Act and of definition of Street XXVII
" the land belongs to the Municipality as it
" forms part and parcel of the road."

6. The plans were again referred to the Collector,
with a remark that "in plan No. 1, the portion
" of the road side set apart for the sale
" of Vegetables has not been marked and
" that in plans Nos. 2 & 3, the width of the road
" in several parts and dimensions of the sites
" for the sale of Vegetables have not been
" given and that these omissions should be supplied."

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was rates fixed and p
Ret olved on 16-9-98. to end, it was
measurement of the Site-fees by
merchants where collec ccupied by
to already-Sanctioned rate of fees according
impracticable. The resolu was found
quarter of an anna exemption was that
as fees on every Square ay be levied
thereof on sites occupied yard or a fraction
selling vegetables &c. by merchants

14. To prevent fraud and
the public, it became n inconvenience to
the use of the main road cessary to prohi
as a market and conseq Bazaar, elsewhere
it was again resolved that tly on 17-9-98.
"using the sides of the "All persons
"Continuation of their god main road in
"permission of the Munic with the
"from the Anjaneyulu te pal Council,
"Street to the Bridge by uple in western
"same, should pay a fe occupying the
"every Square yard daily e of 3 pies for
9. "road sides should no and the said
"selling vegetables &c, — f be used for
"ordinarily used for the that the places
"the Ganju Bazaar, an sale of vegetables &c
be declared markets and d Arivanapeta,
rates fixed in the levy of fees
Resolutions nos III

9 be sufficed.
of ... heu

Vide p. 30

"and II/16-9-98 be levied in those markets.

object of this resolution as would be seen from its wording, was to prevent merchants from shifting from place to place to avoid payment of fees or rent. I may also state here that before passing this resolution, the Council fully discussed all sides of the question and went fully into the legality of and the right to pass this resolution. Messrs S. B. Sankaranam and V. RamaRao questioned the right of the Council to take rent for the use of the site under the planks of the godowns between the drain and the godowns, and on the information given by Messrs Moty Venkataswamy and Chundury Subbarayudu, the biggest merchants in the town, that the site under the planks is the Municipal property that the title-deeds of the godowns distinctly show that the site of the owners extends only up to the planks and that these planks have been in the use of the merchants for the convenience of the public making purchases, it was unanimously resolved by 14 Councillors of whom 4 are merchants and 6 godown-owners in the main bazaar, to take rent for the use of the site under the planks or over the planks. In support of their statement Messrs Moty Venkataswamy and Chundury Subbarayudu certain

ed to, contain godowns where the planks attached to them were actually extending beyond the drain and over the road and that the site under the planks was admitted by the Municipal property. Vide G.O. No. 752 M. Mis., dated 3-5-95 and 1142 M. Mis. dated 10-8-94.

15. According to this resolution notice was duly given to the public by beat of tom-tom on 18-9-98, and I personally explained the whole matter to the vegetable merchants at the market when I went to take measurements on the 15th and 16th Instant with Messrs. Moloy Venkataswamy, Chundury Subbarayudu, the Municipal Manager and the Overseer. The vegetable merchants then requested me to remove the said market from the Bazaar and locate it elsewhere so that they may be saved from paying the heavy rent they had been paying both for the godowns they rented and for the Municipal site they occupied on the main road. I promised to make some arrangements at an early date. It must be noted here that the vegetable merchants have been paying rents not only for the godowns, but also for the vacant Municipal site opposite to the godowns, to the godown owners, and that under the above order of the Council they have no additional burden at all, the amount they have been already paying remaining on the other hand reduced in some cases.

16. On the morning of the 19th Instant all the shops were opened as usual and business went on for about an hour and so, when all shops in the town were closed. It would appear that some persons as agents and leaders, marginally noted, seem to have tried and succeeded in creating a disturbance and collected ignorant and illiterate mob and went from shop to shop preaching that by determined opposition and by closing all shops they would bring about not only the cancelment of the assessment in question but would also bring about some more favourable results to the public in the matter of taxes &c. They have further, it seems publicly preached to the people that all this tax was solely due to the high-handed act of the Chairman and thus actually prevented the interested parties from going to me in person or from making any representations to me in writing. I may also mention here that people who own godown-property and who are likely

1. Duggirala Sundarasivarow garu } 2nd grade pleader
2. Do Subbarayudu – Stamp-vendor
3. Mr. E. J. Chapman.
4. Maganti Lakshmanadas, ring-leader and agitator in water-cess – ~~[illegible]~~
5. Gujjanoo Peda Emmaji and his son Narappa whose site was required by the Municipality.
6. Nangaloori Subbarayudu and brothers – Ring-leaders and opium ~~trade~~-dealer
7. Kaki Subbarayudu – Ring-leader
8. Amman Ratnam – Ring-leader
9. Perumalla Somanna
10. Chekka Ratnam.
11. Jadigey Amanna
12. Narasharisetty Gangappa

affected have not joined the agitation. I feel it my duty to specially mention here that two merchants and Municipal Councillors Messrs. Moty Venkataswamy and Chundury Subbarayudu who own the largest godowns in the Bazaar and who would be materially affected by the resolution stood firmly during the agitation and gave their support in spite of personal loss to them.

17. I am also informed that some pleaders have sided the agitation. I beg to briefly mention here the conduct and the character of some of the agitators and the causes for the same.

The agent referred to in the resolution of the 22-9-98. as peoples agent in this agitation is no other than Mr. D. Sundara-Sivarow whose conduct was animadverted upon by Government as follows — vide G. O. No 1738 M, Mis; dated 24-10-95. para 2. "It is observed that the remarks "made by the petitioner as a divisional "Councillor on certain papers referred to "him by the Chairman are highly "objectionable. The Government views "the petitioner's conduct in this respect "with grave displeasure and trusts that "comment of this nature will not again

The result of the said G.O and the warning therein contained was another complaint against me which resulted in another G.O. No 1337 Mu Mis; dated 11-8-96 in which the Government was pleased to observe "that the Government "considers the charges to be unfounded and "regrets to have again to form an un-"favourable opinion of the conduct of Councillor "M.R.Ry D. Sundarasivarow."

The Sanitary Commissioner in G.O No. 1908 M, dated 31st August 1897 in para 6 (a) remarked thus: — "Venkamma's Tank — "This is a tank concerning which I found that "the Chairman's indubitable desire to subserve "the sanitary requirements of the town had "been set at naught by the action of one of "the Councillors, Mr. Sundarasivarow. x x x. "The persistence of the Councillor in this matter "is therefore most regrettable, and I may add, "notwithstanding my pointing out to him how "absolutely insanitary the water-supply to this "tank was, I failed to elicit any definite "promise of cessation of further work. x x." This D. Sundarasivarow, I regret to have to say, seems to have, with some of his friends, headed the agitation and brought about a change in the feelings of the public to oppose the Municipal resolution by strong etermined opposition by closing all shops and not to open them until Chairman cancells the resolution. He has also been assisted in this agitation by the late Manager Mr Chapman who was dismissed by me for impertinent and insolent conduct and which dismissal, the Government was pleased to confirm saying that they saw no reason to interfere on his behalf vide G.O. No 1686 M. Mis; dated 20-7-97. I regret to have to remark that the object of Mr D. Sundarasivarow and that of some of his brother-pleaders and private vakils seems to be to acquire cheap popularity and notoriety by such agitation and to hope to get into the Council by preaching to the people that this Municipal Tax is oppressive and illegal.

(2) D. Subbarayudu is D. Sundarasivarow's cousin, a Stamp Vendor and a private vakil. He applied to me lately for Toll-Superintendent's post through two Councillors. As I had no confidence in his honesty I did not give him the appointment. Petitions and telegrams are, I am informed, being drafted by (3) D. Narayanarow another private vakil and a pensioner, and they are both inducing and influencing people to sign a memorial to Government against Municipal Administration.

- 3.8.98

Sub Magistr

These men also hope by such agitation t e a name in public.

(4) Maganti Lakshmanadas, is a well-known agitator in water-cess movement, who unfortunately became a member of the Taluq Board subsequent to that agitation and who probably considers that by the present agitation he would get some other honorary appointment. I have some time back (ie on 23-8-98) given a notice to him to show cause why he should not be prosecuted for having forcibly entered Municipal limits in a cart without paying tolls.

(5) Gajjaru Ennaji and his son Nagayya I have lately (ie on 7-9-98) given notice to them that a portion of their site abutting on the main road where it is very narrow will be acquired by the Municipality and that until orders were given to them, they should not begin constructing a building on the vacant site.

(6) Nanguloory Subbarayudu and brothers. Opium dealer and was once convicted for selling opium without a license with 2 months rigorous imprisonment.

(7, 8, 9, 10, 11 & 12) These are persons who have had some complaint or other against Municipality in the matter of assessments and have publicly preached to the merchants not to open shops and to persist in

-termined opposition by Closing all Shops and not to open them until Chairman Cancels the resolution. He has also been assisted in this agitation by the late Manager Mr Chapman who was dismissed by me for impertinent and insolent Conduct and which dismissal, the Government was pleased to confirm saying that they saw no reason to interfere on his behalf vide G.O. No 1686 M. Mis; dated 28.7.97. I regret to have to remark that the object of Mr D. Sundarasivarow and that of some of his brother-pleaders and private Vakils seems to be to acquire cheap popularity and notoriety by such agitation and to hope to get into the Council by preaching to the people that this Municipal Tax is oppressive and illegal.

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(7, 8, 9, 10, 11 & 12) These are persons who have had some Complaint or other against Municipality in the matter of assessments and have publicly preached to the merchants not to open shops and to persist in

-pening them until they succeed in compelling the Municipality to cancel the Vegetable market fees.

When I first received information that Vegetable Shops were Closed I expected that the Closure was intended simply to make a representation to me in person and to obtain some redress. But finding that no body came to me I suspected there was something wrong somewhere and so at once addressed the Sub Magistrate, the Police and the Deputy Magistrate what steps should be taken to get the Shops opened for the Sale of necessaries of life. I also addressed a D.O. to the Sub Magistrate if he could be of any help in opening the Shops, and he referred me to Section 188 I.P.C. I again addressed another D.O. to him on the same date requesting him to instruct the police to help those merchants who 9. were willing to open their Shops but who were afraid of the mob and the ring-leaders who opposed their opening the Shops publicly.

18. & M Municip addressed officially

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the Station House officer, the Sub Magistr. and the Inspector of Police to send some Constables for that purpose. The Sub Magistrate spoke in ~~for~~ person to the Station House officer to send some Constables as requested and accordingly 2 or 3 Constables Came to me at 5 P.m. on the 19th Instant. With the help of the village Magistrate who is also a Municipal Councillor I arranged to open 7 Shops in China Bazaar, and in Pusalapuvari Bazaar. When necessaries of life were being sold a mob with some leaders× came to that place and compelled these Shop-Keepers to Close them. The village Munsiff with some Municipal Staff and 2 Police constables went again to the Shop-Keepers and promised to help those who would open their shops willingly. Then 7 Shops were opened again at 6 P.m. and continued to sell articles to a great number of lower orders and others till 9½ P.m, without any disturbance or riot while only 2 Shops were closed later on owing to a throw of stones on them.

*
1. Maganti Lakshmanadas.
2. Annam Ratnam.
3. Gujjum Narsojee
4. Zakki Subbarayudu
5. Nanguloori Subbarayudu.

On the evening of the 19th Instant when the Divisional Magistrate arrived by four down train, I also sent him a D.O. informing him of the State of affairs in the town and requesting him to take steps to suppress the disturbance. Early next morning the Divisional officer went to the Bazaar and informed the merchants that their grievances would be considered and redress given, and exhorted them to open shops and to appeal to the Council if any thing was wrong in the resolution. Finding that the agitators and the merchants were then unruly and hot-headed, the Divisional officer waited till the evening to see whether any effect would be given to his advice.

20. Agents and agitators increased by the evening of the 20th Instant. I addressed the Deputy Magistrate again on the 20th Instant requesting him to send me police help to arrange to open shops again to sell necessaries of life which he kindly did, but finding that the evening was fast closing and the unruly mob has developed into a great crowd, thought fit to take no action that evening and arranged in consultation with some Councillors to take steps to get shops opened next morning i.e. 21st Instant.

21 On the morning of the 20th Instant the village Munsiff again went to the main Bazaar to induce some merchants to open some shops when a mob collected and prevented him from doing the same. Some 5 of the mob named Amam Ratnam, Nanguloory Subbarayudu, Kankipaty Venkatappayya Permalla Somanna & Palety Subbayya, gave him a paper to sign saying it was a petition which he found to be only a paper with signatures and no petition. The village Munsiff then asked them for the petition which they said was being prepared at home. He then declined to sign the paper and refused to return it until they produce the petition. They then tried to take back that paper forcibly which he however succeeded in sending through police Constable No. 32 and which was subsequently given to me by 2 Constables Nos. 63 & 562 in company with the village Munsiff

I then immediately despatched the same to the Divisional Magistrate requesting him to take action against these agitators. These men have now filed a charge against the village Munsiff before the Stationary Sub Magistrate for taking the papers and have lately put in a petition before the Sub Magistrate and took time under Section 526 to move the High Court to transfer the case to some other Magistrate. These facts, I simply submit to show the conduct and the character of the interested agitators and the unruly mob.

22. On receipt of a letter from Messrs. V. Rama Row, S.B. Sankaram and E. Katchapeswarasastry on the afternoon of the 20th instant requesting me to call for a meeting to cancel the resolution passed to levy fees on markets, I sent for some Councillors and had a full discussion about the resolution with M.R.Ry. Motuy Venkataswamy Garu, Chowdary Subbarayudu Garu, S.B. Sankaram Garu, V. Rama Row garu, Subadar Major C. Chinniah Bahadur Garu, Munshi Mahommad Yaqut Sahib, and K Bapayya Garu

(village Munsiff). I had to point to them that the Council passed a resolution after a full and mature consideration of the pros and cons of the question and that to cancel the resolution then would be undignified and inconsistent with discipline and administrative efficiency and that they should try and induce the merchants and others to present a petition to the Council against the tax and to open the shops pending final disposal of the matter and that some redress will be granted by the Council on a proper representation of their grievances. The Councillors then agreed with me in thinking that to make any changes at that stage without any petition or prayer from the affected parties would be objectionable and promised to try to induce the merchants to resort to legal means for redress and to lay their grievances before the Council

23. While I was discussing this question with these Councillors two merchants Naraharisetty Gangayya and Rajanala Sriramulu came to me at 5 P.m. with a letter from Mr. P. Gopalam, a first grade pleader

S. B. Sanka

actising in the Ellore Munsiff's Court. asking me to attend a mass-meeting convened for removing distress caused, owing to the recent action of the Municipality in fixing a new market fee. The Government will kindly note the tone of this letter (enclosed) in which he asks me to come and explain to the people, the reasonableness and justification of the said fee. Of course, I could not attend the meeting but told the two merchants who brought the letter to me that they might all directly go to me and explain their grievances, that I had not till then known what their grievances were and that instead of approaching me indirectly through a meeting they might as well go direct to me and lay their complaint before me. All this was in the presence of all three Councillors except Mr. S. B. Sankaram who went to attend the said mass-meeting. They then told me that they could not undertake to present any such petition as they were merely tools in the hands of their betters and advisers, and went away. While we were still discussing the course to be adopted Mr. S. B. Sankaram, a Councillor came and informed us that he had attended the mass-meeting and that two resolutions were passed which would be duly commun to me. We then dispersed for the night arranging to get shops opened next morning by merchants that were willing to open them, but who were afraid of the mob that was collecting by hundreds. The next morning I received a letter with a copy of the resolutions passed at the mass-meeting from Mr. P. Gopalam, the president of that meeting. I am constrained to remark here that Mr. P. Gopalam who is an honorary magistrate and a first-grade pleader, should have done well in not having any thing to do with such a meeting and in advising the merchan to open shops and to agitate constitutionally.

24. The next morning in consultation with the Divisional officer who gave me prompt help, I requested the Sub magistrate, the Village Magistrate, Messrs V. Rama Row and S. B. Sankaram to go to bazaar and to induce the merchants to open shops on the morning of the 21st Instant by explaining facts to them. They all went and tried in vain to get shops opened.

25. In consultation with the Divisional officer and at the request of Messrs S. B. Sankaram, V. Rama Row, E. Katchapeswarasastry and Subadar Major C. Chendriah Bahadur, who assured me that shops would be opened and the strike would be discontinued by suspending the resolution to collect rent for the use of planks, I issued on 21-9-98 notices and circulated them through the said Councillors and also by beat of tom-tom that the Municipal servants have been directed until further orders not to collect fees on planks and that the shop-keepers may open their shops.

26. On being informed that the shop-keepers refused to open shops unless the whole resolution was cancelled and on finding that the agitators were publicly and freely inducing the mob to persist in their unruly conduct by closing their shops until the resolution was cancelled, I called for a special meeting on 22.9.98, and considering the then state of affairs, the resolution dated 17.9.98 was cancelled, when shops were subsequently opened.

27. I regret to remark that Messrs S. B. Sanka and E. Katchapeswarasastry have in the presen of the agitators impeached the legality of the resolut and also questioned the propriety of the procedure adopted in this matter. The mob and the merchants were represented by Mr D. Sundarasiva Row and others, on the ground that the resolution of the Council was illegal and that the resolution should be cancelled.

28. As regards the remarks of the Deputy Collector in para 3 of his reference to Collect No. M Dis 1623/Rev dated 22.9.98 and with reference to Collectors reference to the Deputy Colle No. Ref Pt 2294/Rev of 98 dated 7-10 98) Communicat to me in No. 1264 Rev dated 6 10 98 concerning the legality of the action of the Council in declaring the Gauzu Bazaar and the Adiwarapupet, for want of sanction of the Government, I respectfully invite the attention of the Government to Sections 193 A and 194 of the District Municipalities Act IV of 1884 as amended by Act III of 1897. In this connection I would also refer to correspondence about the levy of fees on fire-wood markets in 1895-96.

Council resolved on 26.3.95 to levy fees on fire-wood under Sec. 194 of the Act fixing 3 places for the Sale. As usual the proceedings were published in the District Gazette and no special Sanction was obtained from Government. The right was Sold for Rs 750. In Submitting the revised estimate for 1895-96 (vide G.O. No 472 M, dated 19.3.96) page 2. para f(i), the Council Said thus:—

"Income from Markets. The item was not "budgeted but in the Course of the year "the Council put up the right of collecting "fees on fire-wood at Certain Stands."

The Government in their order No 472 M dated 19.3.96 para 2 remarked thus:—

"The authority for the levy of fees on "firewood mentioned in paragraph "2(4) f(i) of the Chairmans letter should "be explained." A reply to the above was sent in this office letter No 104 dated 7-5-96, stating that the Council passed a resolution under Section 194 of the Act to levy market fees on fire-wood and hence the cou did not apply to Government for Sanction There was also a Similar Case under the old Act III of 1871 where Government explained in G.O. No 592 dated 28.3.76 when the Cocanada Council wanted Sanction for the levy of fees at Rs 2-8-0 per stall, that the president has power to levy fees under Section 124 of Act III of 1871. I may be permitted to mention here that Section 124 of the old Act III of 1871 is reproduced in the present Act under Sections 193 A + 194 (1).

sol

cancelled, when shops were [illegible]

It will also be seen from para 22(b) of the Chairman's letter embodied in G.O. No 1629 M dated 23.9.96, that the Sanction of Government is not necessary. It runs thus:—"** No Sanction from Government "was obtained as remarked in G.O. No 472 M. "dated 19.3.96, as it was Considered not "necessary under Cl. (1) Section 194 of the Act. The Government have not passed any Contrary orders, but allowed the Same to Stand, vide para 3(2) of the above Government Order.

put up order file

In the Budget Estimate for 1897-98.

Government have also allowed the amount credited for market fees vide G.O. no. 636 m. dated 20.3.97 para 3, without calling for any explanation as to the authority of the Council to levy fees as was done in previous Budgets. vide file

The Sanction of Government was also obtained this year for 1898-99 vide para 3 of G.O. no 293 m dated 1-2-98 reviewing the Budget Estimate of this Municipality for the year under report. vide file

As regards Sections 50, 255(3) and 267(2), referred to by the Deputy Collector in Endorsement No. Dis 1623/Rev dated 22-9-98, I have only to submit that Sections 50 & 267(2) are not applicable to rents to be collected for the use of Municipal site. These rents are neither taxes nor tolls and no fees have been charged for any license, sanctioned under Section 267 for selling vegetables &c in the Market except rent for the use of the Municipal site.

Thus the resolutions of the Council under Sections 193 A. and 194(1) as

Cancelled, when shops w

has already been submitted, are legal and do not require sanction of Government. As regards the site under the planks, I have only to submit that the site in question was distinctly mentioned in plan 3 submitted to Government and that the Divisional Officer and the Council have specified the same in their reports and finally the Government have approved the recommendation of the Divisional Officer vide G.O. No 930 M. Mis dated 17th May 1898) para 3 of the Deputy Collectors reference which runs thus:— "No 3 is wholly Municipal road "with a margin of 3 or 3¾ feet broad on either "side of the ~~road~~ drain. The margin and the drains "by a covering of wooden planks and also a portion "of the main road at a very busy place in the "very heart of the town were encroached upon "and used for the sale of vegetables and other "miscellaneous articles by petty shop-keepers. "Though action should have been taken for "the levy of fees and removal of encroachments "some time back, the present proposal of the "Municipality may be sanctioned." This recommendation of the Council and the Depu Collector was approved by the Collector in para 2 of his reference in the said G.O. which runs thus:— "The undersig

submitted by the Collr - vide bundle

ports the recommendation of the Divisional officer" (who simply supported the Council's on resolution in para 3 quoted above)

29. I venture to hope in conclusion that the Government will from a careful perusal of the facts stated, and the sections, the Government orders referred to, be pleased to observe that the procedure of the Chairman and the Council has been fair and reasonable, that they had taken ample time to consider the question of levying fees in markets, that the rates of fees were fixed after fully consulting the rates of fees collected in other Municipalities in the District, that the action of the Council was neither arbitrary nor oppressive but fair and legal in levying fair rents on its own site, that these vegetable merchants have already been paying rent for the use of the Municipal sites on the main-road to godown-owners which they will have now to pay to the Municipality, the rightful owners, that the resolution of the 17th September

authorising the levy of fees on mark Gauzabazaar and Adivarapapeta and on a porti of the main road without sanction of Governm is legal under Sections 193 A and 194 as shown above, and that the strike is due to the unwise and unconstitutional agitation of certain interested and disappointed men.

30. I further venture to hope that the Government will also be pleased to observe that to maintain order and administratio efficiency the agitators and the merchants should be taught a severe lesson for their conduct by showing that Municipality cannot be coerced to do any thing by threats and unconstitutional agitation and that Government will not tolerate any such disorderly conduct on the part of the public or their advisers.

31. I need hardly submit here that the position of Chairman is not a very enviable position but one which requires some independence in the matter of assigning taxes and in realizing them as was rightly remarked by the Collect in recommending me for a seat in the Ellore Municipal Council and thus

-ing me from the hands of the Electors who had elected me twice before vide, ~~G.O.~~ Repts 23 Eng dated 9-1-98 from the Collector to Government.

16066

The Government will also be pleased to observe from the said ~~G.O.~~ letter, that I have, as an elected Councillor and Chairman, raised taxes on buildings by Rs ______ and lands annually Rs 2,750 during my administration. and that the taxes here are still very low when compared with the taxes in other Municipalities in the District and in the neighbouring District of Kistna, and that the people here are unruly and troublesome.

* vide para 3 of G.O. No 1587 dy 9th September 1898.

32. Should the Government be pleased to consider that the action of the Council and the Chairman is legal and fair in the circumstances stated above, I venture to hope that the Government will, in the interests of order and discipline be pleased to maintain the prestige of Municipal Administration by not only taking due notice of the agitators and opposers of Municipal law, but also point the Municipal resolution of the 17th September cancelled by the Council under pressure of the mob and a mistake of law that sanction of Government was necessary for the same. I also beg to submit that I have in the present State of affairs, suspended the Collection of fees even on the sites sanctioned by Government, although that resolution ordering levy of fees or rents is still in force and has not been cancelled. Certain other resolutions also I regret to submit, have had to be postponed for similar reasons

33. I lastly beg respectfully to request that Government will be pleased to excuse this lengthy report which I regret I could not conveniently curtail.

I have the honor to be
Sir,
Your most obedient Servant

C. Sitaramayya
Chairman
11-10-98.

FROM

The Chairman

Municipal Council

Ellore.

1092

To

Dated 1360[illegible]

Despatched

Received

Encls:

No.

Subject.

Reference.

[illegible]

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(Sd) E.K. Katchapeesvarasastrigal
(Sd) [illegible]

/ True copy /

Recd 20-9-98
at 6 pm
(Sd) Cd
did not attend
(Sd) Cd

To

M.R.Ry.
Ch. Seetaramaiah Pantulu Garu
Chairman
Ellore Municipal Council

Respected Sir,

The townsmen of Ellore have now met here (at Rajah Papammarow Bahadoor's Calat-Khana Benglow) to concert measures as to what might be done to remove the distress caused to the public on account of the suspension of trade — owing to the recent action of the Municipality in fixing a new market fee.

Please favour us with your presence and explain to the people the reasonableness and justification of the said fee.

We beg to remain
Respected Sir
Yours most obly
5 P.m. (Sd) P. Gopalam
20-9-98

(True Copy)

Chairman

Recd 21-9-98
(340) C.S.

To
The Municipal Council
Ellore

From P. Gopalam, Chairman at a public meeting of the Townsmen, Ellore held on 20-9-98.

Gentlemen,

I have the honor to forward herewith a copy of the Proceedings of the Said meeting which was very largely attended representing all professions of the Town and hope the Council will take immedi action in the matter.

I have the honor to be
Sir
Your most obedient Servant
(Sd) P. Gopalam,

20-9-98 }
Ellore }

(True Copy)

Chairman

Recd 21-9-98
([illegible])

Copy of the proceedings of the public meeting of the townsmen of Ellore, held at 5 pm. on 20-9-98 in the open plain in front of Sree Rajah Papamma Rao Bahadoor's Kalalkhana Bunglow—

(1) Resolved that the present imposition of the new market fees, is highly oppressive and that the Municipal Council be requested to cancel the same at once.

(2) Resolved also, that the Collector be addressed on the matter at once by a telegram or otherwise with a view to obtain redress.

20-9-98

(Sd) P. Gopalam

(True Copy)

Chairman

Submitted through the Collector.

2. The Government sanctioned in its order No 930 Mr. Mis dated 17-5-98 to levy fees on the cross road between Canya-Kammavari Choultry and Tank Bund Roads (site No 1) and on the Road from Velakkayala Street to Abbasalli Panja (Site No 3).

3. The Municipal Council in its resolution dated 3.8.98 fixed rates to be charged on the two sanctioned sites. A list of these rates is enclosed. Then again it resolved on 16.9.98 to collect fees by measurements of the sites at 3 pies a square yard per day where the above sanctioned scale was found impracticable to be given effect to. So far as this, the action of the Council is perfectly legal, but it appear

to me under Section 267 (2) that it should obtain the approval of Government for the scale of these rates before the same is put into force.

4. Then again the Council in its resolution dated 17-9-98 (vide para 14 of the Chairman's letter) ordered the levy of fees for occupation with permission of the Municipal site on Road from Anjaneyulu Temple in the western Street to the Bridge at 3 pies per Square yard a day and on Ganju Bazaar and Adivanapupeta newly declared as vegetable markets at the rates sanctioned in resolutions dated 3.8.98 and 16-9-98.

These 3 road sites are not those sanctioned by Government in its G.O. quoted above. But the first of these 3 road

sites is the road running from north to south from the Bridge up to the junction or "Kudali" where the road branches towards east and west. The branch towards the east up to Abbasalis Panja is the vegetable market (Site No. 3) already sanctioned by Government and the western portion to Anjaneyulu Temple is an extension of Site No. 3 sanctioned by Government. It is KR ~~I believe~~ KR this resolution of the 17th September that gave rise to the strike of closing all the shops in the Town, when the resolutions of 3rd August and 16th and 17th September were brought into force on 19th September. I came here from Camp on the evening of the 19th September and learned all about the strike. As it was too late to do any thing that day, I went early next morning to the Bazaar and advised the merchants to open the shops, and to seek redress from the Council if they had any grievances. Then they complained to me that the Council ordered the levy of fees for the use of the planks attached to their godowns. I said that I would request the Council not to levy fees on these planks, and to cancel its resolution so far as it concerned the planks. Then they all agreed and told me that they would open their shops and sell things as usual. But some how or the other they did not do so. On the 21st September also I went both morning and evening and advised merchants, to open shops, but they took no notice of it. On the 21st evening a notice was issued to hold a special meeting on the morning of 22nd September to consider the cancellation of the resolution of the 17th idem. I presided in the

Council as the Chairman was not there in the meeting and heard the grievances of the people and their agent Mr. D. Sundarasiva Row and felt serious doubts as regards the legality of the Council's resolution of the 17th Septemb 1898, and expressed the same to the Council, which, at any rate, cancelled, on reconsideration its resolution of that date.

5. The mob referred to consisted of shop-keepers, and visitors of the Bazaar. The shop keepers act was nothing but closing their shops. This was done with the combined intention to gain their object. There was no anxiety for any disturbance.

6. The Chairman in paras 16 + 17 of his letter brings to notice the conduct of some of the agitators, of whom one is a pensioned Clerk of the Head Assistant Collector's office, the 2nd a second grade pleader

and the 3rd a stamp vendor related to the 2nd grade pleader. Besides this, in para 23 of his letter he brings to notice the part taken by another 1st grade pleader. These legal practitioners are, as a class, I believe, quasi public officials. I think it would be well if the Government be pleased to consider the question of their right to take part in agitation moves like this.

7. The Council's resolutions of 3rd August and 16th September 1898 were not cancelled and I see no objection for their being given effect to. The site beneath the planks is the Municipal site; still I dont think it advisable to levy any fees for their use, though some of them have extended beyond the drains, as the merchants have been in the habit of using them for their own and public

convenience for a very long time. There is no dispute about the payment of fees on site no 1 sanctioned by Government. Most of the shop-keepers on site no 3 sanctioned by Government are the renters and not the owners of the godowns. They are now allowing vegetable sellers to sell vegetables opposite to their shops both on the main road and on either side of the drain taking something from them. This payment, for the use of the Municipal site to a private man, is certainly objectionable, and the Municipality has already slept over its rights for a long time. I dont propose that this should be allowed to recur any further. I doubt whether the Council's resolutions of the 3rd August and 16th September 1898 can be given effect to without the approval of the Government for the rates of fees fixed and sanctioned class A.

K Rustum Singh

Ellore
16/10/98

Deputy Collector
16.10.98

2
2080/m/99

Cot

Rev 3650 Rvl
Rev 88

From
The Deputy Collector
in Charge of the Head
Assistant Collector's
Division. Godavari Dt.

To
The Secretary to Govt
Local and Municipal
Department Madras
Through
The Collector
Godavari

Extra No B
Dated. 16 10. 98
Dsptd 16 10 98

Encls. Chairman's letter with enclosures. Urgent

Slav
Wells
Cdcr
18/10/98

Subject

Submitting Ellore
Municipal Chairman's
letter regarding the
Cause of Strike of Shop
Keepers in Closing their
Shops.

D Dis No. 290/Rev of 99. Godavari District Head Assistant
Collector's Office, Ellore.
Dated 23-2-1899.
Despatched 25-2-1899.

From A. R. Cumming Esquire.
Acting Head Assistant Collector.
Godavari District.

To
The Collector
Godavari District.

Sir,

I have the honour to return the petitions
received with your Endorsements Nos. N. Ref on G.B
Cur No. 1267/Rev of 98 d/ 23-11-98, and Ref pet No. 2601/Rev
of 98 d/ 31-10-98, and to report as follows:-

2. A perusal of the petition itself cannot but produce
even at the first glance the impression that the wri
or writers, whoever they ~~were~~ were, were actuated by
personal malice rather than by a desire to ven
-tilate any imagined or well established public
grievances. This impression has been fully and
absolutely confirmed by the inquiry I have held

3. There were 21 signatories to the petition. I go

notice them all and I have examined twenty of these. Their statements which are enclosed will show that they really know nothing or next to nothing of the contents of the petition to Government. There was no doubt considerable excitement in Ellore recently with regard to a resolution of the Council's, to levy a charge on those ~~petitions~~ portions of the public street encroached upon and occupied by shopkeepers in the vegetable bazaar outside the limits of their ~~ow~~ own property. It may be that some of the petitioners imagined they had a grievance in this respect: that matter has however, I understand formed the subject of a separate enquiry, and of a report by you to Government, and I need not dilate at length upon it in this report. Suffice to say that I am convinced the signatories to the petition have no other grievance to represent and that the remaining contents of the petition are the product of the jaundiced minds of certain inhahants of the town; notably one D. Sundarasiva u, a pleader of the place whose conduct towards ~~Chairman~~ Municipal Chairman during the hort period he hel[illegible]ffice as a municipal Councillor, merited and received on more than on occasion a severe censure at the hands of the Government.

4. The petition appears to have been drafted in Telug by one D. Subbarayudu, who is a licensed stamp vendor in Ellore, and to have been translated inte English by one Narayanakam who is a pensione Gumasta of the Head Assistant Collector's office, Ellore, and has now gone to swell the crowd o private vakils and law touts with which this district abounds.

5. The Chairman was at my suggestion presen during my enquiry, and when I ascertained the true nature of the petition, I thought it only proper that he should have an opportunity of replying to the allegations made therein. His reply, which I specially requested him should be brief and the point, and which it seems to me is unnecessar lengthy is herewith forwarded and will speak for itself.

6. Paras 1 to 11 of the petition deal with the Counc proposal to charge for encroachments on publ street and the strike which it led to.

P = Copy abstract only.
Q = Copy heading only.

7. The allegations in paras 13, 15 and 16 are dealt with in paras 2 to 6 of the Chairman's remarks. It will be seen that there was some little delay in carrying out the Council's resolutions regarding the removal of certain encroachments, and that from the date of the strike in September up to the time of my enquiry no steps were taken — and that too advisedly by the Chairman to carry out the resolutions of the Council lest his action should lead to further his disturbances in the town. Whether the state of affairs was really such as to warrant this course is a matter on which I cannot offer an opinion. I cannot but remark however that the attitude assumed by the Chairman seems a very humiliating one. The fact that 66 or 67 resolutions including at least 4 of 2 years standing or more, were pending execution on 19-9-98 would seem to show that the supervision exercised over the overseer had not been all that could be desired, but I feel sure the fact has only to be pointed out to the Chairman and to secure the prompt execution of the Council's resolutions in future. It is one thing to prescribe such a register as the Chairman seems to have done on 24-4-96, but it is quite another to satisfy oneself that the register is maintained as prescribed and it does not clearly appear that Chairman took any action toward this end.

8. With regard to para 18 it is worthwhile to note that the "influential taxpayer" and the "certain gentleman" therein referred to are none other than D. Sundarasiva Rau referred to in para 3 supra. This fact is stated by Subbarayudu, the writer of the petition, and is only another indication of the contemptible part, which the vakil in question has played throughout this matter. The Chairman denies the facts alleged.

9. As regards the para 19 of the petition, I would request attention to the Chairman's remarks in para 10 of his report. The state of the byways and side streets in Ellore certainly leaves much to be desired, but there is absolutely n foundation for the insinuations made in th petition that the Chairman has shown a undue partiality to roads which ministe to his own personal convenience.

10. The allegations in para 21 of the petition are

by the Chairman of the w para 12 of his remarks: As he points out, the Council and not the Chairman, is responsible for any litigation, in which the Municipality is involved.

11. A more wilful perversion of facts and a falser insinuation of interested motives, than appear in paras 23 and 26 of the petition, I have seldom met, as the course which events have so far taken, has been dictated by the views of the Collector, the Superintending Engineer and the Sanitary Commissioner. The references are quoted by the Chairman in paras 14 and 17 of his remarks.

12 The Chairman's remarks in paras 15 and 16 will also prove the falsity of the allegations in paras 24 and 25 of the petition.

13. Before closing this report I would ~~not~~ recommend that such notice as may be possible be taken of the conduct of D. Sundarasiva Rau and Narayana Rau, who along with Subbarayadu re responsible for this petition. The Chairman R.Ry C. Sita Ramayya Pantulu Garu may not one's beau-ideal as the Head of a Municipal ministration, but he has earned the praise of than one officer for the conscientious and painstaking efforts which they considered he was putting forth on behalf of the Town of Ellore, and I would add that I believe he is doing his best according to his lights to discharge the duties which he has undertaken to perform. He is certainly entitled to all the protection that Government can accord him against attacks of the class represented by this petition.

14. Actuated by petty jealousies and personal malice the three individuals named above have got this petition which contains little that is not false and misleading drafted and signed by a set of miserable nonentities, while they themselves kept well in the background. Sundarasiva Rau is a member of an honourable profession and holds a sanad from the District Judge. Narayana Rau is a Government pensioner.

15. As regards Subbarayadu, I have cancelled his license, as a stamp vendor as I consider that a ~~pension~~ person, who has acted ~~as~~ as he ha done is unfit and unworthy to be entrusted w any work under the direct patronage and control of Government.

I have &c &c

(Sd) A. R. Cumming.

(True Copy)

Ramiah
29.7.99
For Collector

KL
24-7-99

1
2080/M/99

D. Dis No. 2743 / Rev. of 99

Godavari District,
Collector's Office,
Cocanada, 20-7-1899.

DESPATCHED
29 JUL. 1899

LOCAL & MUNICIPAL DEPT.
CURRENT No. 2080 M

FROM

J. A. CUMMING, Esq.,
Acting Collector,
Godavari District.

To

The Secretary to Government
Local and Municipal Department
Madras.

Sir,

I have the honor to return petitions No. 2976 M and 2996 M referred to the Chairman Ellore Municipal Council for report in Government endorsement No. 1092 d/ 28-9-98 and those referred to me for report in Government endorsements No. 1283 d/ 17th November 1898 and No. 407 d/ 13th April 1899.

2. The first two refer to a strike in the bazaar owing t
a resolution to levy fees on the shops held on plan
covering the drains. I enclose the Chairman's report
which gives a full history of the affair.

3. In G.O. No. 930 M mis d/ 17-5-98, Government sanction
the Municipal Council's proposal to levy fees
(scale not specified) in two markets in Ellore. Th
council notified by tomtom that fees would

collected from 1-9-98. The scale was finally fixed at 3 pies per square yard on 16-9-98.

4. To protect these markets, the Council resolved on 17-9-98 to levy a fee (apparently as rent) for the occupation of planks over the drains of the main bazaar in front of the godowns over which it now asserted its rights for the first time and to prohibit the sale of vegetables thereon. This rent was the same as the fee levied in the authorized markets. The Council further declared two localities in Gaujabazaar and Adivarapupeta to be markets and resolved to levy the same fees as in those sanctioned by Government.

Under sec 193-A apparently.

5. The action of the Council in notifying these two markets was inconsistent to say the least. It sent up to Government proposals for three localities as markets. Two of them were approved, one was vetoed. Without further reference, the Council proceeded to declare two other localities as markets. The Chairman says the legality of these proceedings was duly considered before action was taken, and discusses this point in para 28 of his report. He takes his stand on the fact that various similar proceedings had been passed without being questioned by Government, but ignores the fact that just before this, Government had considered it necessary to grant sanction to the levy of fees in the two markets. This, I presume, was with reference to S 267(2). The Municipal Council would have acted more wisely had it definitely asked Government whether or not sanction was necessary before notifying more markets. I request that Government will pass orders on this point.

Sec 267 applies only to what a licence, sanction, permission or registration is granted under the provisions of the Act. The case in question is governed by sec 194, under which the Municipal Council is itself competent to levy fees in its markets.

The Council was within its rights in notifying any more markets provided the conditions specified in sec 193 A had been satisfied.

6. The resolution to levy rent on the space occupied on planks over the drains elsewhere in the bazaar was quite legal under S 268. But such action is invariably provocative of opposition and I think it was ~~infor~~ unfortunate that it was taken simultaneously with the question of opening markets. The fees charged in the markets and the rent levied for occupation of these planks were identical and to the outsider there was nothing to distinguish between the two. The two things should be kept apart, and as it was merely rent that was levied for occupation of municipal land, I do not see how the Municipal Council could prohibit the sale of vegetables thereon. There is little doubt however that the opposition to the Council's resolution was unduly fomented by interested parties as stated by the Chairman.

But please see section 203(1) of the Act, which authorises the Council to make such prohibitions.

7. Meanwhile, there can be no reason for suspending the collection of fees in the markets sanctioned by Government.

For that matter, in any of the markets notified by the Council

8. Government endorsement No. 1283 d/17th November 1898 sent me a petition against the Chairman for report. I regret to report that the Chairman M.R.Ry C. Sitaramayya pantulu garu died on 8th instant. Enquiry was made by the Head Assistant Collector who entirely exonerates the Chairman and finds the petition was got up by a ~~member~~ number of factions non-entities. Seventy out of 21 signatories disclaimed all knowledge of the contents. The petition was got up by D. Sundarasivarau, a vakil who was censured by Government, ~~When~~ when he was a Municipal Councillor, D. Subbarayudu a stamp vendor whose license the Head Assistant Collector cancelled for the part he took in this, and D. Narayanarau a pensioned gumasta. The Head Assistant Collector suggests that notice should be taken of the conduct of the first and the last of these, in getting up a petition, which was misleading where it was not false. I very much doubt if the District Judge would be disposed to take notice of D. Sundarasivarau's action, or whether Government will consider that Narayanarau has done sufficient to pro- [illegible] forfeiture of his pension.

9. Finally Government endorsement No. 407 d/ 13-4-99 sends me a second petition on the same subject, which also complains of the way the Head Assistant Collector enquired into the petition. My predecessor did not apparently consider it necessary to send it for the Head Assistant Collector's remarks. The main allegations are that the Chairman was allowed to be present at the enquiry and that petitioners were not allowed to get a vakil. It was absolutely necessary that the Chairman should be present as pointed out by the Head Assistant Collector in his report and it was entirely within his discretion whether or no he ~~would~~ should hear a vakil.

10. I enclose copy of the Head Assistant Collector's report. I must remind Government that he is my brother.

11. I regret the delay in reporting on this — the papers did not come to my notice till more than a month after I took charge.

I have the honor to
Sir
Your most obedient Se

(Sd) J. A. Cummings
Ag. Collector

28-7-

Z.R. 22/7/99

A.S. 21-7-99

For Ag. Collect