

Local & Munl. (1894.) Department.

MISCELLANEOUS.

G.O., No. 657 M.

DATED 11-5-99.

INDEXED.

RECEIVED

[Despatch Abstract.]

Election.

Sanctioning, with remarks, the postponement until 1st April 1900 of elections for filling up vacancies which may occur among the elected members of the Rajahmundry Municipal Council.

BACK PAPERS.

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

FURTHER PAPERS.

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

[L. & M.]
26
530-19-12-98.

LOCAL AND MUNICIPAL DEPARTMENT.

Again G.O. No. 99m.
23.1.99.

SUBJECT.

Mis

ORDER.

No. 657 Miss 11/5/99

MA 8.5.99 A.

The proposal of the Chairman of the Municipal Council of Rajahmundry, in his letter dated 10th January 1899 no. 407 R.M., for the 1st of April as the date for the delivery of the lists of Voters and of persons qualified to be elected in the municipalities in the Godavari district does not commend itself to Government.

2. As, however, there will be no lists in existence in the Rajahmundry Municipality until the 1st of April 1900, when the lists prepared and published on the 1st January 1900 will come into force, His Excellency the Governor in Council is pleased, under no. 14 of the M.O. issued in G.O. no. 1950 M. dated 6th

B.

9th November 1898, to sanction the postponement until that date of the elections for filling up vacancies which may in the meantime occur among the elected members of the Municipal Council.

1.2
29/1/99

MA
13 v. 99

To
The Chairman M.C. Rajahmundry
through the Collector of Godavari.
Dated 13/6/99

Supr.
Return
despatch.
This is to be
done after
the
W/S

72
13/5-99

LOCAL AND MUNICIPAL DEPARTMENT.

[G.]
26
250-18-2-98.

Again G. O. No. 99m.
23.1.99.

SUBJECT.

Publication of the lists of voters and of persons qualified to be elected in the Rajahmundry Municipality.

FOR ORDERS.

PO 99h A.
22-1-99

B.

In his letter disposed of in the Government order read above, the Chairman of the Municipal Council of Rajahmundry, while requesting the sanction of Government for the postponement of an election for more than two months from the date of the vacancy under no. 11 of the revised election rules, issued in G.O. no. 1950 M. dated 19th November 1898, stated that these rules came into force in the Municipalities in the Godavari District only on the 2nd January 1899, which is the date of the District Gazette in which they were published, the lists of voters and of persons qualified to be elected could not

be

be published on the 1st January, as required by Rule 7. He also points out that a similar difficulty would have arisen in the other municipalities in that district, as the fact of the publication of the rules could not have been known in places other than Cocanada until after a fortnight from the date of the issue of the District Gazette, and he accordingly proposed that the date for the publication of the said lists in the municipalities in the Godavari district might be altered from 1st January to 1st April. The Government thereupon sanctioned the postponement of the election ^{referred to} ~~in question~~, but stated that separate orders would be issued on the question of altering the date of publication of the lists from 1st January to 1st April.

2. Under no. 7 of the old election rules issued in G.O. no. 1896 M. dated 9th December 1890, Municipal Councils had power to fix, with the sanction of the Governor in Council, any date they chose

Vide para 2 of the letter. in No. 99 h A.
23-1-95

No. 99 h R.
23-1-99

D.

chose for the delivery of the lists of persons qualified to vote and to be elected. As it was found to be inconvenient to have different dates for this purpose for different municipalities, the Government decided that the date for the publication of the said lists should be the same for all municipalities in the Presidency and in rule 7 of the revised election rules, fixed it as the 1st of January in each year. If the date for the publication of these lists in the municipalities in the Godavari district is to be altered to 1st April, as proposed by the Chairman of the Rajahmundry Council, it will be necessary to amend Rule 7. Such a course does not, however, appear to be necessary or desirable. In the first place, the object of the revised Rule 7, viz, that the lists should be prepared at the same time in all the municipalities, will be defeated. From the annexed list, it will be observed that the ^{revised} election rules were published before the 1st January in the District Gazette.

in No. 1952 M B.
19-11-98

* Flayed. E.

Gazettes of all districts, except Godavari and Coimbatore, in which they were issued on the 2nd and 7th January 1899 respectively. The difficulty in regard to the publication of the lists, which has now been brought to notice by the chairman of the Rajahmundry Municipal Council does not appear to have been felt in any other Municipality except Rajahmundry, for no such reports have till now been received from any other Municipality, and the alteration of the rules for the sake of a single Municipality seems to be inadvisable. The rules have been only recently revised and further revision is now ^{out} of the question. Moreover, even if Rule 7 be altered as proposed, fixing the 1st April or any other later date as the date for the publication of the lists in Rajahmundry, such alteration will not be of much practical value, as the publication of the draft alteration, the consideration of the objections and suggestions that may be received in respect of such alteration, and the publication of

of the rule as maybe finally adopted by Government will take considerable time, and the lists cannot be published until the rule has come into force. On the other hand, under the existing rules, the lists can be published in January 1900, and no serious inconvenience will be caused by postponing the elections for filling up vacancies which may occur among the elected members of the Council in the interval (which will be only about four ^{or} out of a total sanctioned strength of sixteen), until the lists for next year have come into force.

The accompanying draft order is submitted for approval.

1.9
29/3/99

Attention is requested to Rule 11

of the Rules. Apparently if lists are not ready for much time vacancies will remain. However this rule was no doubt intended to meet such a case as this and presumably for may refrain from exercising its power in the matter a forth fore election under R. 11 as it is proposed to do in the draft.

M
J.V. 99.

⑩ Use the list showing the present constitution of the Municipal Council up to 28/7/99 F.

Draft passed
MS
8.5.99

Districts	Date on which the Rules were published in the District Gazette in English	Date on which the Rules were published in the District Gazette in the vernacular
1. Anantapur	13 th December 1898	19 th December 1898
2. Bellary	10 th December 1898	16 th December 1898
3. Chingleput	3 rd December 1898	27 th December 1898
4. Coimbatore	15 th December 1898	7 th January 1899
5. Cuddapah	14 th December 1898	14 th December 1898
6. Gajana	22 nd December 1898	22 nd December 1898
7. Godavari	2 nd January 1899	2 nd January 1899
8. Kistna	22 nd December 1898	22 nd December 1898
9. Kurnool	23 rd December 1898	27 th December 1898
10. Madras	9 th December 1898	27 th December 1898
11. Malabar	December 1898	December 1898
12. Nellore	19 th December 1898	19 th December 1898
13. Nilgiris	17 th December 1898	17 th December 1898
14. North Arcot	5 th December 1898	16 th December 1898
15. Salem	5 th December 1898	26 th December 1898
16. South Arcot	10 th December 1898	10 th December 1898
17. South Canara	27 th December 1898	27 th December 1898
18. Tanjore	9 th December 1898	25 th December 1898
19. Tinnevely	28 th December 1898	28 th December 1898
20. Trichinopoly	15 th December 1898	30 th December 1898
21. Vellore	19 th December 1898	19 th December 1898

F.H.

See Rule - 11 - Apparently, if there are
no valid lists, the G. in C. must
fill up vacancies by
nomination - by putting off
the rule. Therefore - the elective
vacancies occurring between
now & next Jan must be
filled up by nomination
Is this so?

Apparently vacancies must
be filled up if no lists
exist - & you cannot
as proposed postpone an election
until you have lists -

W

18 W. 99

Please see the annexed note below

V.R.
27/4/99

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Note for the Secretary.

The Course prescribed in Rule 11 that when no valid lists are in existence, the vacancies occurring among the elected members of the Council should be filled up by Govt. by nomination, is only intended as a punishment for neglect to prepare and publish the lists in accordance with the rules - vide the portions marked with blue chalk in the notes in go. N. 883 H, dated 7th May 1898. F. L. G. and C. But in the present case, the absence of the lists was not due to any neglect on the part of the Chairman or the Council to prepare them and was the result of delay in the publication of the revised Election Rules in the District Gazette, in consequence of which the rules had not come into force on the 1st January 99, which was the date fixed for the publication of the lists. It does not therefore appear to be ~~concomitant~~ equitable to apply rule 11 to this case, and as under Rule 14 an election can be postponed with the sanction of Govt., it is thought that the election for filling up the vacancies in the electorates which may occur during the year may be postponed until fresh lists are prepared under the rules.

Note - The rules came into force in the municipalities in the for a short time only on the 2^d January 1899.

V.R
27/4/99

[Faint, mostly illegible handwritten text, likely bleed-through from the reverse side of the page.]

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 When signed 12/57

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

PARENT No. _____

ENCLOSURE TO C. No. _____

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DETTO.

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