

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 355

Dated 16th Feb. 1895.

INDEXED.

[Despatch Abstract.]

LOAN FOR THE COCHIN MUNICIPAL COUNCIL

Declining to advance the sum required by the Municipal Council, Cochin, for the purchase of a fire engine, but informing that the Government will not raise any objection to the Council's raising a loan for the purpose in the open market provided that the formal application required by G.O., dated 8th February 1889, No 322 L., is not open to exception on other grounds.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	2800		19-11-94				

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	2613 618/97.		1895				

Local & Municipal Dept.

PR CURRENT No. 1027

Chairman Municipal Council, Cochin

To, The Chief Secretary to Govt. Madras.

No. 275.

Dated 24th December 1894.

Recd. in Ind. 19/1

CHIEF SECRETARY
GOVERNMENT OF MADRAS

Reporting that the Municipality has no funds to purchase a new Fire Engine and requesting therefore that a loan of Rs 1500 may be granted to the Municipality to enable it to do so.

PR CURRENT NO 216
No. 40 of 18-1-95

Transferred to the Judicial Department.

W. Francis

Assistant Secretary

18/1/95
Forst. Secy.
7 January 1895

Recd - 19/Jan/95

To The Judicial Department.

2800 = 19-11-94 mi.
1888 = 4-8-94 sc
849 = 9-4-94 sc

Cochin Fire Engine

Please see G.O. 2800
9.11.94

For orders.

The Municipality now asks for a loan of Rs 1500 repayable by five annual instalments. - The formal application required by Para. 6 of the Govt. of India Resolution to be found at page 8 of G.O. of 8 February 1889 No 322 has not been submitted. - It has been ascertained in "Local & Municipal" that the Cochin Council would be able to repay the loan in five years, that it can hardly find the money required without raising a loan. Perhaps however the loan should be raised in the open market.

I submit that it is very doubtful whether para 4 (1) of the Resolution of the G.O. J. (at page 4 G.O. No 322 dated 8/2/89) can be held to apply to a case such as the present. It appears to me that from the examples given that so wide an interpretation of the "kind" works of public and general convenience and utility as would cover the purchase of a fire engine would be altogether beyond the intention of the rules.

I don't think it 6/2/95 was ever intended that Govt. should grant loans for the purchase of such articles like fire engines. But I don't know that there is.

* any objection to their
raising loan in
the open market - At
least, I know of none

7/2/95

I think they may be all owed
to borrow the money in the
open market

10 13 Feb 25 1/2

No. 2800 of 19. 11. 94
C. 216

Order 16 Feb 1895

The Govt is not prepared to
advance the sum required for the
purchase of a fire engine but will
raise no objection to the
Council's raising of a loan for the purpose
in the open market, provided that the
formal application required by
Co. 278 February 1894 No. 322 is
not open to exception on other
grounds.

(from order)

14.2.95

The M.C.C. Cochin (etc) 1895
The M.C.C. Department (etc)

Note for Co.

Loans at the open market must be
"for the construction or repair of works
of public utility... or for the benefit of
the inhabitants... - the validity is
the same as the case of
Govt loans.

14.2.95

Ind. 10000
67/2

216

Municipal Office
Cochin, 24th December 1894.

Local & Municipal Dept

From, S. Locke Esquire, CURRENT No. 15911.
Chairman Municipal Council, Cochin,

To, The Chief Secretary to Government.

Madras.

Sir,

With reference to G. Os. Nos 2800 & 2888 dated respectively
by the 19th November 1894, I have the honor to state that
the Municipal Council at its meeting held yesterday, after
fully discussing the question of ways & means of obtaining
a new Fire Engine at its own cost, - passed a resolution
that as the Municipality has absolutely no funds to purchase
one, the Government be requested to grant a loan of Rs 1500
to the Municipality, to enable it to do so, - the loan being
"repayable by annual instalments of Rs 100, with the
usual interest."

2. In submitting this resolution, I beg to add that
owing to indisposition, I was prevented from being present
at the meeting, and that I think, if the Government
be pleased to sanction the loan, arrangements
could be made for repaying the same in

Five

Five Annual instalments of Rs. 300.

I have the honor to be,

Sir,

Your most Obedt. Servant

J. Locke
Chairman.

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When examined _____
When signed _____

READ AGAIN G.O., No.
189 ,

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

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LETTER OF GOVERNMENT

STATEMENT WITH DITTO

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NOTE FOR THE UNDER SECRETARY.

I don't see in the Rules any
warrant for Govt. making
this loan, where is there
anything permitting it.

20

21/1/95

Please see para 4 (1) of Govt of India
Resolution (page 4 of No. 3224): a fire-
-engine is not ^{really} a work of "public &
general convenience & utility"; but the
purchase construction of it would be,
so I suppose would the purchase of it.

2

4.2

Remember before I made this
remark, it strikes me that
it does not refer to a case such
as this one.

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189

READ AGAIN G.O., No.
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