

Local & Munl. (1899) Department.

MISCELLANEOUS.

G.O., No. 1618 M

DATED

1-11-99

DESPATCHED

[Despatch Abstract.]

Munl Council

Informing the Collector of Coimbatore
with request that the election of Mr R. A. Rangaswami
Aiyangar as a member of the Erode —
is invalid and requesting the Chairman
of the Erode — to arrange to hold a fresh
election for filling up the vacancy

BACK PAPERS.

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

FURTHER PAPERS.

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

Local & Munl. (1897) Department.

CURRENT No. 2552m

Cor. 2552+ 2603m 99

From

The Collector of Coimbatore.

D. Dis., No. 2737-Rev, '99.

Dated 21st September, 99.

Received 28 SEP 1899

Registered

Enclosures (one)

Spare copies

SUBJECT.

Municipal Election.

Reporting on the -----
held in Erode on 2-9-99.

Misc Order No. 1618 N. 11 99
As Mr. A. Rangaswami
Carpenter was an Honorary Magistrate
on the date of election and was thus
not qualified to be a Candidate, his
election was invalid. Nor does the
Government consider that any exemption
under Section 10-A (1) (d) of the Act, can
have retrospective effect so as to
validate the election. The election will
be set aside and the Chairman is
requested to hold a fresh election for
filling up the vacancy.

2. For the same reason, Saigir
Hammad Sahib will be removed from
the Municipal Council of Erode under
Section 19 (1) (i) of the Act.

1.2
18/10/99

To The Collector of Coimbatore
Forwarded 1/11/99
Capt. W. J.

BACK PAPERS.

G.O.	No.	Department.	Date.
	1205	22	8. 97
	1096	3	8. 97
	1255	2	9. 97
	641	8	8. 97
	248	22	2. 99
	1963	19	11. 98

FURTHER PAPERS.

G.O.	No.	Department.	Date.

NOTIFICATION.

IN exercise of the power conferred by Section 14 of the Madras District Municipalities Act, 1884, the Right Honourable the Governor in Council is pleased to appoint
to be the Chairman of the Municipal
Council of the Municipality of

K. Ala. ud. dui Sahib Bahadur, ^a Municipal
Councillor of the Municipality of Erode, not having
been at the time of his appointment qualified
to be appointed a Municipal Councillor
under Section 10. A of the Madras District
Municipalities Act IV of 1884 as amended
by Act IV of 1897, &c. The Governor
in Council hereby removes him from
that office under Section 19(1)(i)
of the Act.

Municipal

CV. 2552 m

Exzete P.A.T.A

Copy of letter from the Sub-Collector of Coimbatore D.Dis. No.1257-
Rev of 1899 dated 19th September, '99 to the Collector of
Coimbatore.

With reference to your endorsement on Petn No. 1659-Re
of 99 dated 6th September, 99 I have the honour to report
that A. Rungasami Iyengar is as a fact an Honorary Bench Ma-
gistrate & as such he is apparently precluded from election
as a Municipal Councillor under Section 10 (a) (i) (d) of
Act IV of 1884 seeing that no special exemption was obtained
in his case from the Governor-in-Council. In your letter
R.O. Petn No. 984-Rev of '99 dated 30th ^{June} '99 you refused to ac-
cept his nomination on a previous occasion on this ground.

2. A. Rungasami Iyengar has now written to me resigning
his appointment as a Bench Magistrate in case he cannot
retain both appointments. The only course seems to be
therefore to cancel the election & hold another after Runga-
sami Iyengar ceases to be an Honorary Magistrate or after
obtaining exemption. I enclose the letter of resignation
& recommend that under the circumstances a special exemption
be obtained. Only one other member of the Council is a
Bench Magistrate.

3. The fact that Rungasami Iyengar's uncle holds an appoint-
ment under the Council, if true, does not appear to preclude
his being a member. I hear good reports of him.

(True Copy)

(Signature)
AG COLLECTOR.

D, Dis., No. 2767-Rev, '99.

Coimbatore

DISTRICT COLLECTOR'S OFFICE,

Dated 21st September, 1899.

FROM

C. H. M. sey., Esq., I. C. S.,

LOCAL & MUNICIPAL DEPT.
CURRENT NO. 25529m
To

DELECTOR OF THE

Coimbatore

District,

THE SECRETARY TO GOVERNMENT,

Local & Municipal DEPARTMENT,

Madras.

SIR,

Under rule 36 of the Rules for the conduct of elections in Municipalities by waras, I have the honour to state that at an election held in the Erode Municipality M. R. Ry. Rungasami Iyengar was duly elected by a majority of 53 votes. M. R. Ry D. S. Krishna Rau has appealed against the election on the ground that M. R. Ry Rungasami Aiyengar was Honorary Magistrate for the Municipal Town.

2. Rule 6 (A) says that all such persons are disqualified for election unless the Governor in Council exempts them from the disqualification. It seems to me that there is no objection under the wording of the rule for the Governor in Council to now exempt M.R.Ry Rungasami Iyengar but as I have some doubt on the point I refer the matter.

3. I may here mention that at the last election, Allauddin Sahib was elected & the fact of his also being an Honorary Magistrate was not brought to my notice & he was in due course gazetted. If a subsequent exemption will hold good I request that he may be exempted. The number of Honorary Magistrates is seven; under these circumstances I do not see that it is necessary to insist on M. R. Ry Rungasami Iyengar resigning his post as Honorary Magistrate.

I enclose a copy of the Sub-Collector's report to whom the objection petition was referred under rule 35 of the Rules.

stg angles

2552/99

I have the honour to be,

Sir,

Your most obedient servant,

W. Monney

AG COLLECTOR.

Local & Munl. (189⁹) Department.

CURRENT No. 2603^m

From

D. S. Krishnaswami

Pleader, Erode.

Order

No.

Dated 1-10-99

Received 5-10-99

Registered 6-10-99

Enclosures nil

Spare copies "

SUBJECT.

Praying that, for reasons stated the election of one Rangaswami Aiyangar as a member of the Erode munl. Council may be disapproved.

BACK PAPERS

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

To,

His Excellency The Right Honourable

The Governor in Council.

LOCAL & MUNICIPAL DEPT.

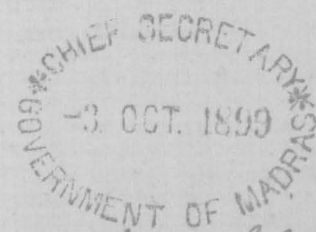
Port Saint George.

CURRENT No. 2603M

Ootacamund.

May it please your Excellency in Council.

The memorialist undertakes most respectfully to represent the following for favour of kind consideration.



1. That in virtue of Act IV of 1884 as amended by Act III of 1897 the system of electing municipal Councillors was introduced into the Erode Municipality.

2. That when the first chance was offered, the memorialist was the only recognised candidate whose name was represented to the Government with a remark that his nomination was recommended by a few days. In consequence of which it was not approved, and the vacancy was filled up by nomination as usual.

3. That when the next vacancy was offered as being open for election, memorialist was one of the candidates; in the said election one Rengasamy Angugan was returned, a major.

4. It is respectfully submitted that the said election in favour of Rengasamy Angugan is liable to be repeated as being opposed to the spirit of the enactment & the rules framed thereunder.

5. Section 10, & 10A(1) clauses (d) & (e) apply to the case. The said Rengasamy Angugan being an ~~old~~ young man, is an honorary magistrate as well for this town. It is significant that one recommended for being exempted from the duty.

The Collectors of the District (Mr. Mowsey) was not pleased to approve of such recommendation a few months ago. Other instances are not wanting in which the disqualification is made good in the case of Candidates, decided by Superior in all respects to the aforesaid Rengasammy Angugan on whose behalf the Election has been forwarded for being approved.

6. That the Spirit of the Enactment is further exemplified by the rules framed under sub-section (b) in rule 6, published in First Part of the Gazette dated 29th Nov 1898, read with the proviso attached to the said rule no 6, distinctly goes to establish that honorary magistrates who have not secured exemption from nomination previously to the nomination under rule 16, are disqualified for Election. In the particular case of Rengasammy Angugan hardly no such exemption was secured before hand, but also only a few months back recommendations having been submitted by the Sub Collector in favour of the said individual, the Collector of the District has thought fit to veto such recommendations. Nor could it ever be said that the present position is in any way better. The disqualification as such strikes at the very root of the nomination of the said Rengasammy Angugan as a valid Candidate.

7. Nor could the irregularity be construed as one that can be rectified at this stage; in as much as Article 12 clearly makes mention of cases in which irregularities could be pointed out, and the case like the present does not furnish a place therein.

8. In addition, the rules of the said Rengasammy Angugan is an employee under the Municipal Council for which he has not been elected.

9. The nomination of the said Rengasammy Angugan is invalid in law, and his Election ultra vires. In these circumstances it behoves your Excellency in Council to disapprove of the Election of the aforesaid individual & reject his nomination as a Municipal Councillor accordingly.

10. 10. 99.

D. J. M. S. S. S.

When given for copying _____
When copied _____
When examined _____
When signed 2/4 } 189

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

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B.—

- A = Copy in full.
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- Q = Copy heading only.

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