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Legislative (1895) Department.

ORDINARY PRINTED.

G.O., No. ~~25~~ 73.

Dated 25. 8. 97

INDEXED.

14/15

[Despatch Abstract.]

State of Madras Legislative Council

Stating that the Government is unable to
entertain the prayer of the Madras Mahajana Sabha
that five ^{seats in the} may be thrown open to the
municipalities & board water of from as at present

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
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Government {1897} of Madras LEGISLATIVE.

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Recd.

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Enclosures
1897.
Spare copies

G.O., No. 73, 25th August 1897.

AUGUST.

Madras Legislative Council.

Stating that the Government is unable to entertain the prayer of the Madras Mahajana Sabha that six seats in the — may be thrown open to the mufassal municipalities and district boards instead of four as at present.

GOVERNMENT OF MADRAS.

LEGISLATIVE DEPARTMENT.

—the following paper:—

Petition from the Hon'ble P. RUNGIAH NAYUDU, President, Madras Mahajana Sabha, to His Excellency the Governor of Madras, dated Madras, 16th December 1896.

RESPECTFULLY SHEWETH,—That the municipal corporations and district boards in the mufassal are inadequately represented in the Madras Legislative Council.

2. That while the Corporation of Madras, the Senate of the University of Madras and the Madras Chamber of Commerce are each entitled to return one representative to the Legislative Council, the fifty-seven municipal corporations and the twenty-one district boards in the mufassal have the right to elect only four representatives.

3. That under the present system of election, the municipal corporations and district boards are divided into two groups, one of which is styled the Northern and the other the Southern group; and while twenty-five municipal corporations and eleven district boards included in the Northern group return each a representative, a similar right is accorded to the thirty-two municipal corporations and ten district boards in the Southern group.

4. That this system of grouping separately the municipalities and district boards not only places the district boards, which are not elective in the sense in which municipal corporations are, on a footing of equality with the latter, but is more favourable to the district boards as they are numerically less than one-half of the number of municipalities and therefore form a much smaller constituency.

5. That besides the above defect, the different groups of municipal corporations and district boards are spread over such a very large area in the Presidency that the representatives returned as members of the Legislative Council do not really represent certain portions of the electoral divisions, and that such districts as Malabar and South Canara, which, owing to the peculiar customs and manners of their people and their peculiar institutions, require separate representation, have very little chance of getting their representatives returned as long as the present system of election continues.

6. That the division of district boards and municipal corporations into separate constituencies for electoral purposes is more or less a fictitious division, inasmuch as there is no diversity of interests served or represented, separately and individually, by these two bodies, a considerable proportion of the members of any district board being as a rule also members of different municipal corporations in the district, and that, therefore, the continuance of the present system is undesirable.

7. That in lieu of the present system it would be far more satisfactory if the representation be made territorial, that is to say, if the municipal corporations and district boards in certain contiguous districts be jointly invested with the right of returning a representative.

8. That the representation of the municipal corporations and district boards will not be adequate or real as long as only four seats in the local Legislative Council are thrown open to them for electoral purposes.)

9. That no satisfactory representation of the municipal corporations and district boards can be secured unless at least six seats are thrown open for election; and should His Excellency the Governor be pleased, His Excellency can easily confer this privilege on the district boards and municipalities at the next election.

10. That at present besides the seven seats thrown open for election, there are five seats in the Legislative Council to which non-official gentlemen are nominated by His Excellency the Governor.

11. That of these five seats, one must under the rules "be held by a Zemindar paying not less than Rs. 20,000 as peshkash annually to Government"; another is held by a representative of the Muhammadan community and a third by a European coffee-planter; and there remain two seats to which His Excellency is in no way bound to appoint a representative of any class, community or interests, as there are no other sections of any community in the Presidency which, in the words of His Excellency the late Viceroy, "although sufficiently important to claim a voice in our deliberations, happen to be in a minority and therefore unable to secure by means of their votes the return of a member acceptable to themselves."

12. That these two seats are at present held by two gentlemen, whose period of office expires on the 18th instant and on the 17th August 1897, respectively—both before the next election of the representatives of municipal corporations and district boards in the mufassal; and should His Excellency be pleased not to fill these vacancies when they occur, His Excellency will confer a great boon on the people of this Presidency by offering six seats to the municipal corporations and district boards jointly at the next election.

13. That in the Presidency of Bombay, eight seats are thrown open for election, and it is but fair that in this Presidency, which is bigger in area, representatives should be elected to at least nine seats in the Council.

14. That, should His Excellency be pleased to carry out the above suggestion, the districts may be grouped in the following manner:—

Ganjam.	Kurnool.	South Arcot.	North Arcot.	Tinnevely.	Malabar.
Vizagapatam.	Bellary.	Chingleput.	Salem.	Madura.	South Canara.
Godavari.	Anantapur.	Tanjore.	Coimbatore.	Trichinopoly.	
Kistna.	Caddapah.	Nellore.	Nilgiris.		

15. That, the grouping of districts given above is based, roughly speaking, on the sameness of language, manners and customs and ethnological peculiarities of the people of the Presidency; and that the adoption of this principle accounts for the difference in the number of districts contained in the groups, which in one case is so small as two.

16. That the memorialists respectfully request His Excellency the Governor to grant the above prayer, for which act of kindness and justice the memorialists shall ever pray.

(ORDER—No. 73, Legislative, dated 25th August 1897.)

In the foregoing memorial the Madras Mahajana Sabha prays that, in view of the present inadequate representation of mufassal municipalities and district boards in the Madras Legislative Council, six seats may be thrown open to them instead of four as at present, and suggests the manner in which the scheme can be worked out, if the request is granted.

2. His Excellency the Governor in Council has given his careful consideration to the matter, and is unable to entertain the prayer of the memorialists. The fundamental principle of the scheme now in operation is class as opposed to territorial representation, the Government of India having declared that the recommending bodies should not (except in the case of the Presidency towns) be determined with

reference to locality or numbers, but should be so chosen as to afford a fair representation of all important classes in the community. Moreover, the number of seats is limited by statute, and the Government of India has directed that the non-official seats to be filled, otherwise than on recommendation, be held in reserve with the view of redressing any inequality to which the system of recommendation may lead. Having regard to these considerations, His Excellency the Governor is not disposed to propose any further addition to the recommending bodies.

(True Extract.)

Secretary to Government.

To the President, Mahajana Sabha, Madras.

district boards in the mufassal have seven municipalities entitled to return one representative each to the Legislative Council. That under the present system of election, the municipal corporations and district boards are divided into two groups, one of which is styled the Northern and the other the Southern group; and while twenty five municipal corporations and eleven district boards included in the Northern group return each a representative, a similar right is accorded to the thirty two municipal corporations and ten district boards in the Southern Group.

Exd. C. M. Thambuswamy.

G.O. No. 73 dated 25.8.1897 Legislative(1897) Department.

GOVERNMENT OF MADRAS

LEGISLATIVE DEPARTMENT

Read the following paper:-

Petition from the Hon'ble P. Rungiah Nayudu, President, Madras Mahajana Sabha, to His Excellency the Governor of Madras, dated Madras, 15th December 1896.

RESPECTFULLY SHEWETH That the municipal corporations and district board in the mufassal are inadequately represented in the Madras Legislative Council

2. That while the Corporation of Madras, the Senate of the University of Madras and the Madras Chamber of Commerce are each entitled to return one representative to the Legislative Council the fifty seven municipal corporations and the twenty one district boards in the mufassal have the right to elect only four representatives.

3. That under the present system of election, the municipal corporations and district boards are divided into two groups, one of which is styled the Northern and the other the Southern group; and while twenty five municipal corporations and eleven district boards included in the Northern group return each a representative, a similar right is accorded to the thirty two municipal corporations and ten district boards in the Southern Group.

4. That this system of grouping separately the municipalities and district boards not only places the district boards, which are not elective in the sense in which municipal corporations, are, on a footing of equality with the latter, but is more favourable to the district boards as they are numerically less than one-half of the number of municipalities and therefore form a much smaller constituency.

5. That besides the above defect, the different groups of municipal corporations and district boards are spread over such a very large area in the Presidency that the representatives returned as members of the Legislative Council do not really represent certain portions of the electoral divisions, and that such districts as Malabar and South Canara, which owing to the peculiar customs and manners of their people and their peculiar institutions, require separate representation, have very little chance of getting their representatives returned as long as present system of election continues.

6. That the division of district boards and municipal corporations into separate constituencies for electoral purposes is more or less a fictitious division, inasmuch as there is no diversity of interests served or represented, separately and individually, by these two bodies, a considerable proportion of the members of any district board being as a rule also members of different municipal corporations in the district, and that, therefore, the continuance of the present system is undesirable.

7. That in lieu of the present system it would be far more satisfactory if the representation be made territorial that is to say, if the municipal corporations and district boards in certain contiguous districts be jointly invested with the right of returning a representative.

8. That the representation of the municipal corporations and district boards will not be adequate or real as long as only four seats in the local Legislative Council are thrown open to them for electoral purposes.

9. That no satisfactory representation of the municipal corporations and district boards can be secured unless at least six seats are thrown open for election; and should His Excellency the Governor be pleased, His Excellency can easily confer this privilege on the district boards and municipalities at the next election.

10. That at present besides the seven seats thrown open for election, there are five seats in the Legislative Council

Private Secretary

Ganjam	Karnool	South Arcot	North Arcot	Tinnevelly	Malabar
Vizagapatam	Bellary	Chingleput	Salem	Madura	South
Godavari	Anantapur	Tanjore	Coimbatore	Trichino	Canara
Kistna	Cuddappah		Nilgris	polly	
	Nellore				

15. That, the grouping of districts given above is based, roughly speaking, on the sameness of language, manners and customs and ethnological peculiarities of the people of the Presidency and that the adoption of this principle accounts for the difference in the number of districts contained in the groups, which in one case is so small as two.

16. That the memorialists respectfully request His Excellency the Governor to grant the above prayer, for which act of kindness and justice the memorialists shall ever pray.

ORDER No. 73 Legislative, dated 25th August 1897

In the foregoing memorial the Madras Mahajana Sabha prays that in view of the present inadequate representation of municipal municipalities and district boards in the Madras Legislative Council, six seats may be thrown open to them instead of four as at present, and suggests the manner in which the scheme can be worked out, if the request is granted.

2. His Excellency the Governor in Council has given his careful consideration to the matter, and is unable to entertain the prayer of the memorialists. The fundamental principle of the scheme now in operation is class as opposed to territorial representation, the Government of India having declared that the recommending bodies should not (except in the case of the Presidency towns) be determined with reference to locality or numbers, but should be so chosen as to afford a fair representation of all important classes in the community. Moreover, the number of seats is limited by statute, and the Government of India has directed that the non-official seats to be filled, otherwise than on recommendation, be held in reserve with the view of redressing any inequality to which the system of recommendation may lead. Having regard to those considerations His Excellency

to which non-official members are nominated by His Excellency the Governor.

11. That of these five seats, one must under the rules be held by a member paying not less than Rs. 20,000 as assessed annually to Government, another is held by a representative of the Muhammadan community and a third by a European coffee-planter; and there remain two seats to which His Excellency

is in no way bound to appoint a representative of any class, community or interests, as there are no other sections of any community in the Presidency which, in the words of His Excellency the late Viceroy "although sufficiently important to claim a voice in our deliberations, happen to be in a minority and therefore unable to secure by means of their votes the return of a member acceptable to themselves."

12. That these two seats are at present held by two

gentlemen, whose period of office expires on the 18th instant and on the 15th August 1897, respectively - both before the next election of the representatives of municipal corporations and district boards in the mufassal; and should His Excellency be pleased not to fill these vacancies when they occur, His Excellency will confer a great boon on the people of this Presidency by offering six seats to the municipal corporations and district boards jointly at the next election.

13. That in the Presidency of Bombay, eight seats are now open for election, and it is but fair that in this Presidency, which is larger in area, representatives should be elected to at least nine seats in the Council.

14. That should His Excellency be pleased to carry out the above suggestion, the districts may be grouped in the following manner:

(true Extract)

To

From

To The Private Secretary to His Excellency the Governor of Madras.

Sir,

We have to humble

Sri
Sd/-

GOVERNMENT OF MADRAS

Legislative Department

No. 73

dated 25 August 1897.

Papers to be read in proceedings

Again G.O. dated 189 No.

Again G.O. dated

Current No. of 189 dated from

189

250 pf 1896 16th December from the Madras Mahajana Sabha.

ORDER

In the foregoing memorial the Madras Mahajana Sabha prays that in view of the present inaxequate representation of mufussal Municipalities and **District** Boards in the Madras Legislative Council, six seats may be thrown open to them instead of ~~four~~ as at present, and suggests the manner

in which the scheme can be worked out if the request is granted.

2. His Excellency the Governor in Council has given his careful consideration to the matter, and is unable to entertain the prayer of the memorialists. The fundamental principle of the scheme now in operation is class as opposed to territorial representation, the Government of India having declared that the recommending bodies should not (except in the case of the Presidency Towns) be determined with reference to locality or numbers but should be so chosen as to afford a fair representation of all important classes in the community. Moreover, the number of seats is limited by statute, and the Government of India has directed that the non-official seats to be filled otherwise than on recommendation be held in reserve with the view of redressing any inequality to which the system of recommendation may lead. Having regard to these considerations His Excellency the Governor is not disposed to make any further addition to recommending bodies.

/from orders/

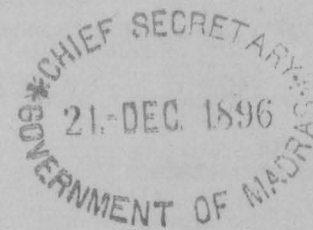
To
The President, Mahajana Sabha, Madras.

SUBJECT

Private Secretary

Legislative (1896) Department.

CURRENT No. 250.



From

H. A. Stuart Esq. J.C.
Private Secretary to
H.E. The Governor.

No.

Dated 19th December 1896.

Received 21st Dec.

Registered 23rd Dec.

Enclosures 1

Spare copies 2. (of Current)

SUBJECT.

Transfers a memorial dated
16th December 1896 from the
Madras Mahajana Sabha
praying that six seats may
be thrown open to the Mem-
-cipal Corporations and District
Boards jointly, at the next
election of the representatives
for the Legislative Council.
By order

H. A. Stuart
Private Secretary

Order

lv 73
25897

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

The Madras Mahajana Sabha Office
Mount Road Madras 17th December, 1896

1894.

From The Secretaries of the Madras Mahajana Sabha

To His Private Secretary to His Excellency
the Governor of Madras.

Sir, We have the honor to forward
herewith a Memorial in tri-
plicate from the Madras Maha-
jana Sabha, signed by its President,
to request you
will be so good as to lay

BACK PAPERS.

G.O.	No.	Department.	Date.

[G.]
25
00-25-11-96.

H. E. THE GOVERNOR.

THE HON'BLE MR. BLISS, C.I.E.

THE HON'BLE MR. GROSE, C.I.E.

Legve Dept

Current No. 250

SUBJECT.

Memorial from the Madras Mahajana Sabha re the representation of the Dt Board and Municipalities on the Madras Legislative Council

FOR ORDERS.

In the above current, the Madras Mahajana Sabha, requests that six seats in the Legislative Council may be thrown open to the District Board and Municipalities in the Madras, for electoral purposes, instead of four as at present.

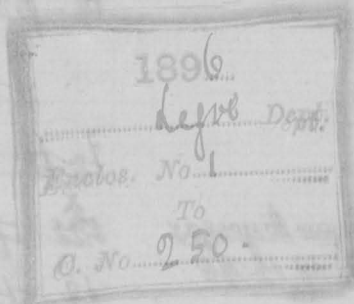
The ground upon which the request is based will be found in paras 2 to 13 of the memorial, & the way in which the scheme can be worked out if the request is granted, is detailed in paras 7, 10 to 12 & 14 & 15.

It is submitted that it is now too late to comply with the request, as one of the vacancies referred to in para 12 of the memorial has already been filled up before the receipt of this current, and if it is considered desirable to have the bare official majority at the earliest opportunity, the other vacancy referred to cannot be given up for electoral purposes for reasons referred to in the note for order in the linked file.

X of the Hon. V. Bhashyam Aiyangar
G.O. R. No. 113 Legve dt 19.12.96.

X of the Hon. C. Sankaran Nayar
on 17 August 1897.

Note
The linked file referred to is nothing but a note on the then constitution of the Council



Further in communicating the despatch from the Secretary of State regarding the reconstitution of the Legislative Councils, the Government of India says "that the non-official seats to be filled otherwise than on recommendation shall be held in reserve with the view of redressing any inequality to which the system of recommendation may lead."

The non-official seats tho' they number at present twelve, will have to be reduced to eleven, to bring about a bare official majority. Of the ~~12~~ eleven seats, Rules II + III on page 5 of G.O. 32 ~~12~~ 12.4.93 require that seven seats should be filled on recommendation, & one should be left to a zamindar paying a peshkash not less than Rs 20000. If, therefore, of the remaining three seats, two more are thrown open to the District Board and Municipalities in the Mafassal, as prayed for in the memorial, only one seat remains to which the Governor may nominate a person at his discretion. This single seat is, it is submitted, quite insufficient to redress the inequality referred to above by the Govt. of India, which may become greater the more the number of seats that are thrown open to local bodies for recommendation, especially in view of the fact that the Muhammadan Community and the Planters' Association ~~shall~~ have to be represented in Council purely by nomination.

In case it is decided to grant the prayer of the Sabha, the Govt. of India will have to be addressed in view to alter the rules framed under section 16(1) of the Councils Act.

Para 4 of the letter in G.O. 48 ~~12~~ 3.9.92 flagged A

Vide linked file
P.R.

x flagged B

x ordinarily

x page 5 of G.O. 32 ~~12~~ 12.4.93

118

It is presumed that the prayer of the Memorial will not be entertained.

The number of seats is limited by Statute.

The doctrine of territorial representation is precisely what is not contemplated by the scheme now in operation. The Govt. of India — Home Dept letter 15 Aug 92, para 4, in G.O. 31 ~~12~~ 3.9.92 N^o 346, — declare that "the recommending bodies shall not (except in the case of the P. Towns) be determined with reference to locality or numbers, shall be so chosen as to afford a fair representation of all important classes in the community" (the italics in the quotation are mine). What is aimed at is class not local representation, as the fundamental idea.

The reference to the inadequacy of the "representation" of the West Coast is singularly inappropriate, so far as actual facts go, seeing howable ~~powerful~~ a representative it has in Santharau Nayak.

It is having regard to the statutory limitation of the number of seats

S. R. 11.1.97.

I am in accord with the Sec. Board, perhaps,
~~The Memorial of the~~ Transform the address
should be answered. I would like to see the draft.

регн.

to on

152

Legislative

DEPARTMENT.

$\left[\frac{G.}{24.} \right]$
000-28-10-96.

189 , No.

Again G.O., dated

189 , No.

Again G.O., dated

of 189 , dated , from

Current No.

„ 189 „ „ „

” ”

” 189 ”

250

" 1896 , " 16 Dec. , " Madras Mahajana Sabha.

To H.E.

for approval with ref: to
his note d/b. 8.97.

S. V. Z.
161817

91
12/8/7

А.В.Н.
21.5.97

ORDER. No 73 Legislative dated 25 August 1897
PS.

In the foregoing memorial the Madras Mahajana Sabha prays that in view of the present inadequate representation of ~~the~~^{the} Municipalities and District Boards in the Madras Legislative Council, six seats may be thrown open to them instead of four as at present, and suggests the manner in which the scheme can be worked out, if the request is granted.

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~~The Governor~~ His
Excellency the Governor ~~to add~~ *is not disposed*
~~equalities would necessarily be secured,~~
~~to the disadvantage of the general pub-~~
~~lic interest.~~ *to propose*
any further addition
to the recommending bodies.) *LSF*

(From orders)

To The President, Mahajana Sabha,
Madras.

copy sent to Press. 27/8
 returned for signature. 3/9
 patched in print. 4/9.

NUMBER OF COPIES
REQUIRED. { Order complete. 3 *copies*
Letter only.
Order complete with Letter.

Proof please
CWR
27/8/97

250 ————— a