

Local & Munl. (1895.) Department.

MISCELLANEOUS.

G.O., No. 1017 L.

DATED 17th June 1895

[Despatch Abstract.]

Constitution of Vercaud ~~into~~ a Municipality.

Informing the Collector of Salem that a better course would be to constitute Vercaud a municipality and requesting him to report his own opinion and that of the Planters' Association upon this proposal.

BACK PAPERS.

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

FURTHER PAPERS.

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

DEPARTMENT.

[G.]
24
500-26-6-94.

Papers to be read in Proceedings:—

Again G. O., dated

189 , No.

Again G. O., dated

189 , No.

Current No.

of 189 , dated

from

Current No. 1369 L of 1895, dated 12.V.95 from the Collector of Salem.

ORDER.

8/17.6.95 No. 1017 Linn

The Government is inclined to think that a better course than that proposed by the Collector would be to constitute Yercaud a Municipality.

2. The Collector will be requested to report his own opinion and that of the Planter's Association upon this proposal

(from orders)

Cgt

31.V.

1/6/95

To

The Collector of Salem.

12/12.20/6/95

Note

The population of the smallest existing municipality, Coonoor, is 6,049. The only others with a population of less than 10,000 are Anandapur (8,994) and Bimlipatnam (9,827). The population of Yercaud is only 1,338.

Should this fact be brought to the H.H.'s notice? These figures are submitted for the H.H.'s information before the order issues.

Cgt

2.VI.

1/6/95

I know the place is very small. But if it were a Union the taxes that could be raised would be more commensurate with its needs than if it were a Union

Seen 2/11/95

Constitution of Gereand into a m.

H.M.
C.S.

(from orders)

with a note for H.M.

1017 L

C 11/6. May 36'
R 1/3/6

[G.]
25.
600-7-5-95.

L. and M. DEPARTMENT.

C. No. 1369 L

FOR ORDERS.

I don't myself see any objection to the proposal - but why not make Gereand a municipality let the planters manage it anyway they please? That would be a much better thing to do. Ask Cols. for his opinion of the Planters Assn.

29/5/95

In 1890 the District Board of Salem proposed to make Gereand and seven adjacent villages into a union. The proposal was negatived on the ground of the insignificance of the minor villages and their distance from Gereand, and the Board were told to submit fresh proposal if they thought that Gereand alone should be made into a union.

2. The Taluk Board and the Planters Association were both opposed to this and the matter dropped for the time.

3. The Collector has since induced the Planters Association to change their minds and they are prepared to accept a union on condition that it is placed directly under the control of the District Board.

4. Mr. Stokes proposes to arrange for this by excluding Gereand village by notification from the local fund Taluk of Salem and also Government's approval to the proposal.

is apparently strictly
it is much to be doubted if
the legislature ever intended such a
use to be made of the power of notifica-
tion. There is no precedent for it, for the
case of handysil in 1890 quoted by the
President relates to a time when there
were no Taluk Boards in Kurnool.

6. Moreover there do not appear to be
any sufficient reasons for treating
Gereand in a way different to other
unions. The President of the Taluk Board
is not likely to interfere with ^{European residents} ~~European residents~~ much
and if protection of their interests is
necessary planter members can be
appointed to the Board.

7. The following order is suggested:—

"The Government is not prepared
to adopt the course proposed by the Presi-
dent. While agreeing with the District
Board that the constitution of ^{into a union} ~~unions~~
at Gereand is desirable it cannot
admit its claim to be treated in
any way differently to the other unions
in the district."

There seems no just reason why
Gereand if formed into a union
should be put upon a different
footing from other unions in
the district. The objection raised
by the Planters Association is
a mere sentimental one

20
28/5

Constitution of Gereand into a

FOR ORDERS.

H. M.

SHEVAROY PLANTERS ASSOCIATION,
YERCAUD.

May 8th 1895.

The Chief Secretary
to the Government of Madras
through the Collector of the District,
Salem.

Sir,

Have the honor to inform you that I am directed
by the Shevaroy Planters Association to bring the following
facts, for submission to H. E. the Governor-in-Council:—
Gereand is a Sanatorium and is coming, year by year,
into greater prominence and favor as a hot weather
resort.

The roads and sanitation leave very much to be desired—
in fact, H. E. when he was here in 1891 was good enough to
express the opinion that the grant for the station roads
[Rs 240. for 8 miles] was decidedly, even ludicrously, inadequate
but all applications, to the Taluk and District Boards, to
increase it have been unsuccessful; and, the Collector, who
is ex officio President of the District Board, is strongly in favor
of forming an Union up here and promises, that if the
Residents will so far help themselves, there will probably
be no difficulty in getting the Board to assist them by
placing further funds at their disposal.

3. The opinion of the Taluk Board, Salem,
was then called for on this point: it resolved
at its meeting held on the 26th July 1890, that
it was not desirable to constitute Gereand

into a union. The matter was then allowed by the District Board to drop, as it was known that the European Community did not favour the scheme and shortly after this, the Planters' Association passed a Resolution strongly against the formation of Yercaud into a union. I have however, ever since, lost no opportunity of impressing on the European portion of ^{the} Yercaud Community, the desirability of bringing the sanitation of Yercaud under same control. Other facts have also brought the need of action home to their minds and they have now come so far as to say that there is no objection to a union, provided, the Control of the Panchayat can be placed under the District Board. (vide Resolution of the 4th February 1895).

This Resolution of the 4th February 1895, was brought before the District Board and the following Resolution was passed at its meeting held on the 22nd February 1895:-

"The position which the Planters' Association would.

2
"would claim to set up, is not possible as the Law stands at present. If a union in Yercaud is to be established, as the Board think it should be, it can only be so, under the Taluk Board."

Since the above Resolution was passed by the District Board, it has, however, been brought to my notice that though the interpretation of the Law as then laid down, probably is quite correct, it is possible to give effect to the wishes of the Planters' Association as detailed below and that the amendment of the Local Boards' Act ~~called~~ asked for by the Planters' Association, in the letter now submitted, is not so necessary.

In Section 3 (11) of the Act, "Taluk" is defined as "any part of a District which may be declared to be a Taluk in the manner hereinafter provided."

Section

Section 5 lays down - "The Governor in Council
"may, by notification, from time to time, declare
"any part of a District to be a Taluk for
"the purposes of this Act, and the provisions
"of this Act regarding Taluk Boards, shall come
"into force" in any Taluk on such date as
"may be specified in the said notification.
"Provided that the Governor in Council,
"may in like manner, at any time, modify
"or Cancel such declaration. x x x".

Section 167 of the Act runs as under:-

"Notwithstanding anything hereinbefore contained,
"the District Board of any District having
"authority over any part of such District
"where there is no Taluk Board, and the
"President of such District Board shall -
"have the rights and exercise the powers
"and perform the duties of a Taluk Board
"and of the President thereof respectively
"such part of the District"

Thus.

3
Thus under Section 5, the Yercaud Village
proposed to be constituted into a Union
may be excluded from the Salem Taluk -
Boards, by modifying the Jurisdiction of the
latter. Under Section 167, the proposed Union
will then come under the Jurisdiction of the
District Board.

In 1888-89, there was one Union viz. Nandyal
Union in Kurnool when there was no Taluk Board
in that District. This Union Panchayat was, being
controlled by the District Board - vide para 7
of G. O. $\frac{10.2.90}{269 \times 270}$ (top of page 5.)

The District Board's Resolution shows
that it is in favour of making Yercaud into
a Union.

If Government is prepared to act
as above suggested, I would ask that
orders may be passed in the matter in view
to enable me to lay the proposal to Government.

Department.

Local & Municipal Dept.

From the Collector 1369

and District Magistrate,

Despatched 13-5-95 Salem.

To The Chief Secretary to
Government -
Local & Municipal
Department
Madras

Dated 12th May 1895.
14 MAY. 95

No. 1965

Enclosures 2

Subject.

Submitting with remarks, letter
of the Secretary, Planters' Asso-
-ciation, Yercaud, regarding
the Constitution of Yercaud
into an Union

Yercaud into a Union.

the District Board,

at its next meeting which
will be on the 31st Inst.

Thermentahayar
Hos Collector.

Copy
file
13.5

13.5

When given for copying
When copied
When examined
When signed

189

READ AGAIN G.O., No.
189

DATED

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 = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.