

2. Date of issue 9-2-37
3. Initial of Referencer
M.R.O. 1-20,000-10-10-37

MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

G.O. No.	34	Press Min.
Dated	7-1-	1937

Not to be folded or roughly handled

9/2/37

Proceedings of the Madras Government, Public Department,
7th January 1870.

No. 51. Read the following letter from the President of the Municipal Commissions in Malabar, to the Chief Secretary to Government, Fort Saint George, dated Calicut, 17th December 1869, No. 38.

I have the honour to solicit the instructions of Government as to whether I can, as President of a Municipality, decline to forward to Government a resolution passed by a majority of the Commissioners.

2. The Cochin Municipal Commissioners passed a resolution that certain correspondence should be referred for the orders of Government. As, in my opinion, the matter was not one on which the Government order was necessary, I declined to carry out the resolution. The Commissioners now doubt the legality of my proceedings.

3. I do not ask Government whether, in this particular case, I am right in refusing to carry out the wishes of the Commissioners. The correspondence is not forwarded herewith; and in the exercise of my discretion I shall not forward it unless Government direct that a President must, in all cases, carry out the resolutions of the Commissioners.

No. 52. ORDER THEREON, 7th January 1870, No. 34.

The Government consider that, in the absence of express provision in the Towns' Improvement Act, the President of a Municipality is at liberty to use his discretion as regards compliance with resolutions or orders of the Commissioners. Should the latter feel aggrieved by his action, it is open to them to address Government by petition.

(True Extract.)

Acting Chief Secretary.

To the Officiating President of the Municipal Commissions in Malabar.
,, President of the Municipal Commissions in

Encl. J. Wright.

Vol. 100 p. 100 3

M. H. H. H. H. H.
Magistrate and President
of Municipalities in Malabar.

The Honble R. B. Ellis, Esq.
Chief Secretary to Government
Fort St. George.

Sir
I have the honor to solicit the instructions
of Government as to whether I am as President of a Mun-
cipality directed forward to Government a resolu-
tion passed by a majority of the Commissioners.
The local Municipal Commissioners passed a
resolution that certain correspondence should be referred
for the order of Government. As in my opinion I was
in a position to forward the Government Order was
not made. I have not the resolution. The
Commissioners doubt the legality of my proceedings
as I do not ask the Government whether in the particular
case I am right in refusing to carry out the wishes of
the Commissioners. The correspondence is not yet written
by me, and in the exercise of my discretion I shall
not forward it unless Government direct that
the President must in all cases carry out the resolutions
of the Commissioners.

I have the honor to be,

Sir,
Yours most obedt.

A. H. H.

Magistrate

Govt. of 1870} ~~Madras~~

PUBLIC.

To

THE OFFG. PRESIDENT of THE
MUNICIPAL COMMISSIONS
in MALABAR.
Ac., Ac., Ac.

Dated January, 7th.

Recd.

Recd.

G. O., 7th January 1870, No. 34.

JANUARY.
Nos. 61-62.

Considering the President of a Municipality not
to be bound to forward to Government a resolution
passed by the majority of the Commissioners.

57 V-522.-
 51-8-52

With an order.

Following instructions as
 to whether the President of
 a Municipality can decline
 to proceed to Government a
 resolution passed by a
 majority of the Council
 Members.

1838

Date 15th December
 Received 1869.

The Chief Secretary
 to Government
 Fort St. George

From
 The Legislative and
 Resident of Malabar
 Malabar

No 34 dated 7 January 1870

The Government consider that the
 of express provision in the ^{Local Government} ~~municipal~~ act, the
 dent of the municipality is at liberty to use his
 criterion as regards compliance with ~~any~~ resolution
 orders of the Commissioners. Should the latter feel
 by his action, it is open to them to address government
 petition.

W. L.

To the Offl President of the Municipal Comm^y in Malabar. ~~12/1~~
 To the President Mr. ~~Government~~ in all ~~the~~ ^{the} Districts
 including ~~Comm^y~~ Malabar. ~~17/1~~