

Local & Munl. (1898) Department.

INDEXED. *CR*

PRINTED.

G.O., No. 33 *M*

DATED *6-1-1898*

DESPATCHED

[Despatch Abstract.]

Munl. Council

Stating that the procedure prescribed in Sub. Section 2 of Section 20 of the District Municipalities Act IV of 1884 as amended by Act III of 1897 was not intended to apply to vacancies among nominated Councillors that the question of amending this Section so as to make the intention of the Legislature clear will be considered at the next opportunity.

BACK PAPERS.

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

FURTHER PAPERS.

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

Government {1898} of Madras LOCAL AND MUNICIPAL

Recd. } 1898. *Enclosures*
Regd. } *Spare copies*

G.O., No. 33 M., 6th January 1898.

JANUARY.

Municipal Council.

Stating that the procedure prescribed in sub-section 2 of section 20 of the District Municipalities Act IV of 1884, as amended by Act III of 1897, was not intended to apply to vacancies among nominated councillors, and that the question of amending this section, so as to make the intention of the legislature clear will be considered at the next opportunity.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

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Government {1898} of Mad.
LOCAL AND MUNICIPAL

*Proof for approval.**LR*
*15/1/98**Pross*
stuck off
15/1/98

READ—the following paper :—

From S. H. WYNNE, Esq., Collector and District Magistrate, North Arcot, to the Secretary to Government, Local and Municipal Department, dated Camp, Panapákam, 1st October 1897, Dis. No. 1998-Eng.

M.R.Ry. C. V. Madhava Rau Avargal, Tahsildar of Walajapet, was appointed Chairman and councillor of the above municipality in the place of his predecessor, deceased. Under section 20, sub-section 2 of the new Act (III of 1897), the present Chairman could hold office only for the unexpired remainder of the term for which his predecessor would otherwise have continued in office. As the term will expire on the 2nd instant, I recommend the re-appointment of the present incumbent as Chairman and councillor.

2. The usual nominal list of the council is herewith sent.

Recd.

Enclosures

1898.

Regd.

Spare copies

ORDER—No. 33 M., dated 6th January 1898.

The Government does not consider that the procedure, prescribed in sub-section 2 of section 20 of the District Municipalities Act, as amended by Act III of 1897, was intended to apply to vacancies among nominated councillors. The proposed reappointments are therefore unnecessary.

2. The question of amending this section, so as to make the intention of the legislature clear will be considered at the next opportunity.

(True Extract.)

H. TREMENHEERE,
Ag. Secretary to Government.

To the Collector of North Arcot.

„ all other Collectors.

„ all Chairmen of Municipal Councils.

G.O., No. 33 M., 6th January 1898.

JANUARY.

Municipal Council.

Stating that the procedure prescribed in sub-section 2 of section 20 of the District Municipalities Act IV of 1884, as amended by Act III of 1897, was not intended to apply to vacancies among nominated councillors, and that the question of amending this section, so as to make the intention of the legislature clear will be considered at the next opportunity.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

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From S. H. WYNNE, Esq., Collector and District Magistrate, North Arcot, to the Secretary to Government, Local and Municipal Department, dated Camp, Panapákam, 1st October 1897, Dis. No. 1998-Eng.

M.R.Ry. C. V. Madhava Rau Avargal, Tahsildar of Wallaja, was appointed Chairman and councillor of the above municipality in the place of his predecessor, deceased. Under section 20, sub-section 2 of the new Act (III of 1897), the present Chairman could hold office only for the unexpired remainder of the term for which his predecessor would otherwise have continued in office. As the term will expire on the 2nd proximo, I recommend the re-appointment of the present incumbent as Chairman and councillor.

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The Government does not consider that the procedure, prescribed in sub-section 2 of section 20 of the District Municipalities Act, as amended by Act III of 1897, was intended to apply to vacancies among nominated councillors. The proposed reappointments are therefore unnecessary.

2. The question of amending this section, so as to make the intention of the legislature clear will be considered at the next opportunity.

(True Extract.)

Ag. Secretary to Government.

To the Collector of North Arcot.
„ all other Collectors.
„ all Chairmen of Municipal Councils.

Exd. W. D'Moss,

Local & Munl. (1897) Department.

CURRENT No. 3433-M

*Before
Please return this
after despatching
24/1/98
Sum*

From *The Collector of
North Arcot.*

P.S.
Order
No. 33 M. 6-1-98

The Government does not consider that the procedure, prescribed in subsection 2 of section 20 of the District Municipalities Act as amended by Act III of 1897, was intended to apply to vacancies among nominated councillors. The proposed reappointments are therefore unnecessary.

2. The question of amending this section, so as to make the intention of the legislature clear will be considered at the next opportunity.

Dis. Eng. No. 1998. of 1897

S. H. T. 5-1-98

Dated 1-10-97

Received 5. Oct. 1897

Registered

Enclosures one

Spare copies.

SUBJECT.

Recommending the re-appointment of Mr R.Ry C. V. Madhava Rao as Councillor and Chairman of the Wallajapet Municipality.

*To The Collector of North Arcot
All other Collectors
Chairmen of Municipal Councils*

17 12 97

Reappointment of *Bennett* Chairman Walajapet Municipality
 LOCAL AND MUNICIPAL DEPARTMENT.

C. No. *3433m*

SUBJECT.

FOR ORDERS.

H.M.

W.P. no 1596m. 14-7-97 A.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

MR. N. Madhava Rao,
Tahsildar of Walajapet was appointed
Councillor and Chairman of the Walajapet
Municipality on the 20th July 1897, in the
place of his deceased predecessor. The
Collector states that under subsection
of Section 20 of Act IV of 1884, as amended
by Act III of 1897, the present Chair
man can continue in office only for
the unexpired remainder of the term
for which his predecessor would otherwise
have continued in office, and
as such term expires on the 2nd Oct
1897, the Collector recommends the
reappointment of Mr. N. Madhava
Rao, as councillor and Chairman.
 2. Subsection (1) of Section
 of the Act prescribes the manner
 in which any vacancy in the
 office of Chairman or Municipality

Councillors appointed under this Act should be filled and subsection (2) of the same section lays down that "the person so appointed shall, subject to the provisions of clause (ii) of subsection (1) of section 14 hold his seat for the unexpired remainder of the term for which his predecessor would otherwise have continued in office, but shall, if ~~he~~ otherwise qualified, be eligible for reappointment".

To the new Act contemplates (vide the proviso to section 17) a system of general elections, under which elections in all municipalities should take place simultaneously on a certain fixed date once in three years, the provisions of subsection (2) of section 20 can be understood in the case of vacancies in elective seats, for such a procedure will preserve the uniformity of the system by ensuring that all the elected members vacate their seats on the prescribed date, so that there can be no difficulty in holding the general elections procedure laid down by that section however seems to be unnecessary and unmeaning in the

vide also page 9 of the Proceedings of the Legislative Council of Madras
May N.

This must be so, for how can we say what the unexpired remainder of an off. predecessor's term would have been, seeing that under S. 18(2) an off. vacates office on transfer, which may happen at any time

BN
31/12/97

Otherwise all nominations made on deaths etc. would have to be repeated.
H.T.

4
Case of vacancies among nominated Councillors. All the ^{nominated} members in a municipal council have not been appointed on the same date and there is no provision in the Act to enable Government to bring about uniformity in the date of appointment of nominated members, similar to that contained in the Proviso to subsection (1) of section 17, under which the Government can order by a notification, that all elected members shall vacate office by a prescribed date. It is therefore submitted that subsection (2) of section 20 is obviously intended to apply only to vacancies in elective seats, and ^{that} the procedure prescribed therein need not be followed in filling vacancies in the nominated seats, as it will be quite unnecessary in such cases. If this view is correct the question of amending this section so as to make this intention clear may be considered at the next opportunity.

The draft order on the curve is submitted for approval.

PR
16/12/97

HT
17/12/97

Despatched 2.10.97
Dated _____

NORTH ARCOT, COLLECTOR
Camp Panapakkam 1-11-97
No. 1998 of 18

From

S. H. Wynne Esquire
Collector & District Magistrate,
34381

To

North Arcot.
The Secretary to Government.
Local and Municipal Department
Fort Saint George.

Sir,

Mr. Venkatasubramanian
dated 28 October 1897

? instant

Subby. CV. Maskra Ram Sanyal,
Tahildar of Kulkaja, was appointed Chairman
and Councillor of the above Municipality
in the place of his predecessor deceased.
Under Section 20, Subsection 2 of the New
Act (III of 1897) the present Chairman
could hold office only for the unexpired
remainder of the term of office for which
his predecessor would otherwise have con-
tinued in office. As the term will expire on the
2nd proximo, I therefore recommend the re-
appointment of the present incumbent as
Chairman and Councillor.
2. The usual nominal list of the Council is
herewith sent.

I have the honor to be,
Sir,
Your most obedient servant,

led Cab

Collector & District Magistrate

THE COLLECTOR OF
NORTH ARCOT.

Maximum strength - 16

Shewing the present Constitution of the Wallaja Municipality

Names of Members	Date of appointment or election. If vacant, the word vacant should be entered against each	Official or nonofficial	Remarks Date & Cause of vacancy.
The Head Assistant Collector Ex-officio Councillor			
Mr. C. V. Madhavan Aiyar	20. 7. 1897	official	Chairman
" J. Sivasami Aiyar	23. 3. 1897	do.	
" M. Rangasami Aiyar	12- 1- 1897	do.	
" Mr. Thanthani Aiyar	26- 3. 1895	non official	
" W. Vijaya Raghavan Mudaliar	14. 7. 1896	do.	
" P. Alwar Chetti garu	12. 2. 1895	do.	
" J. Kuppusami Chettiar	22- 9. 1896	do.	
" P. Varudayya Naider	8. 1. 95	do.	
" P. T. Ranganasami Chetti garu	12- 11. 95	do.	
" V. Ramasami Chetti garu	do	do.	
" K. Chinnasami Chetti garu	10- 12- 94	do.	
" M. Viswanatha Aiyar	10- 6- 95	do.	
" N. Pappi Chetti garu	16- 3- 97	do.	
" C. Thirukenguda Mudaliar	8- 1- 95	do.	
" Hakkim Basmudin Saib	9- 10 94	do.	

Dated
Despatched
Received

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No.

ENCLOSURE.

SUBJECT.

33
Inf. 6-1-98

Cd.
1. 1897.

Collector
For Collector