

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. <i>805</i>	Press ~~Mis~~
<i>30-31</i>	
Dated <i>6-6-1865</i>	

47

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,

6th June 1895.

No. 30. Read the following letter from E. B. FOORD, Esq., Acting Collector of Ganjam, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Chetterpore, 1st February 1865, No. 22.

Adverting to Order of Government, Judicial Department, No. 1083, of the 14th December 1864, I have the honor to submit, for the approval of the Governor in Council, a set of Rules for carrying out the provisions of Act XXVI of 1850, drawn up by the Municipal Commissioners of the town of Chicacole, as well as an account of receipts of the association, and to request a grant of Rupees 3502-6-7, to assist the Commissioners in carrying out their projects for the improvement of the Town.

No. 31. ORDER THEREON, 6th June 1865, No. 805.

The Collector of Ganjam submits the rules framed by the Municipality of Chicacole, for sanction.

2. The Governor in Council observes that the whole of the rules, with the exception of those marginally noted, have been drawn, almost unaltered, from the 1st set of amended Rules for the Civil Pettahs of Bellary. A copy of the Order of Government in that case, No. 168 of 31st January 1865, will be furnished to the Commissioners, who will revise the rules referred to, in accordance with the directions therein contained.

3. The Government proceed to notice the other Rules:—Rule XXIV.—The Governor in Council cannot sanction the imposition of the taxes provided for in this rule. The Municipality must confine itself to the modes of taxation provided for in the Bill which has just been published, and which will probably become law in the course of a few months.

4. Rule XXXI, the Government cannot allow to stand. It is contrary to all rule that the Tahsildar, a servant of Government, should be bound to act as the servant of a *quasi* private Association. Other arrangements must be made for the custody of the cash; although the Government do not object to a sealed box being kept in the Taluq Treasury for the safe-guard of the seal, of which the Treasury Officials shall be responsible.

5. Rule XXXII may be found inconvenient, in the event of the absence of the President on duty, and should be modified.

6. Rule XL cannot be allowed to remain as it now stands. The Commissioners are referred to Section 27, Act XIV of 1856, for the only power which the Government are prepared to allow.

7. Rule XLVIII, Clause (e), is much too wide. Under its provisions the President riding to the Taluq Cutcherry, and leaving his horse at the door while he spoke to the Tahsildar, would be liable to fine of Rupees 50 for nuisance. The Clause must be re-modelled.

8. It is desirable that the Commissioners should provide for their appearance by some one of their number or officers, in any Court, in order to avoid the necessity for Vakalatnamahs in cases of prosecution. A provision to this effect should be made, and the revised rules be re-submitted to Government.

(True Extract).

Chief Secretary.

To the Collector of Ganjam (with copy of the Proceedings of Government, No. 168, and the Rules returned).

Ed. J. H. Burns.

Acc^t Receipts of the Municipal Association of
Chicago from 1st Oct 1861 to 31st Dec 1861.

Year	Receipts -	Amount	Governor now able
1861	Amount received from Mrs. Hooper	95 99	95 99
1861	Amount deposited by one D. Bangari		
	Sale of a house	45	
	Assessment on houses	348 17 34	
1862	Assessment on houses	1420 84	1420 84
	Rents of shops	21	21
	Sundries	3 8 2	"
1864	Assessment on houses	144	144
	Rent	9	9
	Market fees	27 4 11	27 4 11
		9 2 10	9 2 10
		7 " "	"
		100	
	Sum		
	Balance of ad- of Dr. J. Bandyhire	2	"
	of Dr. J. Coleman	4 8	
	Received from J. A. ...	25	
		3679 10 7	3502

J. L. Cooper
Mayor of Chicago

E. J. ...
(H. R.)

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the Collector of Ganjam.

(Here enters 1st February 1868 No. 22)

Order thereon 6th April 1868 No. 805

The Collector of Ganjam
submits the rules framed by
the Municipality of Chicacole
for sanction.

1. XII-XV. XXIII. XXIV-XXVIII.
XXXI. & XXXII. XL & XLVIII (in part)

2 The Governor in Council
observes that the whole of the rules,
with the exception of those
marginally noted, have been
drawn almost unaltered, from
the 1st set of amended Rules for
the Civil Pottahs of Bellary. A
copy of the order of Government in
that case No. 168 of 21st January 1868
will be furnished to the Com-
missioners who will revise
the rules referred to in accordance
with the directions therein con-
tained.

3 The Government proceed

Mr
Jt
Wm

to notice the other rules. Rule ~~XXIV~~ is one which, the Government fear, is susceptible of great misuse and likely to lead to extortion and oppressions. It appears to the Government that to tax every person entering a town there must either be a number of persons so great as to render the establishment most expensive, or the operation of the rule must be very partial. The imposition of a tax on a loaded bullock, laden with a basket, and the Government trust that the Commissioners will see the wisdom of modifying this rule. The other assessment rules appear to the Government to be judicious and well framed.

4 Rule ~~XXX~~ the Government cannot allow to stand. It is contrary to all rule that the Tahsildar, a servant of Government, should be bound to act as the servant of a quasi-private

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5 Rule ~~XXXII~~ may be found inconvenient in the event of the absence of the President on duty and should be modified.

6 Rule ~~XL~~ cannot be allowed to remain as it now stands. The Commissioners are referred to Section ~~XXXVII~~ Act XIV of 1856 for the only power which the Government are prepared to allow.

7 Rule ~~XLVIII~~ cl (c) is much ^{too} wide. Under its provisions the President riding to the Taluk Cutcherry and leaving his horse at the door while he spoke to the Tahsildar would be liable to fine of Rs. 50 for nuisance—The

Clause

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Shd

desd 7/6 { to the Collector of Angam
with copies of the Propos.
+ the rules n^o 168 -

Index 1865 Department.

No 805.

PROCEEDINGS OF GOVERNMENT.

Dated 6 June 1865