

Legislative (1896) Department.

ORDINARY PRINTED.

G.O., No. 64-A

Dated 11 August 1897

10/10

A. P.

[Despatch Abstract.]

Selection of Candidates for the Legislative Council

Directing the addition of a proviso to Rule 9 of the rules approved in G.O. 70 Levee of 4 July 1893, for the conduct of the proceedings in connection with the ~~the~~ _____ by municipalities & dist. Board.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	46	Legis	1893		1		
	70		"				
	60		1895				
	63		"				
	71		"				
	75		"				

FURTHER PAPERS.

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

Government { 1897 } of Madras. LEGISLATIVE.

Recd.

Regd.

} 1897.

Enclosures

Spare copies

G.O., No. 64-A, 11th August 1897.

AUGUST.

Selection of Candidates for the Legislative Council.

Directing the addition of a proviso to rule 9 of the rules approved of in G.O., No. 70, Legislative, dated 4th July 1893, for the conduct of the proceedings in connection with the — by municipalities and district boards.

GOVERNMENT OF MADRAS.

LEGISLATIVE DEPARTMENT.

ORDER—No. 64-A, Legislative, dated 11th August 1897.

In G.O., No. 70, Legislative, dated 4th July 1893, His Excellency the Governor in Council approved of certain rules proposed by the Collector of Kistna for the conduct of the proceedings in connection with the selection by municipalities and district boards of a nominee for the Legislative Council.

Rule 9 of those rules runs as follows: "A printed list containing the names of all the candidates will be furnished to each delegate, who will put a cross against the name of the candidate he votes for, and drop the paper into a box in the custody of the Collector."

His Excellency in Council now desires that to this rule should be added a proviso that before dropping the voting paper into the box it should be signed by the voting delegate. This precaution will not derogate from the privacy of the ballot as the voting lists are open to the scrutiny of the Collector alone.

The Collectors of Kistna and Trichinopoly will observe the above instruction at the ensuing meetings of the voting delegates.

(True Extract.)

G. S. FORBES,
Secretary to Government.

To the Collector of Kistna.
Copy to the Collector of Trichinopoly.

NOTES CONNECTED WITH G.O., No. 64-A., LEGISLATIVE,
DATED 11TH AUGUST 1897.

[SUBJECT.—*Method of voting by Voting Delegates.*]

Demi-official from J. K. Batten, Esq., Acting Collector of Kistna, to the Chief Secretary to Government, dated 22nd July 1897, No. 618.

At the elections held in 1895 for the Legislative Council the voting was by secret ballot. The rule ran as follows: "A printed list containing the names of all the candidates will be furnished to each (voting) delegate; who will put a cross against the name of the candidate he votes for, and drop the paper into a box in the custody of the Collector." I venture to ask whether it is desirable that at the ensuing elections the ballot should be thus absolutely secret. A voting delegate is not at liberty to choose for which candidate he shall vote. He is pledged to vote in the first instance for the candidate selected by his Board or Municipal Council. In most cases moreover the Board or Council will have selected a second candidate in case the election of the first candidate becomes impossible. The candidate for whom each delegate ought to vote is thus known. It is of course to be hoped that every delegate will vote straight according to his instructions. But there are rumours that there is some likelihood of some voting delegates not voting straight. I hope such rumours are unfounded; but would it not be better to remove all temptation from voting delegates, by requiring them to record their names on each voting paper? The ballot will still be practically secret, as no one but the Collector will see the voting papers.

I am about to submit officially the subsidiary election rules for the approval of Government, and I request permission to make the above modification in them.

2. In case Government does not approve of my suggestion I request instructions in case the following should occur. The Collector will, I presume, be furnished with a list showing the first and second candidates of every Board and Council. In case the first ballot shows that all the delegates have not voted according to instructions, what is the Collector to do? should he pass the matter over, or proclaim a fresh ballot with the reasons for it, and leave it to the consciences of delegates to vote straight the second time?

A copy of the subsidiary election rules issued by the Collector of Kistna and approved by Government will be found in G.O., No. 70, dated 4th July 1893. Rule 9 runs as follows: "A printed list containing the names of all the candidates will be furnished to each delegate, who will put a cross against the name of the candidate he votes for, and drop the paper into a box in the custody of the Collector" thus securing the absolute secrecy of the ballot box.

2. On a reference from Mr. Gabriel Stokes, President, Salem District Board, Government expressed the view that District Boards and Municipalities have power generally to issue instructions requiring their respective voting delegates to vote according to their wishes under any circumstances at the meetings of the delegates (vide paragraph 1 of G.O., No. 63, dated 9th August 1895, embodied as a general instruction in paragraph 4 of G.O., No. 57, dated 21st July 1897). It follows therefore, as Mr. Batten puts it in his present demi-official, that "a voting delegate is not at liberty to choose for which candidate he shall vote. He is pledged to vote in the first instance for the candidate selected by his Board or Municipal Council. In most cases moreover the Board or Council will have selected a second candidate in case the

election of the first candidate becomes impossible. The candidate for whom delegate ought to vote is thus known." In view, however, to remove all tempt. from voting delegates (in this connection attention is also respectfully invit. Mr. Stokes's remark in the concluding sentence of his letter recorded in G.O., No. dated 9th August 1895, already quoted) who may not vote straight according to instructions given them by their respective Boards and Municipalities, Mr. B. proposes to modify the existing rules which, he says, he is about to submit official Government, by requiring the voting delegates to *record their names on each voting paper*. The ballot will still be practically secret, as Mr. Batten says, as none but the Collector will see the voting papers. The proposal appears to be a good one and may be submitted, be approved. A copy of the rules as modified will, after approval, be communicated to the Collector of Trichinopoly for information and guidance. A demi-official to Mr. Batten, is placed below.

In case his proposal is not approved Mr. Batten requests orders as to what he should do in the event of the first ballot showing that all the delegates have *not* voted according to instructions. Should a fresh ballot be proclaimed with the reasons for it and the delegates allowed to vote a second time? These queries of course need no answer if his proposal is approved.

INAYAT HUSAIN—29-7-97.

Mr. Batten's proposal may be approved and the rules formally altered accordingly.

G. S. FORBES—3-8-97.

A. E. H[AVELOCK]—5-8-97.

H. W. B[LISS]—5-8-97.

Issue the order in manuscript first and then print. Send a copy of Mr. Batten's demi-official letter to the Collector of Trichinopoly confidentially and demi-officially with reference to this order.

G. S. F[ORBES]—11-8-97.

[Issued as G.O., No. 64-A., Legislative, dated 11th August 1897. A copy of Mr. Batten's demi-official has also been sent to the Collector of Trichinopoly.]

Demi-official from the Chief Secretary to Government, to the Acting Collector of Kistna, dated 29th July 1897, No. 618.

In reply to your demi-official of 22nd instant I am to say that Government approves of your proposal to modify the existing subsidiary rules by requiring all voting delegates to record their names on each voting paper.

[G.]
9
500-15-2

Date.

(1897) Department.

D. O. No. 618

From

J. K. Batten Esq. J.C.S.

D. O.

No.

Dated 22nd July 1897

Received 27th _____

Registered 30 _____

Enclosures

Spare copies

SUBJECT.

Re. Subsidiary Election Rules.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Camp Sattapalli

DO No 678

CHIEF SECRETARY
27 JUL 1897
GOVERNMENT OF MADRAS

Dear Mr Price

At the elections held in 1895 for the Legislative Council the voting was by secret ballot. The rule ran as follows "A printed list containing the names of all the candidates will be furnished to each (voting) delegate. He will put a cross against the name of the candidate he votes for, and drop the paper into a box in the custody of the collector." - I venture to ask whether it is desirable that

generally to issue instructions

make the above modification in them.

In case Government does not approve of my suggestion I request instructions as can the following should occur. The collector will. I presume be furnished with a list showing the first and second candidate of every Board and Council. In case the first ballot shows that all the delegates have not voted according to instructions, what is the collector to do? Should he pass the matter over, or proclaim a fresh ballot with the reasons for it, and leave it to the consciences of delegates to vote straight the second time?

Yours sincerely

J. W. Batten
of Collector Kistna

18th Sep 1897
R. 18/97



1,000-3-5-27.

20. 618
C. No.

Legislative DEPARTMENT.

- (1) H. E. THE GOVERNOR.
Sir H. W.
(2) THE HON'BLE MR. BLISS, K.C.I.E.
THE HON'BLE MR. GROSE, C.I.E.

SUBJECT.
Subsidiary Election Rules.

FOR ORDERS.

flag A

A copy of the subsidiary election rules issued by the Collector of Kistna and approved by Govt. will be found in G.O. 70 of 4.7.93. Rule 9 runs as follows: "A printed list containing the names of all the candidates will be furnished to each delegate, who will put a cross against the name of the candidate he votes for, and drop the paper into a box in the custody of the Collector" - thus securing the absolute secrecy of the ballot-box.

On a reference from the President, Salem District Board, - Mr. Gabriel Stokes - Govt. expressed the view that District Boards and Municipalities have power generally to issue instructions

requiring their respective voting delegates to vote according to their wishes under any circumstances at the meetings of the delegates (vide para 1 of G.O. 63 of 9 Aug '95 flag C embodied as a general instruction in para 4 of G.O. 57 of 21.7.97). flag K
It follows $\therefore$, as Mr Batten puts it in his present D.O., that "a voting delegate is not at liberty to choose for which candidate he shall vote. He is pledged to vote in the first instance for the candidate selected by his Board or Municipal Council. In most cases moreover the Board or Council will have selected a second candidate in case the election of the first candidate becomes impossible. The candidate for whom each delegate ought to vote is thus known." In view, however, to remove all temptation from voting delegates (in this connection attention is ^{also} respectfully invited to Mr Stokes' remark in the concluding sentence of his letter recorded in G.O. 63 of 9 Aug. 95 flag F

[26]
1,000-8-5-97.

DEPARTMENT.

C. No.

SUBJECT.

H. E. THE GOVERNOR.
THE HON'BLE MR. BLISS, C.I.E.
THE HON'BLE MR. GROSE, C.I.E.

FOR ORDERS.

already quoted) who may not vote straight according to the instructions given them by their respective Boards & Municipalities, Mr Batten proposes to modify the existing rules which, he says, he is about to submit officially to Govt, by requiring the voting delegates to record their names on each voting paper. The ballot will still be practically secret, as Mr Batten says, as none but the Collector will see the voting papers. The proposal appears to be a good one and may, it is submd, be approved. A copy of the rules as modified will, after approval, be commd to the Collector

of Trichinopoly for information and guidance. The following answer is proposed to Mr Batten:-

D.O.

Dear Mr Batten

In reply to your d/o of 22nd instant I am to say that the Govt. approves of your proposal to modify the existing subsidiary rules by requiring all voting delegates to record their names on each voting paper.

In case his proposal is not approved Mr Batten requests orders as to what he should do in the event of the first ballot showing that all the delegates have not voted according to instructions. Should a fresh ballot be proclaimed with the reasons for it and the delegates allowed to vote a Second time?

These queries of course need no answer if his proposal is approved.

H. E. Mr Batten's proposal may be approved & the rules formally altered accordingly 8.12.97

Depo 11-8-97 Sent

(1) H.E.
(2) H. E. Mr Batten's proposal
8.12.97

Papers to be read in Proceedings:-

Again G.O., dated 189 , No.

Current No of 189 , dated from the
Current No. of 189 , dated from the

Issue in help
first - & then printed
Send a copy of Mr Batten's
letter to Trich. Coll. as confidential
& do with reference to the
Order. A.P. 64A Legue 11th Aug 97

In G.O. no 70 d. 4 July 1893
H.E. the L. Inf. approved of
certain rules proposed by
the J. C. of Kistna for the
conduct of the proceedings
in connection with the selection
by Mtes. & Dist. Boards
of a nominee for the Legis-
lative Council.

Rule 9 of those rules runs as
follows: "A printed list containing
the names of all the candidates will be
furnished to each delegate; who will
put a cross against the name of the
candidate he votes for, and drop
the paper into a box in the
custody of the collector."

H.E. now desires that to
this rule sh^d. be added a
proviso that ^{before dropping} ~~before dropping~~
the voting paper ^{dropped} into the box

it should be signed by the
voting delegate. This pre-
caution will not ~~undulate~~^{deragate}
the from the privacy of the
ballot as the voting lists
are open to the scrutiny of the
collector alone.

The collectors of Kistna
& Tachinopoly will observe
the above instruction at
the ~~forthcoming~~ ensuing
meetings of the voting delegates.

S. H. 11/8/97

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The collector of Kistna
~~copy to the collector of Tachinopoly~~
Copy to the collector of Tachinopoly

CONFIDENTIAL.

Desd 12/8/97

Leve Dept

Note for the Leg Clerk

G.O. No. 11 August 97

regarding subsidiary
election rules was des-

patched from here

I have made a note

at the bottom of the

order to the effect

that the number will

follow: Please

communicate the

No. to the Mr. of Trichinopoly

Kistna. I shall

send down the G.O.

tomorrow.

12/8/97

64 A 211.8.97

* Memorandum

The Collector of Kistna

is requested to give No 64-A to the

G.O. dated 11 instant on the Subject

of subsidiary election rules, which

was despatched to him on the 11

instant from Ootacamund.

of Kistna

Trichinopoly

16/8/97

Copy to the Collector of Trichinopoly