

Local & Munl. (1899) Department.

MISCELLANEOUS.

G.O., No. 853 M.

DATED 15-6-99

INDEXED.

[Despatch Abstract.]

Municipal Council ——— Stating that
Govt does not consider it advisable or
necessary to communicate to the members
—— the papers on which the resolution
in para 2 of G.O. No 640 of 8th May
1899 was passed

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. (1899) Department.

CURRENT No. 1376

Para 2 of the G.O. referred to wh.
I passed was I see on a
confidential letter from
the Collr. Hinc Mac Lachlan
It would have been better to tell
the Collr. I.O.

From

The Collector of
Madura

For Orders

It does ^{not} appear to be advisable to

N. Dis: No. 1379 of 99

give the municipal Council a copy of the
Collector's report on which G.O. No. 640 M. dated
8th May 1899, was passed, as it will only
increase the tension between the Secretary
and the Councillors who are opposed to him.

Dated 17th May 1899.

Received 19th

Registered 20th

Enclosures 1 file

Spare copies nil

order No. 833 Mins. 8
12.6.99

The Government does
not consider it advisable or
necessary to communicate to the
Council any papers in the
subject referred to

SUBJECT.

Submitting with remarks letter
from the Chairman Municipal
Council Madura submitting copy
of resolution no. 66 dated 11.5.99
passed on G. O. no. 640 M. Mins. dated
8.5.99 requesting to favor the
Council with copies of papers
therein referred to.

To The Chairman, M.C. Madura
thru the Collector
19/6/99

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

LOCAL & MUNICIPAL DEPT. No. 1379 of 99 dated 17th May 1899.
CURRENT No. 1376 M

Submitted to Govt

The Council objects to my having reported confidentially to Govt on the Municipal Secretary's conduct and in its resolution asks for a copy of my letter to Govt.

I am quite ready to point out what I consider was opposition to the Secretary by frequent and objectionable interpellations, but my object in bringing the fact to the notice of Govt was to show that the Secretary was in a very difficult position and might be driven either to resign, or to be practically powerless if the majority of the Council acted in a factional spirit.

I may remark that by a semi-official order of Govt ^{last year} I had to warn the Councillor whose name I mentioned that the Govt viewed his conduct then with disapproval.

I shall certainly bring the matter again to the notice of Govt if I find that opposition exists in such a form as to hamper the Municipal Administration.

Madura Collector's Office
Dated 17th May 1899

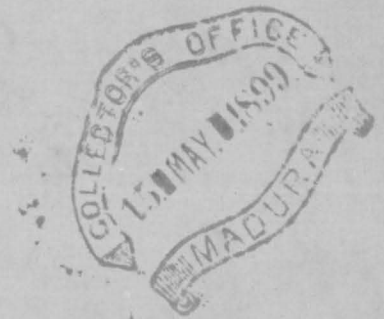
J. D. R. S. S.
17 5 99
Ag. Collector

12976
19-7-98

General Sur. Regr. No. 1379 of 1899
15-5-99

Local & Munl. (1899) Department.

CURRENT No.



From

The Chairman
Municipal Council
Madurai

No. 21

Order

Dated 18th May 1899

Received

Registered

Enclosures

Spare copies

SUBJECT.

Submitting copy of resolution no. 66 dated
11th May 1899 passed on G.O. no. 640 M. No. 21
8th May 1899, requesting to favour the Council
with copies of papers therein referred to
for the reasons stated.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Municipal Office,

No. 2/

MADURA 13th May 1899.

ENCLOSURES.

From,

R. FISCHER, ESQUIRE,

Chairman, Municipal Council,

Madura.

To,

The Secretary to
Government
Local Municipal Department
Madras

Through the Collector of
Madura.

Sir,

With reference to G.O. No. 640
in No. dated 8th Instant, I have the honour
to forward herewith a copy of the resolution of
the Municipal Council No. 66 dated 11th Instant
and to request that for the reasons stated therein
Government will be pleased to favour the Council
with copies of the papers which led them to pass
the remarks contained in para 2 of their order referred to.

The charge of "opposition to the
Secretary from a section of the Council" is extremely
vague. It is not clear what the nature of the
opposition is and how it manifested itself,
nor is it stated who the Councillors are that made
that opposition. Under these circumstances
the Municipal Councillors are certainly entitled
to ask that they should be enabled to meet,
if they can, the allegations made, behind their
backs, against them. The procedure adopted
by Government in casting an unwarranted slur
on

on "a Section of the Council" — which might include any Councillor including myself — without giving that "Section" an opportunity for explanation, is utterly inconsistent with the well known established principle of British Justice that no man shall be condemned without being heard and is calculated to shake the confidence of the Council in the fairness of Government. Here I may also be permitted to state that there can be no opposition in any sense of the term in the discharge of either the office or the out door duties of the Secretary, who besides enjoying the reputation of being a nominee of the Government, has absolute and unreserved power in all executive matters — at all events, there has so far as I know been no opposition to the Secretary. Certainly, the Secretary has not complained to me of any such opposition. For if any such complaint had been made, I should and would surely have taken steps at once to put down such opposition. On the other hand, I may state that in consideration of the Secretary's being an old servant of Government and of his being a Government nominee, I gave him my fullest support ever lending him my name and authority in regard to many matters on which he should have acted on his own responsibility. The Secretary has no doubt informed me on one or two occasions that he felt the interpellations an "obstruction" But Government must be aware that when a right of this kind is newly given as they may have found in their own experience in the Legislative Council — the mistake of asking too many and sometimes unnecessary questions

questions is naturally made at the commencement. But interpellations can in no sense be considered an opposition. The questions which were put were — as Government might find from the proceedings of the Council — not calculated to obstruct and impede the work of the Secretary, but on the contrary to help and advise him in the discharge of his duties.

I have the honour to be, Sir,

Your most obedient servant,
R. B. B. Chairman

13 May
The Secretary has not complained to me of any such opposition. For if any such complaint had been made, I should and would surely have taken steps at once to put down such opposition. On the other hand, I may state that in consideration of the Secretary's being an old servant of Government and of his being a Government nominee, I gave him my fullest support ever lending him my name and authority in regard to many matters on which he should have acted on his own responsibility. The Secretary has no doubt informed me on one or two occasions that he felt the interpellations an "obstruction" But Government must be aware that when a right of this kind is newly given as they may have found in their own experience in the Legislative Council — the mistake of asking too many and sometimes unnecessary questions

Note: ~~He~~ attended the meeting after the
subject ~~was~~ disposed of by the Council.

66. The Council regrets that Government should have chosen to withhold from it the privilege which even the meanest subject of Her Majesty has — namely that of being heard before condemnation — and should have considered it fair, on a one sided representation, to animadvert on the conduct of the Council or of any section thereof. The Council therefore resolves to request Government to favour it with a copy of the papers on which the remark contained in para 2 of the G.O. is based.

based with a view to enable the Council
to offer legal representation and to consider
in detail the matters in dispute.

2. The Council also resolved that
request Government not to form any
opinion or take any action affecting
the conduct of the Council, wholly or individually
without first ascertaining what the Council
has to say about it.

After C. V. Subramanyam, Deputy
Collector, and R. Muthu
Sami Pillai, Deputy Magistrate,
Madurai, had been heard,
the Council resolved that
it should have the matter
considered by the Council
and that the Council should
be kept informed of the
progress of the case.

(True copy)
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it should have the matter
considered by the Council
and that the Council should
be kept informed of the
progress of the case.

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considered by the Council
and that the Council should
be kept informed of the
progress of the case.

When given for copying _____
When copied _____
When examined _____
When signed 17/6

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

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

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

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SECRETARIAT CENTRAL RECORD BRANCH.
MADRAS RECORD OFFICE.

Sectt. II 43-613-10-8-70.

Reminder for G.Os. of the

Department, not returned to the records.

The G.Os. specified in the annexure below were furnished to the Department on requisition during and they have not yet been returned. Submitted that that department may be requested to return them forthwith. If any of them are still required they may be asked to note the fact against the numbers concerned or if transferred to any other file, to send due intimation in the prescribed form and return this reminder not later than a fortnight.

Certified that none of the G.Os. included in the annexure was received in the Central Record Branch on this date.
Madrass Record Office

To

The
C.R.B. U.O. No.
M.R.O. U.O. No.

Department U.O.

P.T.O

Requesting, with remark, the Municipal Council of Tuticorin to select a person for the post of — other than Mr. Raphael Motha Pookalaray.

854

2

15.6.55

Sectt. II. 43.

ANNEXURE.

Date of issue.	Particulars of records furnished.	Purpose for which furnished.	To whom furnished.	Remarks.
	18.11.80/25435/		RH/80 18	
	Ver-52/92			

Requesting, with remark, the Municipal Council of Tuticorin to select a person for the post of — other than Mr. Raphael Motha Pookalarays.