(1) பக்கங்களின் எண்ணிக்கை _____

(2) புதுக்கித் திருப்பிய நாள் _____

(3) ஆதாரங் குறிப்பவர் சுருக்கொப்பம் _____

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

Legislative — துறை

அரசாணை எண். 59	அச்சகம்
மு. கோப்புத் தாள் எண்.	
நாள் : 10.5.1999	199 .

(நகல்)

56/55

டிக்கவோ குண்டடிபடி கையாளவோ கூடாது.

ஆவண. கா. 1—18,006—6-9-90.

First copy sent to Press.

Returned for signature.

Despatched in print.

NUMBER OF COPIES REQUIRED. { Order complete. / Letter only. / Order complete with Letter.

D AGAIN G O., No. , DATED
190 .

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B.—

A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.

the note for orders. wording objected, altered -

the note for orders.

the note for orders.

the present rules slightly modified.

G.O. 42 Legve & 17.5.97. E.

(vi) A printed list containing the names of all the candidates will be furnished for information to each delegate.

(vii) Prior to voting, the delegates may, if they so desire, one after another make set speeches discussing the claims of the candidates.

(viii) No delegate will be allowed to make more than one speech which must be limited to ten minutes.

(ix) The recording of votes for the first time shall be completed by 4 P.M. or so soon as each voting delegate has voted, whichever is earlier. Should it be necessary to have the votes recorded a second time it shall be finished by 5 P.M. and in no case will voting be continued after 6 P.M. In the event of the voting not being completed on the first day, it shall take place at 9, 10 and 11 A.M. and 12 noon on the second day.

(x) Whenever the votes are recorded and any candidate secures a hopeless minority of votes, the name of such candidate shall be eliminated before the votes are taken again and it shall not be resubmitted for selection.

(xi) If at any time the votes are recorded there are more candidates than two and the result of voting is that two or more persons get an equal number of votes and are in a hopeless minority, the person to be eliminated shall be decided by a majority of votes of the delegates present and voting. If no such majority is obtained and there is a tie, the Collector shall decide on the person to be eliminated.

(xii) If at any time the votes are recorded there are only two candidates and the result of the voting is a tie, votes shall be recorded once again, and if the result be the same, the fact shall be reported to Government and the nomination will rest with His Excellency the Governor at his discretion.

(xiii) The Collector is empowered to give a decision on any point of order or question relating to the interpretation of the rules which may be raised during the course of the selection.

(xiv) If at the end of the time allowed by the rules no candidate has been selected, the fact will be reported to Government.

3. The Government finally desires to convey to Government servants sitting as members of local boards or municipal councils its opinion that it is undesirable that they should take a prominent part in the proceedings held by such bodies for the purpose of carrying out the regulations.

approved in the note for orders. wording objected, altered -
For orders.

approved in the note for orders.

approved in the note for orders.

Rule 13 of the present rules slightly modified.
Para 9 of G.O. 42 Legve dy 17.5.97. E.

(For orders)

AR
20/4/99.

(v) In regard to the person to b
lative Council, the Government desires
and district boards to Regulation VI
(i) *supra*. A municipality or district
candidate any person resident within th
municipality or district board in the sou
in the southern group of districts.
requirements of this regulation if he h
the locality in question, provided that
in other words, he will be regarded as
ordinarily accustomed to visit the localit
period at least once a year on the avera
words "ordinarily resident" will, howe
question arises will be dealt with on
nominated to the Legislative Council
palities or district boards in the group w
liberty to propose as a candidate any
properly qualified as to residence. Offic
the Governor may decline to nomina
of non-officials or for other reasons.

(vi) Upon receipt of the statem
Secretary to Government will compile th
candidates proposed in each group and
soon as possible to all the municipalities
will be revised on receipt of the addition
(iii) *supra* and the revised list will likew

(vii) At noon on the day to be a
this behalf, the voting delegates of the
ties will assemble at Bezwada and Trichi
will then proceed to select from among
group of municipalities one person f
Governor. The voting of the delegate
ballot. The person selected must obta
gates present and voting. If at the fi
majority of the votes of such delegates
until such majority is obtained. The
following day at latest, and the result
Collectors of Kistna and Trichinopoly
arrangement of the proceedings will be

(viii) Exactly similar rules will
northern and southern groups of district
noon on the day following that on whic
proceed to select a candidate, and must
ing day at latest. This distinction in ti
of municipalities and district boards sel

2. The following subsidiary rules
of the voting delegates and the presidi
Trichinopoly and Bezwada :—

(i) The meeting will be held at
Collector of $\frac{\text{Trichinopoly}}{\text{Kistna}}$), $\frac{\text{Trichinopoly}}{\text{Bezwada}}$.

(ii) The public will not be admitt
desire, spectators and Press reporters wi
verandahs and to the gallery of the build

(iii) No candidate will be admitte
gallery of the building in which the mee

(iv) The proceedings will com
selection.

(v) There will be no proposing an

e recommended for nomination to the Legis-
to draw the attention of the municipalities
of the regulations referred to in instruction
ard in the northern group may propose as a
e northern group of districts, and similarly a
thern group may propose any person resident
candidate will be considered to fulfil the
s a fairly practical and real connection with
uch connection is of a residential character;
ossessing the necessary qualification if he is
and to remain there for some reasonably long
ge. No hard and fast interpretation of the
ver, be laid down, and each case in which the
its merits. Any person desirous of being
ay submit his name to one of the munici-
herein he resides, but those local bodies are at
erson who has not so applied, provided he is
ials may also be proposed, but His Excellency
em, in order to maintain the proper proportion

nts referred to in instruction (i) *supra*, the
erefrom a list containing the names of all the
all the voting delegates, and circulate it as
and district boards in the group. This list
al recommendations referred to in instruction
se be circulated.

ppointed by His Excellency the Governor in
orthern and southern groups of municipali-
nopoly, respectively. Each set of delegates
the candidates proposed by its respective
r recommendation to His Excellency the
s at the meeting shall be open and not by
n a clear majority of the votes of the dele-
st time the votes are recorded an absolute
not obtained, the voting shall be repeated
ection must be completed by noon of the
mediately reported to Government by the
o whom the general superintendence and
rusted.

guide the selection of candidates by the
ards, except that the delegates will meet at
he voting delegates of the municipalities
plete the selection by noon of the succeed-
dates is made in order to avoid the chance
ng the same candidate.

ave also been framed for the guidance
officers at the meetings of the delegates at

the—(Here enter place appointed by the

into the meeting; but if the delegates so
e allowed access in limited numbers to the
g in which the meeting is held.
into the meeting, or the verandahs or the
g is held.
ce at 12 noon on the dates fixed for

seconding.

Para 5 of G.O. 42 Legve dy 17-5-97 E.

G.O. no 99 Legve dy 25-9-93-P.

Para 5 of G.O. 42 Legve dy 17-5-97. E.

Para 6 of the above G.O.

Consequential on (iii) above.

Take to notes 9P

Note No definite instructions are given as to the way in which the votes are to be given, but perhaps this may be left to the presiding officer under subsidiary rule (xiii) under para 2. (Subj) A.E.

Para 8 of G.O. 42 Legve dy 17.5.97. E.

old Rules at C~~o~~
modified with reference to the ~~instr~~ orders in Confidential Covers.

First copy sent to Press.

15

GOVERNME

LEGISLATIVE

ORDER—No. 59, Legislative, dated F

The following revised instructions nomination as additional members of district boards and municipalities:—

(i) Upon receipt of a request und by His Excellency the Governor-General the Indian Councils Act, 1892, to recom members of the Madras Legislative Coun of the northern and southern groups cons No. 32, Legislative, dated 12th April 1893 in the Legislative Department within one request a statement of two names, one of or district board for nomination to the Governor and the other of the person a

(ii) The voting delegate should be nation, if any, and must at the time of the municipal council or district board thereof after he has been appointed delega fixed for the meeting of the voting del delegate by the municipality or district be reported to Government at least fift delegates. The voting delegates must be with credentials for the purpose of provin nopoly and Kistna on the occasion of the

(iii) The several municipalities a their voting delegates exactly how they a may arise at the meetings of the delegates recommendations for the northern and sou boards have been made and one month b delegates, to give to their voting deleg specified by them, one or more names to be dature of the first or other person propo provided that the name or names so given mended for the group concerned and are before the date fixed for the meeting of th

(iv) Officers in the service of Go during the period for which they are nec quence of their appointment as voting halting allowances at the rates to which delegates shall receive these allowances Regulations for officers of the second Regulations, being treated for this purp second-class officer.

H.E. and circs

Flag O

Flag N.

The printed draft is taken from the orders referred to in the margin -

22-IV-99

e/

Have Rules may be altd

29.IV.99

WS 3-5-99

The wording of (iii) is very obscure through the use of the plural instead of the singular: e.g. "in addition to the names originally specified &c." Only one name can be given by each Municl or Dt Bd. Then what does "first or other person proposed" mean? Would it not be best the second sentence of (iii) as follows: "Each Municl or Dt Bd is thereupon at liberty, after all the recommendations ..... delegates, to give its voting delegate, in addition to the name already specified by it, one or more names to be proposed seriatim in the event of the candidature of the person first proposed being withdrawn or falling through: provided that the names or names ..... delegates."

Yes, I think so better

WS 3-5-99

AL 3.5.99

Note Please see
Notes & orders in the confidential cover below. ✓

T OF MADRAS.

DEPARTMENT.

~~ebruary 1899~~. 10th May 1899

elating to the selection of candidates for
e Madras Legislative Council are issued to

* Note It will be printed as an appendix to this Proceedings

r Regulation IV of the regulations framed
n Council under clause (1) of section 1 of
end persons for nomination as additional
each municipality and each district board
nted by the notification appended to G.O.,
will submit to the Secretary to Government
month from the date of the receipt of such
he person recommended by the municipality
Legislative Council by His Excellency the
ointed voting delegate.

x. will be printed as an appendix to this Proceedings
Para 3 of G.O. No 42 Legve dt 17-5-97. E.

specified by name and not by official desig-
is appointment as delegate be a member of
oncerned; but if he ceases to be a member
and more than one month before the date
gates, another person must be appointed
d concerned, and such appointment shall
n days before the meeting of the voting
furnished by the local bodies concerned
their identity to the Collectors of Trichi-
eetings at Trichinopoly and Bezwada.

Para 4 of G.O. 42 Legislative dt 17-5-97. E

d district boards have power to instruct
e to vote under any circumstances which
They are therefore at liberty, after all the
hern groups of municipalities and district
efore the date fixed for the meeting of the
ates, in addition to the names originally
proposed *seriatim* in the event of the candi-
sed being withdrawn or falling through,
are taken from the list of persons recom-
reported to Government three clear weeks
e delegates.

G.O. 44 Legve dt 1-6-97. F.
modified

For orders. As to the desirability of this change
vide note marked A at I, + B at L

ernment will be considered to be on duty
essarily absent from their offices in conse-
elegates, and shall receive travelling and
they are ordinarily entitled. Non-official
at the rates prescribed in the Civil Service
lass, as defined in article 1096 of those
e as if they drew the maximum pay of a

Para 4 of G.O. 42 Legve dt 17-5-97 E.

CALCUTTA UNIVERSITY.

NOTICE.

UNDER Rule II E of the Regulations framed by His Excellency the Governor-General in Council with the sanction of the Secretary of State under section 1 (4) of Indian Councils Act, 1892, for Bengal, the nomination to one seat on the Council of the Lieutenant-Governor for making Laws and Regulations will be made by the Lieutenant-Governor, on the recommendation of the Senate of the University of Calcutta, in place of the Hon'ble Dr Asutosh Mukhopadhyaya, M.A., D.L., F.R.A S., F.R.S.E., whose term of office expires on the 25th July 1901.

Rule V of the Regulations provides that in the case of the Senate of the University the recommendation shall be made by a majority of the votes of the Senate. No restrictions are laid down in the Regulations regarding the qualifications of a candidate, and it is left entirely open to the Senate to recommend whom they choose.

Enclosed is a copy of the Rules of Practice, framed by the Hon'ble the Vice-Chancellor and Syndicate for the election.

A. C. EDWARDS,
Registrar.

SENATE HOUSE:
The 20th May 1901.

B. S. Press—Reg. No. 2976C—47—2-9-1901.—E. D'S.

that the Hon'ble Dr. Asutosh Mukhopadhyaya, M.A., D.L., F.R.A.S., F.R.S.E., has been duly elected by a majority of the members of the Senate of the Calcutta University, as a fit and proper person for nomination by the Lieutenant-Governor of Bengal to his Council under the rules framed under section 1 (4) of the Indian Conncils Act, 1892.

The following Rules of Practice have been made by the Hon'ble the Vice-Chancellor and Syndicate of the University of Calcutta for the election of a person to be recommended by the Senate for nomination by the Lieutenant-Governor of Bengal to his Council, under the Rules framed under section 1 (4) of the Indian Councils Act, 1892 :—

1. Every candidate must be nominated by a member of the Senate.
2. No member of the Senate shall be competent to nominate more than one candidate.
3. The nomination of a candidate shall be made in writing by a nomination paper, which shall be signed by the member of the Senate making the nomination. A nomination paper in the form No. 1, appended to these Rules, will be forwarded to each member of the Senate resident in India. But any form of nomination will be sufficient, provided that it clearly describes the person who is to be nominated, and is signed by the member himself who nominates the candidate. The nomination paper should be, on the face of it, addressed to the Registrar of the University.
4. A notice of the forthcoming election, together with a nomination paper and a copy of these rules, shall be sent to every member of the Senate by the Registrar not later than the 20th May 1901.
5. The nomination papers must be sent to the Registrar of the University to his office in the Senate House, on or before the 31st May 1901. No nomination paper reaching the Registrar after that date shall be of any effect.
6. The votes of members of the Senate for the candidates nominated shall be given by voting papers.

The voting paper shall be in the following form :—

CALCUTTA UNIVERSITY.

Voting paper to be used at the election of a person to be recommended for nomination by the Lieutenant-Governor of Bengal to his Council, under the Rules framed under section 1 (4) of the Indian Councils Act, 1892.

ISSUED TO , Member of the Senate of the Calcutta University.

I do hereby record my vote for as a person to be recommended by the Senate for nomination by the Lieutenant-Governor of Bengal to his Council, under the Rules framed under section 1 (4) of the Indian Councils Act, 1892.

Signature ,
Member of the Senate of the University of Calcutta.

Date .

Countersignature of the officer in whose presence the vote is recorded ,
Official Designation.

The No.

Issued on the *June 1901.*

Registrar, Calcutta University.

On the back of each voting paper, there shall be printed the names of all candidates who shall have been duly nominated, with the name of the member nominating each of such candidates. Should the number of candidates duly nominated be too great to allow of the names of each of them, with the name of the member nominating him, being printed on the back of the voting paper, then such additional page or pages shall be appended to each voting paper, with the names of the candidates duly nominated, and of the member nominating each candidate. The names of such candidates shall be printed on the back of the voting paper and on such additional page or pages in the order in which the nominations of such candidates shall have been received by the Registrar.

Should there be more nominations than one for any candidate received by the Registrar, there shall be printed on the back of such voting paper or such additional page, as the case may be, only the nomination of that member whose nomination of such candidate was first received by the Registrar.

7. The Registrar shall keep in his custody all nomination papers which may be received by him.

8. On or before the 5th of June 1901, the Registrar shall transmit by post, to the recorded address of each member of the Senate, a voting paper in the form and containing the particulars hereinbefore provided. The Registrar shall fill in, in the place indicated for that purpose on the face of the voting paper, the name of the member to whom the voting paper is issued, and he shall countersign such voting paper, in the lower left-hand corner. No voting paper shall be used for the recording of votes, save such as shall have been issued and countersigned by the Registrar.

9. With each voting paper issued on or before the 5th of June, the Registrar shall send a notice stating the day on or before which the voting paper duly filled up must be returned to and received by him. The day so to be stated shall be the 29th of June 1901, before 12 noon. The Registrar shall attend at the Senate House on the 29th June 1901, from 9 A.M. to 12 noon, and shall receive the voting papers of such members of the Senate as may desire to give their votes before him.

10. Each member of the Senate who may desire to give his vote before the Registrar on that day shall hand his voting paper to the Registrar, filled up and signed by him, and the Registrar shall, upon the same being duly filled up, receive it and record the vote thereby given in favour of the candidate whose name is written therein in a book to be kept by him for the purpose.

11. Any member of the Senate may, if he thinks fit, send or hand to the Registrar his voting paper, duly filled in and signed by him. In such case the signature must be acknowledged by such member before the Registrar or before a magisterial officer (including an Honorary Magistrate), or before a Judge, Subordinate Judge, or a Munsif excluding village Munsifs. In the absence of a magisterial or a judicial officer of the rank aforesaid in a Native State, the signature must be acknowledged before the Chief Minister or the Chief Magisterial Officer of the State. The officer before whom such acknowledgment is made, or the Registrar, as the case may be, shall then countersign the signature to the voting paper, as having been acknowledged before him by the person whose signature it bears.

12. No vote shall be recorded by the Registrar unless the same shall have been either given before him at the Senate House on the 29th June 1901, as beforementioned, or else by a voting paper duly filled in, and the signature on which shall have been countersigned in the manner hereinbefore provided.

13. All voting papers handed or sent to the Registrar must be handed to him, or sent to him, so that they shall reach him, on or before the 29th June 1901, by 12 noon.

14. All voting papers sent or handed to the Registrar on or before the 29th June 1901 shall be forthwith sealed up by him, and shall be kept in his custody, and shall be at 12 noon on that day opened, and the votes therein given recorded in his book in like manner as is provided with respect to the votes given by members of the Senate who shall have given their votes on that day in person.

15. In case of loss by any member of the voting paper received by him from the Registrar, the Registrar shall have power to supply him with a fresh voting paper, which must bear the same serial number as that previously supplied to such member.

16. After all the votes given have been recorded, the Registrar shall forthwith put up all the voting papers and keep them in his custody in his office.

17. The Registrar shall then take the poll of the votes from the book wherein the same shall have been recorded, and shall draw up a report, stating the result of the election, which report shall, after the same shall have been countersigned by the Hon'ble the Vice-Chancellor, be forwarded by the Registrar to the Chief Secretary to the Government of Bengal.

No. 1.

CALCUTTA UNIVERSITY.

Nomination paper to be used at the election of a person to be recommended for nomination by the Lieutenant-Governor of Bengal to his Council under the rules framed under section 1 (4) of the Indian Councils Act, 1892.

I HEREBY nominate

Name

Description

as a candidate for the election to be made of a person to be recommended by the Senate for nomination by the Lieutenant-Governor of Bengal to his Council under the rules framed under section 1 (4) of the Indian Councils Act, 1892.

Signature ,
Member of the Senate of the University of Calcutta.

The *1901.*

TO THE REGISTRAR, CALCUTTA UNIVERSITY

13

NOMINATION OF Dr. ASUTOSH MUKHOPADHYAYA, M.A., D.L., F.R.A.S., F.R.S.E., TO BE A MEMBER OF THE BENGAL LEGISLATIVE COUNCIL.

[No. 11.]

[File $\frac{18\text{-L}}{14}$ 12.]

No. 1287, dated Calcutta, the 29th June 1901.

From—A. C. Edward, Esq., M.A., Registrar, Calcutta University,
To—The Chief Secretary to the Government of Bengal.

In accordance with paragraph 17 of the rules of practice framed by the Hon'ble the Vice-Chancellor and Syndicate for the election of a person by the Senate of the Calcutta University for nomination by the Lieutenant-Governor of Bengal to his Council, I have the honour to submit the following report showing the result of the election just concluded.

The Senate of the Calcutta University, including the Chancellor, consists at present of 186 members. Out of these, 22 members are not at present in India. As required in paragraph 4 of the rules of practice, a notice of the election, together with a nomination paper and a copy of the rules of practice, was sent to each of the remaining 164 members by post on the 15th May 1901.

The following are the names of the candidates nominated for election and the names of the gentlemen by whom they are nominated:—

Candidates.	Nominated by
1. The Hon'ble Dr. Asutosh Mukhopadhyaya, M.A., D.L., F.R.A.S., F.R.S.E.	Reverend Father E. Lafont, S.J., C.I.E.
2. Nagendranath Ghose, Esq. ...	W. C. Bonnerjee, Esq.

The nomination papers, when received, were kept in my custody as required under paragraph 7 of the rules.

On the 4th June 1901, voting papers in the form prescribed in paragraph 6 of the rules of practice were transmitted by post to the recorded address of each member of the Senate resident in India, in sealed and registered covers. In each voting paper the name of the member to whom it was issued was entered in the place provided for the purpose, and each voting paper was numbered and countersigned by me before it was issued, agreeably to paragraph 8 of the rules. Along with each voting paper a notice was sent, intimating that the voting paper, duly filled up, must be returned to this office on or before the 29th June 1901, before 12 noon. A cover printed in red and superscribed "To the Registrar, Calcutta University, Senate House, Calcutta," was also forwarded with each voting paper. This precaution it was thought necessary to adopt with a view to prevent the covers containing the voting papers from being mixed up with the other numerous letters daily received in the office.

One member having mislaid his original voting paper, a duplicate copy was supplied to him on application. It was marked prominently in red as "duplicate."

One hundred and thirty-three voting papers were received by me through the post, or were handed to me by the voters personally or by peons, and seven votes were recorded by members in my presence at the Senate House this morning.

Of the 133 voting papers received by post or peon, one was rejected as informal, and one was rejected as the voter died on the 8th June last.

Before a vote was recorded in the register kept for the purpose, it was minutely scrutinized and found to conform strictly with the rules.

All the voting papers sent or handed to me before this day and on this day up to noon, were forthwith sealed up and kept in my custody. They were opened at 12 noon this day, and the votes therein given, as well as the votes of the members who gave their votes in person at the Senate House this morning, were after due scrutiny recorded in the register.

After all the votes were received and recorded in the register, a poll was taken under paragraph 17 of the rules, from which it was found that 95 voted for the Hon'ble Dr. Asutosh Mukhopadhyaya, M.A., D.L., F.R.A.S., F.R.S.E., and 43 voted for Nogendranath Ghose, Esq. I have the honour, therefore, to report

12

[No. 19.]

[File $\frac{18\text{-L}}{14}$ 3.]

No. 169A.—D., dated Darjeeling, the 10th May 1901.

From—H. L. Stephenson, Esq., Under-Secretary to the Government of Bengal, Appointment Department,
To—The Registrar of the Calcutta University.

Under Rule II (F) of the Regulations which have been framed by the Governor-General in Council, with the sanction of the Secretary of State, under section 1 (4) of the Indian Councils Act, 1892, for Bengal, it is laid down that the nomination to one seat on the Council of the Lieutenant-Governor for making Laws and Regulations shall be made by the Lieutenant-Governor on the recommendation of the Senate of the University of Calcutta; and in accordance with the provisions of Rule IV of the above Regulations, I am now directed to request that, with the permission of the Hon'ble Vice-Chancellor and Syndicate, the necessary steps may be taken by the Senate of the University for recommending a person for nomination by the Lieutenant-Governor to his Council in the place of the Hon'ble Dr. Asutosh Mukhopadhyaya, M.A., D.L., F.R.A.S., F.R.S.E., whose term of office expires on the 25th July 1901.

2. Rule V of the Regulations provides that, in the case of the Senate of the University, the recommendation shall be made by a majority of the votes of the Senate, and I am to suggest that it will probably be the most convenient course to adopt a procedure for taking the votes of the members of the Senate similar to that which has been followed by the University for taking the votes of Masters of Arts and other graduates for the nomination of Fellows.

3. The date fixed for taking of poll of the votes should, with reference to Rule VII of the Regulations, be fixed on such a date as to allow the recommendation of the Senate to be transmitted to the Lieutenant-Governor within a period of three months from the date of the receipt of this letter.

4. The Lieutenant-Governor considers that every candidate for Council should be nominated by a member of the Senate, and that no member should be allowed to nominate more than one candidate, and that an early date should be fixed, after which no nomination will be received. It will be observed that no restrictions are laid down in the Regulations regarding the qualifications of a candidate, and that it is left entirely open to the Senate to recommend whom they choose. I am to suggest that it will be desirable to prescribe that voting papers containing the names of all the candidates nominated should be circulated to all the members of the Senate resident in India, and that these papers should either be filled up in the presence of the Registrar at the Senate House at certain prescribed hours, or that they should be filled up in the presence of a Magistrate, by whom the voting paper would be countersigned as a guarantee of the identity of the votes, and that all voting papers, after they have been filled up, should be lodged with the Registrar on or before a prescribed hour and date, after which none should be received.

5. It should be the duty of the Registrar, after taking the poll of the votes, to submit the result of the poll without delay to the Chief Secretary to [illegible], for the information of the Lieutenant Governor.

[No. 18.]

[File $\frac{18\text{-L}}{14}$ 2.]

No. 163A.D., dated Darjeeling, the 10th May 1901.

From—H. L. Stephenson, Esq., Under-Secy. to the Govt. of Bengal, Appt. Dept.
To—The Chairman of the Corporation of Calcutta.

Under Rule II (A) of the Regulations which have been framed by the Governor-General in Council, with the sanction of the Secretary of State, under section 1 (4) of the Indian Councils Act, 1892, for Bengal, it is laid down that the nomination to one seat on the Council of the Lieutenant-Governor for making Laws and Regulations shall be made by the Lieutenant-Governor on the recommendation of the Corporation of Calcutta. In accordance with this rule, the appointment of the Hon'ble Mr. J. G. Apcar was made to His Honour's Council on the 18th July 1899. As his term of appointment will expire on the 17th July 1901, I am directed to request that, in accordance with the provisions of Rule IV of the above Regulations, the necessary steps may be taken by the Municipal Commissioners for recommending a person for nomination by the Lieutenant-Governor to his Council.

2. Rule V of the Regulations provides that, in the case of a Municipal Corporation, the recommendation shall be made by a majority of votes of the Corporation; and I am to suggest that it will probably be the most convenient course to adopt a procedure for taking the votes of the Municipal Commissioners similar to that which is followed by the Commissioners in electing a representative on the Calcutta Port Trust under the provisions of section 6, Act III (B.C.) of 1890. It is believed that this procedure was followed on the last occasion. In any case, the Lieutenant-Governor is of opinion that the votes of the Municipal Commissioners should be taken and recorded at a general meeting convened for the purpose.

3. The date fixed for such meeting should, with reference to Rule VII of the Regulations, be fixed on such a date as to allow the recommendation of the Corporation to be transmitted to the Lieutenant-Governor within a period of three months from the date of receipt of this letter.

4. The Lieutenant-Governor considers that every candidate for Council should be nominated at such meeting by a member of the Corporation, and that no member should be allowed to nominate more than one candidate. It will be observed that no restrictions are laid down in the Regulations regarding the qualifications of candidates, and that it is left entirely open to the Corporation to recommend whom they choose.

5. I am to request that after taking the poll of votes, you will transmit the result of the poll to me without delay, for the information of the Lieutenant-Governor.

[No. 27.] [File $\frac{18\text{-L}}{8}$ 1.]

No. 1082A., dated the 17th February 1902.

NOTIFICATION—By the Government of Bengal, Appointment Department.

In exercise of the power conferred by clause E of Regulation II of the Regulations made under section 1, sub-section (4), of the Indian Councils Act, 1892, for Bengal, as amended by Notification No. 2781, dated the 29th November 1899, the Lieutenant-Governor is pleased to prescribe the Bengal Chamber of Commerce as the Association of merchants on whose recommendation he will from time to time make a nomination to a seat in the Bengal Legislative Council.

[No. 28.] [File $\frac{18\text{-L}}{8}$ 2.]

No. 1083A., dated Calcutta, the 19th February 1902.

From—J. A. Bourdillon, Esq., Chief Secretary to the Government of Bengal,
To—The Secretary to the Bengal Chamber of Commerce.

I am directed to request that, with the permission of the President of the Chamber of Commerce, you will be so good as to move the Chamber to recommend a representative for nomination to the seat in the Bengal Legislative Council which will become vacant, on the 20th April next, upon the expiration of the term of office of the Hon'ble Mr. G. H. Sutherland.

B. S. Press—7254C—30—13-3-1902.—E. J. H

...pleased to direct that

[No. 108.]

[File J $\frac{1\text{-A}}{12}$ 25.]

No. 1913J., dated Calcutta, the 20th April 1893.

From—H. J. S. Cotton, Esq., c.s.i., Chief Secretary to the Govt. of Bengal,
To—The Secretary to the Bengal Chamber of Commerce.

Under Rule II D of the Regulations which have been framed by the Governor-General in Council with the sanction of the Secretary of State under Section 1(4) of the Indian Councils Act, 1892, for Bengal, it is laid down that the nomination to one seat on the Council of the Lieutenant-Governor for making Laws and Regulations shall be made by the Lieutenant-Governor on the recommendation of such Association or Associations of merchants, manufacturers or tradesmen as the Lieutenant-Governor may from time to time prescribe. It was observed in the published Resolution of this Government, No. 1553J., dated 25th March 1893, that the Bengal Chamber of Commerce were already represented in the Council by their Vice-President, the Hon'ble Mr. Playfair, and that no steps could therefore be taken under this clause until he resigned his appointment, or the term of his office expired. Mr. Playfair has, however, now tendered his resignation, which has been accepted by the Lieutenant-Governor; and His Honour has, by a notification published in the *Calcutta Gazette*, declared that, under the clause quoted, the Bengal Chamber of Commerce shall be the Association upon whose recommendation the nomination to the vacant seat in Council shall be made. I am therefore directed to request that, with the permission of the President, the necessary steps may now be taken by the Bengal Chamber of Commerce for recommending a person for nomination by the Lieutenant-Governor to his Council.

2. Rule V of the Regulations provides that in the case of an Association not established by law, the recommendation shall be made in the manner laid down in the Rules or Articles of the Association for carrying Resolutions or recording decisions upon questions of business brought before the Association, and I am to suggest that it will probably be the most convenient course for the Chamber to adopt a procedure for taking the votes of its members similar to that which is followed in electing representatives in the Calcutta Municipality under the provisions of section 8, Act II (B.C.) of 1888, or in the Calcutta Port Trust under the provisions of section 6, Act III (B.C.) of 1890.

3. It will be observed that no restrictions are laid down in the Regulations regarding the qualifications of candidates, and that it is left entirely open to the Chamber to recommend whom they choose.

4. With reference to Rule VII of the Regulations, I am to request that the recommendations of the Chamber may be transmitted to me for the information of the Lieutenant-Governor within a period of two months from the date of the receipt of this letter.

[No. 109.]

[File J $\frac{1\text{-A}}{12}$ 26.]

NOTIFICATION.

The 20th April 1893.—Under Rule II (*D*) of the Regulations which have been framed by the Governor-General in Council with the sanction of the Secretary of State, under section 1 (4) of the Indian Councils Act, 1892, for Bengal, the Lieutenant-Governor is pleased to prescribe that a recommendation for a nomination to a seat in the Council of the Lieutenant-Governor for making Laws and Regulations shall be made to the Lieutenant-Governor by the Bengal Chamber of Commerce.

H. J. S. Cotton,
Chief Secy. to the Govt. of Bengal.

B. S. Press—7254C—30—13-3-1902.—E. J. H

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No. 2781 (Public), dated Calcutta, the 29th November 1899.

NOTIFICATION—By the Government of India, Home Department.

In exercise of the power conferred by section 1, sub-section (4), of the Indian Councils Act, 1892 (55 and 56 Vict., Cap. 14), and with the approval of the Secretary of State for India in Council, the Governor-General in Council is pleased to direct that the following shall be substituted for Regulations II and III of the Regulations, promulgated with the Notification of the Government of India in the Home Department, No. 359, dated the 17th March 1893, as to the conditions under which nominations of Councillors are to be made by the Lieutenant-Governor of the Bengal Division of the Presidency of Fort William for his assistance in making Laws and Regulations:—

II.—The nominations to seven seats shall be made by the Lieutenant-Governor on the recommendation of the following bodies and Associations respectively, namely:—

A.—The Corporation of Calcutta;

B.—Such Municipal Corporations, or group or groups of Municipal Corporations, other than the Corporation of Calcutta, as the Lieutenant-Governor may from time to time prescribe by Notification in the *Calcutta Gazette*;

C.—Such District Boards, or group or groups of District Boards as the Lieutenant-Governor may from time to time prescribe as aforesaid;

D.—Such Association or Associations of landholders as the Lieutenant-Governor may from time to time prescribe as aforesaid;

E.—Such Association or Associations of merchants, manufacturers or tradesmen as the Lieutenant-Governor may from time to time prescribe as aforesaid;

F.—The Senate of the University of Calcutta:

Provided that the bodies described above under A, B, C, D, E, and F, respectively, shall each (except as hereinafter provided in rule 7) have at least one Councillor nominated upon its recommendation, and A, B, D, E, and F not more than one each.

III.—The Lieutenant-Governor may, at his discretion, nominate persons to such of the remaining seats as shall not be filled by officials in such manner as shall, in his opinion, secure a fair representation of the different classes of the community.

ORDERED that a copy of this Resolution be furnished to all Commissioners for information and guidance, and for communication to all the District Boards and Municipalities in their Divisions.

Ordered also that a copy be published in the *Calcutta Gazette*.

By order of the Lieutenant-Governor of Bengal,

C. W. BOLTON,
Chief Secy. to the Govt. of Bengal.

No. 2308A.

COPY forwarded to all Commissioners of Divisions for information and guidance, and for communication to all District Boards and Municipalities in their Divisions.

By order of the Lieutenant-Governor of Bengal,

C. E. A. W. OLDHAM,
Under-Secretary to the Govt. of Bengal.

CALCUTTA,
The 31st March 1897.

E. J. H[illegible]—Reg. No. 8680C—350—31-3-97.

for the convening of a special meeting of each District Board and Municipality concerned, at which one of their members may be elected to represent them for the purpose of recommending the nomination of a member in the Lieutenant-Governor's Council. The name of the representative elected in each must be reported at once by the Chairman of the local body concerned for the information of the Commissioner of the Division.

12. The period of two months which is contemplated under Rule VII of the Regulations as the period within which a recommendation shall be made to the Lieutenant-Governor is hereby declared to run from the date on which the Commissioner of the Division issues his invitation to the Chairman of any Municipality or District Board within the group concerned to elect one of their members to represent them for the purpose of recommending the nomination of a member in the Lieutenant-Governor's Council.

13. As soon as the representatives are elected by the local bodies concerned, they will be called upon by the Commissioner of the Division to meet together on an early and convenient date with special reference to the limit of time imposed under Rule VII of the Regulations, and at such convenient place as he may specify, for the purpose of electing by a majority of votes a person whom they will recommend to the Lieutenant-Governor to be nominated as a member of the Council. The names of all candidates put forward at such meeting shall be duly proposed by one of the electoral representatives present. The election shall be by ballot, and the person elected must obtain a majority of the votes of the representatives present. If on occasion of the first ballot an absolute majority is not obtained, the candidate who obtains the least number of votes shall be withdrawn from the election, and another ballot shall then be held for the remaining candidates and so on until an absolute majority is obtained.

The electoral representatives present at this meeting shall elect among themselves a Chairman, who shall preside and be responsible for the fair and proper exercise of the ballot vote.

As soon as the election is made, the Chairman of the meeting shall without delay report to the Commissioner of the Division the name of the person so elected with the number of votes obtained and any other information which it may appear desirable to communicate, and on behalf of the meeting shall recommend to the Lieutenant-Governor to nominate for Council the person so elected. The Commissioner shall submit the report from the Chairman of the meeting, with any observations he may wish to add, to the Chief Secretary to Government, by whom the recommendations will be submitted to the Lieutenant-Governor.

14. Attention is drawn to the following Rule VI of the Regulations which have been framed by the Governor-General in Council and Secretary of State:—

> VI.—It shall be a condition in the case of any person to be recommended by a Municipal Corporation or group of Municipal Corporations that he shall be a person ordinarily resident within the Municipality or the district in which it is situated, or in some one of the Municipalities constituting the group or of the districts in which they are situated. A similar condition shall also apply to persons to be recommended by District Boards.

Under this rule it is not necessary that persons recommended shall be members of any Municipality or District Board concerned, but they must be ordinarily resident within the Division from which the recommendation is made. Subject to this condition, the rules declare no limit of qualification, and it is left to the electoral representatives to recommend a person under Rule V (*c*) according to the majority of their votes.

15. It is desirable that the subsidiary arrangements now sanctioned shall as far as possible be given effect to by the local bodies concerned with the minimum of official interference. Divisional Commissioners and District Magistrates will, of course, afford any assistance which may be required, and do their utmost to facilitate the smooth working of the elections; but Government officers are forbidden to take part directly or indirectly in the election by canvassing, influencing votes, or otherwise interfering with the free choice of the local bodies. No indication should be given by any official member of any of those bodies as to the manner in which he himself intends to vote.

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[Nos. 15-16.] [FILE 18-L/4 15-16.]

RESOLUTION—No. 2307A.

APPOINTMENT.

Dated Calcutta, the 31st March 1897.

UNDER Rule 2 of the Regulations framed for Bengal by the Governor-General in Council, with the sanction of the Secretary of State, under section 1 (4) of the Indian Councils Act, 1892, the nomination to seven seats in the Council of the Lieutenant-Governor for making Laws and Regulations is made by the Lieutenant-Governor on the recommendation of certain bodies and Associations. Those seats are at present held by the following gentlemen, who were nominated and whose terms of office expire on the dates shown:—

Name of Member.	By what body or bodies recommended.	Date of nomination.	Date of expiry of office.
The Hon'ble Surendra Nath Banerjee.	The Corporation of Calcutta ...	22nd June 1895...	21st June 1897.
„ Hon'ble Ananda Mohan Bose.	The Senate of the Calcutta University.	10th July „ ...	9th July „
„ Montagne Cornish Turner.	The Bengal Chamber of Commerce.	29th March 1897...	28th March 1899.
„ Hon'ble Rai Eshan Chandra Mittra Bahadur.	Municipalities of the Burdwan Division.	19th July 1895...	18th July 1897.
„ Hon'ble Guru Proshad Sen.	District Boards of the Dacca Division.	27th „ „ ...	26th „ „
„ Hon'ble Maharaja Sir Ravaneshwar Prasad Singh Bahadur.	District Boards of the Bhagalpur Division.	7th Sept. „ ...	6th Sept. „
„ Hon'ble Madhu Sudan Das.	Municipalities of the Chota Nagpur and Orissa Divisions.	11th Feb. 1896...	10th Feb. 1898.

Five of the seats will be vacated in the course of the year, and, in accordance with practice, instructions are now issued, prescribing the procedure to be followed for the selection of the gentlemen who are to be recommended to the Lieutenant-Governor for nomination to these vacancies.

2. The Corporation of Calcutta and the Senate of the Calcutta University will be invited to submit the names of the gentlemen whom they respectively recommend for the Council. The selection will be made in accordance with the same procedure as on the two last occasions. A similar request will be addressed to the Municipalities and District Boards which have been already selected for the privilege of recommending members for the Council this year.

3. In view of these approaching vacancies the Lieutenant-Governor has fully considered the system under which the recommendations of the Municipalities and District Boards have hitherto been made and suggestions which have been put forward for modifications in the procedure. The Municipalities and District Boards are required by the Regulations to elect from amongst their members representatives to vote for the member to be recommended for the Council, each representative recording the number of votes assigned to the body by which he is deputed. Voting by representatives will, therefore, be maintained. It will rest with the public bodies to give clear instructions to their representatives as to the way in which they should vote, that is, whether all their votes should be given to one candidate, or whether the votes can be distributed between two or more candidates. In the Resolution of this Government, dated the 25th March 1893, the Municipalities and District Boards were grouped by Divisions, and the privilege of recommending the four members of the Council to be nominated in every second year was given to the Divisional groups in rotation, one member each being recommended by two groups of Municipalities and one each by two groups of District Boards. The Lieutenant-Governor does not propose to make any change in this mode of grouping the bodies or in the rotation of the groups. The division of the whole Province into two groups, which would be the only alternative way of grouping worthy of consideration, is open to objection. Equal groups could not be formed without combining Bihar with Bengal bodies in one of them, and thus depriving that group of the needed character

Chief Secretary to Government, by whom the recommendations will be submitted to the Lieutenant-Governor.

13. Attention is drawn to the following Rule VI of the Regulations which have been framed by the Governor-General in Council and Secretary of State:—

VI.—It shall be a condition in the case of any person to be recommended by a Municipal Corporation or group of Municipal Corporations that he shall be a person ordinarily resident within the Municipality or the district in which it is situated, or in some one of the municipalities constituting the group or of the districts in which they are situated. A similar condition shall also apply to persons to be recommended by District Boards.

Under this rule it is not necessary that persons recommended shall be members of any Municipality or District Board concerned, but they must be ordinarily resident within the division from which the recommendation is made. Subject to this condition, the rules declare no limit of qualification, and it is left to the electoral representatives to recommend a person under Rule V(*c*) according to the majority of their votes.

14. The Lieutenant-Governor is anxious to ensure the success of the operation of the new rules, and with this object has been careful to provide that all the subsidiary arrangements now sanctioned shall, as far as possible, be given effect to by the local bodies concerned with the minimum of official interference. He is confident, however, that District Magistrates will afford any assistance that may be required and do their utmost to facilitate the smooth working of the elections. The experiment now being tried is one of considerable importance, and the arrangements made are necessarily of an experimental character, and will be reconsidered if experience shows that they require modification.

ORDERED that a copy of this Resolution be furnished to all Commissioners for information and guidance and for communication to all the District Boards and Municipalities in their Divisions.

Ordered also that a copy be published in the *Calcutta Gazette*.

Ordered also that a copy be submitted with a covering letter to the Government of India for information.

By order of the Lieutenant-Governor of Bengal,

H J. S. COTTON,

Chief Secretary to the Government of Bengal.

C. E. G.—Reg. No. 8686C—416—30-3-93.

No. 86.] RESOLUTION—No. 1553J. [FILE J $\frac{1\text{-A}}{12}$ 4.]

JUDICIAL.

Dated Calcutta, the 25th March 1893.

UNDER Rule II of the Regulations which have been framed by the Governor-General in Council with the sanction of the Secretary of State under section I(4) of the Indian Councils Act, 1892, for Bengal, it has been laid down that the nomination to seven seats in the Council of the Lieutenant-Governor for making Laws and Regulations shall be made by the Lieutenant-Governor on the recommendation of the following bodies and associations respectively, viz.—

A.—The Corporation of Calcutta;
B.—Such Municipal Corporations or group or groups of Municipal Corporations other than the Corporation of Calcutta as the Lieutenant-Governor may from time to time prescribe by Notification in the *Calcutta Gazette*;
C.—Such District Boards, or group or groups of District Boards, as the Lieutenant-Governor may from time to time prescribe as aforesaid;
D.—Such Association or Associations of merchants, manufacturers or tradesmen as the Lieutenant-Governor may from time to time prescribe as aforesaid;
E.—The Senate of the University of Calcutta:

Provided that the bodies described above under A, B, C, D, and E, respectively, shall each (except as hereinafter provided in Rule VII) have at least one Councillor nominated upon its recommendation, and A, D, and E not more than one each.

With reference to the above proviso, it has been decided that District Municipalities and District Boards shall each be ordinarily represented by two members.

2. Under Rule V (*c*) of the same Regulations, it has been laid down that the recommendation of a person for nomination by the Lieutenant-Governor shall be made "in the case of a group of Municipal Corporations, District Boards, or Associations by the majority of votes of representatives to be appointed according to such scale as the Lieutenant-Governor may from time to time prescribe by the Corporations, Boards, or Associations."

3. The Corporation of Calcutta and the Senate of the University of Calcutta will now be asked by a separate communication to recommend a person for nomination by the Lieutenant-Governor. The votes of the Commissioners of the Corporation of Calcutta will be given at a meeting of the Commissioners. Those of the Fellows of the Senate will be given by voting papers to be delivered personally to the Registrar, or forwarded by post under certain conditions. The Bengal Chamber of Commerce are already represented on the Council by the Vice-President of their body, the Hon'ble Mr. Playfair, and no steps can be taken under clause D of the Rule II above quoted until he resigns his appointment or the term of his office expires.

4. The following observations exclusively refer to the arrangements which will now be made regarding the nomination to the four seats which will be made by the Lieutenant-Governor on the recommendation of District Boards and of Mufassal Municipalities.

5. The Lieutenant-Governor has decided that both District Boards and Municipalities shall be grouped together separately division by division, and that the District Boards and Municipalities within each divisional area shall take it in turns to exercise the privilege which is now bestowed on them of recommending a person for nomination to the Council. It is proposed that this privilege should be exercised by the groups of Municipalities and District Boards in each Division according to rotation. The following is a sketch of the form which the rotation may probably assume: but the Lieutenant-Governor cannot bind himself or his successor as to the exact order in which the privilege will in future be exercised:—

Date of election.	Municipalities.	District Boards.
1893 ...	... Presidency Division	... Patna Division.
	Rajshahi Division	... Chittagong Division.
1895 ...	... Burdwan Division	... Dacca Division.
	Orissa Division, Chota Nagpur Division	... Bhagalpur Division.
1897 ...	... Patna Division	... Presidency Division.
	Chittagong Division	... Rajshahi Division.
1899 ...	... Dacca Division	... Burdwan Division.
	Bhagalpur Division	... Orissa Division.
1901 ...	... Presidency Division	... Patna Division.
	Rajshahi Division	... Chittagong Division.

and so on.

Bengal Rules

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III.—The recommendation of the Bodies and Associations mentioned in Rule I shall be determined by a majority of votes given at an election as hereinafter indicated, that is to say,—

In the case of A, the Corporation of Bombay may recommend any person, provided he is ~~ordinarily~~ resident within the City of Bombay, who obtains a majority of the votes of the Corporation in his favour;

In the case of B, the recommendation of a person ~~ordinarily~~ resident within the Northern Division may be made by the representatives of the group of Municipalities in that Division, appointed according to the following scale. Every Municipality forming a member of the group with a population between 5,000 and 10,000 may appoint one representative, and every Municipality with a population of 10,000 and upwards may appoint an additional representative for every additional 10,000 or fraction of 10,000 of population, thus,—

A Municipality with a population of	5,006	may appoint...	1 representative.
Do. do.	9,573	...	1 do.
Do. do.	40,168	...	5 representatives.

In the case of C (i) and C (ii) the recommendation, by each, of a person ~~ordinarily~~ resident within the Southern and Central Divisions, respectively, may be made by the representatives of each of the groups of District Local Boards in those Divisions appointed according to the following scale. Every District Local Board forming a member of either of the two groups of Bodies may appoint a representative for each 100,000 or fraction of 100,000 of the population of the district according to the last Imperial Census, thus,—

In the Southern Division—

The District Local Board of Belgaum with a population of 1,013,261	may appoint...	11	representatives,	
Do. do. Ratnágiri with a population of 1,105,926	do. ...	12	do.,	
Do. do. Kánara with a population of 446,351	do. ...	5	do.;	

and in the Central Division—

The District Local Board of Poona with a population of 1,067,800	may appoint...	11	representatives.	
Do. do. Khándesh with a population of 1,460,851	do. ...	15	do.	
Do. do. Sholápur with a population of 750,689	do. ...	8	do.	

In the case of D (i), the Sardárs of the Deccan as described in Rule I may recommend any person elected by a majority of their votes;

In the case of D (ii), the group of landholders in Sind may recommend a person elected by a majority of their votes;

In the case of E, the Bombay Chamber of Commerce may recommend a person elected by a majority of votes recorded in the manner laid down in their rules or articles of association for carrying resolutions or recording decisions upon questions of business brought before the Association;

In the case of F, the Senate of the University may recommend any person elected by a majority of the votes of the Senate obtained, under such regulations, not being inconsistent with the aforesaid Regulations made by the Governor-General in Council, as the Senate may pass for this purpose."

1905-1906 Vide University Calendar p. 49

RESOLUTION.—The attention of all the Officers and Departments addressed by Government Resolution No. 50, dated the 30th March 1893, and especially (with reference to the inclusion of the body described in C (ii)) of the Commissioner, Central Division, is invited to the terms of that Resolution and of the instructions contained therein.

(Signed) C. H. A. HILL,
Under Secretary to Government.

To

All Departments of the Secretariat,
The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Agent for Sardárs in the Deccan,
All Collectors.

LEGISLATIVE DEPARTMENT.

Bombay Castle, 15th October 1901.

370.— With reference to Government ... No. 74, dated the 9th March 1895, ... pleased to direct that

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Indian Councils Act, 1892—

Revised Rules for giving effect to the Regulations made by the Governor General in Council under Section 1 (4) of the—.

No. 79 of 1895.

LEGISLATIVE DEPARTMENT.

Bombay Castle, 15th March 1895.

Read—

Notification by the Government of Bombay, Legislative Department, No. 74, dated the 9th March 1895, as follows:—

"In supersession of Government Notification No. 49, dated the 30th March 1893, the Governor in Council is pleased to publish for general information the following Rules for giving effect to the Regulations made by the Governor-General in Council under Section 1 (4) of the Indian Councils Act, 1892, for Bombay, and approved by the Secretary of State in Council, as notified by the Government of India in their Notification No. 359, dated the 17th of March 1893:—

I.—Nominations of eight persons to be Additional Members of the Council of the Governor of Bombay for the purpose of making Laws and Regulations only will be made by the Governor of Bombay under Section 29 of the Indian Councils Act, 1861, subject to Rule VII of the aforesaid Regulations made by the Governor-General in Council, on the recommendations of the following Bodies and Associations, respectively:—

A.—The Corporation of Bombay;

B.—A group of Municipal Corporations constituted by the combination of all Corporations in the Northern Division of the Presidency of Bombay containing a population of 5,000 and upwards according to the last Imperial Census;

C (i).—A group of District Local Boards constituted by the combination of all the District Local Boards in the Southern Division of the Presidency of Bombay;

C (ii).—A group of District Local Boards constituted by the combination of all the District Local Boards in the Central Division of the Presidency of Bombay;

D (i).—The Sardárs of the Deccan as contained in the list prepared in conformity with Government Resolution, Political Department, No. 2363, dated July 23rd, 1867;

D (ii).—A class of large landholders in Sind, as notified in a list to be published annually by the Commissioner of Sind in the *Sind Official Gazette* for the purposes of this rule, constituted of First and Second Class Jágirdárs, and of Zamindárs who for the three years preceding the publication of the list have each paid not less than Rs. 1,000 annually as ordinary land revenue;

E.—The Association of persons engaged or interested in mercantile pursuits entitled the Bombay Chamber of Commerce;

F.—The Senate of the University of Bombay.

II.—The Governor of Bombay, in pursuance of Rule IV of the aforesaid Regulations, will cause the Secretary to Government in the Legislative Department to request the aforesaid Bodies and Associations to recommend persons for nomination by the Governor as Additional Members of Council. These requests will be addressed to the persons indicated in the following list, who will also be requested to communicate to the Secretary to Government in the Legislative Department the recommendations of the Bodies or Associations concerned within two months after receiving the request of the Governor, in each case:—

In the case of A, the President of the Corporation of Bombay;
In the case of B, the Commissioner of the Northern Division;
In the case of C (i), the Commissioner of the Southern Division;
In the case of C (ii), the Commissioner of the Central Division;
In the case of D (i), the Agent for Sardárs in the Deccan;
In the case of D (ii), the Commissioner in Sind;
In the case of E, the Chairman of the Bombay Chamber of Commerce;
In the case of F, the Vice-Chancellor of the University of Bombay.

8

Indian Councils Act, 1892—

Revised Rules for giving effect to the Regulations made by the Governor General in Council under Section 1 (4) of the—.

No. 79 of 1895.

LEGISLATIVE DEPARTMENT.

Bombay Castle, 15th March 1895.

Read—

Notification by the Government of Bombay, Legislative Department, No. 74, dated the 9th March 1895, as follows:—

"In supersession of Government Notification No. 49, dated the 30th March 1893, the Governor in Council is pleased to publish for general information the following Rules for giving effect to the Regulations made by the Governor-General in Council under Section 1 (4) of the Indian Councils Act, 1892, for Bombay, and approved by the Secretary of State in Council, as notified by the Government of India in their Notification No. 359, dated the 17th of March 1893:—

I.—Nominations of eight persons to be Additional Members of the Council of the Governor of Bombay for the purpose of making Laws and Regulations only will be made by the Governor of Bombay under Section 29 of the Indian Councils Act, 1861, subject to Rule VII of the aforesaid Regulations made by the Governor-General in Council, on the recommendations of the following Bodies and Associations, respectively:—

A.—The Corporation of Bombay;

B.—A group of Municipal Corporations constituted by the combination of all Corporations in the Northern Division of the Presidency of Bombay containing a population of 5,000 and upwards according to the last Imperial Census;

C (i).—A group of District Local Boards constituted by the combination of all the District Local Boards in the Southern Division of the Presidency of Bombay;

C (ii).—A group of District Local Boards constituted by the combination of all the District Local Boards in the Central Division of the Presidency of Bombay;

D (i).—The Sardárs of the Deccan as contained in the list prepared in conformity with Government Resolution, Political Department, No. 2363, dated July 23rd, 1867;

D (ii).—A class of large landholders in Sind, as notified in a list to be published annually by the Commissioner of Sind in the *Sind Official Gazette* for the purposes of this rule, constituted of First and Second Class Jágirdárs, and of Zamindárs who for the three years preceding the publication of the list have each paid not less than Rs. 1,000 annually as ordinary land revenue;

E.—The Association of persons engaged or interested in mercantile pursuits entitled the Bombay Chamber of Commerce;

F.—The Senate of the University of Bombay.

II.—The Governor of Bombay, in pursuance of Rule IV of the aforesaid Regulations, will cause the Secretary to Government in the Legislative Department to request the aforesaid Bodies and Associations to recommend persons for nomination by the Governor as Additional Members of Council. These requests will be addressed to the persons indicated in the following list, who will also be requested to communicate to the Secretary to Government in the Legislative Department the recommendations of the Bodies or Associations concerned within two months after receiving the request of the Governor, in each case:—

In the case of A, the President of the Corporation of Bombay;
In the case of B, the Commissioner of the Northern Division;
In the case of C (i), the Commissioner of the Southern Division;
In the case of C (ii), the Commissioner of the Central Division;
In the case of D (i), the Agent for Sardárs in the Deccan;
In the case of D (ii), the Commissioner in Sind;
In the case of E, the Chairman of the Bombay Chamber of Commerce;
In the case of F, the Vice-Chancellor of the University of Bombay.

In the case of D (ii), the Commissioner in Sind;
In the case of E (i), the Chairman of the Bombay Chamber of Commerce;
In the case of E (ii), the Chairman of the Karáchi Chamber of Commerce:
In the case of F, the Vice-Chancellor of the University of Bombay.

III.—The recommendation of the Bodies and Associations mentioned in Rule I shall be determined by a majority of votes given at an election as hereinafter indicated, that is to say,—

In the case of A, the Corporation of Bombay may recommend any person, provided he is ordinarily resident within the City of Bombay, who obtains a majority of the votes of the Corporation in his favour;

In the case of B, the recommendation of a person ordinarily resident within the Northern Division may be made by the representatives of the group of Municipalities in that Division, appointed according to the following scale. Every Municipality forming a member of the group with a population between 5,000 and 10,000 may appoint one representative, and every Municipality with a population of 10,000 and upwards may appoint an additional representative for every additional 10,000 or fraction of 10,000 of population, thus:—

A Municipality with a population of	5,006	may appoint	...	1 representative
Do.	do.	9,573	...	1 do.
Do.	do.	40,168	...	5 representatives.

In the case of C, the recommendation of a person ordinarily resident within the Southern Division may be made by the representatives of the group of District Local Boards in that Division appointed according to the following scale. Every District Local Board forming a member of the group may appoint a representative for each 100,000 or fraction of 100,000 of the population of the district according to the last Imperial Census, thus:

The District Local Board of Belgaum with a population of 1,013,261 may appoint			...	11 representatives.
Do.	do.	Ratnágiri with a population of 1,105,926	...	12 do.
Do.	do.	Kánara with a population of 446,351	...	5 do.

In the case of D (i), the Sardárs of the Deccan as described in Rule I may recommend any person elected by a majority of their votes;

In the case of D (ii), the group of landholders in Sind may recommend a person elected by a majority of their votes;

In the case of E (i) and E (ii), the Bombay Chamber of Commerce and the Karáchi Chamber of Commerce may severally recommend a person elected by a majority of votes recorded in the manner laid down in their rules or articles of association for carrying resolutions or recording decisions upon questions of business brought before the Association;

In the case of F, the Senate of the University may recommend any person elected by a majority of the votes of the Senate obtained, under such regulations, not being inconsistent with the aforesaid Regulations made by the Governor General in Council, as the Senate may pass for this purpose."

RESOLUTION.—It has been the object of Government in framing the supplementary Notification issued, as above recited, in pursuance of the Regulations made by the Government of India under the Indian Councils Act of 1892, to place as few restrictions as possible on the manner in which elections are to be conducted by the Bodies and Associations specified. In the case of the Corporation of Bombay, the Chambers of Commerce of Bombay and Karáchi, and the Senate of the University, no difficulty is likely to arise. But in the case of the remaining electoral Bodies, and more especially of the groups of Municipalities and District Local Boards specified under the letters B and C, it is possible that the want of a common organization may lead to confusion or delay in ascertaining the sense of the Bodies concerned, and to avoid this, His Excellency the Governor in Council considers it advisable to offer the following provisional suggestions for their guidance and that of the officers through whom their recommendations are to be made.

2. The first thing to be done, when a vacancy to be filled on the recommendation of a group of Municipalities or District Local Boards occurs, will be to arrange for the appointment of the prescribed number of representatives, and for the preparation of a list of the candidates for the Council from among whom the representatives when appointed are to make their choice.

(i) The Commissioner of the Division concerned should accordingly, on receiving His Excellency the Governor's request for a recommendation, as provided in Rule II of the supplementary Notification referred to in para. 1, lose no time in communicating it to the President of each Municipality or District Local Board included in the group, with a request that a Special General Meeting may be called at the earliest possible date for the appointment of the prescribed number of representatives, and such number should be specified in the letters to the Presidents. He should at the same time fix a date—say one month from receipt of the Governor's request—up to which he will receive the names of any candidates for the Council who may offer themselves for recommendation, and by which date he must be informed by the President of each of the Bodies included in the group of the names and addresses of the representatives appointed by that Body.

(ii) His Excellency the Governor in Council is of opinion that all candidates for the Council on the recommendation of a group should be proposed and seconded by two members of one of the Municipalities or District Local Boards, as the case may be, included in the group by which the recommendation is to be made; and that their names, addresses, and qualifications, with those of their proposers and seconders, should be reported to the Commissioner by the President of the Body to which the proposer and seconder in each case belong, so as to reach him by the date fixed by him as above provided. It will be the business of each President to see that this is done, and that the names of the representatives appointed are also reported so as to reach the Commissioner by the same date.

(iii) The Commissioner should enter the names of candidates for the Council who have been duly proposed and seconded, with those of their proposers and seconders, and the other particulars above noted as they reach him, in a list to be kept for the purpose. On the date fixed he should close the list and send it for publication in the next issue of the *Bombay Government Gazette*, and should furnish a printed copy of it with the least possible delay to each representative appointed by each of the Bodies included in the group.

3. The next point for consideration is how the representatives should proceed to make their selection from among the candidates for the Council included in the list; that is whether they should assemble for the purpose, or should proceed by means of voting papers to be issued by and returned to the Commissioner.

4. His Excellency the Governor in Council is of opinion that in the case of the Municipalities of the Northern Division, which are all within comparatively easy reach of the railway, the former plan will be found the most satisfactory.

(i) He proposes accordingly that the Commissioner, N. D., in communicating the Governor's request to the Presidents of the Municipalities, should name provisionally a place and date for the assembly of representatives, which might be at Ahmedabad or Surat, about a fortnight later than the date fixed for closing the list of candidates. The President of each Municipality, in reporting to the Commissioner the names of candidates for the Council and of the representatives of his Municipality would have an opportunity of stating whether the representatives would be able to attend the assembly, and of making any representations that might be necessary as to the suitability of the place and date proposed. The Commissioner would then be in a position to judge whether it would be desirable to hold an assembly, and if so to confirm or alter the provisional date and place according to the general sense of the representations received. He could then notify the place and date of assembly, as finally settled, in the *Bombay Government Gazette*, together with the list of candidates, and should send a copy of the Notification to each representative with the least possible delay.

(ii) If an assembly is held, it will be convenient that the Commissioner should conduct the proceedings, unless the representatives assembled prefer

to elect a Chairman from among their own number, and that it should be left to him, or to the Chairman if one be elected by the assembly, to adopt any method of recording the votes which may approve itself to the general sense of the meeting. The opinion of the representatives assembled might be taken as to whether in future cases absentees should be allowed to vote by proxy; but on the present occasion His Excellency in Council recommends that the representatives should be expected to attend the meeting, if the Commissioner decides to hold one. On the termination of the proceedings the Commissioner should lose no time in communicating to the Secretary to Government, Legislative Department, the name of the candidate for the Council elected by the majority of votes.

5. In the case of the group formed of the District Local Boards in the Southern Division there would be no objection to the adoption of the same procedure if, in the opinion of the Commissioner, it is likely to be found practicable and the Bodies concerned would prefer it. But the means of communication in that Division are so imperfect, and the distances are so great, that it is desirable to be prepared for the alternative that the selection of the candidate to be recommended for the Council should be conducted by means of voting papers. The suggestions which follow will apply also in the case of the Municipalities of the Northern Division, if it should be found for any reason impracticable to convene an assembly.

(i) When the procedure is to be by voting papers, the Commissioner should incorporate the list of candidates for the Council to be forwarded to each representative, as above provided, in a voting paper, which should be printed, and should contain clear directions for filling it in and a notice of the date by which it must be returned to the Commissioner.

(ii) This date also might be fixed about a fortnight later than that fixed for closing the list of candidates for the Council, so as to give time for a reference, in case of any doubt or mistake connected with the voting papers, before the expiry of the two months within which the recommendation must be made. It should be published in the *Bombay Government Gazette* at the same time with the list of candidates for the Council, as in the case of the date fixed for the assembly when the procedure referred to in paragraph 4 is adopted.

(iii) The voting papers should be legibly filled in and signed in his own handwriting by the representative to whom they are issued, enclosed in a sealed envelope, and endorsed outside with the signature of the representative, and delivered or posted in a registered cover addressed to the President of the Body by whom the representative was appointed, for transmission to the Commissioner, so as to reach him not later than the date fixed. The Presidents should see that no delay is allowed to occur in the transmission of the voting papers.

(iv) The Commissioner should open the envelopes and tabulate the votes recorded as they are received, and as soon as all the representatives have voted, should report the result to the Secretary to Government in the Legislative Department. If all the votes have not been received within two months from the date on which the request for a recommendation reached the Commissioner, the state of the poll on the date on which that period may expire should still be reported.

(v) The appended form of voting paper is recommended for adoption. It is framed on the assumption that each representative will have one vote only. His Excellency the Governor in Council having had under consideration the question whether any form of cumulative voting is desirable, is of opinion that the system of voting had better be as simple as possible to begin with, and that it should be left to experience to determine whether any more complex methods are needed.

6. All communications forwarded through the post, to or from the Commissioner, the Presidents and the representatives, in pursuance of the procedure above indicated, should be registered.

7. In the case of the Sardárs of the Deccan, His Excellency the Governor in Council believes that the Agent will have no difficulty in arranging for the assembling in Darbár of the Sardárs entitled to vote. The names of candidates for the Council, duly proposed and seconded by Sardárs entitled to vote, should be communicated to the Agent on or before a date fixed by him, and a selection can then be made by the Sardárs assembled in Darbár.

8. In the case of the Zamindárs and Jágirdárs in Sind, it will be best to leave it to the Commissioner in Sind to make such arrangements as he may find to be most practicable and convenient.

(Signed) W. LEE-WARNER,
Secretary to Government.

To

All Departments of the Secretariat,
The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Agent for Sardárs in the Deccan,
All Collectors (including Sind),
The Editors' Table, Bombay,
The Branch Editors' Tables, Poona and Dhárwár.

(*Appendix to Government Resolution No. 50, dated 30th March 1893.*)

Voting paper No. issued on (*date*) to (*name*) , a representative appointed by the $\frac{\text{Municipality}}{\text{District Local Board}}$ of (*name*) for the purpose of recommending a person for nomination by the Governor of Bombay as an Additional Member of His Excellency's Council for the purpose of making Laws and Regulations only in pursuance of the Regulations framed by the Government of India under the Indian Councils Act, 1892, to be filled up and returned so as to reach the Commissioner $\frac{\text{N. D.}}{\text{S. D.}}$, on or before (*date*)

(*a*).—Space for Vote.	(*b*).—List of Candidates from among whom selection is to be made.			
	1 Number.	2 Name, residence and station.	3 By whom proposed and seconded.	4 $\frac{\text{Municipality}}{\text{District Local Board}}$ to which proposer and seconder belong.

Signature of representative—

Date of Signature—

Instructions for filling in.

The blanks in the heading and in columns 1, 2, 3 and 4 under column (*b*) are to be filled up by the Commissioner before issue.

One vote only may be given.

The number and name of the candidate it is desired to recommend should be written legibly by the representative in the space provided in column (*a*) for the purpose, opposite his number and name in list (*b*).

This voting paper after being filled in as directed must be signed and dated by the representative to whom it is issued, with his own hand, enclosed in a sealed envelope, endorsed outside by the representative, also in his own hand-writing if possible, and returned through the President of the $\frac{\text{Municipality}}{\text{District Local Board}}$ of which he is a representative to the Commissioner, $\frac{\text{N.D.}}{\text{S. D.}}$, so as to reach that officer by the date named in the last line of the heading at latest. If the representative is unable to write, his signature should be attested by the President of the Body by which he has been appointed.

Home depttt: Notfn: No. 2425, dt 7.9.1900.

VII.—If within ~~two~~ three months after receiving the request of the Governor as provided by Rule IV the Body or Association or group of Bodies or Associations fails to make a recommendation, the Governor may nominate at his discretion a person belonging to the class which the Body or Association or group is deemed to represent.

VIII.—If the Governor shall decline to nominate any person who has been, under these Regulations, recommended for nomination, a fresh request shall be issued as provided in Rule IV, and the procedure laid down in Rules V and VII shall apply.

IX.—(*a*) As soon as conveniently may be after these Regulations come into force, eight of the seats held by non-official persons shall be filled up by recommendation under Rule II.

(*b*) If there shall not be the full number of eight vacancies available for this purpose, the Governor shall determine at his discretion, subject always to the proviso in Rule II, which of the Bodies or groups mentioned in that Rule shall be requested to recommend the persons to fill up such vacancies as may then be available; and so whenever and as often as any other vacancies among non-official members become available, until the full number of eight has been completed."

* * * * *

Notification by the Government of Bombay, Legislative Department, No. 49, dated the 30th of March as follows:—

Vide amended Notifications published in G.R. No. 79 dated 15th March 1902

"The Governor in Council is pleased to publish for general information the following Rules for giving effect to the Regulations made by the Governor General in Council under Section 1 (4) of the Indian Councils Act, 1892, for Bombay, and approved by the Secretary of State in Council, as notified by the Government of India in their Notification No. 359, dated the 17th of March 1893:—

I.—Nominations of eight persons to be Additional Members of the Council of the Governor of Bombay for the purpose of making Laws and Regulations only will be made by the Governor of Bombay under Section 29 of the Indian Councils Act, 1861, subject to Rule VII of the aforesaid Regulations made by the Governor General in Council, on the recommendations of the following Bodies and Associations, respectively:—

A.—The Corporation of Bombay;

B.—A group of Municipal Corporations constituted by the combination of all Corporations in the Northern Division of the Presidency of Bombay containing a population of 5,000 and upwards, according to the last Imperial Census;

C.—A group of District Local Boards constituted by the combination of all the District Local Boards in the Southern Division of the Presidency of Bombay;

D (i).—The Sardárs of the Deccan, as contained in the list prepared in conformity with Government Resolution, Political Department, No. 2363, dated July 23rd, 1867;

D (ii).—A class of large landholders in Sind, as notified in a list to be published annually by the Commissioner of Sind in the *Sind Official Gazette* for the purposes of this rule, constituted of First and Second Class Jágirdárs, and of Zamindárs who for the three years preceding the publication of the list have each paid not less than Rs. 1,000 annually as ordinary land revenue.

E (i).—The Association of persons engaged or interested in mercantile pursuits entitled the Bombay Chamber of Commerce;

E (ii).—The Association of persons engaged or interested in mercantile pursuits entitled the Karáchi Chamber of Commerce;

F.—The Senate of the University of Bombay.

II.—The Governor of Bombay, in pursuance of Rule IV of the aforesaid Regulations, will cause the Secretary to Government in the Legislative Department to request the aforesaid Bodies and Associations to recommend persons for nomination by the Governor as Additional Members of Council. These requests will be addressed to the persons indicated in the following list, who will also be requested to communicate to the Secretary to Government in the Legislative Department the recommendations of the Bodies or Associations concerned within two months after receiving the request of the Governor, in each case:—

In the case of A, the President of the Corporation of Bombay;

In the case of B, the Commissioner of the Northern Division;

In the case of C, the Commissioner of the Southern Division;

In the case of D (i), the Agent for Sardárs in the Deccan;

Indian Councils Act, 1892.—
Rules for giving effect to the Regulations made by the Governor General in Council under Section 1 (4) of the—

No. 50 of 1893.

Legislative Department.

Bombay Castle, 30th March 1893.

Read—

Notification of the Government of India, Home Department, No. 359, dated the 17th March 1893, as follows:—

"The following Regulations which have been made by the Governor General in Council under the provisions of Section 1, Sub-section (4), of the Indian Councils Act, 1892, as to the conditions under which nominations of Additional Members of Council shall be made by the Governors of Madras and Bombay, and nominations of Councillors by the Lieutenant-Governors of the Bengal Division of the Presidency of Fort William and of the North-Western Provinces and Oudh, respectively, for their assistance in making Laws and Regulations, have received the approval of the Secretary of State for India in Council and are now published for general information:—

* * * * *

Regulations under Section 1 (4) of the Indian Councils Act, 1892, for Bombay.

I.—Of the persons, other than the Advocate General or officer acting in that capacity, to be nominated Additional Members of Council by the Governor of Bombay for his assistance in making Laws and Regulations, not more than nine shall be officials.

II.—The nominations to eight seats shall be made by the Governor on the recommendation of the following Bodies and Associations respectively, namely,—

A—The Corporation of Bombay;

B—Such Municipal Corporations, or group or groups of Municipal Corporations, other than the Corporation of the City of Bombay as the Governor in Council may from time to time prescribe by notification in the *Bombay Government Gazette*;

C—Such District Local Boards, or group or groups of District Local Boards, as the Governor in Council may from time to time prescribe as aforesaid;

D—The Sardárs of the Deccan or such other class of large landholders as the Governor in Council may from time to time prescribe as aforesaid;

E—Such Association or Associations of merchants, manufacturers or tradesmen as the Governor in Council may from time to time prescribe as aforesaid;

F—The Senate of the University of Bombay:

Provided that the Bodies described above under A, B, C, D, E, and F, respectively, shall each (except as hereinafter provided in Rule VII) have at least one person nominated upon its recommendation, and A and F not more than one each.

III.—The Governor may, at his discretion, nominate persons to such of the remaining seats as shall not be filled by officials, in such manner as shall, in his opinion, secure a fair representation of the different classes of the community.

IV.—When a vacancy occurs and is to be filled under Rule II of these Regulations, the Governor shall cause the proper Body or group of Bodies, or Association or Associations to be requested to recommend a person for nomination by the Governor.

V.—The recommendation shall be made—

(*a*) in the case of a Municipal Corporation or of a District Local Board, or of the Sardárs of the Deccan, or such other class of large landholders as the Governor in Council may from time to time prescribe, or of the Senate of the University, by a majority of votes of the Corporation, Board, Body, or Senate respectively;

(*b*) in the case of Associations not established by law, in the manner laid down in their rules or articles of association for carrying resolutions or recording decisions upon questions of business brought before the Association;

(*c*) in the case of a group of Municipal Corporations, District Local Boards, or Associations, by the majority of votes of representatives to be appointed, according to such scale as the Governor in Council may from time to time prescribe, by the Corporations, Boards, or Associations.

VI.—It shall be a condition in the case of any person to be recommended by a Municipal Corporation or group of Municipal Corporations that he shall be a person ~~ordinarily~~ resident within the Municipality or the district in which it is situated, or in some one of the Municipalities constituting the group or of the districts in which they are situated. A similar condition shall also apply to persons to be recommended by District Local Boards.

B 1709—1

LEGISLATIVE DEPARTMENT.

Bombay Castle, 21st August 1901.

No. 332.—The following Notification by the Government of India in the Home Department is republished for general information:—

"Public.

Simla, the 16th [illegible] 1901.

appoint the number of representatives noted against its name. The representatives of the first group shall meet at Lucknow and those of the second group at Allahabad, and shall, on behalf of their respective groups, recommend one person to the Lieutenant-Governor by a majority of their votes. Such person shall, in accordance with Regulation VI, be ordinarily resident in some one of the Municipalities constituting the group of the districts in which they are situated.

By order, &c.,

J. O. MILLER,

Chief Secy. to Govt., N.-W. P. and Oudh.

No. $\frac{44C}{III-807A}$ OF 1899.

NOTIFICATION.

GENERAL DEPARTMENT.

Dated the 19th July 1899.

MISCELLANEOUS.

IN supersession of Notification No. $\frac{528}{III-807A}$, dated the 28th May 1895, and under Regulation IIA of the Regulations made under section 1 (4) of the Indian Councils Act, 1892, for the North-Western Provinces and Oudh, the Lieutenant-Governor is pleased to prescribe the following groups of Municipal Boards for the purpose of recommending to him two persons for nomination as Councillors for his assistance in making Laws and Regulations:—

FIRST GROUP.

Name of Municipality.	*Number of representatives.*
Dehra	1
Saháranpur ...	1
Muzaffarnagar ...	1
Meerut	2
Bulandshahr ...	1
Khurja	1
Aligarh	1
Háthras	1
Bareilly	2
Bijnor	1
Najibabad ...	1
Budaun	1
Moradabad ...	1
Amroha	1
Sháhjahánpur ...	1
Pilibhít	1
Gorakhpur ...	1
Azamgarh ...	1
Lucknow	3
Rae Bareli ...	1
Sitapur	1
Fyzabad	1
Gonda	1
Bahraich	1
Bara Banki ...	1
Total ...	29

SECOND GROUP.

Name of Municipality.	*Number of representatives.*
Muttra	1
Agra	3
Farrukhabad ...	1
Mainpuri... ...	1
Etáwah	1
Cawnpore ...	3
Fatehpur ...	1
Bánda	1
Allahabad ...	3
Jhánsi	1
Benares	3
Mirzapur... ...	1
Jaunpur	1
Gházipur... ...	1
Ballia	1
Total ...	23

2. Under Regulation V *(c)* of the above Regulations, the Lieutenant-Governor is pleased to prescribe that each of the aforesaid Municipal Boards shall, upon receiving a request under Regulation IV,

No. $\frac{530}{\text{III—807A}}$ OF 1895.

NOTIFICATION.

GENERAL DEPARTMENT.

Dated the 28th May 1895.

MISCELLANEOUS.

IN supersession of Notification No. $\frac{753}{\text{III—807A}}$, dated 30th March 1893, and, under Regulation IIB of the Regulations made under section 1(4) of the Indian Councils Act, 1892, for the North-Western Provinces and Oudh, the Lieutenant-Governor is pleased to prescribe the following groups of District Boards for the purpose of recommending to him two persons for nomination as Councillors for his assistance in making Laws and Regulations:—

First group.	*First group.*	*Second group.*	*Second group.*
Dehra.	Bareilly.	Cawnpore.	Gorakhpur.
Saháranpur.	Bijnor.	Fatehpur.	Basti.
Muzaffarnagar.	Budaun.	Bánda.	Azamgarh.
Meerut.	Moradabad.	Hamírpur.	Fyzabad.
Bulandshahr.	Sháhjahánpur.	Allahabad.	Gonda.
Aligarh.	Pilibhít.	Jhánsi.	Bahraich.
Muttra.	Lucknow.	Jalaun.	Sultánpur.
Agra.	Unao.	Benares.	Partábgarh.
Farrukhabad.	Rae Bareli.	Mirzapur.	Bara Banki.
Mainpuri.	Sitapur.	Jaunpur.	
Etáwah.	Hardoi.	Gházipur.	
Etah.	Kheri.	Ballia.	

2. Under Regulation V *(c)* of the above Regulations, the Lieutenant-Governor is pleased to prescribe that each of the aforesaid District Boards shall, upon receiving a request under Regulation IV, appoint one representative. The representatives of the District Boards in the first group shall meet at Lucknow; those of the District Boards in the second group shall meet at Allahabad. The representatives shall, on behalf of their respective groups, recommend a person to the Lieutenant-Governor by a majority of their votes. Such person shall, in accordance with Regulation VI, be ordinarily resident in some one of the districts constituting the group.

By order, &c.,

J. J. D. LATOUCHE,

Chief Secy. to Govt., N.-W. P. and Oudh.

9. The Commissioner will give the representatives any advice or assistance they may require in carrying out the business for which they have assembled. In case of any question of order or any dispute arising which the Chairman is unable to settle, the Chairman shall refer the matter to the Commissioner, whose decision shall be final.

10. The Commissioner shall submit the Chairman's report and certificate to the Secretary of the Legislative Council, North-Western Provinces and Oudh.

By order, &c.,

J. J. D. LATOUCHE,

Chief Secy. to Govt., N.-W. P. and Oudh.

No. $\frac{1422}{\text{III—807A}}$ OF 1893.

NOTIFICATION.

GENERAL DEPARTMENT.

Dated the 30th May 1893.

MISCELLANEOUS.

THE following rules for the guidance of representatives of Municipal and District Boards in recommending to His Honour the Lieutenant-Governor and Chief Commissioner for nomination as a Councillor for his assistance in making Laws and Regulations one person for each group of Boards constituted in accordance with the Regulations under section 1(4) of the Indian Councils Act, 1892, for the North-Western Provinces and Oudh, are published for general information :—

1. As soon as a Board has appointed a representative, his name will be reported by the Chairman of the Board to the Commissioner of the Division, and by him to the Chief Secretary to Government, North-Western Provinces and Oudh.

2. The representatives of the_____ Boards will meet at a date to be fixed by Government, and will intimate their arrival to the Commissioner. The Commissioner of the place of meeting will arrange to give them a convenient and suitable room to meet in, and will, in communication with the representatives, arrange the hour of meeting.

3. On meeting the representatives will proceed to elect a Chairman.

4. The Chairman will open business by calling for names of candidates for recommendation to the Lieutenant-Governor.

5. Every candidate must be proposed by one of the representatives and seconded by another. No representative can propose more than one candidate.

6. A representative may be proposed as a candidate provided he is qualified under paragraph 6 of the Regulations. The condition therein laid down, namely, that he shall be a person ordinarily resident within one of the municipalities or districts, as the case may be, represented at the meeting, is the only restriction placed on the discretion of the representative in recommending a candidate.

7. When the candidates have been proposed and seconded, the Chairman shall take the votes of the representatives, and the candidates for whom an absolute majority of votes is given shall be returned as recommended.*

8. The Chairman shall certify the recommendation to the Commissioner in the following form :—

I hereby certify that at the meeting of representatives of Municipal (or District) Boards held this day, the_____of_____189 , at_____, the following gentleman was recommended by a majority of the representatives for nomination by His Honour the Lieutenant-Governor to a seat in the Legislative Council of the North-Western Provinces and Oudh :—

_____, son of_____, profession _____, residence_____.

(Signed)

_____

Chairman.

* It is not sufficient that a candidate to be successful should have more votes in his favour than any other. He must have the support of the majority of the representatives, that is, he must have at least three votes out of five.

United Provinces of Agra & Oudh

Rules

convenient date, with special reference to the limit of time imposed by Rule VII of the Regulations, and at such convenient place as he may specify, for the purpose of electing, by a majority of votes, a person whom they will recommend to the Lieutenant-Governor to be nominated as a member of the Council. The names of all candidates put forward at such meeting shall be duly proposed by one of the representatives present. The election shall be by ballot, and the person elected must obtain a majority of the votes of the representatives present. If on the occasion of the first ballot an absolute majority is not obtained, the candidate who obtains the least number of votes shall be withdrawn from the election, and another ballot shall then be held for the remaining candidates, and so on, until an absolute majority is obtained. In the event of a tie occurring at any stage, candidates shall draw lots.

6. The electoral representatives present at this meeting shall elect one of themselves to be Chairman, and he shall preside and be responsible for the fair and proper exercise of the ballot vote.

7. The Chairman of the meeting shall without delay report to the Commissioner of the Division the name of the person elected, with the number of votes obtained, and any other information which it may appear desirable to communicate, and on behalf of the meeting shall recommend to the Lieutenant-Governor to nominate for the Council the person so elected. The Commissioner shall submit the report from the Chairman of the meeting, with any observations he may wish to add, to the Chief Secretary to Government, by whom the recommendation will be submitted to the Lieutenant-Governor.

8. Attention is drawn to the following Rule VI of the Regulations which have been framed by the Governor-General in Council and Secretary of State :—

VI.—It shall be a condition in the case of any person to be recommended by a Municipal Corporation, or group of Municipal Corporations, that he shall be a person resident within the Municipality or the district in which it is situated, or in some one of the Municipalities constituting the group or of the districts in which they are situated. A similar condition shall also apply to persons to be recommended by District Boards.

Explanation.—A person is not "resident" within the meaning of this rule unless he has a place of residence in the locality concerned, and such practical connection with that locality as qualifies him to represent the inhabitants thereof.

If at any time the question is raised whether a person proposed for election is "resident" within the meaning of this rule, the question shall be referred to and decided by the Local Government, whose decision shall be final.

Under this rule it is not necessary that the person recommended shall be a member of any Municipality concerned, but he must be resident within the Division from which the recommendation is made. Subject to this condition, the rules declare no limit of qualification, and it is left to the representatives to recommend a person under Rule V (*c*) according to the majority of their votes.

9. It is desirable that the subsidiary arrangements now sanctioned shall, as far as possible, be given effect to by the Municipalities concerned with the minimum of official interference. The Divisional Commissioner and the District Magistrates will, of course, afford any assistance which may be required, and will do their utmost to facilitate the smooth working of the elections; but Government officers are forbidden to take part, directly or indirectly, in the election by canvassing, influencing votes, or otherwise interfering with the free choice of the Municipalities. No indication should be given by any official member of any of the Municipalities concerned as to the manner in which he himself intends to vote.

ORDERED that a copy of this Resolution be furnished to the Commissioner of the Bhagalpur Division for information and guidance, and for communication to the Municipalities concerned in his Division.

Ordered also that a copy be published in the *Calcutta Gazette*.

By order of the Lieutenant-Governor of Bengal,

C. E. BUCKLAND,

Chief Secy. to the Govt. of Bengal.

NOTIFICATION—No. 1444A.D.

The 23rd June 1902.—In exercise of the power conferred by clause (B) of Regulation II of the Regulations made under section 1, sub-section (4) of the Indian Councils Act, 1892, for Bengal, as amended by Notification No. 2781, dated the 29th November 1899, the Lieutenant-Governor is pleased to prescribe the Municipalities of Monghyr, Jamalpur, Bhagalpur, Colgong, Purnea, Kishanganj, English Bazar, Deoghur and Sahibganj, in the Bhagalpur Division, as the group of Municipalities on whose recommendation he will, after the 21st September next, make a nomination to one seat in the Bengal Legislative Council.

C. E. BUCKLAND,

Chief Secy. to the Govt. of Bengal.

18L 17 of 1902

No. 1442A.—D.

RESOLUTION.

APPOINTMENT DEPARTMENT.

Dated Darjeeling, the 23rd June 1902.

THE appointment of the Hon'ble Mr. Ananda Mohan Bose, who was nominated to be a member of the Bengal Legislative Council as the representative of the Municipalities of the Dacca Division, will expire on the 21st September 1902. It will be the turn of the Municipalities of the Bhagalpur Division to recommend a person for nomination to the Council in order to fill the vacancy. The necessary Notification will therefore now be published in the *Calcutta Gazette*, specifying the Municipalities from which a recommendation will be made to the Lieutenant-Governor for nomination to the seat. Only those Municipalities which enjoy a clear income from municipal resources proper of Rs. 5,000 and over may exercise the right of voting for the selection of a candidate for nomination to the Council. The voting power of each Municipality will be calculated on the basis of its ordinary income, according to the following scale:—

	Rs.		Rs.		Votes.
Municipalities with an income of	5,000	and less than	10,000	...	1
Ditto ditto	10,000	ditto	20,000	...	2
Ditto ditto	20,000	ditto	50,000	...	3
Ditto ditto	50,000	ditto	1,00,000	...	4
Ditto ditto	1,00,000	ditto	1,50,000	...	5
Ditto ditto	1,50,000	and over	.....	...	6

2. The following are the Municipalities of the Bhagalpur Division which will thus be entitled to exercise votes on the present occasion. The number of votes assigned according to the above scale is noted against each. The ordinary income taken is that for 1900-1901:—

District.	Name of Municipality.	Ordinary income.	Number of votes to be recorded by the representative.
		Rs.	
Monghyr ...	Monghyr ...	38,930	3
	Jamalpur ...	12,719	2
Bhagalpur ...	Bhagalpur ...	70,689	4
	Colgong ...	5,571	1
Purnea ...	Purnea ...	18,368	2
	Kishanganj ...	5,987	1
Malda ...	English Bazar ...	10,029	2
Sonthal Parganas	Deoghur ...	7,261	1
	Sahibganj ...	10,880	2

3. Under Rule IV of the Regulations framed by the Governor-General in Council with the sanction of the Secretary of State under section 1(4) of the Indian Councils Act, 1892, for Bengal, the Lieutenant-Governor now desires that the Commissioner of the Bhagalpur Division will at once address the Chairmen of the Municipalities enumerated in the above list, requesting them to convene a special meeting at which one member of the Municipality may be selected to represent them for the purpose of making the recommendation for the seat in Council. The representative so selected will exercise all the votes assigned to the body which he represents, and his name must be reported at once by the Chairman to the Commissioner of the Division.

4. The period of three months laid down in Rule VII of the Regulations as that within which a recommendation shall be made to the Lieutenant-Governor will run from the date on which the Commissioner of the Division issues his request to the Chairmen of the Municipalities.

5. As soon as the representatives have been selected, they will be called upon by the Commissioner of the Division to meet together on an early and

[No. 9.] [FILE 18-L/6 3.]

No. 317A.—D., dated Darjeeling, the 28th April 1902.

NOTIFICATION—By the Government of Bengal, Judicial Department.

IN exercise of the power conferred by clause (*c*) of Regulation II of the Regulations made under section 1, sub-section (4), of the Indian Councils Act, 1892, for Bengal, as amended by Notification No. 2781, dated the 29th November 1899, the Lieutenant-Governor is pleased to prescribe the District Boards of Tippera, Noakhali, and Chittagong, in the Chittagong Division, as the group of District Boards on whose recommendation he will, after the 8th July next, make a nomination to one seat in the Bengal Legislative Council.

B. S. Press—1006C—42—11.6 1902 - W. M. D'C.

7. The Chairman of the meeting shall without delay report to the Commissioner of the Division the name of the person elected, with the number of votes obtained, and any other information which it may appear desirable to communicate, and on behalf of the meeting shall recommend to the Lieutenant-Governor to nominate for the Council the person so elected. The Commissioner shall submit the report from the Chairman of the meeting, with any observations he may wish to add, to the Chief Secretary to Government, by whom the recommendation will be submitted to the Lieutenant-Governor.

8. Attention is drawn to the following Rule VI of the Regulations which have been framed by the Governor-General in Council and Secretary of State:—

VI.—It shall be a condition in the case of any person to be recommended by a Municipal Corporation, or group of Municipal Corporations, that he shall be a person resident within the Municipality or the district in which it is situated, or in some one of the municipalities constituting the group or of the districts in which they are situated. A similar condition shall also apply to persons to be recommended by District Boards.

Explanation.—A person is not "resident" within the meaning of this rule unless he has a place of residence in the locality concerned, and such practical connection with that locality as qualifies him to represent the inhabitants thereof.

If at any time the question is raised whether a person proposed for election is "resident" within the meaning of this rule, the question shall be referred to and decided by the Local Government, whose decision shall be final.

Under this rule it is not necessary that the person recommended shall be a member of any District Board concerned, but he must be resident within the Division from which the recommendation is made. Subject to this condition, the rules declare no limit of qualification, and it is left to the representatives to recommend a person under Rule V (*c*) according to the majority of their votes.

9. It is desirable that the subsidiary arrangements now sanctioned shall, as far as possible, be given effect to by the District Boards concerned with the minimum of official interference. The Divisional Commissioner and the District Magistrates, will, of course, afford any assistance which may be required, and will do their utmost to facilitate the smooth working of the elections; but Government officers are forbidden to take part, directly or indirectly, in the election by canvassing, influencing votes, or otherwise interfering with the free choice of the District Boards. No indication should be given by any official member of any of the District Boards concerned as to the manner in which he himself intends to vote.

ORDERED that a copy of this Resolution be furnished to the Commissioner of the Chittagong Division for information and guidance, and for communication to the District Boards in his Division.

Ordered also that a copy be published in the *Calcutta Gazette*.

By order of the Lieutenant-Governor of Bengal,

J. A. BOURDILLON,
Chief Secy. to the Govt. of Bengal.

No. 316A.—D.

COPY forwarded to the Commissioner of the Chittagong Division for information and guidance, and for communication to the District Boards concerned in his Division. The request to the Chairmen of the District Boards to convene the special meeting for the selection of a representative should issue without delay.

By order of the Lieutenant-Governor of Bengal,

S. R. HIGNELL,
Offg. Under-Secy. to the Govt. of Bengal.

DARJEELING,
The 28th April 1902.

B. S. Tour Press—61D—63—4-5-1902—W. H. S.

[Nos. 7-8.]

No. 315A.—D. [File $\frac{18\text{-L}}{6}$ 1-2.]

RESOLUTION.

APPOINTMENT.

Dated Darjeeling, the 28th April 1902.

The appointment of the Hon'ble Mr. Madhu Sudan Das, who was nominated to be a member of the Bengal Legislative Council as the representative of the District Boards of the Orissa Division, will expire on the 8th July 1902. According to the rotation sketched in paragraph 5 of the Resolution of this Government, dated the 25th March 1893, it will be the turn of the District Boards of the Chittagong Division to recommend a person for nomination to the Council in order to fill the vacancy. The necessary notification will, therefore, now be published in the *Calcutta Gazette*, specifying the District Boards from which a recommendation will be made to the Lieutenant-Governor for nomination to the seat. Each District Board will elect one representative only, and he will be entitled to exercise all the votes of the body which he represents.

2. The following statement shows the District Boards which will send delegates to vote for a person to be recommended for the vacant seat, and the number of votes assigned to them according to the scale shown in paragraph 5 of the Resolution of this Government No. 2307A., dated the 31st March 1897.

The ordinary income taken is that for 1900-1901 :—

Division.	District Board.		Ordinary income. Rs.	Number of votes to be recorded by the representatives.
Chittagong ...	Tippera	...	1,59,172	3
	Noakhali	...	1,10,483	2
	Chittagong	...	1,34,242	3

3. Under Rule IV of the Regulations framed by the Governor-General in Council with the sanction of the Secretary of State under section 1 (4) of the Indian Councils Act, 1892, for Bengal, the Lieutenant-Governor now desires that the Commissioner of the Chittagong Division will at once address the Chairmen of the District Boards enumerated in the above list, requesting them to convene a special meeting of their Board at which one member of the Board may be selected to represent them for the purpose of making the recommendation for the seat in Council. The name of the representative so selected must be reported at once by the Chairman to the Commissioner of the Division.

4. The period of three months laid down in Rule VII of the Regulations as that within which a recommendation shall be made to the Lieutenant-Governor will run from the date on which the Commissioner of the Division issues his request to the Chairmen of the District Boards.

5. As soon as the representatives have been selected, they will be called upon by the Commissioner of the Division to meet together on an early and convenient date, with special reference to the limit of time imposed under Rule VII of the Regulations, and at such convenient place as he may specify, for the purpose of electing, by a majority of votes, a person whom they will recommend to the Lieutenant-Governor to be nominated as a member of the Council. The names of all candidates put forward at such meeting shall be duly proposed by one of the representatives present. The election shall be by ballot, and the person elected must obtain a majority of the votes of the representatives present. If on the occasion of the first ballot an absolute majority is not obtained, the candidate who obtains the least number of votes shall be withdrawn from the election, and another ballot shall then be held for the remaining candidates, and so on, until an absolute majority is obtained. In the event of a tie occurring at any stage, candidates shall draw lots.

6. The electoral representatives present at this meeting shall elect one of themselves to be Chairman, and he shall preside and be responsible for the fair and proper exercise of the ballot vote.

W. H. S.—Reg. No. 62T—104—14-5-1901.

[No. 22.]

File with misl 1859
10-5-99

[No. 23.]

[File $\frac{18\text{-L}}{14}$ 7.]

No. 254A.—D., dated Darjeeling, the 15th May 1901.

From—H. L. Stephenson, Esq., Under-Secy. to the Govt. of Bengal, Appt. Dept.,
To—The Honorary Secretary, British Indian Association.

Under Rule II (D) of the Regulations which have been framed by the Governor-General in Council, with the sanction of the Right Hon'ble the Secretary of State for India, under section 1 (4) of the Indian Councils Act, 1892, for Bengal, it is laid down that the nomination to one seat on the Council of the Lieutenant-Governor for making Laws and Regulations shall be made by the Lieutenant-Governor on the recommendation of such Association or Associations of landholders as the Lieutenant-Governor may from time to time prescribe. As stated in paragraph 1 of the Resolution No. 215A.—D., dated the 13th May 1901, a copy of which is enclosed, the vacancy, which will occur on the 30th July 1901, *vice* the Hon'ble Babu Surendra Nath Banerjee, the representative of the Municipalities in the Presidency Division, will be assigned on the recommendation of the landlords. The Lieutenant-Governor has, on the present occasion, decided to give the right of nomination to the British Indian Association. I am directed to request that the necessary steps may be taken by that body, in accordance with the provisions of Rule IV of the Regulations referred to above, for recommending a person for nomination by the Lieutenant-Governor to his Council.

2. Rule V of the Regulations provides that, in the case of an Association not established by law, the recommendation shall be made in the manner laid down in the rules or articles of the Association for carrying resolutions or recording decisions upon questions of business brought before the Association, and I am to request that this procedure may be adopted by the British Indian Association in recommending a candidate.

3. It will be observed that no restrictions are laid down in the Regulations regarding the qualifications of candidates, and that it is left entirely open to the Association to recommend whom they choose.

4. With reference to Rule VII of the Regulations, I am to request that the recommendation of the British Indian Association may be transmitted to this Government within a period of three months from the date of the receipt of this letter.

[No. 24.]

[File $\frac{18\text{-L}}{14}$ 31.]

No. 4364A., dated Calcutta, the 13th August 1901.

NOTIFICATION—By the Government of Bengal, Appointment Department.

Under Regulation II (D) of the Regulations under section 1 (4) of the Indian Councils Act, 1892, as amended by the Notification of the Government of India in the Home Department, No. 2781 (Public), dated the 29th November 1899, the Lieutenant-Governor is pleased to prescribe that a recommendation for a nomination to one seat in the Council of the Lieutenant-Governor of Bengal for making Laws and Regulations shall be made to the Lieutenant-Governor by the British Indian Association, Calcutta.

Legislative

CURRENT NO 345

No. 1891 OF 1897.
III-807A

FROM

THE UNDER SECRETARY TO GOVERNMENT,
N.-W. PROVINCES AND OUDH,

To

The Secretary to the Government of Madras,
Legislative Department.

Dated Allahabad, 22nd November 1897.

SIR,

General Admn: DEPARTMENT.

In reply to your letter No. 86 dated 4th November 1897, I am directed to forward for the information of His Excellency the Governor in Council a copy of the "Laws and Rules of the Legislative Council, N.-W.P. and Oudh", second edition, and to state that the rules for the election of Municipal and District Board Members for nomination to the Provincial Council, published under Notifications Nos. 528 & 530 dated 28th May 1895, will be found printed at pages 36 and 37 of the Pamphlet.
III-807A

I have the honor to be,

Sir,

Your most obedient servant,

Under Secretary to Government,
N.-W.P. and Oudh,

sent separately per packet post

Book pp 36-39 marked with red tape.

Read 26-11-97
Read 26/11/97
Read 26/11/97

Encls. 1 book.

P. No. 2377—25-9-97. 8,000— Piece Dept.

No. 79 of 15th March 1895 and to explain that the actual rules now current are those printed in Resolution No. 79 of 15th March 1895, but that the subsidiary instructions issued with the Resolution of 30th March 1893 are still in force.

I have the honour to be,

Sir,

Your most obedient Servant

E. Wedgwood
Secretary to Government

60

CURRENT No 349

No. 304 OF 1897.

Legislative

~~JUDICIAL~~ DEPARTMENT:

Bombay Castle, 29th November 1897.

FROM

S. W. EDGERLEY, ESQUIRE, C.I.E., I.C.S.,
SECRETARY TO GOVERNMENT,
BOMBAY.

SECRETARIAT TO GOVERNMENT * LOCAL & MUNICIPAL DEPARTMENT * 1 DEC. 1897

TO

The Secretary to the
Government of Madras,
Legislative Department.

SIR,

I am directed to acknowledge the receipt of your letter No. 86, dated the 4th November 1897 requesting to be furnished with copies of the rules and instructions issued by this Government in connection with the selection of persons for nomination as Additional Members of the Council of the Governor of Bombay for making Laws and Regulations of Local Boards, Municipalities, etc.

2. In reply I am to forward, herewith copies of this Government Resolutions No. 50 of 30th March 1893 and

III.—The recommendation of the Bodies and Associations mentioned in Rule I shall be determined by a majority of votes given at an election as hereinafter indicated, that is to say,—

In the case of A, the Corporation of Bombay may recommend any person, provided he is ordinarily resident within the City of Bombay, who obtains a majority of the votes of the Corporation in his favour;

In the case of B, the recommendation of a person ordinarily resident within the Northern Division may be made by the representatives of the group of Municipalities in that Division, appointed according to the following scale. Every Municipality forming a member of the group with a population between 5,000 and 10,000 may appoint one representative, and every Municipality with a population of 10,000 and upwards may appoint an additional representative for every additional 10,000 or fraction of 10,000 of population, thus,—

A Municipality with a population of		5,006	may appoint...	1 representative.
Do.	do.	9,573	...	1 do.
Do.	do.	40,168	...	5 representatives.

In the case of C (i) and C (ii) the recommendation, by each, of a person ordinarily resident within the Southern and Central Divisions, respectively, may be made by the representatives of each of the groups of District Local Boards in those Divisions appointed according to the following scale. Every District Local Board forming a member of either of the two groups of Bodies may appoint a representative for each 100,000 or fraction of 100,000 of the population of the district according to the last Imperial Census, thus,—

In the Southern Division—

The District Local Board of		Belgaum with a population of 1,013,261	may appoint...	11	representatives,
Do.	do.	Ratnágiri with a population of 1,105,926	do. ...	12	do.,
Do.	do.	Kánara with a population of 446,351	do. ...	5	do.;

and in the Central Division—

The District Local Board of		Poona with a population of 1,067,800	may appoint...	11	representatives.
Do.	do.	Khándesh with a population of 1,460,851	do. ...	15	do.
Do.	do.	Sholápur with a population of 750,689	do. ...	8	do.

In the case of D (i), the Sardárs of the Deccan as described in Rule I may recommend any person elected by a majority of their votes;

In the case of D (ii), the group of landholders in Sind may recommend a person elected by a majority of their votes;

In the case of E, the Bombay Chamber of Commerce may recommend a person elected by a majority of votes recorded in the manner laid down in their rules or articles of association for carrying resolutions or recording decisions upon questions of business brought before the Association;

In the case of F, the Senate of the University may recommend any person elected by a majority of the votes of the Senate obtained, under such regulations, not being inconsistent with the aforesaid Regulations made by the Governor-General in Council, as the Senate may pass for this purpose."

RESOLUTION.—The attention of all the Officers and Departments addressed by Government Resolution No. 50, dated the 30th March 1893, and especially (with reference to the inclusion of the body described in C (ii)) of the Commissioner, Central Division, is invited to the terms of that Resolution and of the instructions contained therein.

(Signed) C. H. A. HILL,
Under Secretary to Government.

To

All Departments of the Secretariat,
The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Agent for Sardárs in the Deccan.
All Collectors.

1897
Leg. Dept.
Enclos. No 1
To
C. No. 349

Indian Councils Act, 1892—

Revised Rules for giving effect to the Regulations made by the Governor General in Council under Section 1 (4) of the—.

No. 79 of 1895.

LEGISLATIVE DEPARTMENT.

Bombay Castle, 15th March 1895.

Read—

Notification by the Government of Bombay, Legislative Department, No. 74, dated the 9th March 1895, as follows:—

"In supersession of Government Notification No. 49, dated the 30th March 1893, the Governor in Council is pleased to publish for general information the following Rules for giving effect to the Regulations made by the Governor-General in Council under Section 1 (4) of the Indian Councils Act, 1892, for Bombay, and approved by the Secretary of State in Council, as notified by the Government of India in their Notification No. 359, dated the 17th of March 1893:—

I.—Nominations of eight persons to be Additional Members of the Council of the Governor of Bombay for the purpose of making Laws and Regulations only will be made by the Governor of Bombay under Section 29 of the Indian Councils Act, 1861, subject to Rule VII of the aforesaid Regulations made by the Governor-General in Council, on the recommendations of the following Bodies and Associations, respectively:—

A.—The Corporation of Bombay;

B.—A group of Municipal Corporations constituted by the combination of all Corporations in the Northern Division of the Presidency of Bombay containing a population of 5,000 and upwards according to the last Imperial Census;

C (i).—A group of District Local Boards constituted by the combination of all the District Local Boards in the Southern Division of the Presidency of Bombay;

C (ii).—A group of District Local Boards constituted by the combination of all the District Local Boards in the Central Division of the Presidency of Bombay;

D (i).—The Sardárs of the Deccan as contained in the list prepared in conformity with Government Resolution, Political Department, No. 2363, dated July 23rd, 1867;

D (ii).—A class of large landholders in Sind, as notified in a list to be published annually by the Commissioner of Sind in the *Sind Official Gazette* for the purposes of this rule, constituted of First and Second Class Jágirdárs, and of Zamindárs who for the three years preceding the publication of the list have each paid not less than Rs. 1,000 annually as ordinary land revenue;

E.—The Association of persons engaged or interested in mercantile pursuits entitled the Bombay Chamber of Commerce;

F.—The Senate of the University of Bombay.

II.—The Governor of Bombay, in pursuance of Rule IV of the aforesaid Regulations, will cause the Secretary to Government in the Legislative Department to request the aforesaid Bodies and Associations to recommend persons for nomination by the Governor as Additional Members of Council. These requests will be addressed to the persons indicated in the following list, who will also be requested to communicate to the Secretary to Government in the Legislative Department the recommendations of the Bodies or Associations concerned within two months after receiving the request of the Governor, in each case:—

In the case of A, the President of the Corporation of Bombay;
In the case of B, the Commissioner of the Northern Division;
In the case of C (i), the Commissioner of the Southern Division;
In the case of C (ii), the Commissioner of the Central Division;
In the case of D (i), the Agent for Sardárs in the Deccan;
In the case of D (ii), the Commissioner in Sind;
In the case of E, the Chairman of the Bombay Chamber of Commerce;
In the case of F, the Vice-Chancellor of the University of Bombay.

1897
Leg. Dept.
Enclos. No. 2
To
O. No. 349

No. 79 of 1895.

LEGISLATIVE DEPARTMENT.

Bombay Castle, 15th March 1895.

Read—

Notification by the Government of Bombay, Legislative Department, No. 74, dated the 9th March 1895, as follows :—

"In supersession of Government Notification No. 49, dated the 30th March 1893, the Governor in Council is pleased to publish for general information the following Rules for giving effect to the Regulations made by the Governor-General in Council under Section 1 (4) of the Indian Councils Act, 1892, for Bombay, and approved by the Secretary of State in Council, as notified by the Government of India in their Notification No. 55, dated the 17th of March 1893 :—

I.—Nominations of eight persons to be Additional Members of the Council of the Governor of Bombay for the purpose of making Laws and Regulations only will be made by the Governor of Bombay under Section 29 of the Indian Councils Act, 1861, subject to Rule VII of the aforesaid Regulations made by the Governor-General in Council, on the recommendations of the following Bodies and Associations, respectively :—

A.—The Corporation of Bombay ;

B.—A group of Municipal Corporations constituted by the combination of all Corporations in the Northern Division of the Presidency of Bombay containing a population of 5,000 and upwards according to the last Imperial Census ;

C (i).—A group of District Local Boards constituted by the combination of all the District Local Boards in the Southern Division of the Presidency of Bombay ;

C (ii).—A group of District Local Boards constituted by the combination of all the District Local Boards in the Central Division of the Presidency of Bombay ;

D (i).—The Sardárs of the Deccan as contained in the list prepared in conformity with Government Resolution, Political Department, No. 2363, dated July 23rd, 1867 ;

D (ii).—A class of large landholders in Sind, as notified in a list to be published annually by the Commissioner of Sind in the *Sind Official Gazette* for the purposes of this rule, constituted of First and Second Class Jágirdárs, and of Zamindárs who for the three years preceding the publication of the list have each paid not less than Rs. 1,000 annually as ordinary land revenue ;

E.—The Association of persons engaged or interested in mercantile pursuits entitled the Bombay Chamber of Commerce ;

F.—The Senate of the University of Bombay.

II.—The Governor of Bombay, in pursuance of Rule IV of the aforesaid Regulations, will cause the Secretary to Government in the Legislative Department to request the aforesaid Bodies and Associations to recommend persons for nomination by the Governor as Additional Members of Council. These requests will be addressed to the persons indicated in the following list, who will also be requested to communicate to the Secretary to Government in the Legislative Department the recommendations of the Bodies or Associations concerned within two months after receiving the request of the Governor, in each case :—

In the case of A, the President of the Corporation of Bombay ;
In the case of B, the Commissioner of the Northern Division ;
In the case of C (i), the Commissioner of the Southern Division ;
In the case of C (ii), the Commissioner of the Central Division ;
In the case of D (i), the Agent for Sardárs in the Deccan ;
In the case of D (ii), the Commissioner in Sind ;
In the case of E, the Chairman of the Bombay Chamber of Commerce ;
In the case of F, the Vice-Chancellor of the University of Bombay.

(Appendix to Government Resolution No. 50, dated 30th March 1893.)

Voting paper No. issued on (*date*) to (*name*) , a representative appointed by the $\frac{\text{Municipality}}{\text{District Local Board}}$ of (*name*) for the purpose of recommending a person for nomination by the Governor of Bombay as an Additional Member of His Excellency's Council for the purpose of making Laws and Regulations only in pursuance of the Regulations framed by the Government of India under the Indian Councils Act, 1892, to be filled up and returned so as to reach the Commissioner $\frac{\text{N. D.}}{\text{S. D.}}$, on or before (*date*)

(*a*).—Space for Vote.	(*b*).—List of Candidates from among whom selection is to be made.			
	1 Number.	2 Name, residence and station.	3 By whom proposed and seconded.	4 $\frac{\text{Municipality}}{\text{District Local Board}}$ to which proposer and seconder belong.

Signature of representative—

Date of Signature—

Instructions for filling in.

The blanks in the heading and in columns 1, 2, 3 and 4 under column (*b*) are to be filled up by the Commissioner before issue.

One vote only may be given.

The number and name of the candidate it is desired to recommend should be written legibly by the representative in the space provided in column (*a*) for the purpose, opposite his number and name in list (*b*).

This voting paper after being filled in as directed must be signed and dated by the representative to whom it is issued, with his own hand, enclosed in a sealed envelope, endorsed outside by the representative, also in his own hand-writing if possible, and returned through the President of the $\frac{\text{Municipality}}{\text{District Local Board}}$ of which he is a representative to the Commissioner, $\frac{\text{N. D.}}{\text{S. D.}}$, so as to reach that officer by the date named in the last line of the heading at latest. If the representative is unable to write, his signature should be attested by the President of the Body by which he has been appointed.

7. In the case of the Sardars of the Deccan, His Excellency the Governor in Council believes that the Agent will have no difficulty in arranging for the assembling in Darbár of the Sardárs entitled to vote. The names of candidates for the Council, duly proposed and seconded by Sardárs entitled to vote, should be communicated to the Agent on or before a date fixed by him, and a selection can then be made by the Sardárs assembled in Darbár.

8. In the case of the Zamindárs and Jágirdárs in Sind, it will be best to leave it to the Commissioner in Sind to make such arrangements as he may find to be most practicable and convenient.

(Signed) W. LEE-WARNER,
Secretary to Government.

To

All Departments of the Secretariat,
The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Agent for Sardárs in the Deccan,
All Collectors (including Sind),
The Editors' Table, Bombay,
The Branch Editors' Tables, Poona and Dhárwár.

1897
Leg. Dept.
Enclos. No 2
To
G. No 349

1897
Leg. Dept.
Enclos. No. 2
To
O. No. 349

In the case of D (ii), the Commissioner in Sind ;

In the case of E (i), the Chairman of the Bombay Chamber of Commerce ;

In the case of E (ii), the Chairman of the Karáchi Chamber of Commerce ;

In the case of F, the Vice-Chancellor of the University of Bombay.

III.—The recommendation of the Bodies and Associations mentioned in Rule I shall be determined by a majority of votes given at an election as hereinafter indicated, that is to say,—

In the case of A, the Corporation of Bombay may recommend any person, provided he is ordinarily resident within the City of Bombay, who obtains a majority of the votes of the Corporation in his favour ;

In the case of B, the recommendation of a person ordinarily resident within the Northern Division may be made by the representatives of the group of Municipalities in that Division, appointed according to the following scale. Every Municipality forming a member of the group with a population between 5,000 and 10,000 may appoint one representative, and every Municipality with a population of 10,000 and upwards may appoint an additional representative for every additional 10,000 or fraction of 10,000 of population, thus :—

A Municipality with a population of 5,006 may appoint	...	...	1	representative
Do.	do.	9,573	...	1 do.
Do.	do.	40,168	...	5 representatives.

In the case of C, the recommendation of a person ordinarily resident within the Southern Division may be made by the representatives of the group of District Local Boards in that Division appointed according to the following scale. Every District Local Board forming a member of the group may appoint a representative for each 100,000 or fraction of 100,000 of the population of the district according to the last Imperial Census, thus :

The District Local Board of Belgaum with a population of 1,013,261 may appoint	...	...	...	11 representatives.
Do.	do.	Ratnágiri with a population of 1,105,926	12	do.
Do.	do.	Kánara with a population of 446,351	5	do.

In the case of D (i), the Sardárs of the Deccan as described in Rule I may recommend any person elected by a majority of their votes ;

In the case of D (ii), the group of landholders in Sind may recommend a person elected by a majority of their votes ;

In the case of E (i) and E (ii), the Bombay Chamber of Commerce and the Karáchi Chamber of Commerce may severally recommend a person elected by a majority of votes recorded in the manner laid down in their rules or articles of association for carrying resolutions or recording decisions upon questions of business brought before the Association ;

In the case of F, the Senate of the University may recommend any person elected by a majority of the votes of the Senate obtained, under such regulations, not being inconsistent with the aforesaid Regulations made by the Governor General in Council, as the Senate may pass for this purpose."

Resolution.—It has been the object of Government in framing the supplementary Notification issued, as above recited, in pursuance of the Regulations made by the Government of India under the Indian Councils Act of 1892, to place as few restrictions as possible on the manner in which elections are to be conducted by the Bodies and Associations specified. In the case of the Corporation of Bombay, the Chambers of Commerce of Bombay and Karáchi, and the Senate of the University, no difficulty is likely to arise. But in the case of the remaining electoral Bodies, and more especially of the groups of Municipalities and District Local Boards specified under the letters B and C, it is possible that the want of a common organization may lead to confusion or delay in ascertaining the sense of the Bodies concerned, and to avoid this, His Excellency the Governor in Council considers it advisable to offer the following provisional suggestions for their guidance and that of the officers through whom their recommendations are to be made.

2. The first thing to be done, when a vacancy to be filled on the recommendation of a group of Municipalities or District Local Boards occurs, will be to arrange for the appointment of the prescribed number of representatives, and for the preparation of a list of the candidates for the Council from among whom the representatives when appointed are to make their choice.

(i) The Commissioner of the Division concerned should accordingly, on receiving His Excellency the Governor's request for a recommendation, as provided in Rule II of the supplementary Notification referred to in para. 1, lose no time in communicating it to the President of each Municipality or District Local Board included in the group, with a request that a Special General Meeting may be called at the earliest possible date for the appointment of the prescribed number of representatives, and such number should be specified in the letters to the Presidents. He should at the same time fix a date—say one month from receipt of the Governor's request—up to which he will receive the names of any candidates for the Council who may offer themselves for recommendation, and by which date he must be informed by the President of each of the Bodies included in the group of the names and addresses of the representatives appointed by that Body.

(ii) His Excellency the Governor in Council is of opinion that all candidates for the Council on the recommendation of a group should be proposed and seconded by two members of one of the Municipalities or District Local Boards, as the case may be, included in the group by which the recommendation is to be made; and that their names, addresses, and qualifications, with those of their proposers and seconders, should be reported to the Commissioner by the President of the Body to which the proposer and seconder in each case belong, so as to reach him by the date fixed by him as above provided. It will be the business of each President to see that this is done, and that the names of the representatives appointed are also reported so as to reach the Commissioner by the same date.

(iii) The Commissioner should enter the names of candidates for the Council who have been duly proposed and seconded, with those of their proposers and seconders, and the other particulars above noted as they reach him, in a list to be kept for the purpose. On the date fixed he should close the list and send it for publication in the next issue of the *Bombay Government Gazette*, and should furnish a printed copy of it with the least possible delay to each representative appointed by each of the Bodies included in the group.

3. The next point for consideration is how the representatives should proceed to make their selection from among the candidates for the Council included in the list; that is whether they should assemble for the purpose, or should proceed by means of voting papers to be issued by and returned to the Commissioner.

4. His Excellency the Governor in Council is of opinion that in the case of the Municipalities of the Northern Division, which are all within comparatively easy reach of the railway, the former plan will be found the most satisfactory.

(i) He proposes accordingly that the Commissioner, N. D., in communicating the Governor's request to the Presidents of the Municipalities, should name provisionally a place and date for the assembly of representatives, which might be at Ahmedabad or Surat, about a fortnight later than the date fixed for closing the list of candidates. The President of each Municipality, in reporting to the Commissioner the names of candidates for the Council and of the representatives of his Municipality would have an opportunity of stating whether the representatives would be able to attend the assembly, and of making any representations that might be necessary as to the suitability of the place and date proposed. The Commissioner would then be in a position to judge whether it would be desirable to hold an assembly, and if so to confirm or alter the provisional date and place according to the general sense of the representations received. He could then notify the place and date of assembly, as finally settled, in the *Bombay Government Gazette*, together with the list of candidates, and should send a copy of the Notification to each representative with the least possible delay.

(ii) If an assembly is held, it will be convenient that the Commissioner should conduct the proceedings, unless the representatives assembled prefer

to elect a Chairman from among their own number, and that it should be left to him, or to the Chairman if one be elected by the assembly, to adopt any method of recording the votes which may approve itself to the general sense of the meeting. The opinion of the representatives assembled might be taken as to whether in future cases absentees should be allowed to vote by proxy; but on the present occasion His Excellency in Council recommends that the representatives should be expected to attend the meeting, if the Commissioner decides to hold one. On the termination of the proceedings the Commissioner should lose no time in communicating to the Secretary to Government, Legislative Department, the name of the candidate for the Council elected by the majority of votes.

5. In the case of the group formed of the District Local Boards in the Southern Division there would be no objection to the adoption of the same procedure if, in the opinion of the Commissioner, it is likely to be found practicable and the Bodies concerned would prefer it. But the means of communication in that Division are so imperfect, and the distances are so great, that it is desirable to be prepared for the alternative that the selection of the candidate to be recommended for the Council should be conducted by means of voting papers. The suggestions which follow will apply also in the case of the Municipalities of the Northern Division, if it should be found for any reason impracticable to convene an assembly.

(i) When the procedure is to be by voting papers, the Commissioner should incorporate the list of candidates for the Council to be forwarded to each representative, as above provided, in a voting paper, which should be printed, and should contain clear directions for filling it in and a notice of the date by which it must be returned to the Commissioner.

(ii) This date also might be fixed about a fortnight later than that fixed for closing the list of candidates for the Council, so as to give time for a reference, in case of any doubt or mistake connected with the voting papers, before the expiry of the two months within which the recommendation must be made. It should be published in the *Bombay Government Gazette* at the same time with the list of candidates for the Council, as in the case of the date fixed for the assembly when the procedure referred to in paragraph 4 is adopted.

(iii) The voting papers should be legibly filled in and signed in his own handwriting by the representative to whom they are issued, enclosed in a sealed envelope, and endorsed outside with the signature of the representative, and delivered or posted in a registered cover addressed to the President of the Body by whom the representative was appointed, for transmission to the Commissioner, so as to reach him not later than the date fixed. The Presidents should see that no delay is allowed to occur in the transmission of the voting papers.

(iv) The Commissioner should open the envelopes and tabulate the votes recorded as they are received, and as soon as all the representatives have voted, should report the result to the Secretary to Government in the Legislative Department. If all the votes have not been received within two months from the date on which the request for a recommendation reached the Commissioner, the state of the poll on the date on which that period may expire should still be reported.

(v) The appended form of voting paper is recommended for adoption. It is framed on the assumption that each representative will have one vote only. His Excellency the Governor in Council having had under consideration the question whether any form of cumulative voting is desirable, is of opinion that the system of voting had better be as simple as possible to begin with, and that it should be left to experience to determine whether any more complex methods are needed.

6. All communications forwarded through the post, to or from the Commissioner, the Presidents and the representatives, in pursuance of the procedure above indicated, should be registered.

7. In the case of the Sardars of the Deccan, His Excellency the Governor in Council believes that the Agent will have no difficulty in arranging for the assembling in Darbár of the Sardárs entitled to vote. The names of candidates for the Council, duly proposed and seconded by Sardárs entitled to vote, should be communicated to the Agent on or before a date fixed by him, and a selection can then be made by the Sardárs assembled in Darbár.

8. In the case of the Zamindárs and Jágirdárs in Sind, it will be best to leave it to the Commissioner in Sind to make such arrangements as he may find to be most practicable and convenient.

(Signed) W. LEE-WARNER,
Secretary to Government.

To

All Departments of the Secretariat,
The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Agent for Sardárs in the Deccan,
All Collectors (including Sind),
The Editors' Table, Bombay,
The Branch Editors' Tables, Poona and Dhárwár.

VII.—If within two months after receiving the request of the Governor as provided by Rule IV the Body or Association or group of Bodies or Associations fails to make a recommendation, the Governor may nominate at his discretion a person belonging to the class which the Body or Association or group is deemed to represent.

VIII.—If the Governor shall decline to nominate any person who has been, under these Regulations, recommended for nomination, a fresh request shall be issued as provided in Rule IV, and the procedure laid down in Rules V and VII shall apply.

IX.—(*a*) As soon as conveniently may be after these Regulations come into force, eight of the seats held by non-official persons shall be filled up by recommendation under Rule II.

(*b*) If there shall not be the full number of eight vacancies available for this purpose, the Governor shall determine at his discretion, subject always to the proviso in Rule II, which of the Bodies or groups mentioned in that Rule shall be requested to recommend the persons to fill up such vacancies as may then be available; and so whenever and as often as any other vacancies among non-official members become available, until the full number of eight has been completed."

* * * * *

Notification by the Government of Bombay, Legislative Department, No. 49, dated the 30th of March as follows:—

Amended vide G.R. No. 79 of 15-3-95

"The Governor in Council is pleased to publish for general information the following Rules for giving effect to the Regulations made by the Governor General in Council under Section 1 (4) of the Indian Councils Act, 1892, for Bombay, and approved by the Secretary of State in Council, as notified by the Government of India in their Notification No. 359, dated the 17th of March 1893:—

I.—Nominations of eight persons to be Additional Members of the Council of the Governor of Bombay for the purpose of making Laws and Regulations only will be made by the Governor of Bombay under Section 29 of the Indian Councils Act, 1861, subject to Rule VII of the aforesaid Regulations made by the Governor General in Council, on the recommendations of the following Bodies and Associations, respectively:—

A.—The Corporation of Bombay;

B.—A group of Municipal Corporations constituted by the combination of all Corporations in the Northern Division of the Presidency of Bombay containing a population of 5,000 and upwards, according to the last Imperial Census;

C.—A group of District Local Boards constituted by the combination of all the District Local Boards in the Southern Division of the Presidency of Bombay;

D (i).—The Sardárs of the Deccan, as contained in the list prepared in conformity with Government Resolution, Political Department, No. 2363, dated July 23rd, 1867;

D (ii).—A class of large landholders in Sind, as notified in a list to be published annually by the Commissioner of Sind in the *Sind Official Gazette* for the purposes of this rule, constituted of First and Second Class Jágirdárs, and of Zamindárs who for the three years preceding the publication of the list have each paid not less than Rs. 1,000 annually as ordinary land revenue.

E (i).—The Association of persons engaged or interested in mercantile pursuits entitled the Bombay Chamber of Commerce;

E (ii).—The Association of persons engaged or interested in mercantile pursuits entitled the Karáchi Chamber of Commerce;

F.—The Senate of the University of Bombay.

II.—The Governor of Bombay, in pursuance of Rule IV of the aforesaid Regulations, will cause the Secretary to Government in the Legislative Department to request the aforesaid Bodies and Associations to recommend persons for nomination by the Governor as Additional Members of Council. These requests will be addressed to the persons indicated in the following list, who will also be requested to communicate to the Secretary to Government in the Legislative Department the recommendations of the Bodies or Associations concerned within two months after receiving the request of the Governor, in each case:—

In the case of A, the President of the Corporation of Bombay;

In the case of B, the Commissioner of the Northern Division;

In the case of C, the Commissioner of the Southern Division;

In the case of D (i), the Agent for Sardárs in the Deccan;

Indian Councils Act, 1892.—
Rules for giving effect to the Regulations made by the Governor General in Council under Section 1 (4) of the—

No. 50 OF 1893.

LEGISLATIVE DEPARTMENT.

Bombay Castle, 30th March 1893.

Read—

Notification of the Government of India, Home Department, No. 359, dated the 17th March 1893, as follows:—

"The following Regulations which have been made by the Governor General in Council under the provisions of Section 1, Sub-section (4), of the Indian Councils Act, 1892, as to the conditions under which nominations of Additional Members of Council shall be made by the Governors of Madras and Bombay, and nominations of Councillors by the Lieutenant-Governors of the Bengal Division of the Presidency of Fort William and of the North-Western Provinces and Oudh, respectively, for their assistance in making Laws and Regulations, have received the approval of the Secretary of State for India in Council and are now published for general information:—

* * * * *

Regulations under Section 1 (4) of the Indian Councils Act, 1892, for Bombay.

I.—Of the persons, other than the Advocate General or officer acting in that capacity, to be nominated Additional Members of Council by the Governor of Bombay for his assistance in making Laws and Regulations, not more than nine shall be officials.

II.—The nominations to eight seats shall be made by the Governor on the recommendation of the following Bodies and Associations respectively, namely,—

A—The Corporation of Bombay;

B—Such Municipal Corporations, or group or groups of Municipal Corporations, other than the Corporation of the City of Bombay as the Governor in Council may from time to time prescribe by notification in the *Bombay Government Gazette*;

C—Such District Local Boards, or group or groups of District Local Boards, as the Governor in Council may from time to time prescribe as aforesaid;

D—The Sardárs of the Deccan or such other class of large landholders as the Governor in Council may from time to time prescribe as aforesaid;

E—Such Association or Associations of merchants, manufacturers or tradesmen as the Governor in Council may from time to time prescribe as aforesaid;

F—The Senate of the University of Bombay:

Provided that the Bodies described above under A, B, C, D, E, and F, respectively, shall each (except as hereinafter provided in Rule VII) have at least one person nominated upon its recommendation, and A and F not more than one each.

III.—The Governor may, at his discretion, nominate persons to such of the remaining seats as shall not be filled by officials, in such manner as shall, in his opinion, secure a fair representation of the different classes of the community.

IV.—When a vacancy occurs and is to be filled under Rule II of these Regulations, the Governor shall cause the proper Body or group of Bodies, or Association or Associations to be requested to recommend a person for nomination by the Governor.

V.—The recommendation shall be made—

(*a*) in the case of a Municipal Corporation or of a District Local Board, or of the Sardárs of the Deccan, or such other class of large landholders as the Governor in Council may from time to time prescribe, or of the Senate of the University, by a majority of votes of the Corporation, Board, Body, or Senate respectively;

(*b*) in the case of Associations not established by law, in the manner laid down in their rules or articles of association for carrying resolutions or recording decisions upon questions of business brought before the Association;

(*c*) in the case of a group of Municipal Corporations, District Local Boards, or Associations, by the majority of votes of representatives to be appointed, according to such scale as the Governor in Council may from time to time prescribe, by the Corporations, Boards, or Associations.

VI.—It shall be a condition in the case of any person to be recommended by a Municipal Corporation or group of Municipal Corporations that he shall be a person ordinarily resident within the Municipality or the district in which it is situated, or in some one of the Municipalities constituting the group or of the districts in which they are situated. A similar condition shall also apply to persons to be recommended by District Local Boards.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

[L. / 15]
250—25-11-96.

Legislative (1897) Department.

CURRENT No. 376

From

The Govt. of Bengal
Apptt: Dept:

Order

No. 5690 A

Dated 11
Received 13 } 12-97
Registered 18
Enclosures — 4
Spare copies —

SUBJECT.

Forwarding copies of Resolutions re the election of members for the Bengal Legislative Council ~~Under~~

[L. / 16]
250—25-11-96.

Legislative (1897) Department.

CURRENT No. 376

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Forwarding copies of Resolutions re the election of members for the Bengal Legislative Council [On the

LEGISLATIVE DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 59, LEGISLATIVE, DATED 10TH MAY 1899.

[SUBJECT.—*Revision of the Rules for the guidance of Municipalities and District Boards in selecting candidates for nomination to the Legislative Council.*]

Attention is solicited to the notes and orders in G.O., No. 84, Legislative, dated 16th October 1897, in which His Excellency remarked that "the voting procedure "should be made clearer on all doubtful points."

2. In connection with this suggested revision it was thought that the rules of the other Local Governments on the subject would be of some help. They were accordingly requested to forward a copy of their rules and instructions. These have since been received and form the enclosures to Current Nos. 345, 349 and 376. Their main features are briefly summarized below.

3. *Bombay.*—When vacancies occur, the local bodies—Municipalities and District Boards—are required to select the prescribed number of voting delegates (representatives), the number of delegates being fixed with reference to population in each Municipality or District Board. Candidates who desire to be recommended by these bodies for nomination to the Legislative Council are also at the same time invited. The candidates coming forward should be proposed and seconded by two members of a local body concerned. The names of such candidates together with those of their proposers and seconders are then tabulated and circulated to the several delegates. The delegates either vote by means of voting papers or meet at some prescribed place for the purpose as previously arranged. In the latter case they have the option of selecting their Chairman and votes are taken by any method that commends itself to the general sense of the meeting. No provision seems to be made for a tie. The delegates do not appear to receive instructions of any kind as to the candidate for whom the votes should be given, the local bodies leaving them completely to their discretion.

4. *Bengal.*—The local bodies—Municipalities and District Boards—are asked to select their voting delegates (representatives), each of the local bodies selecting only one delegate. The number of votes a local body can vest in its delegate, however, varies with its income, and thus a single delegate is left with a large number of votes in his hands. The delegates meet at an appointed place and select their Chairman. The voting is by ballot and the several candidates from among whom the selection is to be made should be formally proposed at the meeting by one of the delegates. In the event of a tie, the candidates draw lots. It rests with the Municipalities and District Boards to give clear instructions to their delegates as to the way in which they should vote, *i.e.*, whether all the votes should be given to one candidate or distributed among two or more. But what steps are taken to see that the instructions given are carried out is not known.

5. *The North-Western Provinces and Oudh.*—Here too the *number of voting delegates* varies as in Bombay; but the principle on which the number is fixed for each Municipality or District Board—whether it is based on population, income or area—does not appear in the papers received. The delegates meet at an appointed place, select their Chairman and proceed to select the candidates for final recommendation to His Honour the Lieutenant-Governor. The candidates from among whom the selection is to be made should be proposed and seconded at the meeting. A delegate cannot propose more than one candidate. As in Bombay the delegates are unfettered in the

exercise of their discretion, and can vote for any candidate they deem fit. Any question of order or dispute which the Chairman is unable to settle is to be referred to the Commissioner whose decision is final.

6. The procedure followed in this Presidency is sketched out in G.Os., Nos. 42 and 44, Legislative, dated 17th May and 1st June 1897, respectively, and in the copy of the rules (originally proposed by the Collector of Kistna) approved in G.O., No. 70, Legislative, dated 4th July 1893, and subsequently amended by G.O., No. 64-A, Legislative, dated 11th August 1897. These rules were found to work well during the selections of 1893 and 1895, but during those of 1897 the system of alternative nominations enunciated in the Government Order of 1st June 1897 above quoted gave rise to the complaints dealt with in G O., No. 85, Legislative, dated 16th October 1897, and apparently complicated the procedure.

7. The rules and instructions of this Government appear to go into minute details, and unlike those of the other provinces except Bengal where the Municipalities and District Boards can give instructions to their delegates how to vote, the freedom of the voting delegates in voting is somewhat restricted. The principle of Government appears to be that the vote of the voting delegate should not follow his own fancy, but that of the local body he represents, and the local bodies themselves select in the first instance candidates they wish to recommend for nomination, in addition to their selecting voting delegates. The tendency of the rules on the whole is to render the gentlemen finally selected true representatives of a majority of the local bodies rather than representatives of a majority of the voting delegates of the local bodies.

A. E. H[AVELOCK].

8. This system seems to be preferable to those obtaining in other provinces, but it has no doubt certain defects and to remedy them and to render the rules as complete as possible the following additions are proposed to the rules for the conduct of proceedings at meetings of the voting delegates :—

(*a*) *Addition to rule* 9.—"Every voting delegate should vote strictly according "to the instructions of the Municipality "or District Board who appoints him" [for example, if there are three candidates of a local body, one, the first nominee, and two others, alternative nominees, the delegate should vote for the first nominee until his candidature is withdrawn or falls through, then for the second nominee subject to a similar condition and then only for the third nominee]. "The vote "of any delegate given in contravention "of this rule will be invalid and left out "of consideration when the votes are counted."

If the ballot is to be done away with, as suggested below, this addition is not necessary, and would only lead to disputes.

H. TREMENHEERE.

I think the ballot should be done away with. In such case, this addition should not be made.

A. E. H[AVELOCK].

The delegate's action cannot be checked under the ballot.

A. T. A[RUNDEL]—3-5-99.

This addition to the rule will no doubt deprive the local body concerned of the right of its franchise, but it should thank itself for sending a delegate who would not carry out its instructions. It seems inexpedient for Government to do anything more in the matter than rendering such vote invalid. This the Government may do and that in the interests of the local bodies so that their instructions may be carried out. But under the present system of voting by ballot—the *raison d'etre* of which has been remarked by the permanent Secretary in the note in G.O.,No. 84, Legislative, dated 16th October 1897, to be unintelligible—a local body has no means of knowing whether its delegate carried out or not the instructions given him, unless the Collector chooses to bring any case of violation to the notice of the local body concerned. This it is none of the business of the Collector to do, nor does it seem expedient to instruct the Collector so to do. On this ground, if for no other reason, it is a question for consideration whether voting by ballot may be done away with and open voting by lifting up of hands or any other method substituted for it.

(*b*) *Addition to rule* 12.—"If at any ballot there are more candidates than two "and the result of the ballot is that more than one person gets the same hopeless "minority of votes, the person to be eliminated will be decided by a majority "of votes of the delegates present at the meeting."

A

I cannot say it would be more popular, but I consider it expedient. The Collector is disinterested, and it is better to leave it to his common sense to decide which candidate has so hopeless a chance that he should be eliminated.

H. TREMENHEERE.

I prefer the amendment marked **A** above.

A. E. H[AVELOCK].

This method of elimination under the circumstances contemplated, it is submitted, will be more popular than that of elimination by a special vote of the Collector who conducts the proceedings, or that by drawing lots where things are left to pure chance.

(*c*) *Rule* 12-*A*.—"If at any ballot there are only two candidates and the result "of the ballot ends in a tie, a fresh ballot will be taken, and if the result be the same, "the fact shall be reported to Government and the nomination will rest with His Excellency the Governor at his discretion." (Notes of His Excellency Lord Wenlock in G.O., No. 32, Legislative, dated 12th April 1893.

This and the next draft rule may be adopted.

H. TREMENHEERE.

Yes.

A. E. H[AVELOCK].

(*d*) *Rule* 12-*B*.—"The Collector is empowered to give a decision on any "point of order or question relating to the interpretation of the rules which may be "raised during the course of the selection." (Paragraph 2 of G.O., No. 60, Legislative, dated 6th August 1895.

Additions (*a*) and (*b*) meet cases of the kind complained of during the last selections (1897). All these additions have been carried out in the copy of the rules for convenience of reference.

C. R. VIJAYARAGHAVA CHARI—25-7-98.

The Municipalities and District Boards have power to instruct their respective voting delegates how they are to vote under any circumstances that may arise at the meetings of the delegates (*vide* G.O., No. 42, Legislative, dated 19th May 1897). From the case of Swaminatha Aiyar at the last elections in 1897, it appears that some of the delegates did not vote "straight" or according to their instructions, and that the power given to Municipalities and District Boards is not of much use. It is submitted that it is advisable for Government to provide some check over the delegates and the proposed addition to rule 9 is intended to do this. It may, however, be difficult for the Collector conducting the proceedings always to know whether the delegates have voted according to their instructions. It may sometimes happen that it is left to the discretion of the delegates to vote for particular candidates or not according to circumstances, and the Collector would probably not know anything of this. If this view is accepted, it would perhaps be better to do away with the ballot altogether, and have open voting, which would probably have the effect of making the delegates vote 'straight'.

A. E[LGINGTON]—27-7-98.

It seems to me that under our system, the secrecy of the ballot-box only gives opportunity to the delegate to disobey his instructions, and thus gives rise to complaints. The voting of the delegates should be open, and not by ballot.

A. E. H[AVELOCK].

Submitted that the voting of the delegates should be open, and not by ballot. As the Hon'ble Mr. Forbes has pointed out, there is no point in publicly instructed voters who may vote secretly.

I would, for the present, leave this unaltered.

A. E. H[AVELOCK]—14-9-98.

I agree with His Excellency.

H. W. B[LISS]—16-9-98.

And I.

A. T. A[RUNDEL]—17-9-98.

2. It may be asked what is the good of the delegate system, and why the Councils and Boards should not submit these recommendations direct to Government. I should be inclined to recommend a change, were it not for the regulations prescribed by the Viceroy [page 40 of pamphlet V. (*c*)]

H. TREMENHEERE—4-8-98.

A draft order recording the above notes and orders is submitted.

I think they might be issued now. At least, draft.

H. TREMENHEERE—19-9-98.

2. There is no necessity for issuing revised rules with the approved alterations now. If any vacancy should arise these alterations can be communicated to the local bodies concerned.

Some further alterations may suggest themselves by the time the next selections come on, and all of them might be incorporated together.

C. R. VIJAYARAGHAVA CHARI—19-9-98.

A. EDGINGTON—19-9-98.

A revised draft is accordingly submitted. The order has been made as far as possible self-contained. In regard to the rules for the conduct of the proceedings at the meetings of voting delegates detailed in paragraph 10 of the draft order, it is submitted that the wording has been altered, the word "ballot" having been omitted. The abolition of the system of voting by ballot has rendered unnecessary rules Nos. 9, 10 and 11 of the old rules.

2. In regard to rule (11) in paragraph 10 of the draft order, attention is solicited to the concluding portion thereof. In the note for orders the rule approved by His Excellency does not make provision for the tie that may arise in the voting of the delegates for the elimination of one of two or more candidates getting the same hopeless minority of votes. Hence the addition now suggested.

C. R. VIJAYARAGHAVA CHARI—6-10-98.

As paragraphs 2 to 9 of the draft order form the revised instructions to be now issued, would it not be better to number them as (i), (ii), etc.? Paragraph 10 will then be paragraph 2 of the draft order with a few subsidiary rules, and paragraph 11, paragraph 3.

Yes.

A. EDGINGTON.

2. Under the present paragraph 2, Municipal Councils and District Boards have to submit names of persons recommended for nomination to the Legislative Council and appointed as voting delegates, within a month from the *date of the request to do so*. Would this not be rather too short a period? Would not one month from the date of *receipt* of the request be better?

Yes.

A. EDGINGTON.

3. Under the first portion of paragraph 2 Municipal Councils and District Boards can submit only one name for nomination, but under the concluding portion of the paragraph they are at liberty to give the voting delegate two or more names to be proposed *seriatim* provided these names are reported to Government. This practically seems to mean that for nomination to the Legislative Council, Municipalities and District Boards can propose more than one name. It does not seem advisable to allow them to do so in the first instance, but to get over the apparent contradiction it may perhaps be better to throw the last sentence of paragraph 2 and the first sentence of paragraph 4, which seem to express more or less the same idea, into a separate paragraph after the present paragraph 3 and make it run as follows:—

Only in the event of the candidature of the first or other person falling through—*vide* G.O., No. 44, Legislative, dated 1st June 1897.

A. EDGINGTON.

It would be better.

A. EDGINGTON.

"The several Municipalities and District Boards have power to instruct their voting delegates exactly how they are to vote under any circumstances which may arise at the meetings of the delegates. They will therefore be at liberty (after the nominations for the northern and southern groups of Municipalities and District Boards have all been made and one month before the date fixed for the meeting of the delegates) to give their voting delegates one or more names in addition to the name originally proposed by them to propose *seriatim* in the event of the candidature of the first or other person proposed being withdrawn or falling through, provided the name or names [so given are taken from the list of nominations for the group concerned and are reported to Government three clear weeks before the date fixed for the meeting of the delegates]."

[Of all such candidates are shown in the statement to be submitted to the Secretary to Government in the Legislative department.]

A. EDGINGTON.

The first sentence of the present paragraph 4 does not seem to go with the remaining portion of the paragraph.

4. Clauses (2) and (3) of the present paragraph 10 speak of admissions to the gallery of the building. The Bezwada building seems to have one, but nothing is known about the building in Trichinopoly. Even in Bezwada the Collector may like to hold the meeting in another building which may have no gallery. The reference to gallery may therefore be perhaps omitted.

It seems unnecessary.

A. EDGINGTON.

5. In clause (8) of the same paragraph, would it not be better to say "limited to ten minutes at the outside"?

Unnecessary.

A. EDGINGTON.

6. Should not some definite instructions be given of the way in which votes are to be recorded? The present paragraph 8 simply says that the votes shall be open and not by ballot. What is meant is apparently that the Collector should ask each delegate for the name of the candidate to whom he gives his vote and should take down the name of the delegate as well as the name of the candidate. This process to be repeated till a candidate gets a clear majority of votes or till it is finally ascertained that none can do so.

This may be left to the Collector.

A. EDGINGTON.

7. In clause (9) of paragraph 10 the clause "as soon as each voting delegate present has voted" may perhaps be substituted for "as soon as each voting delegate has voted."

P. T. THARYAN—26-11-98.

Please have a clean copy of the order typed.

A. EDGINGTON—2-12-98.

Done.

P. T. THARYAN—7-12-98.

The English of paragraph 1 is awkward.

In 1 (i) the phrase "request for nomination" is incorrect.

(iii) is awkward in adding to a statement required in (i).

(vii) I suppose the list should show also the alternative candidates?

(viii) Why "final"?

Present and voting. Why not present?

(viii) says at latest, (ix), at least.

Why "*one and the same* candidate?"

2. (ii) If the delegates so desire. New?

Unlimited numbers in verandahs?

(vii) Why *set* speeches? New?

(x) Who eliminates?

(xi) Why the same hopeless minority?

If special vote is a tie, who eliminates?

The whole draft wants further study.

H. TREMENHEERE—14-12-98.

If the Assistant Secretary has no objection, paragraph 1 of the draft may be recast as follows:—

"It having appeared to His Excellency the Governor in Council that the rules and instructions to District Boards and Municipalities relating to the selection of candidates for nomination as additional members of the Madras Legislative Council require modification in some respects, the following revised instructions are issued."

2. In paragraph 1 (i), the words "to recommend persons for nomination as" may be substituted for "for the nomination of".

3. It is submitted that paragraph 1 (iii) as suggested in my former note seems to be free from the objection raised by the Secretary. Under it District Boards and Municipalities are free to give their voting delegates other names, only after all the nominations are over. Such names will then go into a supplemental list entirely separate from the original list submitted under paragraph 1 (i). The powers of local bodies to propose other names will also be limited as they can propose only one or more of the names appearing in the original list. This will be a very great help on the selection day. For instance, suppose A, B, C, D and E are the persons nominated by the local bodies in the first instance. If the local body that proposes A has power to propose only one or more of the remaining names B, C, D and E, there are greater chances of the voting coming to a successful issue without unnecessary waste of time. If entirely different names X, Y, Z be proposed, the votes will be frittered away and more eliminations must take place. Perhaps the orders of Government will have to be taken on this point.

4. The answer to the Secretary's query on paragraph 1 (vii) is "yes", but under paragraph 1 (iii) as above suggested there will be practically no new names.

5. In paragraph 1 (viii), the word "final" may be struck out but "present and voting" should, it is submitted, be retained. For instance, suppose 14 delegates are present of whom only 12 vote and the votes are 7 and 5. The person who gets 7 votes is entitled to be recommended for nomination although he does not get a clear majority out of a possible of 14 votes. That 2 do not vote is not his fault.

6. The words "at least" in paragraph 1 (ix) may be altered into "at latest", and the words "one and" may be struck out.

7. The words "if the delegates so desire" in paragraph 2 (ii) have not been newly put in. They are taken from No. 4 of the existing rules. The words "in limited numbers" in this paragraph have also been taken from the existing rule but they may be transferred to between "access" and "to the verandah".

8. In paragraph 2 (vii), the words "set speeches" have been adopted from the existing rule 6.

9. It is submitted that the elimination under paragraph 2 (x) will be made by the Collector *who conducts the meeting*.

10. In paragraph 2 (xi), perhaps the words "an equal number of votes, the same being a hopeless minority", may be substituted for "the same hopeless minority of votes."

The Collector should have power to eliminate and the words "by a special vote" may be struck out.

11. In paragraph 2 (xii), the words "present and voting" may be substituted for "present at the meeting."

P. T. THARYAN—19-12-98.

No definite instructions are given as to the way in which the votes are to be given, but perhaps this may be left to the presiding officer under subsidiary rule (xii) under paragraph 2.

A. E. H[AVELOCK]—29-4-99.

A. EDGINGTON—20-4-99.

The printed draft is taken from the orders referred to in the margin thereof.

M. HAMMICK—22-4-99.

These rules may be approved.

A. E. H[AVELOCK]—29-4-99.

H. W[INTERBOTHAM]—3-5-99.

The wording of (iii) is very obscure through the use of the plural instead of the singular: *e.g.*, "in addition to the *names* originally specified, etc." Only *one* name can be given by each Municipality or District Board. Then what does "first or *other*

person proposed" mean? I would recast the second sentence of (iii) as follows: "Each Municipality and District Board is therefore at liberty, after all the recommendations . . . . delegates, to give to its voting delegate, in addition to the name already specified by it, one or more names to be proposed *seriatim* in the event of the candidature of the person first proposed being withdrawn or falling through, provided that the name or names . . . . delegates."

A. T. A[RUNDEL]—3-5-99.

Yes, this is better, I think.

H. W[INTERBOTHAM]—3-5-99.

The Hon'ble Mr. Arundel proposes a change in rule (iii) to make its meaning plainer, and the Hon'ble Mr. Winterbotham concurs. The amended rule will run as follows:—

"(iii) The several Municipalities and District Boards have power to instruct "their voting delegates exactly how they are to vote under any circumstances which "may arise at the meetings of the delegates. Each Municipality and District Board is "therefore at liberty, after all the recommendations for the northern and southern "groups of Municipalities and District Boards have been made, and one month before "the date fixed for the meeting of the delegates, to give to its voting delegate, in "addition to the name already specified by it, one or more names to be proposed "*seriatim* in the event of the candidature of the person first proposed being withdrawn "or falling through, provided that the name or names so given are taken from the list "of persons recommended for the group concerned and are reported to Government "three clear weeks before the date fixed for the meeting of the delegates."

M. HAMMICK—5-5-99.

I think this is an improvement, and I accept it.

A. E. H[AVELOCK]—6-5-99.

Please issue the rules now as amended in proper way.

M. HAMMICK—8-5-99.

[G.O., No. 59, Legislative, dated 10th May 1899.]

NOTIFICATION appended to G.O., No. 32, Legislative, dated 12th April 1893.

The Governor in Council is pleased, with reference to Rule II of the Rules made under section 1 (4) of the Indian Councils Act, 1892, to declare that, for the present, one seat in the Legislative Council will be filled upon the recommendation of each of the following groups of Municipalities and District Boards and of the following Association of Merchants :—

(i) The Municipal Councils situated in the districts of Ganjám, Vizagapatam, Gódávari, Kistna, Nellore, Kurnool, Bellary, Anantapur, Cuddapah, North Arcot and Chingleput.

(ii) The Municipal Councils situated in the districts of South Arcot, Salem, Coimbatore, Trichinopoly, Tanjore, Madura, Tinnevelly, The Nilgiris, Malabar and South Canara.

(iii) The District Boards of Ganjám, Vizagapatam, Gódávari, Kistna, Nellore, Kurnool, Bellary, Anantapur, Cuddapah, North Arcot and Chingleput.

(iv) The District Boards of South Arcot, Salem, Coimbatore, Trichinopoly, Tanjore, Madura, Tinnevelly, The Nilgiris, Malabar and South Canara.

(v) The Chamber of Commerce, Madras.

APPENDIX.

Regulations under Section 1 (4) *of the Indian Councils Act*, 1892, *for Madras.*

I.—Of the persons, other than the Advocate-General or officer acting in that capacity, to be nominated Additional Members of Council by the Governor of Madras for his assistance in making Laws and Regulations, not more than nine shall be officials.

II.—The nominations to seven seats shall be made by the Governor on the recommendation of the following bodies and associations respectively, namely:—

A.—The Corporation of Madras;

B.—Such Municipal Corporations or group or groups of Municipal Corporations other than the Corporation of Madras as the Governor in Council may from time to time prescribe by notification in the *Fort St. George Gazette*;

C.—Such District Boards, or group or groups of District Boards, as the Governor in Council may from time to time prescribe as aforesaid;

D.—Such Association or Associations of merchants, manufacturers or tradesmen as the Governor in Council may from time to time prescribe as aforesaid;

E.—The Senate of the University of Madras:

Provided that the bodies described above under A, B, C, D and E, respectively, shall each (except as hereinafter provided in Rule VII) have at least one person nominated upon its recommendation, and A, D and E not more than one each.

III.—The Governor may at his discretion nominate persons to such of the remaining seats as shall not be filled by officials in such manner as shall in his opinion secure a fair representation of the different classes of the community; provided that one seat shall ordinarily be held by a zamindar paying not less than Rs. 20,000 as *peshkash* annually to Government.

IV.—When a vacancy occurs and is to be filled under Rule II of these Regulations, the Governor shall cause the proper body or group of bodies or association or associations to be requested to recommend a person for nomination by the Governor.

V.—The recommendation shall be made—

(*a*) in the case of a Municipal Corporation or of a District Board, or of the Senate of the University, by a majority of votes of the Corporation, Board, or Senate respectively;

(*b*) in the case of associations not established by law, in the manner laid down in their rules or articles of association for carrying resolutions or recording decisions upon questions of business brought before the association;

(*c*) in the case of a group of Municipal Corporations, District Boards, or Associations, by the majority of votes of representatives to be appointed, according to such scale as the Governor in Council may from time to time prescribe, by the Corporations, Boards, or Associations.

VI.—It shall be a condition in the case of any person to be recommended by a Municipal Corporation or group of Municipal Corporations that he shall be a person ordinarily resident within the Municipality or the district in which it is situated, or in some one of the Municipalities constituting the group or of the districts in which they are situated. A similar condition shall also apply to persons to be recommended by District Boards.

VII.—If within two months after receiving the request of the Governor as provided by Rule IV the body or association or group of bodies or associations fails to make a recommendation, the Governor may nominate at his discretion a person belonging to the class which the body or association or group is deemed to represent.

VIII.—If the Governor shall decline to nominate any person who has been, under these Regulations, recommended for nomination, a fresh request shall be issued as provided in Rule IV, and the procedure laid down in Rules V and VII shall apply.

IX.—(*a*) As soon as conveniently may be after these Regulations come into force, seven of the seats held by non-official persons shall be filled up by recommendation under Rule II.

(*b*) If there shall not be the full number of seven vacancies available at once for this purpose, the Governor shall determine at his discretion, subject always to the proviso in Rule II, which of the bodies or groups mentioned in that rule shall be requested to recommend the persons to fill up such vacancies as may then be available; and so whenever and as often as any further vacancies among non-official members become available, until the full number of seven has been completed.

Chief Secretary to Government, by whom the recommendations will be submitted to the Lieutenant-Governor.

13. Attention is drawn to the following Rule VI of the Regulations which have been framed by the Governor-General in Council and Secretary of State:—

VI.—It shall be a condition in the case of any person to be recommended by a Municipal Corporation or group of Municipal Corporations that he shall be a person ordinarily resident within the Municipality or the district in which it is situated, or in some one of the municipalities constituting the group or of the districts in which they are situated. A similar condition shall also apply to persons to be recommended by District Boards.

Under this rule it is not necessary that persons recommended shall be members of any Municipality or District Board concerned, but they must be ordinarily resident within the division from which the recommendation is made. Subject to this condition, the rules declare no limit of qualification, and it is left to the electoral representatives to recommend a person under Rule V(*c*) according to the majority of their votes.

14. The Lieutenant-Governor is anxious to ensure the success of the operation of the new rules, and with this object has been careful to provide that all the subsidiary arrangements now sanctioned shall, as far as possible, be given effect to by the local bodies concerned with the minimum of official interference. He is confident, however, that District Magistrates will afford any assistance that may be required and do their utmost to facilitate the smooth working of the elections. The experiment now being tried is one of considerable importance, and the arrangements made are necessarily of an experimental character, and will be reconsidered if experience shows that they require modification.

ORDERED that a copy of this Resolution be furnished to all Commissioners for information and guidance and for communication to all the District Boards and Municipalities in their Divisions.

Ordered also that a copy be published in the *Calcutta Gazette*.

Ordered also that a copy be submitted with a covering letter to the Government of India for information.

By order of the Lieutenant-Governor of Bengal,

H J. S. COTTON,

Chief Secretary to the Government of Bengal.

No. 1554J.

COPY forwarded to all Commissioners of Divisions for information and guidance, and for communication to all District Boards and Municipalities in their Divisions.

By order of the Lieutenant-Governor of Bengal,

H. C. STREATFEILD,

Under-Secretary to the Government of Bengal.

CALCUTTA;
JUDICIAL,
The 29th March 1893.

1897
Legislative Dept.
Branches No. 4
G. No. 376

C. E. G.—Reg. No. 45C—200—4 4-93

APPENDIX.

Regulations under Section 1 (4) *of the Indian Councils Act*, 1892, *for Madras.*

I.—Of the persons, other than the Advocate-General or officer acting in that capacity, to be nominated Additional Members of Council by the Governor of Madras for his assistance in making Laws and Regulations, not more than nine shall be officials.

II.—The nominations to seven seats shall be made by the Governor on the recommendation of the following bodies and associations respectively, namely:—

A.—The Corporation of Madras;

B.—Such Municipal Corporations or group or groups of Municipal Corporations other than the Corporation of Madras as the Governor in Council may from time to time prescribe by notification in the *Fort St. George Gazette*;

C.—Such District Boards, or group or groups of District Boards, as the Governor in Council may from time to time prescribe as aforesaid;

D.—Such Association or Associations of merchants, manufacturers or tradesmen as the Governor in Council may from time to time prescribe as aforesaid;

E.—The Senate of the University of Madras:

Provided that the bodies described above under A, B, C, D and E, respectively, shall each (except as hereinafter provided in Rule VII) have at least one person nominated upon its recommendation, and A, D and E not more than one each.

III.—The Governor may at his discretion nominate persons to such of the remaining seats as shall not be filled by officials in such manner as shall in his opinion secure a fair representation of the different classes of the community; provided that one seat shall ordinarily be held by a zamindar paying not less than Rs. 20,000 as *peshkash* annually to Government.

IV.—When a vacancy occurs and is to be filled under Rule II of these Regulations, the Governor shall cause the proper body or group of bodies or association or associations to be requested to recommend a person for nomination by the Governor.

V.—The recommendation shall be made—

(*a*) in the case of a Municipal Corporation or of a District Board, or of the Senate of the University, by a majority of votes of the Corporation, Board, or Senate respectively;

(*b*) in the case of associations not established by law, in the manner laid down in their rules or articles of association for carrying resolutions or recording decisions upon questions of business brought before the association;

(*c*) in the case of a group of Municipal Corporations, District Boards, or Associations, by the majority of votes of representatives to be appointed, according to such scale as the Governor in Council may from time to time prescribe, by the Corporations, Boards, or Associations.

VI.—It shall be a condition in the case of any person to be recommended by a Municipal Corporation or group of Municipal Corporations that he shall be a person ordinarily resident within the Municipality or the district in which it is situated, or in some one of the Municipalities constituting the group or of the districts in which they are situated. A similar condition shall also apply to persons to be recommended by District Boards.

VII.—If within two months after receiving the request of the Governor as provided by Rule IV the body or association or group of bodies or associations fails to make a recommendation, the Governor may nominate at his discretion a person belonging to the class which the body or association or group is deemed to represent.

VIII.—If the Governor shall decline to nominate any person who has been, under these Regulations, recommended for nomination, a fresh request shall be issued as provided in Rule IV, and the procedure laid down in Rules V and VII shall apply.

IX.—(*a*) As soon as conveniently may be after these Regulations come into force, seven of the seats held by non-official persons shall be filled up by recommendation under Rule II.

(*b*) If there shall not be the full number of seven vacancies available at once for this purpose, the Governor shall determine at his discretion, subject always to the proviso in Rule II, which of the bodies or groups mentioned in that rule shall be requested to recommend the persons to fill up such vacancies as may then be available; and so whenever and as often as any further vacancies among non-official members become available, until the full number of seven has been completed.

RESOLUTION—No. 1553J.

JUDICIAL.

Dated Calcutta, the 25th March 1893.

UNDER Rule II of the Regulations which have been framed by the Governor-General in Council with the sanction of the Secretary of State under section I(4) of the Indian Councils Act, 1892, for Bengal, it has been laid down that the nomination to seven seats in the Council of the Lieutenant-Governor for making Laws and Regulations shall be made by the Lieutenant-Governor on the recommendation of the following bodies and associations respectively, viz.—

A.—The Corporation of Calcutta;

B.—Such Municipal Corporations or group or groups of Municipal Corporations other than the Corporation of Calcutta as the Lieutenant-Governor may from time to time prescribe by Notification in the *Calcutta Gazette*;

C.—Such District Boards, or group or groups of District Boards, as the Lieutenant-Governor may from time to time prescribe as aforesaid;

D.—Such Association or Associations of merchants, manufacturers or tradesmen as the Lieutenant-Governor may from time to time prescribe as aforesaid;

E.—The Senate of the University of Calcutta:

Provided that the bodies described above under A, B, C, D, and E, respectively, shall each (except as hereinafter provided in Rule VII) have at least one Councillor nominated upon its recommendation, and A, D, and E not more than one each.

With reference to the above proviso, it has been decided that District Municipalities and District Boards shall each be ordinarily represented by two members.

2. Under Rule V (*c*) of the same Regulations, it has been laid down that the recommendation of a person for nomination by the Lieutenant-Governor shall be made "in the case of a group of Municipal Corporations, District Boards, or Associations by the majority of votes of representatives to be appointed according to such scale as the Lieutenant-Governor may from time to time prescribe by the Corporations, Boards, or Associations."

3. The Corporation of Calcutta and the Senate of the University of Calcutta will now be asked by a separate communication to recommend a person for nomination by the Lieutenant-Governor. The votes of the Commissioners of the Corporation of Calcutta will be given at a meeting of the Commissioners. Those of the Fellows of the Senate will be given by voting papers to be delivered personally to the Registrar, or forwarded by post under certain conditions. The Bengal Chamber of Commerce are already represented on the Council by the Vice-President of their body, the Hon'ble Mr. Playfair, and no steps can be taken under clause D of the Rule II above quoted until he resigns his appointment or the term of his office expires.

4. The following observations exclusively refer to the arrangements which will now be made regarding the nomination to the four seats which will be made by the Lieutenant-Governor on the recommendation of District Boards and of Mufassal Municipalities.

5. The Lieutenant-Governor has decided that both District Boards and Municipalities shall be grouped together separately division by division, and that the District Boards and Municipalities within each divisional area shall take it in turns to exercise the privilege which is now bestowed on them of recommending a person for nomination to the Council. It is proposed that this privilege should be exercised by the groups of Municipalities and District Boards in each Division according to rotation. The following is a sketch of the form which the rotation may probably assume: but the Lieutenant-Governor cannot bind himself or his successor as to the exact order in which the privilege will in future be exercised:—

Date of election.	Municipalities.	District Boards.
1893 ...	... Presidency Division	... Patna Division.
	Rajshahi Division	... Chittagong Division.
1895 ...	... Burdwan Division	... Dacca Division.
	Orissa Division, Chota Nagpur Division	... Bhagalpur Division.
1897 ...	... Patna Division	... Presidency Division.
	Chittagong Division	... Rajshahi Division.
1899 ...	... Dacca Division	... Burdwan Division.
	Bhagalpur Division	... Orissa Division.
1901 ...	... Presidency Division	... Patna Division.
	Rajshahi Division	... Chittagong Division.

and so on.

The necessary notification will now be published in the *Calcutta Gazette* specifying the groups of District Boards and Municipalities in the Divisions from which a recommendation will be made to the Lieutenant-Governor for the nomination to four seats in Council in 1893.

6. The Lieutenant-Governor is pleased to prescribe the following procedure under which each District Board and Municipality concerned shall, for the purpose of making its recommendation, proceed to elect from amongst its own members an electoral representative, who shall be entrusted with full powers to vote for a member to represent the group in Council.

7. In respect of Municipal Corporations, it has been determined that only those municipalities which enjoy a clear income from municipal resources proper of Rs. 5,000 and over shall exercise the right of electing an electoral representative. The voting power of each of these representatives will be calculated by the income of the municipalities concerned according to the following scale :—

	Votes.
Municipalities with an income of Rs. 5,000 and less than Rs. 10,000 will be entitled to	1
Municipalities with an income of Rs. 10,000 and less than Rs. 20,000 to	2
Municipalities with an income of Rs. 20,000 and less than Rs. 50,000 to	3
Municipalities with an income of Rs. 50,000 and less than Rs. 1,00,000 to	4
Municipalities with an income of Rs. 1,00,000 and less than Rs. 1,50,000 to	5
Municipalities with an income of Rs. 1,50,000 and less than Rs. 2,00,000 to	6
Municipalities with an income of Rs. 2,00,000 and less than Rs. 2,50,000 to	7
Municipalities with an income of Rs. 2,50,000 and over to ...	8

Each Municipality will elect one electoral representative only, and this representative shall be entitled to exercise all the votes of the Municipality which he represents.

8. All districts are considered by the Government to be of approximately equal importance, and each District Board will appoint one representative having one vote.

9. According to the scales above laid down, the following Municipal Corporations and District Boards will now proceed to elect their electoral representatives as follows:—

Municipalities in the Presidency Division.

District.	Name of Municipality.	Ordinary Municipal Income.*	Number of votes to be exercised by each representative.
		Rs.	
24-Parganas ...	Cossipore-Chitpur	1,16,260	5
	Maniktola	41,753	3
	Baranagar	39,040	3
	South Suburbs	47,650	3
	Rajpur	6,908	1
	Joynagar	5,033	1
	South Dum-Dum	7,728	1
	South Barrackpore	11,809	2
	North Barrackpore	11,260	2
	Barasat	8,065	1
	Naihati	15,664	2
	Basirhat	6,285	1
Nadia ...	Krishnagar	24,699	3
	Santipur	25,594	3
	Ranaghat	5,583	1
	Kushtia	6,341	1
Jessore ...	Jessore	14,405	2
Khulna ...	Khulna	10,976	2
Murshidabad ...	Berhampore	36,338	3
	Lalbagh	24,320	3
	Jangipur	7,355	1
	Kandi	5,777	1
	22		45

Municipalities in the Rajshahi Division.

District.	Name of Municipality.	Ordinary Municipal Income.*	Number of votes to be exercised by each representative.
		Rs.	
Darjeeling ...	Darjeeling	94,949	4
	Kurseong	8,105	1
Rajshahi ...	Rampur Boalia	19,014	2
	Nator	10,909	2
Dinajpur ...	Dinajpur	22,434	3
Pabna ...	Pabna	15,252	2
	Sirajganj	15,627	2
Bogra ...	Bogra	13,026	2
Rangpur ...	Rangpur	22,770	3
Jalpaiguri ...	Jalpaiguri	12,318	2
	10		23

* The Ordinary Municipal Income is found from Statement II attached to the Resolution on the working of Municipalities in 1891-92, by deducting from head column 11 the figures shown in head columns 8, 9, and 10, *i.e.*, the Special grants, Miscellaneous, and Debt heads.

District Boards in the Patna Division.

Patna.
Gaya.
Shahabad.
Darbhanga.
Champaran.
Muzaffarpur.
Saran.

District Boards in the Chittagong Division.

Tippera.
Noakhali.
Chittagong.

10. Under Rule IV of the Regulations quoted, the Lieutenant-Governor now desires that intimation may be at once communicated by the Commissioners of the Divisions concerned to the Chairmen of all the Municipalities and District Boards enumerated in the above lists, requesting them to arrange without delay for the convention of a special meeting of each District Board and Municipality concerned at which one of their members may be elected to represent them for the purpose of recommending the nomination of a member in the Lieutenant-Governor's Council. The name of the electoral representative elected in each must be reported at once by the Chairman of the local body concerned for the information of the Commissioner of the Division.

11. The period of two months which is contemplated under Rule VII of the Regulations as the period within which a recommendation shall be made to the Lieutenant-Governor is hereby declared to run from the date on which the Commissioner of the Division issues his invitation to the Chairman of any Municipality or District Board within the group concerned to elect one of their members to represent them for the purpose of recommending the nomination of a member in the Lieutenant-Governor's Council.

12. As soon as the electoral representatives are elected by the local bodies concerned, they will be called upon by the Commissioner of the Division to meet together on an early and convenient date with special reference to the limit of time imposed under rule VII of the Regulations, and at such convenient place as he may specify, for the purpose of electing by a majority of votes a person whom they will recommend to the Lieutenant-Governor to be nominated as a member of the Council. The names of all candidates put forward at such meeting shall be duly proposed by one of the electoral representatives present. The election shall be by ballot, and the person elected must obtain a majority of the votes of the representatives present. If on occasion of the first ballot an absolute majority is not obtained, the candidate who obtains the least number of votes shall be withdrawn from the election, and another ballot shall then be held for the remaining candidates, and so on until an absolute majority is obtained.

The electoral representatives present at this meeting shall elect among themselves a Chairman, who shall preside and be responsible for the fair and proper exercise of the ballot vote.

As soon as the election is made, the Chairman of the meeting shall without delay report to the Commissioner of the Division the name of the person so elected with the number of votes obtained and any other information which it may appear desirable to communicate, and on behalf of the meeting shall recommend to the Lieutenant-Governor to nominate for Council the person so elected. The Commissioner shall submit the report from the Chairman of the meeting, with any observations he may wish to add, to the

Chief Secretary to Government, by whom the recommendations will be submitted to the Lieutenant-Governor.

13. Attention is drawn to the following Rule VI of the Regulations which have been framed by the Governor-General in Council and Secretary of State:—

VI.—It shall be a condition in the case of any person to be recommended by a Municipal Corporation or group of Municipal Corporations that he shall be a person ordinarily resident within the Municipality or the district in which it is situated, or in some one of the municipalities constituting the group or of the districts in which they are situated. A similar condition shall also apply to persons to be recommended by District Boards.

Under this rule it is not necessary that persons recommended shall be members of any Municipality or District Board concerned, but they must be ordinarily resident within the division from which the recommendation is made. Subject to this condition, the rules declare no limit of qualification, and it is left to the electoral representatives to recommend a person under Rule V(*c*) according to the majority of their votes.

14. The Lieutenant-Governor is anxious to ensure the success of the operation of the new rules, and with this object has been careful to provide that all the subsidiary arrangements now sanctioned shall, as far as possible, be given effect to by the local bodies concerned with the minimum of official interference. He is confident, however, that District Magistrates will afford any assistance that may be required and do their utmost to facilitate the smooth working of the elections. The experiment now being tried is one of considerable importance, and the arrangements made are necessarily of an experimental character, and will be reconsidered if experience shows that they require modification.

ORDERED that a copy of this Resolution be furnished to all Commissioners for information and guidance and for communication to all the District Boards and Municipalities in their Divisions.

Ordered also that a copy be published in the *Calcutta Gazette*.

Ordered also that a copy be submitted with a covering letter to the Government of India for information.

By order of the Lieutenant-Governor of Bengal,

H J. S. COTTON,

Chief Secretary to the Government of Bengal.

No. 1554J.

COPY forwarded to all Commissioners of Divisions for information and guidance, and for communication to all District Boards and Municipalities in their Divisions.

By order of the Lieutenant-Governor of Bengal,

H. C. STREATFEILD,

Under-Secretary to the Government of Bengal.

CALCUTTA;
JUDICIAL,
The 29th March 1893.

1897
Legislative Dept.
Encles. No. 4
O. Sr. 376

C. E. G.—Reg. No. 45C—200—4-4-93

IAL.

RESOLUTION—*e 6th May* 1895.

JUDIC

Dated Darjeeling, t

UNDER Rule II of the Regulatio
Governor-General in Council with the sa
section 1 (4) of the Indian Councils Act, 1
that the nomination to seven seats in the
making Laws and Regulations shall be m
the recommendation of the following
viz.—

A.—The Corporation of Calcutta;
B.—Such Municipal Corporations, or grou
than the Corporation of Calcutta,
to time prescribe by notification in
C.—Such District Boards, or group or gr
Governor may from time to time pr
D.—Such Association or Associations of m
Lieutenant-Governor may from tim
E.—The Senate of the University of Calcu

Provided that the bodies described above u
each (except as hereinafter provided in Rule VII)
its recommendation, and A, D, and E not more th

With reference to the above proviso
Municipalities and District Boards shall e
members.

2. In accordance with this rule th
from time to time been made by the Lieu
dation of public bodies and associations, an
appointed to be members of His Honour's C

Name of member.	By whom recommended.	Dates of appointment to Council.
The Hon'ble Surendra Nath Banerjee ...	By the Corporation of Calcutta.	6th June 1893.
,, L. M. Ghose, Barrister-at-law ...	By the Municipalities in the Presidency Division.	Ditto.
,, Maharaja Jagadindra Nath Roy of Nator.	By the Municipalities in the Rajshahi Division.	23rd January 1894.
The Hon'ble Maharaja Sir Luchmessur Singh Bahadur, K.C.I.E., of Darbhanga.	By the District Boards in the Patna Division.	6th June 1893.
The Hon'ble Moulvi Serajul Islam, Khan Bahadur.	By the District Boards in the Chittagong Division.	Ditto.
The Hon'ble C. E. Smyth	By the Bengal Chamber of Commerce.	22nd March 1895.
,, W. C. Bonnerjee, Barrister-at-law.	By the Senate of the Calcutta University.	6th June 1893.

p or groups of Municipal Corporations other
as the Lieutenant-Governor may from time
he *Calcutta Gazette;*
oups of District Boards, as the Lieutenant-
escribe as aforesaid;
erchants, manufacturers or tradesmen as the
e to time prescribe as aforesaid;
ta:
nder A, B, C, D, and E, respectively shall
have at least one Councillor nominated upon
an one each.

, it has been decided that District
ach be ordinarily represented by two

nominations to seven seats have
tenant-Governor on the recommen-
l the following gentlemen have been
Council:—

ned his appointment on his depar-
rsity of Calcutta has been asked
si successor for nomination to the

3. Mr. W. C. Bonnerjee has lately resig
e appointment of the Hon'ble
ture for Europe, and the Senate of the Univ
Chamber of Commerce has very
by a separate communication to recommend
are required in respect of the
Council by the Lieutenant-Governor. Th
ntment of Maharaja Jagadindra
Mr. Smyth as representative of the Bengal
of the municipalities of the Raj-
recently been made, and no steps therefor
uary 1894, and the term of the
representation of the Chamber. The appoi
the 22nd January 1896. But the
Nath Roy of Nator, on the recommendation
ndra Nath Banerjee, L. M. Ghose,
shahi Division, took effect from the 23rd Jar
Mah
raja's office will therefore not expire till
term
f the appointment of the Hon'ble Sure

the Maharaja of Darbhanga, and Ma
expire on the 5th June 1895.

The Corporation of Calcutta has l
to recommend a person for nominat
Governor. The procedure followed w
occasion, and the votes of the Commi
will be given at a meeting of the Com

4. It was stated in paragraph
dated the 25th March 1893, that both
be grouped together separately divis
Boards and Municipalities within each
exercise the privilege of recommendin
It was proposed that this privilege sh
cipalities and District Boards in ea
following order:—

Date of election.	Municipalities.
1893	Presidency.
	Rajshahi
1895	Burdwan
	Orissa Div.
	Chota Na
1897	Patna Div
	Chittagon
1899	Dacca Div
	Bhagalpu
1901	Presidenc
	Rajshahi

and so on.

In accordance with the decision
tions will now be published in the
District Boards in the Dacca and Bh
Burdwan Division, from which a reco
Governor for the nomination to thr
will be filled on the recommendation
palities will not occur until Januar
issue at present in respect of those g

5. The Lieutenant-Governor
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shall proceed to elect from amongst
who shall be entrusted with full po
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6. In respect of Municipal Co
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scale:—

Municipalities with an income o will be entitled to	
Municipalities with an income o to ...	
Municipalities with an income o to	
Municipalities with an income o to	
Municipalities with an income o to	
Municipalities with an income o to	
Municipalities with an income	

candidate who obtains the least number
so on until an absolute majority is
at this meeting shall elect among
and be responsible for the fair and
The Chairman of the meeting shall
ber of the Division the name of the
dates obtained and any other informa-
communicate, and on behalf of the
ant-Governor to nominate for Council
er shall submit the report from the
rvations he may wish to add, to the
m the recommendations will be sub-
ing Rule VI of the Regulations which
eneral in Council and Secretary of
f any person to be recommended by a Muni-
ations that he shall be a person ordinarily
in which it is situated, or in some one of the
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that persons recommended shall be
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which the recommendation is made.
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ecommend a person under Rule V(*c*)
ry arrangements now sanctioned shall
the local bodies concerned with the
as was done on the last occasion in
nderstanding of any sort, Divisional
will of course afford any assistance
ost to facilitate the smooth working of
ion be furnished to all Commissioners
mmunication to all the District Boards
d in the *Calcutta Gazette*.

ht-Governor of Bengal,

H. J. S. COTTON,

ief Secretary to the Government of Bengal.

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mmunication to all District Boards and

ıt-Governor of Bengal,

C. E. A. W. OLDHAM,

-Secretary to the Government of Bengal.

1897
Judl. Dept.
Enclos. No. 3
To
C. N. 376

ne electoral representative only, and this
xercise all the votes of the Mur ipality

y the Government to be of approximately
t Board will appoint one representative

e laid down, the following Municipalities
to elect their electoral representatives as

the Burdan Division.

ty.	Ordinary Municipal Income.*	Number of votes to be exercised by each representative.
	Rs.	
... ...	90,656	4
... ...	8,820	1
... ...	5,417	1
... ...	13,371	2
... ...	7,567	1
... ...	9,094	1
... ...	5,356	1
... ...	50,260	4
... ...	5,176	1
ra	40,569	3
... ...	43,318	3
... ...	13,906	2
... ...	16,401	2
... ...	7,581	1
... ...	2,86,829	8
... ...	14,663	2
		—
		37
		—

t II attached to the Resolution on the working of Municipa-
ures shown in head columns 8, 9 and 10, *i.e.*, the special grants,

						Rs.	Votes.
Municipalities with an income of		5,000	and less than	10,000	are entitled to		1
Ditto	ditto	10,000	ditto	20,000	ditto		2
Ditto	ditto	20,000	ditto	50,000	ditto		3
Ditto	ditto	50,000	ditto	1,00,000	ditto		4
Ditto	ditto	1,00,000	ditto	1,50,000	ditto		5
Ditto	ditto	1,50,000	ditto	2,00,000	ditto		6
Ditto	ditto	2,00,000	ditto	2,50,000	ditto		7
Ditto	ditto	2,50,000	and over	....	ditto		8

Each municipality elects one delegate only, and this delegate is entitled to exercise all the votes of the municipality which he represents.

4. In 1893, 22 municipalities of the Presidency Division exercised the franchise, and the number of votes of their representatives was 45. For the Rajshahi Division there were 10 municipalities, and the number of votes was 24. In 1895, 16 municipalities of the Burdwan Division exercised the franchise, and the number of votes of their representatives was 37. In the Orissa and Chota Nagpur Divisions, 8 municipalities voted, and the number of votes exercised by their representatives was 15.

5. The Lieutenant-Governor is aware that exception has been taken to this method of voting, on the ground that "it places it in the power of the delegate of one municipality to secure the return of his nominee against the votes of the delegates of seven or 8 municipalities." But on the other hand it must be remembered that any system under which municipalities must be treated as equal would be open to great and reasonable objection, and that it would be obviously unfair to give an equal vote to the representatives of Darjeeling and Natore, Patna and Jugdishpur, or Howrah and Tumluk. No scheme can be devised to which some objection will not be raised; but the Lieutenant-Governor believes that the existing method of election in the case

t of Bengal,

ted Darjeeling, the 23rd April 1896.

attention to the Resolutions
29J.D., dated 6th May 1895, in
garding the procedure to be
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of making its recommendation
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it was decided that only those
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these representatives was then
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The Corporation of Calcutta has
to recommend a person for nomina
Governor. The procedure followed
occasion, and the votes of the Comr
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4. It was stated in paragraph
dated the 25th March 1893, that both
be grouped together separately div
Boards and Municipalities within each
exercise the privilege of recommendin
It was proposed that this privilege sh
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following order:—

Date of election.			Municij
1893	...	...	Presidency
			Rajshahi
1895	...	...	Burdwan
			Orissa Div
			Chota Na
1897	...	...	Patna Div
			Chittagong
1899	...	...	Dacca Div
			Bhagalpu
1901	...	...	Presidenc
			Rajshahi

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ative. The voting power of each
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scale:—

Municipalities with an income o	will be entitled to
Municipalities with an income o	to ...
Municipalities with an income o	to ... ...
Municipalities with an income o	to ... ...
Municipalities with an income o	to ... ...
Municipalities with an income o	to ... ...
Municipalities with an income	

absolute majority is not obtained, the cand
of vote, shall be withdrawn from the elect
held for the remaining candidates, and
obtained.

The electoral representatives present
themselves a Chairman, who shall presid
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As soon as the election is made, t
without delay report to the Commissione
person so elected with the number of v
tion which it may appear desirable to
meeting shall recommend to the Lieuten
the person so elected. The Commission
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Chief Secretary to Government, by who
mitted to the Lieutenant-Governor.

12. Attention is drawn to the follow
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State:—

VI.—It shall be a condition in the case
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C. E. A. W. OLDHAM,

-Secretary to the Government of Bengal.

1897
Judl. Dept.
Enclos. No. 3
To
C. No. 376

No. 97A.—D.

FROM H. J. S. COTTON, ESQ., C.S.I.,
Chief Secretary to the Government of Bengal,

TO ALL COMMISSIONERS OF DIVISIONS.

Dated Darjeeling, the 23rd April 1896.

APPOINTMENT.

SIR,

I AM directed to invite your attention to the Resolutions No. 1553J., dated 25th March 1893, and No. 29J.D., dated 6th May 1895, in which instructions were communicated regarding the procedure to be followed in the nomination to seats in the Bengal Legislative Council on the recommendation of public bodies and associations.

2. It was decided that for the purpose of making its recommendation every District Board and Municipality concerned should proceed to elect from amongst its own members an electoral representative who should be entrusted with full powers to vote for a member to represent the group in Council.

3. In respect of Municipal Corporations it was decided that only those municipalities which enjoy a clear income from municipal resources proper of Rs. 5,000 and over should exercise the right of electing an electoral representative. The voting power of each of these representatives was then calculated by the income of the municipalities concerned according to the following scale:—

	Rs.		Rs.		Votes.
Municipalities with an income of	5,000 and less than		10,000 are entitled to		1
Ditto ditto	10,000	ditto	20,000	ditto	2
Ditto ditto	20,000	ditto	50,000	ditto	3
Ditto ditto	50,000	ditto	1,00,000	ditto	4
Ditto ditto	1,00,000	ditto	1,50,000	ditto	5
Ditto ditto	1,50,000	ditto	2,00,000	ditto	6
Ditto ditto	2,00,000	ditto	2,50,000	ditto	7
Ditto ditto	2,50,000 and over		....	ditto	8

Each municipality elects one delegate only, and this delegate is entitled to exercise all the votes of the municipality which he represents.

4. In 1893, 22 municipalities of the Presidency Division exercised the franchise, and the number of votes of their representatives was 45. For the Rajshahi Division there were 10 municipalities, and the number of votes was 24. In 1895, 16 municipalities of the Burdwan Division exercised the franchise, and the number of votes of their representatives was 37. In the Orissa and Chota Nagpur Divisions, 8 municipalities voted, and the number of votes exercised by their representatives was 15.

5. The Lieutenant-Governor is aware that exception has been taken to this method of voting, on the ground that "it places it in the power of the delegate of one municipality to secure the return of his nominee against the votes of the delegates of seven or 8 municipalities." But on the other hand it must be remembered that any system under which municipalities must be treated as equal would be open to great and reasonable objection, and that it would be obviously unfair to give an equal vote to the representatives of Darjeeling and Natore, Patna and Jugdishpur, or Howrah and Tumluk. No scheme can be devised to which some objection will not be raised; but the Lieutenant-Governor believes that the existing method of election in the case

of municipalities has worked well and has given satisfaction. It is possible, of course, that there may be a tie under the present system, as there must be under any voting system; but it is believed that the risk is reduced to a minimum, and for practical purposes may be neglected. I am, however, to enquire whether, from the experience which has been gained during the last two elections, you are in a position to suggest any modification of the existing orders either with a view of ensuring a better representation, or of minimising the chances of a tie.

6. In the case of District Boards a different principle is followed. The whole question was under discussion in 1893, and a sliding scale of voting power according to the ordinary income* of the District Boards was suggested as follows:—

* See paragraph 37 of the Resolution on the working of District Boards for the year 1894-95, dated 3rd December 1895.

						Number of votes.
			Rs.		Rs.	
Boards with an ordinary income		..	from 50,000	to	1,00,000	5
Ditto	ditto	..	„ 1,00,000	to	1,50,000	8
Ditto	ditto	..	„ 1,50,000	to	2,00,000	10
Ditto	ditto	..	„ 2,00,000	to	3,00,000	12
Ditto	ditto	..	over 3,00,000		....	15

An alternative sliding scale was also proposed, in which one vote should be allowed for every fifty thousand rupees or part of fifty thousand rupees of ordinary income. These schemes were, however, not accepted, and eventually it was laid down that all districts were considered by the Government to be of approximately equal importance, and that each District Board should appoint one representative having one vote.

7. It so happened that at the elections of 1893 this decision did not raise the question of a tie. There are three Boards in the Chittagong Division and seven in Patna, and the numbers being uneven in both cases, there could be no tie. But this condition of affairs was reversed in 1895, when it became the turn of the Dacca and Bhagalpur Divisions to be represented. In each of these Divisions there are four District Boards, and the election in both Divisions resulted in a tie. In Dacca the difficulty was got over by the voluntary withdrawal of one of the candidates, but in Bhagalpur no such solution offered itself, and the Government were obliged to resort to the nomination of a candidate.

8. The Lieutenant-Governor observes that if either of the sliding scales proposed in 1893 had been accepted, a tie in 1895 would have been avoided. The following statement shows the number of votes which would in that case have been exercised by the representatives of the Bhagalpur and Dacca Boards:—

1			Ordinary income.	Number of votes according to scale No. I.	Number of votes according to scale No. II.
			2	3	4
			Rs.		
Bhagalpur ..	Monghyr	..	1,81,000	10	4
	Bhagalpur	..	1,73,000	10	4
	Purneah	..	1,53,000	10	4
	Maldah	..	59,000	5	2
	Total	..	....	35	14
Dacca ..	Mymensingh	..	2,48,000	12	5
	Backergunge	..	1,47,000	8	3
	Dacca	..	1,21,000	8	3
	Faridpur	..	96,000	5	2
	Total	..	....	33	13

9. The next election will take place in 1897, when, according to the programme which has been laid down, the Presidency and Rajshahi District Boards will be represented in Council. There are five Boards in the Presidency Division, and the question of a tie could not arise there, but there are six in Rajshahi (excluding Darjeeling), and if there is no change in system the difficulty may recur in that Division. The sliding scales proposed would operate as follows in these Divisions:—

1			Ordinary income.	Number of votes according to scale No. I.	Number of votes according to scale No. II.
			2	3	4
			Rs.		
Presidency ..	24-Parganas	..	1,66,000	10	4
	Jessore	..	1,28,000	8	3
	Nadia	..	1,17,000	8	3
	Khulna	..	1,04,000	8	3
	Murshidabad	..	99,000	5	2
	Total	..	....	39	15
Rajshahi ..	Rangpur	..	1,72,000	10	4
	Dinajpur	..	1,26,000	8	3
	Rajshahi	..	1,08,000	8	3
	Jalpaiguri	..	89,000	5	2
	Pabna	..	84,000	5	2
	Bogra	..	64,000	5	2
	Total	..	....	41	16

It will be noticed that according to the alternative scale under which one vote is allowed for every half a lakh (or part of half a lakh) of ordinary income, the contingency of a tie is not excluded in the Rajshahi Division, while the higher number of votes given in the first scale does apparently shut out the risk as completely as it is possible to do so. But in any case the adoption of one or other of these schemes suggests itself as a preferable arrangement to that which is now in force. It is most important to avoid the risk of a tie in future, and the question to consider is how this can best be done. You are, therefore, requested to favour the Lieutenant-Governor with the benefit of your advice, both in regard to the number of votes which should be given to each electoral representative, and the principle on which they should be allotted. The standard of income has been adopted in the case of municipalities, and it appears better to adhere to that than to resort to the alternative of population. It must be remembered that although in the elections for representation in Council where the bodies and interests to be represented are so different, very much symmetry cannot be expected, and there are other elements to be taken into consideration besides income and population, yet that when the unit of the electoral colleges has been determined on—and in Bengal it has been finally decided that they shall be Municipalities and District Boards—it is desirable that as far as possible the same principles should guide the Government in calculating the basis of representation in both cases.

I have the honour to be,

SIR,

Your most obedient servant,

H. J. S. COTTON,

Chief Secretary to the Government of Bengal.

H. P.—Reg. No. 76T—351—23-4-96.

1897
Jud. Dept.
Enclos. No 2
To
O. No 376

RESOLUTION—No. 2307A.

APPOINTMENT.

Dated Calcutta, the 31st March 1897.

UNDER Rule 2 of the Regulations framed for Bengal by the Governor-General in Council, with the sanction of the Secretary of State, under section 1 (4) of the Indian Councils Act, 1892, the nomination to seven seats in the Council of the Lieutenant-Governor for making Laws and Regulations is made by the Lieutenant-Governor on the recommendation of certain bodies and Associations. Those seats are at present held by the following gentlemen, who were nominated and whose terms of office expire on the dates shown:—

Name of Member.	By what body or bodies recommended.	Date of nomination.	Date of expiry of office.
The Hon'ble Surendra Nath Banerjee.	The Corporation of Calcutta ...	22nd June 1895...	21st June 1897.
„ Hon'ble Ananda Mohan Bose.	The Senate of the Calcutta University.	10th July „ ...	9th July „
„ Montagne Cornish Turner.	The Bengal Chamber of Commerce.	29th March 1897...	28th March 1899.
„ Hon'ble Rai Eshan Chandra Mittra Bahadur.	Municipalities of the Burdwan Division.	19th July 1895...	18th July 1897.
„ Hon'ble Guru Proshad Sen.	District Boards of the Dacca Division.	27th „ „ ...	26th „ „
„ Hon'ble Maharaja Sir Ravaneshwar Prasad Singh Bahadur.	District Boards of the Bhagalpur Division.	7th Sept. „ ...	6th Sept. „
„ Hon'ble Madhu Sudan Das.	Municipalities of the Chota Nagpur and Orissa Divisions.	11th Feb. 1896...	10th Feb. 1898.

Five of the seats will be vacated in the course of the year, and, in accordance with practice, instructions are now issued, prescribing the procedure to be followed for the selection of the gentlemen who are to be recommended to the Lieutenant-Governor for nomination to these vacancies.

2. The Corporation of Calcutta and the Senate of the Calcutta University will be invited to submit the names of the gentlemen whom they respectively recommend for the Council. The selection will be made in accordance with the same procedure as on the two last occasions. A similar request will be addressed to the Municipalities and District Boards which have been already selected for the privilege of recommending members for the Council this year.

3. In view of these approaching vacancies the Lieutenant-Governor has fully considered the system under which the recommendations of the Municipalities and District Boards have hitherto been made and suggestions which have been put forward for modifications in the procedure. The Municipalities and District Boards are required by the Regulations to elect from amongst their members representatives to vote for the member to be recommended for the Council, each representative recording the number of votes assigned to the body by which he is deputed. Voting by representatives will, therefore, be maintained. It will rest with the public bodies to give clear instructions to their representatives as to the way in which they should vote, that is, whether all their votes should be given to one candidate, or whether the votes can be distributed between two or more candidates. In the Resolution of this Government, dated the 25th March 1893, the Municipalities and District Boards were grouped by Divisions, and the privilege of recommending the four members of the Council to be nominated in every second year was given to the Divisional groups in rotation, one member each being recommended by two groups of Municipalities and one each by two groups of District Boards. The Lieutenant-Governor does not propose to make any change in this mode of grouping the bodies or in the rotation of the groups. The division of the whole Province into two groups, which would be the only alternative way of grouping worthy of consideration, is open to objection. Equal groups could not be formed without combining Bihar with Bengal bodies in one of them, and thus depriving that group of the needed character

of representing a well-defined and distinct local area. The formation of the Bihar and Chota Nagpur Divisions into one group, on the other hand, with comparatively few bodies, would leave for inclusion in the second group the inconveniently large number of bodies in the Bengal and Orissa Divisions. It is obvious that the greater the number of representatives, the greater would be the risk of failure on the part of some to attend the centre where the votes must be recorded; and postponements and delays might thus occur in voting for the candidates for the seats in Council.

4. The only change which appears to the Lieutenant-Governor practicable and desirable in the present system is in the allotment of votes to the bodies. Under the existing orders votes have been assigned to the Municipalities on a sliding scale based on the ordinary income. District Boards, however, are treated as equal, and only one vote has been allowed to each. This plan has been found to work badly, owing to the great risk of a tie occurring in the voting by the electoral representatives; and on the last occasion the voting actually resulted in ties in the Dacca and Bhagalpur Divisions. This risk can be minimised by increasing the number of votes assigned to each Board. The Lieutenant-Governor accordingly called for the opinion of local officers on a proposal to introduce a sliding scale of votes for the District Boards, and the opportunity was at the same time taken to enquire whether experience had shown that in the case of Municipalities a modification of the existing orders is desirable, with a view of ensuring a better representation, or of minimising the chances of a tie.

5. The great majority of officers have reported in favour of a sliding scale of votes for the District Boards, and the Lieutenant-Governor accepts that view. Two sliding scales based on ordinary income were suggested for consideration one in which the number of votes varied in no fixed proportion with the income, and another in which one vote was given for every half lakh, or part of half a lakh, of income. After consideration of the opinions received, the Lieutenant-Governor has decided to adopt the second scale, which has the advantage of regulating the number of votes by a fixed proportion of the income. An additional vote will, however, be allowed only for an excess over half a lakh of Rs. 25,000 or more. The number of votes would thus be less variable, and more fairly adjusted.

6. With regard to the Municipalities it has been objected that the present sliding scale assigns an excessive number of votes to such a Municipality as Howrah, and places it in the power of its delegate to secure the return of his nominee against the votes of the delegates of seven or eight Municipalities. The Lieutenant-Governor considers this a reasonable objection. It will, in his opinion, be sufficiently met by reducing the maximum number of votes for Municipalities from eight to six. This would be best effected by striking off the present scale the two last classes of Municipalities, which are given seven and eight votes respectively, and allotting six votes for an income of Rs. 1,50,000 and over. The only Municipalities affected would be Howrah and Patna, which would each lose two votes, while the smaller Municipalities would retain their present voting power. The sliding scale will, therefore, stand thus in future—

							Votes.
Municipalities with an income of Rs.			5,000	and less than Rs.		10,000	... 1
Ditto	ditto	„	10,000	ditto	„	20,000	... 2
Ditto	ditto	„	20,000	ditto	„	50,000	... 3
Ditto	ditto	„	50,000	ditto	„	1,00,000	... 4
Ditto	ditto	„	1,00,000	ditto	„	1,50,000	... 5
Ditto	ditto	„	1,50,000	and over	...	...	... 6

7. The increase in the number of votes assigned to the District Boards will very greatly reduce, but cannot altogether eliminate, the risk of a tie. Occasions, though rare, are likely to arise when rival candidates receive an equal number of votes. and it is necessary to lay down a rule to meet such cases. The various suggestions which have been made for meeting the difficulty have been considered by the Lieutenant-Governor, and His Honour is of opinion that the simplest and least objectionable solution is the drawing of lots between the candidates. In the event of a tie in future, then, the candidates will draw lots for the purpose of deciding who shall be held to have been selected for recommendation to the Lieutenant-Governor.

8. The Municipalities of the Patna and the Chittagong Divisions and the District Boards of the Presidency and the Rajshahi Divisions are entitled, according to the rotation laid down in the Resolution of the 25th March 1893, to recommend persons for nomination to the Council on this occasion. As shown in paragraph 1 above, one seat for Municipalities will be vacant on the 18th July, but the second seat will not be vacant until the 10th February next. For the seat to be filled in July, the Municipalities of the Patna Division will be requested to recommend a member. The Municipalities of the Chittagong Division will later exercise the privilege of making a recommendation for the vacancy which will occur on the 10th February 1898. For the District Boards seats will be vacant on the 26th July and the 6th September, and the District Boards of the Presidency Division and the Rajshahi Division respectively will be requested to submit recommendations for those vacancies. Each Municipality and District Board will elect one representative only, and he will be entitled to exercise all the votes of the body which he represents.

9. The following are the Municipalities of the Patna Division which will send delegates to vote for a person to be recommended for the seat falling vacant on the 18th July, and the number of votes assigned to them according to the scale shown in paragraph 6 above. The ordinary income taken is that for 1895-96.

District.	Name of Municipality.	Ordinary income.	Number of votes to be recorded by the representative.
		Rs.	
Patna ...	Patna	1,52,213	6
	Bihar	17,874	2
	Dinapore	11,381	2
Gaya ...	Gaya	63,036	4
	Tikari	6,612	1
Shahabad ...	Arrah	36,079	3
	Buxar	7,225	1
	Dumraon	5,928	1
	Sassaram	13,345	2
Saran ...	Chapra	33,499	3
	Revelganj	8,925	1
	Siwan	6,980	1
Champaran ...	Motihari	9,830	1
	Bettiah	13,903	2
Muzaffarpur ...	Muzaffarpur	55,742	4
	Hajipur	7,831	1
	Lalganj	5,143	1
	Sitamarhi	6,711	1
Darbhanga ...	Darbhanga	24,853	3
	Madhubani	10,096	2

10. The District Boards of the Presidency and the Rajshahi Divisions and the votes allotted to each are as follows:—

Division.	District Board.	Ordinary income.	Number of votes to be recorded by the representative.
		Rs.	
Presidency ...	24-Parganas	1,72,895	3
	Nadia	1,07,537	2
	Murshidabad	94,346	2
	Jessore	1,19,769	2
	Khulna	1,08,760	2
Rajshahi ...	Rajshahi	1,11,445	2
	Dinajpur	1,26,178	3
	Jalpaiguri	89,902	2
	Rangpur	1,78,188	4
	Bogra	63,759	1
	Pabna	86,924	2

11. Under Rule IV of the Regulations quoted, the Lieutenant-Governor now desires that intimation may be communicated by the Commissioners of the Divisions concerned to the Chairmen of all the Municipalities and District Boards enumerated in the above lists, requesting them to arrange

for the convening of a special meeting of each District Board and Municipality concerned, at which one of their members may be elected to represent them for the purpose of recommending the nomination of a member in the Lieutenant-Governor's Council. The name of the representative elected in each must be reported at once by the Chairman of the local body concerned for the information of the Commissioner of the Division.

12. The period of two months which is contemplated under Rule VII of the Regulations as the period within which a recommendation shall be made to the Lieutenant-Governor is hereby declared to run from the date on which the Commissioner of the Division issues his invitation to the Chairman of any Municipality or District Board within the group concerned to elect one of their members to represent them for the purpose of recommending the nomination of a member in the Lieutenant-Governor's Council.

13. As soon as the representatives are elected by the local bodies concerned, they will be called upon by the Commissioner of the Division to meet together on an early and convenient date with special reference to the limit of time imposed under Rule VII of the Regulations, and at such convenient place as he may specify, for the purpose of electing by a majority of votes a person whom they will recommend to the Lieutenant-Governor to be nominated as a member of the Council. The names of all candidates put forward at such meeting shall be duly proposed by one of the electoral representatives present. The election shall be by ballot, and the person elected must obtain a majority of the votes of the representatives present. If on occasion of the first ballot an absolute majority is not obtained, the candidate who obtains the least number of votes shall be withdrawn from the election, and another ballot shall then be held for the remaining candidates and so on until an absolute majority is obtained.

The electoral representatives present at this meeting shall elect among themselves a Chairman, who shall preside and be responsible for the fair and proper exercise of the ballot vote.

As soon as the nu[illegible]es by [illegible]ible for the fair and without d[illegible]ay. An additional vote will, however, [illegible] the election is made, the Chairman of the meeting shall [illegible] half a lakh of Rs. or [illegible] variable [illegible] delay report to the Commissioner of the Division the name of the person so elected with the number of votes obtained and any other information which it may appear desirable to communicate, and on behalf of the meeting shall recommend to the Lieutenant-Governor to nominate for Council the person so elected. The Commissioner shall submit the report from the Chairman of the meeting, with any observations he may wish to add, to the Chief Secretary to Government, by whom the recommendations will be submitted to the Lieutenant-Governor.

14. Attention is drawn to the following Rule VI of the Regulations which have been framed by the Governor-General in Council and Secretary of State:—

VI.—It shall be a condition in the case of any person to be recommended by a Municipal Corporation or group of Municipal Corporations that he shall be a person ordinarily resident within the Municipality or the district in which it is situated, or in some one of the Municipalities constituting the group or of the districts in which they are situated. A similar condition shall also apply to persons to be recommended by District Boards.

Under this rule it is not necessary that persons recommended shall be members of any Municipality or District Board concerned, but they must be ordinarily resident within the Division from which the recommendation is made. Subject to this condition, the rules declare no limit of qualification, and it is left to the electoral representatives to recommend a person under Rule V (*c*) according to the majority of their votes.

15. It is desirable that the subsidiary arrangements now sanctioned shall as far as possible be given effect to by the local bodies concerned with the minimum of official interference. Divisional Commissioners and District Magistrates will, of course, afford any assistance which may be required, and do their utmost to facilitate the smooth working of the elections; but Government officers are forbidden to take part directly or indirectly in the election by canvassing, influencing votes, or otherwise interfering with the free choice of the local bodies. No indication should be given by any official member of any of those bodies as to the manner in which he himself intends to vote.

ORDERED that a copy of this Resolution be furnished to all Commissioners for information and guidance, and for communication to all the District Boards and Municipalities in their Divisions.

Ordered also that a copy be published in the *Calcutta Gazette*.

By order of the Lieutenant-Governor of Bengal,

C. W. BOLTON,

Chief Secy. to the Govt. of Bengal.

No. 2308A.

COPY forwarded to the Commissioner of
for information and guidance, and for communication to all District Boards and Municipalities in his Division.

By order of the Lieutenant-Governor of Bengal,

C. E. A. W. OLDHAM,

Under-Secretary to the Govt. of Bengal.

CALCUTTA,
The 31st March 1897.

E. J. H[illegible]—Reg. No. 8680C—350—31-3-97.

1897
Dept.
Enclos. No. 1
To
O. No. 376

CURRENT No. 37

No. 5690 A.

Appointment DEPARTMENT.

———— BRANCH.

All communications to Government should give the Number, Date, and Subject of any previous Correspondence and be addressed to the Secretary of the Department concerned.

RECEIVED 18 DEC 97 REVENUE

From

C. E. A. W. Oldham, Esqre.,
Under-Secretary to the Government of Bengal,

To

The Secretary to the Government of Madras.

Dated Calcutta, the 11th Decr. 1897.

Sir,

In compliance with the request contained in your letter, No. 56, dated the 4th November 1897, addressed to the Legislative Department of this Government, I am directed to forward copies of the Resolutions of this Government noted in the margin, laying down instructions to certain District Boards and Municipalities in regard to the election of members for the Bengal Legislative Council.

Resolution, No. 1533 J,	dated the 25th March 1893.	
" ——	" 29 Jr.,	dated the 6th May 1895.
—— ——		77 Jr., dated the 23rd April 1896.
—— ——		2307 J, dated the 31st March 1897

I have the honour to be,
Sir,
Your most obedt. servant
C. E. A. W. Oldham
Under-Secy. to the Govt. of Bengal.

W. H. McG.—Reg. No. 2178F—3,000—21-7-97.
6—Under-Secretary's half sheet.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

[L. 15]
250—25-11-97

Legislative (1897) Department.

CURRENT No. 349

From

Govt. of Bombay.
Legislative Dept.

Order

No. 304

Dated 29-11-97

Received } 1-12-97
Registered }

Enclosures — 2.

Spare copies —

SUBJECT.

Acknowledging receipt of G. letter No. 86 dated 4th Nov. and forwarding copies of Resolutions regarding the selection of persons for nomination as additional members of the Leg: Co. by Local Boards &c.

(iv) The proceedings will commence at 12 noon on the dates fixed for selection.

(v) There will be no proposing and seconding.

(vi) A printed list containing the names of all the candidates will be furnished for information to each delegate.

(vii) Prior to voting, the delegates may, if they so desire, one after another make set speeches discussing the claims of the candidates.

(viii) No delegate will be allowed to make more than one speech which must be limited to ten minutes.

(ix) The recording of votes for the first time shall be completed by 4 P.M. or so soon as each voting delegate has voted, whichever is earlier. Should it be necessary to have the votes recorded a second time, it shall be finished by 5 P.M. and in no case will voting be continued after 6 P.M. In the event of the voting not being completed on the first day, it shall take place at 9, 10 and 11 A.M. and 12 noon on the second day.

(x) Whenever the votes are recorded and any candidate secures a hopeless minority of votes, the name of such candidate shall be eliminated before the votes are taken again and it shall not be resubmitted for selection.

(xi) If at any time the votes are recorded there are more candidates than two and the result of voting is that two or more persons get an equal number of votes and are in a hopeless minority, the person to be eliminated shall be decided by a majority of votes of the delegates present and voting. If no such majority is obtained and there is a tie, the Collector shall decide on the person to be eliminated.

(xii) If at any time the votes are recorded there are only two candidates and the result of the voting is a tie, votes shall be recorded once again, and if the result be the same, the fact shall be reported to Government and the nomination will rest with His Excellency the Governor at his discretion.

(xiii) The Collector is empowered to give a decision on any point of order or question relating to the interpretation of the rules which may be raised during the course of the selection.

(xiv) If at the end of the time allowed by the rules no candidate has been selected, the fact will be reported to Government.

3. The Government finally desires to convey to Government servants sitting as members of local boards or municipal councils its opinion that it is undesirable that they should take a prominent part in the proceedings held by such bodies for the purpose of carrying out the regulations.

(True Extract.)

M. HAMMICK,
Ag. Secretary to Government.

To all Presidents of District Boards.
„ all Chairmen of Municipal Councils.
„ the departments of the Secretariat.
„ the Collector of Kistna.
„ the Collector of Trichinopoly.
„ all other Collectors.
Gazette.

Exd. A. Rungaswamy Iyengar.

[Appendix.

(v) In regard to the person to be recommended for nomination to the Legislative Council, the Government desires to draw the attention of the municipalities and district boards to Regulation VI of the regulations referred to in instruction (i) *supra*. A municipality or district board in the northern group may propose as a candidate any person resident within the northern group of districts, and similarly a municipality or district board in the southern group may propose any person resident in the southern group of districts. A candidate will be considered to fulfil the requirements of this regulation if he has a fairly practical and real connection with the locality in question, provided that such connection is of a residential character; in other words, he will be regarded as possessing the necessary qualification if he is ordinarily accustomed to visit the locality and to remain there for some reasonably long period at least once a year on the average. No hard and fast interpretation of the words "ordinarily resident" will, however, be laid down, and each case in which the question arises will be dealt with on its merits. Any person desirous of being nominated to the Legislative Council may submit his name to one of the municipalities or district boards in the group wherein he resides, but those local bodies are at liberty to propose as a candidate any person who has not so applied, provided he is properly qualified as to residence. Officials may also be proposed, but His Excellency the Governor may decline to nominate them, in order to maintain the proper proportion of non-officials or for other reasons.

(vi) Upon receipt of the statements referred to in instruction (i) *supra*, the Secretary to Government will compile therefrom a list containing the names of all the candidates proposed in each group and of all the voting delegates, and circulate it as soon as possible to all the municipalities and district boards in the group. This list will be revised on receipt of the additional recommendations referred to in instruction (iii) *supra* and the revised list will likewise be circulated.

(vii) At noon on the day to be appointed by His Excellency the Governor in this behalf, the voting delegates of the northern and southern groups of municipalities will assemble at Bezwada and Trichinopoly, respectively. Each set of delegates will then proceed to select from among the candidates proposed by its respective group of municipalities one person for recommendation to His Excellency the Governor. The voting of the delegates at the meeting shall be open and not by ballot. The person selected must obtain a clear majority of the votes of the delegates present and voting. If at the first time the votes are recorded an absolute majority of the votes of such delegates is not obtained, the voting shall be repeated until such majority is obtained. The selection must be completed by noon of the following day at latest, and the result immediately reported to Government by the Collectors of Kistna and Trichinopoly to whom the general superintendence and arrangement of the proceedings will be entrusted.

(viii) Exactly similar rules will guide the selection of candidates by the northern and southern groups of district boards, except that the delegates will meet at noon on the day following that on which the voting delegates of the municipalities proceed to select a candidate, and must complete the selection by noon of the succeeding day at latest. This distinction in the dates is made in order to avoid the chance of municipalities and district boards selecting the same candidate.

2. The following subsidiary rules have also been framed for the guidance of the voting delegates and the presiding officers at the meetings of the delegates at Trichinopoly and Bezwada:—

(i) The meeting will be held at the—(Here enter place appointed by the Collector of $\frac{\text{Trichinopoly}}{\text{Kistna}}$), $\frac{\text{Trichinopoly}}{\text{Bezwada}}$.

(ii) The public will not be admitted into the meeting; but if the delegates so desire, spectators and Press reporters will be allowed access in limited numbers to the verandahs and to the gallery of the building in which the meeting is held.

(iii) No candidate will be admitted into the meeting, or the verandahs or the gallery of the building in which the meeting is held.

BACK PAPERS.

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

FURTHER PAPERS.

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

gislative, dated 10th May 1899.

revised instructions relating to the selection of
itional members of the Madras Legislative Council are issued to
municipalities:—

ceipt of a request under Regulation IV of the regulations framed
y the Governor-General in Council under clause (4) of section 1 of
the Indian Councils Act, 1892, to recommend persons for nomination as additional
members of the Madras Legislative Council, each municipality and each district board
of the northern and southern groups constituted by the notification appended to G.O.,
No. 32, Legislative, dated 12th April 1893, will submit to the Secretary to Government
in the Legislative Department within one month from the date of the receipt of such
request a statement of two names, one of the person recommended by the municipality
or district board for nomination to the Legislative Council by His Excellency the
Governor and the other of the person appointed voting delegate.

(ii) The voting delegate should be specified by name and not by official designation, if any, and must at the time of his appointment as delegate be a member of the municipal council or district board concerned; but if he ceases to be a member thereof after he has been appointed delegate and more than one month before the date fixed for the meeting of the voting delegates, another person must be appointed delegate by the municipality or district board concerned, and such appointment shall be reported to Government at least fifteen days before the meeting of the voting delegates. The voting delegates must be furnished by the local bodies concerned with credentials for the purpose of proving their identity to the Collectors of Trichinopoly and Kistna on the occasion of the meetings at Trichinopoly and Bezwada.

(iii) The several municipalities and district boards have power to instruct their voting delegates exactly how they are to vote under any circumstances which may arise at the meetings of the delegates. Each municipality and district board is therefore at liberty, after all the recommendations for the northern and southern groups of municipalities and district boards have been made, and one month before the date fixed for the meeting of the delegates, to give to its voting delegate, in addition to the name already specified by it, one or more names to be proposed *seriatim* in the event of the candidature of the person first proposed being withdrawn or falling through, provided that the name or names so given are taken from the list of persons recommended for the group concerned and are reported to Government three clear weeks before the date fixed for the meeting of the delegates.

(iv) Officers in the service of Government will be considered to be on duty during the period for which they are necessarily absent from their offices in consequence of their appointment as voting delegates, and shall receive travelling and halting allowances at the rates to which they are ordinarily entitled. Non-official delegates shall receive these allowances at the rates prescribed in the Civil Service Regulations for officers of the second class, as defined in article 1096 of the Regulations, being treated for this purpose as if they drew the maximum pay of a second-class officer.

(v) In regard to the person to be recommended for nomination to the Legislative Council, the Government desires to draw the attention of the municipalities and district boards to Regulation VI of the regulations referred to in instruction (i) *supra*. A municipality or district board in the northern group may propose as a candidate any person resident within the northern group of districts, and similarly a municipality or district board in the south... ...se any person resident in the southern group of di... ...nsidered to fulfil the requirements of this ... ...real connection with the l...ality in ... ...residential character; in ot... ...qualification if he is ... ...ome reasonably

Enclosures

Reed. } 1899.

Spare copies

Regd.

G.O., No. 59, 10th May 1899.

N. P.

MAY.

Selection of Candidates for nomination to the Madras Legislative Council.

2. (i) Tssuing to the District Boards and Municipalities revised instructions on the subject of the ... of candidates for nomination as additional members of the Madras Legislative Council.

(ii) The public will not be admitted into the m... esire, spectators and Press reporters will be allowed access in limited numbers to the verandahs and to the gallery of the building in which the meeting is held.

(iii) No candidate will be admitted into the meeting, or the verandahs or the gallery of the building in which the meeting is held.

BACK PAPERS.

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

FURTHER PAPERS.

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