

# Local & Munl. (1895) Department.

MISCELLANEOUS.

G.O., No. 1460 M.

DATED 9th September 1895

8/8/86 / PA  
2/2/88 bel

[Despatch Abstract.]

Municipal Commission.

Recording Proceedings of the meetings of the Madras Municipal Commissioners held on the 31st May and 5th, 7th and 14th June 1895.



# BACK PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|------|-----|-------------|-------|
|      |     |             |       |      |     |             |       |

# FURTHER PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|------|-----|-------------|-------|
|      |     |             |       |      |     |             |       |

[ 7 ]

# INDEXED.

Miscellaneous.

|                           |        |
|---------------------------|--------|
| LOCAL AND MUNICIPAL DEPT. |        |
| G.O., DATED               | 9-9-95 |
| No.                       | 1460/m |

When given for copying.

[Despatch Abstract.]

Mund. Commission

Recording proceedings of  
the meetings of the Madras  
Mund. Commissioners held  
on the 31<sup>st</sup> May and 5<sup>th</sup>, 7<sup>th</sup>,  
and 14<sup>th</sup> June 1895.



READ AGAIN ORDER OF GOVERNMENT, DATED  
1895. No. MISCELLANEOUS.

BACK PAPER, No.

OF 189

FURTHER PAPER, No.

OF 189

ENCLOSURES

CURRENT No

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DISPATCH  
IN ORIGINAL (not pagged).

N.B.

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

Copied by

Examined by

Genl. Deptt.  
12

CURRENT 1895-2749/1

## Madras Municipality.

From

The President,

Municipal Commission,

MADRAS.

To

The Chief Secretary  
to Government

Frank St. George

G. No. 322

Dated

2<sup>nd</sup> September 1895

Despd.

2<sup>nd</sup> 1895

Recd.

ROSLER 23

Enc. P.

### SUBJECT.

Forwarding full proceedings  
of the meetings of the  
Commissioners together with  
copies of abstract proceed-  
ings dated 31 May, 5, 7 and  
14 June 1895.

*N. order 9.9.95. No 1460 minis*

Recorded.

V.N.  
5/9/95

M.B. 2/5

79. 25/9



MINUTES of the PROCEEDINGS of an ADJOURNED SPECIAL MEETING of the MUNICIPAL COMMISSIONERS for the City of Madras, held at their Office Premises, No. 22, Errah Bauloo Chetty Street, Black Town, on Friday the 14th June 1895, at 4-30 P.M., under the provisions of the City of Madras Municipal Acts I and VII of 1884 and II of 1892.

PRESENT:

Lieutenant-Colonel G. M. J. Moore, C.I.E., *President*.  
M.R.Ry. Salla Gurusawmy Chetty Garu.  
M.R.Ry. P. M. Sivagnana Mudaliar Avargal.  
Covasjee Eduljee, Esq.  
M.R.Ry. M. Varadarajulu Chetty Garu.  
M.R.Ry. G. Subbarayalu Chetty Garu.  
V. Mahomed Sheriff, Khan Bahadur.  
J. DeCaster, Esq.  
M.R.Ry. V. Varadappa Navudu Garu.  
The Hon'ble P. Rungiah Nayudu Garu.  
M.R.Ry. Rai Bahadur A. Dhanakoti Mudaliar Avargal.  
Surgeon-Major G. L. Walker.

*Report of the Committee appointed by the Commissioners at their Meeting held on 28th January 1895 on Mr. Cousins' schemes for the improvement of the Drainage and the Water-supply of Madras.*

Proposed by the Hon'ble P. Rungiah Nayudu Garu and seconded by Surgeon-Major G. L. Walker—

"That in view of the small number of Commissioners present and the importance of the subject under discussion the Meeting be adjourned till Wednesday the 25th June 1895, at 5 P.M."

Carried.

Municipal Office, Madras,  
June 1895.

G. M. J. MOORE, Lieut.-Col.,  
*President, Municipal Commission.*

4  
2749



MINUTES of the PROCEEDINGS of an ADJOURNED SPECIAL MEETING of the MUNICIPAL COMMISSIONERS for the CITY of MADRAS, held at their Office Premises, No. 22, Errah Baloo Chetty Street, Black Town, on Friday the 7th June 1895, at 5 P.M., under the provisions of the City of Madras Municipal Acts I and VII of 1884 and II of 1892.

PRESENT :

Lieutenant-Colonel G. M. J. Moore, C.I.E., *President*.  
M.R. Ry. P. Theagaroya Chetty Garu.  
M.R. Ry. R. Balakistnama Chetty Garu.  
M.R. Ry. R. N. Pragasa Mudaliar Avargal.  
M.R. Ry. Salla Gurusawmy Chetty Garu.  
M.R. Ry. M. Venkataramiah Chetty Garu.  
M.R. Ry. P. M. Sivangnana Mudaliar Avargal.  
M.R. Ry. P. V. Kistnasawmy Chetty Garu.  
M.R. Ry. M. Varadarajulu Chetty Garu.  
M.R. Ry. G. Subbarayalu Chetty Garu.  
V. Mahomed Sheriff, Khan Bahadur.  
M.R. Ry. M. Ramakistnaiya Pantulu Garu.  
J. DeCaster, Esq.  
M.R. Ry. V. Varadappa Nayudu Garu.  
The Hon'ble P. Rungiah Nayudu Garu.  
B. Loverly, Esq.  
N. Subrahmanyam, Esq.  
M.R. Ry. Rai Bahadur A. Dhanakoti Mudaliar Avargal.  
M.R. Ry. M. O. Parthasarathy Iyengar Avargal.  
M.R. Ry. G. Subramania Iyer Avargal.  
Surgeon-Major G. L. Walker.  
Surgeon-Major J. Maitland.

*Report of the Committee appointed by the Commissioners at their Meeting held on 28th January 1895 on Mr. Cousins' Schemes for the improvement of the Drainage and the Water-supply of Madras.*

Proposed by the Hon'ble P. Rungiah Nayudu Garu and seconded by Mr. N. Subrahmanyam—

"That the Meeting resolve itself into Committee."

The proposition, on being put to the Meeting, was lost.

Surgeon-Major G. L. Walker proposed an amendment seconded by Surgeon-Major J. Maitland—

"That the following be omitted :—  
Tax on Vehicles, Animals, Carts, &c.,  
Profession tax,  
Tax on Liquor Shops,  
Petroleum tax,  
Request to Government for remission of Rs. 50,000 contribution,  
and the following be added :—  
that a new tax on Patent Medicines and Proprietary Articles sold within the limits of the Municipality be imposed,

that the House tax be increased,  
that the Tolls be increased."

Mr. N. Subrahmanyam proposed an amendment seconded by the Hon'ble P. Rungiah Nayudu Garu—

"That 100 per cent. be substituted for 50 per cent. in the Tax on Vehicles, Animals, Carts, &c.,  
That the following be added to the Profession tax :—  
that schedule A be amended so as to affect all persons whose income is Rs. 20 per mensem and upwards,  
That the tax on Petroleum be omitted."

Proposed by M.R. Ry. R. N. Pragasa Mudaliar Avargal and seconded by M.R. Ry. V. Varadappa Nayudu Garu—

"That the Meeting adjourn till Friday the 14th June 1895 at 4-30 P.M."

Carried.

G. M. J. MOORE, Lieut.-Col.,  
*President, Municipal Commission.*

Municipal Office, Madras,  
June 1895.

"That, with reference to Resolution No. 6 of 5th April 1895, in the amended Vaccine bye-law 8 (a) 'seven' be altered to 'fifteen.'"

Carried.

The rest of the proceedings were recorded.

Proceedings dated 19th April 1895 were recorded.

Proposed by Mr. N. Subrahmanyam and seconded by Mr. DeCaster—

"That, with reference to Resolution No. 10 of 3rd May 1895, the increased pension to G. C. Manickum Chetty, late Manager and Book-keeper, take effect from 3rd May 1895."

Carried.

The rest of the proceedings were recorded.

The Meeting terminated.

G. M. J. MOORE, Lieut.-Col.,  
*President, Municipal Commission.*

Municipal Office, Madras,  
June 1895.



MINUTES of the PROCEEDINGS of an ADJOURNED GENERAL MEETING of the MUNICIPAL COMMISSIONERS for the CITY of MADRAS, held at their Office Premises, No. 22, Errah Bauloo Chetty Street, Black Town, on Wednesday the 5th June 1895, at 5 P.M., under the provisions of the City of Madras Municipal Acts I and VII of 1884 and II of 1892.

PRESENT:

Lieutenant-Colonel G. M. J. Moore, C.I.E., *President*.  
M.R.Ry. P. Theagaroya Chetty Garu.  
M.R.Ry. R. Balakrishnama Chetty Garu.  
M.K.Ry. R. N. Pragasu Mudaliar Avargal.  
M.R.Ry. Salla Gurusawmy Chetty Garu.  
M.R.Ry. M. Venkataramiah Chetty Garu.  
Haji Muhammad Abdul Hafi Badsha Sahib.  
M.R.Ry. P. V. Kistnasawmy Chetty Garu.  
M.R.Ry. M. Varadarajulu Chetty Garu.  
M.R.Ry. G. Subbarayalu Chetty Garu.  
V. Mahomed Sheriff, Khan Bahadur.  
M.R.Ry. M. Ramakrishnaiah Pantulu Garu.  
J. DeCoster, Esq.  
J. P. Nicholas, Esq.  
M.R.Ry. V. Varadappa Nayudu Garu.  
The Hon'ble P. Rungiah Nayudu Garu.  
B. Lavery, Esq.  
N. Subrahmanyam, Esq.  
M.R.Ry. Rai Bahadur A. Dhanakoti Mudaliar Avargal.  
Surgeon-Major G. L. Walker.

No. 1.

*Reinstatement.*

The Commissioners reinstate Diwan Bahadur B. Ragoonath Row Garu to office under the provisions of section 28 of Act I of 1884.

No. 2.

*Resolution No. 5 of the Commissioners at their General Meeting held on 25th March 1895, deferring consideration of the proposition moved by M.R.Ry. R. N. Pragasu Mudaliar Avargal re tax on buildings and lands.*

M.R.Ry. R. N. Pragasu Mudaliar Avargal moved the following resolution, of which he had given notice, seconded by M.R.Ry. G. Subbarayalu Chetty Garu—

"That the Commissioners, on a careful consideration of the provisions of the Madras Municipal Act re tax on buildings and lands, regret to observe that the practice of calculating the gross annual rent of lands by the income derived by the leasing of coconut and other fruit trees growing thereon, is irregular and unwarranted, and that the taxation of the income accruing by the leasing of such trees is illegal and ought to be given up, unless it is thought fit to move the legislature and the Act is so amended as to legalize the present practice."

Proposed by M.R.Ry. M. Venkataramiah Chetty Garu and seconded by M.R.Ry. Salla Gurusawmy Chetty Garu—

"That the consideration of this question be deferred to the General Meeting in July 1895 to enable the Commissioners to consider the arguments of Mr. Pragasu Mudaliar and the Solicitors' opinion after circulation to the Commissioners."

Carried.

No. 3.

*Resolution of Mr. W. S. Gantz re obtaining sanction of Government for a bye-law requiring all carriages to be lighted between sunset and sunrise on each and every day of the year.*

No Commissioner being willing to move the resolution in the absence of Mr. Gantz, the resolution fell through.

No. 4.

*Resolution of M.R.Ry. M. Venkataramiah Chetty Garu re bicycles not being taxable under the Municipal Act.*

At the request of the mover of the resolution consideration was deferred till the General Meeting in July 1895.

No. 5.

*Report of the Committee appointed by the Commissioners at their Meeting held on 1st October 1894 on the sanitary defects pointed out in the Administration Report for 1893-94.*

Proposed by M.R.Ry. V. Varadappa Nayudu Garu and seconded by the Hon'ble P. Rungiah Nayudu Garu—

"That the report of the Committee be adopted."

Carried.

No. 6.

*Rules for the Conduct of Elections revised by the Standing Committee.*

Proposed by M.R.Ry. R. N. Pragasu Mudaliar Avargal and seconded by M.R.Ry. P. Theagaroya Chetty Garu—

"That the consideration of this question be deferred till the Meeting in June 1895."

Carried.

No. 7.

*Proceedings of the Standing Committee, dated 15th, 22nd and 27th March, and 5th and 19th April, and 3rd May, 1895.*

Proceedings dated 15th, 22nd and 27th March 1895 were recorded.

Proposed by M.R.Ry. M. Venkataramiah Chetty Garu and seconded by M.R.Ry. Salla Gurusawmy Chetty Garu—

5-  
2749



MINUTES of the PROCEEDINGS of an Adjourned SPECIAL MEETING of the MUNICIPAL COMMISSIONERS for the CITY of MADRAS, held at their Office Premises, No. 22, Errah Bauloo Chetty Street, Black Town, on Friday the 31st May 1895, at 5 P.M., under the provisions of the City of Madras Municipal Acts I and VII of 1884 and II of 1892.

PRESENT :

Lieutenant-Colonel G. M. J. Moore, C.I.E., *President*.  
M.R.Ry. P. Theagaroya Chetty Garu.  
M.R.Ry. R. Balakristnama Chetty Garu.  
M.R.Ry. R. N. Pragasa Mudaliar Avargal.  
M.R.Ry. Salla Gurusawmy Chetty Garu.  
M.R.Ry. M. Venkataramiah Chetty Garu.  
M.R.Ry. C. Yetherajulu Nayudu Garu.  
M.R.Ry. P. M. Sivangnana Mudaliar Avargal.  
Covasjee Eduljee, Esq.  
M.R.Ry. M. Varadarajulu Chetty Garu.  
M.R.Ry. G. Subbarayalu Chetty Garu.  
V. Mahomed Sheriff, Khan Bahadur.  
J. DeCaster, Esq.  
M.R.Ry. V. Varadappa Nayudu Garu.  
The Hon'ble P. Rungiah Nayudu Garu.  
M.R.Ry. W. S. Venkataramanjulu Nayudu Garu.  
B. Lavery, Esq.  
M.R.Ry. M. O. Parthasarathy Iyengar Ayargal.  
Surgeon-Major G. L. Walker.  
Surgeon-Major J. Maitland.

*Report of the Committee appointed by the Commissioners at their Meeting held on 28th January 1895, on Mr. Cousins' Schemes for the improvement of the Drainage and the Water-supply of Madras.*

Proposed by M.R.Ry. P. Theagaroya Chetty Garu and seconded by M.R.Ry. M. O. Parthasarathy Iyengar Avargal—

"That the Committee's recommendations in paragraphs 13 and 16 of their report be adopted, and that the following measures be adopted to meet the necessary expenditure:—

|                                                                                             |          |
|---------------------------------------------------------------------------------------------|----------|
| Tax on vehicles, animals, carts, &c., to be raised 50 per cent. yielding an additional ..   | 36,000   |
| Profession tax to be raised 100 per cent. yielding an additional ..                         | 65,000   |
| Tax on liquor shops to be doubled yielding an additional ..                                 | 13,600   |
| Petroleum tax at 1 anna per gallon for all petroleum consumed in the city yielding ..       | 40,000   |
| That Government be requested to forego the contribution of Rs. 50,000 per annum yielding .. | 50,000   |
|                                                                                             | 2,04,600 |

The resolution was divided into two parts.

M.R.Ry. R. N. Pragasa Mudaliar Avargal proposed an amendment seconded by M.R.Ry. R. Balakristnama Chetty Garu—

"That the following words be added to the first part of the resolution 'with the additional recommendation that the Red Hills tank be restored to its original level at the cost of the Municipality.'"

The amendment on being put to the meeting was carried.

M.R.Ry. M. Venkataramiah Chetty Garu proposed an amendment seconded by M.R.Ry. C. Yetherajulu Nayudu Garu—

"That, that portion of the second part of the resolution referring to the tax on vehicles, animals, carts, &c., and the profession tax be omitted and 3 annas be substituted for 1 anna in the tax on petroleum."

M.R.Ry. Salla Gurusawmy Chetty Garu proposed an amendment seconded by Mr. Mahomed Sheriff—

"That 2 annas be substituted for 1 anna in the tax on petroleum and the following be added: 'the tax on tolls be doubled' and that portion of the second part of the resolution referring to the tax on vehicles, animals, carts, &c., and the profession tax be omitted."

M.R.Ry. W. S. Venkataramanjulu Nayudu Garu proposed as a further amendment seconded by M.R.Ry. G. Subbarayalu Chetty Garu—

"That 50 per cent. be substituted for 100 per cent. in the profession tax and that the following be added:—  
'Tax on tolls to be raised 50 per cent.  
'Tax on timber to be raised one-fifth of the present rate.'"

Proposed by M.R.Ry. P. M. Sivangnana Mudaliar Avargal and seconded by M.R.Ry. P. Theagaroya Chetty Garu—

"That the meeting adjourn till Friday the 7th June 1895."

Carried.

G. M. J. MOORE, Lieut.-Col.,  
*President, Municipal Commission.*

Municipal Office, Madras,  
June 1895.



Proceedings of an Adjourned Special Meeting of the Municipal Commissioners for the City of Madras, held at their Office Premises, No. 22, Errah Bauloo Chetty Street, Black Town, on Friday, the 14th June 1895, at 4-30 P. M., under the provisions of the City of Madras Municipal Acts I and VII of 1884 and II of 1892.

PRESENT :

Lieutenant-Colonel G. M. J. Moore, C. I. E., *President*.  
 M. R. Ry. Salla Gurusawmy Chetty Garu.  
 M. R. Ry. P. M. Sivagnana Mudaliar Avargal.  
 Cowasjee Eduljee, Esq.  
 M. R. Ry. M. Varadarajulu Chetty Garu.  
 M. R. Ry. G. Subbarayalu Chetty Garu.  
 V. Mahomed Sheriff, Khan Bahadur.  
 J. DeCaster, Esq.  
 M. R. Ry. V. Varadappa Nayudu Garu.  
 The Hon'ble P. Rungiah Nayudu Garu.  
 M. R. Ry. Rai Bahadur A. Dhanakoti Mudaliar Avargal.  
 Surgeon-Major G. L. Walker.

*Report of the Committee appointed by the Commissioners at their meeting held on 28th January 1895, on Mr. Cousins' schemes for the improvement of the Drainage and the Water-supply of Madras.*

THE PRESIDENT.—We have a quorum now, gentlemen. The question is whether it is desirable to go on with business with such a small meeting as this.

THE HON'BLE MR. P. RUNGIAH NAIDU.—Taking into consideration the small number of members present, and the importance of the meeting, I think it would be better to adjourn the meeting, I therefore propose:—

“That in view of the small number of Commissioners present and the importance of the subject under discussion the meeting be adjourned till Wednesday the 26th June 1895, at 5 P. M.”

DR. WALKER seconded the proposition.

THE PRESIDENT.—I see the local journals advocate delay.

DR. WALKER.—That may possibly account for the paucity of Commissioners present.

The proposition was put to the vote and carried.

trade of Madras. I have given you my views on the several proposals to raise an annual sum of two lakhs of rupees to carry out the drainage schemes.

DR. WALKER :—There is one source of revenue to this Municipality which does not appear to have been touched and upon that a considerable amount of money may be raised. It is a source of revenue which is calculated to have the good characteristics of taxation; that is to say, it is a tax on a luxury. It is a tax that will not affect either the producer, or the purveyor. It is a tax that is easy of collection and with regard to which there is little or no chance of fraud and there will be no difficulty in the matter of refunds. It is a tax that is raised in England, Scotland and Ireland. It is a source of revenue that I am astonished has not caught hold of the minds of my astute fellow Commissioners. The source of revenue that I refer to is the tax on patent medicines and proprietary articles. In England, Scotland and Ireland every small bottle or box of Beecham's Pills, &c., and every bottle of a proprietary article is taxed and that tax goes to Government. On every bottle, box or packet costing one shilling a tax of half pence is imposed and so on. Around each of these packets, bottles or boxes of patents pills, medicines or proprietary articles, you have a Government stamped wrapper. It is true that the people think that this wrapper guarantees the excellence and efficiency of the article. That is a mistake. The public buy it all the more because it bears the Government stamped wrapper. In Madras, I have seen several Chemists and Druggists who have made fortunes in their profession and that fortune they have not made out of the prescriptions given by medical men. These Chemists and Druggists are simply purveyors of patent medicines and proprietary articles. I have noticed an enormous number of such shops springing up daily and in Popham's Broadway three-fourths of the number of shops are of these so-called Chemists and Druggists. The amount of money spent on their advertisements is enormous, as you will see from almost all the newspapers in this city. If you take any of the papers you will find that one-fourths of the advertisements are of patent medicines and proprietary articles. The medicines are sold at enormous profits. They cost comparatively little or nothing to make. As I said before I think this is a very fair source of revenue for the Municipality. It is an untouched and untried mine of wealth; we can get a large amount of revenue by the imposition of a small sum say, one anna on every bottle, box or packet of patent medicines and proprietary articles. You will, I believe, get a large revenue by imposing the tax suggested by me. I picked up by chance one of the many advertisements or catalogues of these Chemists and Druggists and there we have the advertisements of Beecham's Pills, Holloway's Pills, and all sorts of patent medicines. Any one who wishes to buy these articles will not find it a great hardship to pay one anna in addition to the cost of the articles. It will affect neither the producer nor the purveyor. It is a source of taxation as I have said for which you have the authority of the Home Government. It will not be an unpopular tax, because it will be imposed on articles of luxury. It will not be open to fraud because every box, bottle or packet will bear the Government stamp on it; any Municipal peons can go into any of the shops and ask for any one of the articles and you can prosecute any one of the shopkeepers who keep articles without the Government stamp on it. This is an untried source of taxation which may fairly be tried in addition to pre-existing taxation. I am quite sure that you will not be able to get sufficient revenue to carry out the drainage scheme which is now before us for consideration. It seems to me that the house tax is most distinctly the proper tax to be raised. The drainage scheme is proposed with the object of saving the lives of people and improving their health and their houses. In course of time this scheme will improve the health of the people and thus the lives of many people will be saved. I therefore think that the house tax is a most appropriate one to be raised. If the scheme is for the benefit of those who live in houses which are crowded, dirty and badly drained, those who live in such houses and the proprietors thereof should contribute towards its construction and maintenance. I am therefore of opinion that the house tax is a most appropriate tax to form the basis for the revenue that you require. I will not put the whole of the increase on the houses. I would suggest that you may put certain amount on tolls. I therefore move as an amendment,

“that the following be omitted:—

Tax on Vehicles, Animals, Carts, &c.,

Profession tax,

Tax on Liquor Shops,

Petroleum tax,

Request to Government for remission of Rs. 50,000 contribution,

and the following be added:—

“that a new tax on Patent Medicines and Proprietary Articles sold within the limits of the Municipality be imposed,



that the House tax be increased,  
that the Tolls be increased."

DR. MAITLAND :—I second Dr. Walker's proposition.

THE HON'BLE MR. RUNGIAH NAIDU :—Have you any idea as to what the increase will be?

DR. WALKER :—I will alter my amendment to the extent that I shall accept the President's suggestion as regards house-tax and tolls and shall put the rest of the possible revenue on the new tax that I suggest.

MR. G. SUBRAMANIA IYER :—It is impossible to give an opinion on the new tax proposed by Dr. Walker until we are in possession of some data with regard to the value of patent medicines and proprietary articles imported into the city, quantity exported and the revenue expected to be derived from the taxation. If it turns out that the revenue to be derived not worth much, our attempts will become useless.

DR. WALKER :—None of these proprietary articles are re-exported.

MR. N. SUBRAMANIAM :—Is any tax imposed on patent medicines by the Municipalities in England, Scotland and Ireland? I have not heard of any Municipal tax being raised on patent medicines in those places.

DR. WALKER :—I cannot answer your question definitely, but even supposing that no Municipality in England, Scotland and Ireland levies a tax of this kind, it will still be all the better for the Madras Municipality if it should be the pioneer for raising such a tax.

MR. P. THEAGARAYA CHETTY :—How is it possible to tax only that portion of the articles sold in Madras? It will be an easy thing if an import tax is levied. If it is simply an import tax and if we do not give any remission on articles that go out of Madras, it will be a transport duty. If it is so, I do not think that the Government will allow us to impose such a duty for city purposes.

DR. WALKER :—I would propose the tax be levied upon the quantity imported within the Municipality which may be verified with the Bills of Lading.

MR. N. SUBRAMANIAM :—It seems to me that the tax proposed by Dr. Walker would be an impracticable one. If the proposal to levy a tax on patent medicines and proprietary articles is carried, one shall not be able to levy the tax on the goods imported but shall have to wait till the articles are sold. As Mr. Subramania Iyer pointed out, we are completely in the dark as to what amount will be raised by this new tax. I think our experience of the tobacco tax should have taught us a lesson not to hastily impose taxes upon articles of this kind. I think we have not satisfied the people of Madras whom Mr. Theagaraya Chetty is anxious to satisfy as to the necessity for the two lakhs of rupees. Further Mr. Theagaraya Chetty says that the public desire to know what necessity there is for these two lakhs of rupees. Assuring that this amount is necessary, the only question that we have at present to decide is as to how these two lakhs should be raised. I have given this subject my careful consideration and regret that I cannot agree with you in thinking that the house-tax can bear an enhancement. I think that the house-tax bears already as much of the burden as it may fairly be called upon to do. Suppose we take the case of a house-owner whose rental we shall assume to be Rs. 100 a month. He will have to pay 18 per cent. upon the gross rental of the house and not upon the net rental and those who have houses have to spend about a month's rent for repairs from time to time and several small sums on various little things, and I believe that the house-owner does not realize more than 10 months' rent in a year and probably not even that; he may have to lose fairly three months' rent. We shall take the case of a house-owner who has invested his savings in houses and whose sole living is upon the rental of that house. He occupies a small portion of the house and lets the other portion to four other people each of whom pays a rent of Rs. 2 a month and we often find that one or two tenants vacate parts of the house that they occupied, and they remain vacant for three, four or five months. He has, however, to pay the whole tax upon the gross rental of that house. It is upon the rest of his income from rent that he and his family have to live. Out of his gross income  $15\frac{1}{2}$  per cent. is taken away; it is as much as that man can be reasonably called upon to pay towards the maintenance of the Municipal Institution, and to raise it higher would be the greatest hardship. Of course we must raise it if there are no other means of getting the required revenue. I think that Municipal taxes should be evenly distributed among all classes of people. It should not bear more heavily upon one section of people than upon others. The tax, in my opinion that is very easy of being raised is the professional tax. According to the Municipal Act, the professional tax is not more than half per cent. and it does not contribute anything like what the house-tax contributes towards the Municipal coffers. In some cases it is less than half per cent. In some cases

it is half per cent, and in no cases it is one per cent. To verify that, I will take the lowest class. We cannot amend the Schedule without amending the whole of the Act. A man who has an annual income of Rs. 1,200 to 2,400 has to pay a tax of Rs. 5. Taking the average to be Rs. 1,800, a man does not pay more than  $4\frac{1}{2}$  annas per 100. That is a trifling sum for a year. Therefore, I am well within my mark when I say that the professional tax may fairly be doubled. To double that will be to make them pay one per cent, of what they get. People pay an income tax of  $2\frac{1}{2}$  to 3 per cent, on their income for the benefits that they scarcely feel—though no doubt they enjoy the indirect benefits of Imperial Railways, security of property and other blessings. When they can feel the benefits directly brought to their doors by an increase of Municipal taxes the rate payers will be more willing to pay the taxes than contribute to the Imperial exchequer. The proposal to double the professional tax is one that ought to commend itself to us. There is one remark that was made, namely that the tax will affect only four thousand people. No doubt that is a strong argument indeed, but the remedy is to ask the Government to amend the Act so that the tax may go lower down and may affect people who draw smaller salaries say Rs. 20 a month. I do not know why we should not tax people whose annual income is Rs. 100 and upwards. At present they pay no tax for the reason that the Act does not require it. They get the benefits of sanitary improvement that we propose to effect but still they are scotfree. Many clerks in several mercantile offices and other offices in the Fort and elsewhere in the city drawing monthly salaries of Rs. 20 and Rs. 25 do not pay any tax now. The tax that I propose to impose upon them will not be more heavy upon them than upon richer people. It will not at all be hardship upon them. Instead of touching only four thousand people I propose that a larger number of rate-payers who have an income which can be directly touched should have a duty to pay to the Municipal exchequer. I should like to suggest that it may be carried out in another form. I support the proposition that the professional tax should be doubled. I should like that, at some later stage when the Act is amended, the Schedule may be amended so as to affect people who get an income of Rs. 20 or 25 a month because the benefits that we mean to confer upon them would be directly brought to their doors and they would enjoy them from time to time. I therefore propose the following amendment to the original proposition of Mr. Theagaraya Chetty :—

"that 100 per cent. be substituted for 50 percent, in the Tax on Vehicles, Animals, Carts, &c.  
that the following be added to the Profession tax :—  
'that schedule A be amended so as to affect all persons whose income is Rs. 20 per mensem and upwards,'  
that the tax on Petroleum be omitted."

THE HON'BLE MR. RUNGIAH NAIDU in seconding the above proposition said :—If a person gets a monthly salary of Rs. 100 or an annual income of Rs. 1,200 a year from salary he pays a professional tax of Rs. 5, whereas if the owner of a house gets an income of Rs. 100 a month from rent, he has to pay Rs. 180 a year to the Municipality on account of house-tax. Is not that a hardship? With regard to the tax on vehicles we are now spending several thousands of rupees also on lanes which were hitherto neglected totally and therefore it is necessary that we should raise the vehicle tax. Properly speaking the vehicle tax should be sufficient to pay for the repairs and construction of roads. I do not see any reason why the house owners should pay for the convenience of those who move in carriages. Then, with regard to the Government being asked to forego the contribution of Rs. 50,000, I do not see why we should not do so again and again, because the town is not only inhabited by the town people proper, but there is also a floating population coming from other places on business to the Revenue Board, High Court, Government and other offices. These people contribute in a measure to the insanitary condition of Madras. The Government contributes to the Simla Municipality and the Nilgiri Municipality. Is it because it moves to those places. Government was originally making all the trunk roads, but now it has discontinued that practice. Government has not only withdrawn the construction and repair of the trunk roads but it asks us to contribute a large sum towards the imperial revenue. I think that lately the Government has been assisting the Mofussil Municipalities to some extent. People who come from Mofussil places to Madras should bear a share because they render the town more insanitary. With these remarks I second Mr. Subrahmaniam's amendment.

THE PRESIDENT :—You must not suppose that I am proposing anything to you. It is my duty to point out to you what has taken place in connection with this subject. In connection with the professional tax you may remember that in 1890 we had a Committee. The report of the Committee was submitted to Government whose order was that it was opposed to the taxes being increased. (The President here read the G. O.)



MR. P. THEAGARAYA CHETTY :—I went through the schedules with regard to the tax on vehicles and animals and proposed to raise the tax by 50 per cent., but I thought that itself was very high. Mr. Subrahmaniam however proposes to raise by 100 per cent. According to the schedule, for a carriage drawn by two horses people have to pay Rs. 10 for the carriage and Rs. 10 for the horses for every six months which amounts to Rs. 40 for a year, so that if the tax is doubled, it will amount to Rs. 80 a year. For a carriage drawn by one horse people have to pay Rs. 5 for the carriage and Rs. 5 for the horse for every six months which will amount to Rs. 20 for a year. If the tax is doubled in this case it will amount to Rs. 40 for a year. It is these very gentlemen whose professional tax we are now proposing to raise again that will have to pay wheel tax also heavily. You will see how heavily this double taxation will fall upon the owners of carriages. As regards the professional tax I have made a mistake in proposing to raise it by 50 per cent. I ought to have proposed a reclassification. From the schedule I calculated in what way it falls upon rate-payers. A man drawing Rs. 100 a month will have to pay Rs. 6-3 a month, whereas one who draws Rs. 200 a month pays only 0-3-0 per Rs. 100. When I consider this matter, I think that I ought to have proposed an amendment to my own proposition. When the question of professional tax comes up for discussion, I shall propose an amendment accordingly to my proposition.

The President in summing up to the Commissioners what took place in the meeting said :—The resolution before you now is that the tax on vehicles and animals should be doubled, that the professional tax should be raised 100 per cent. that the schedule should be amended so as to affect all persons whose income is Rs. 20 and upwards per month, that the tax on liquor shops should be doubled, that the Government should be requested to forego the contribution of Rs. 50,000 and that the petroleum tax should be omitted.

MR. R. N. PRAGASA MUDALIAR :—There are several amendments and I would therefore propose "that the meeting adjourn till Friday the 14th June 1895 at 4-30 P.M." the various amendments be put before the Commissioners for full discussion. It is now already 6-30 P. M.

The above proposition was seconded by Mr. Varadappa Naidu and carried.

The President announced that the next meeting of the Commissioners would take place on Friday, the 14th June at 4-30 P. M.

DR. WALKER :—I would ask the permission of the Commissioners to make a few remarks on the proposition of Mr. Theagaraya Chetty and finally propose an amendment. I agree with Mr. Theagaraya Chetty that it is too early a stage to go into Committee. I think that the subject should be thoroughly ventilated before the Commissioners resolve themselves into Committee.

THE PRESIDENT :—You must dispose of this resolution first.

MR. R. N. PRAGASA MUDALIAR :—Since the date of the last meeting I have come across several gentlemen who expressed surprise that the Commissioners should, without the least regard to the interests of the people, be thinking of raising taxes enormously whilst they were already grumbling against heavy taxes. If the subject is properly discussed and a full report laid before the public, there will be less room for complaints from rate-payers.

THE HON'BLE MR. RUNGIAH NAIDU's proposition was put to the vote and lost.

THE PRESIDENT :—Mr. Venkataramaya Chetty's amendments are before the meeting. I shall give you certain reasons for increasing certain taxes. As several of the Commissioners are aware, I am of opinion that the tax to be increased is the house tax and my reasons for that are that it will be not only the house owners who will suffer by the increased taxation but that the tenants will suffer in proportion; but considering the abnormally low rates of rent prevalent in Madras as compared with other cities in India, the tenants ought to pay to a certain extent an increased rent. The argument against increasing the house tax is, I know, that the poorer classes of house owners who live in their own house, will be more peculiarly touched, but I consider that it is not the house owners only who want drainage but also those who live in the houses and it is particularly people who live in places like Triplicane, Chintadripettah and some parts of Black Town who wish to have a material improvement in the condition of their localities. It is those people that will benefit by the drainage system. However, I do not intend to put that argument before you, because I know there is a very strong feeling against it and unless the Commissioners will change their views there is no use in my putting it before them. I mean to put before you only certain suggestions. With regard to the tax on vehicles and animals I consider that it may very well be doubled and not only that but I think that Mr. Theagaraya Chetty omitted the tax on vehicles without springs. I would add that item of tax also, because it is the heavy carts that generally do more damage to roads than others and I think the owners of vehicles and animals can very well afford to pay more. With regard to the professional tax, I am opposed to it. I do not consider that it is a fair tax. That tax will affect only 4,000 people. You propose to double that tax. What you want now is to propose a tax which will affect equally and proportionately every individual in the city, but by the professional tax being raised it will affect only 4,000 people. I have no objection to the tax on liquor shops being doubled, but the only thing is that the Government will not sanction it. As regards the tax on petroleum, I think that if it is possible to collect everything that should be collected and also pay everything that ought to be paid, the Municipality can get Rs. 40,000 under that heading. Under the present conditions every effort is being made to improve trade facilities and if the Commissioners will impose the tax on petroleum it will materially affect the trade of Madras. I do not think that it will be a very wise policy on our part to levy that tax. People have now to pay an Imperial tax of one anna per gallon. Taking the import to be 500,000 gallons, the imperial tax will amount to Rs. 31,000. By imposing a further tax of an equal amount the Municipality will compel them to lock up a good deal of their money. That is a serious objection to raise the tax. As regards the Government being requested to forego the contribution of Rs. 50,000 I think you know that the matter was represented to Government first in 1887 then in 1889 and lastly in 1891 and in the answer of the Government of India in April 1892, to a recommendation of the local Government to relieve the Madras Municipality of the provincial contribution of Rs. 50,000, the Government of India was of opinion that the Madras Municipality was liberally treated and that it did not contribute a single pie to the Police charges. The local Government is no doubt willing to do what it can to assist the Municipality but there is little or no chance of getting relief from the Government of India even to the slightest extent. That disposes of Mr. Theagaraya Chetty's recommendations. Then coming to Mr. Venkatramiah Chetty's amendment, he proposed a tax of Rs. 3 per gallon on petroleum, but that is outrageous. As to Mr. Venkatramanjulu Naidu's amendments, he recommended that the professional tax should be raised only 50 per cent., and that the tolls should be raised 50 per cent. I would go further and raise the tolls to 100 per cent., because the people who pay tolls do not pay any other tax. I agree with Mr. Theagaraya Chetty in regard to the tax on vehicles and animals. Mr. Venkataramanjulu Naidu proposed that the timber tax should be raised by one-fifth of the present rate. The tax on one ton will amount to Rs. 3-9-0. I do not know if the increased tax will not affect the timber

3  
2449 mof



Proceedings of an Adjourned Special Meeting of the Municipal Commissioners for the City of Madras, held at their Office Premises, No. 22, Errah Bauloo Chetty Street, Black Town, on Friday, the 7th June 1895, at 5 P. M., under the provisions of the City of Madras Municipal Acts I and VII of 1884 and II of 1892.

PRESENT:

Lieutenant-Colonel G. M. J. Moore, C.I.E., *President*.

M. R. Ry. P. Theagaroya Chetty Garu.

M. R. Ry. R. Balakistnama Chetty Garu.

M. R. Ry. R. N. Pragasa Mudaliar Avargal.

M. R. Ry. Salla Gurusawmy Chetty Garu.

M. R. Ry. M. Venkataramiah Chetty Garu.

M. R. Ry. P. M. Sivanguana Mudaliar Avargal.

M. R. Ry. P. V. Kistnasawmy Chetty Garu.

M. R. Ry. M. Varadarajulu Chetty Garu.

M. R. Ry. G. Subbarayalu Chetty Garu.

V. Mahomed Sheriff, Khan Bahadur.

M. R. Ry. M. Ramakistnaiya Pantulu Garu.

J. DeCaster, Esq.

M. R. Ry. V. Varadappa Nayudu Garu.

The Hon'ble P. Rungiah Nayudu Garu.

B. Lavery, Esq.

N. Subrahmanyam, Esq.

M. R. Ry. Rai Bahadur A. Dhanakoti Mudaliar Avargal.

M. R. Ry. M. O. Parthasarathy Iyengar Avargal.

M. R. Ry. G. Subramania Iyer Avargal.

Surgeon-Major G. L. Walker.

Surgeon-Major J. Maitland.

*Report of the Committee appointed by the Commissioners at their Meeting held on 28th January 1895, on Mr. Cousins' Schemes for the improvement of the Drainage and the Water-supply of Madras.*

THE PRESIDENT read out the original resolution of Mr. P. Theagaroya Chetty and the amendments thereon in regard to the measures to be adopted to raise an annual sum of two lakhs of Rupees required to carry out the drainage and water-supply schemes.

THE HON. MR. P. RUNGIAH NAIDU:—I propose "that the Commissioners resolve themselves into Committee," to consider the subject, as there are several amendments to the original proposition of Mr. Theagaroya Chetty.

MR. N. SUBRAHMANYAM seconded the proposition.

MR. P. THEAGAROYA CHETTY:—I object to this proposition. There is an impression in the minds of the public that the taxes proposed to effect the drainage scheme are not necessary and they are oppressive. The subject should be fully discussed and a report given to the public to show the reasonableness of the grounds for imposing the taxes. There are some gentlemen who spoke to me on the subject but I am afraid they do not understand anything of what takes place here, owing to a meagre report in papers. If matters are properly discussed here and decisions arrived at as to what the present rate of taxes is and what the rate of the proposed increase is, the public will see the reasonableness of the grounds on which the Commissioners proceeded for an enhancement of taxation.

MR. R. N. PRAGASA MUDALIAR:—I propose "that the consideration of this question be deferred till the meeting in June 1895." The papers came to me only two or three days before the General Meeting, I tried to grasp the meaning of the Committee's report, but I had some difficulty and the President was not well and so I was not able to get the explanation I wanted. There is no particular hurry for disposing of this matter at once. It may well be deferred to the next meeting.

MR. P. THEAGAROYA CHETTY seconded the proposition which when put to the vote was carried.

Proceedings of the Standing Committee.

THE PRESIDENT:—Now we come to the Proceedings of the Standing Committee, dated 15th, 22nd and 27th March, 5th and 19th April and 3rd May 1895.

15th March Recorded.

22nd " "

27th " "

5th April

PRESIDENT:—There is a memorandum from the

Health Officer suggesting certain alterations in the Vaccine bye-laws. I do not know if you approve of them. The Standing Committee went through them. The only practical alteration is, i. e., the Presidency Magistrate pointed out what he believed to be a fault in the bye-laws of vaccination, namely, that no period of time is specified, within which the parents or guardians of unprotected children after they have been served with notice, should get them vaccinated—the result of it was they escaped a legal conviction. The alterations proposed is that the following words should be added to bye-law 8.

"Within 7 days of the service."

It would mean that if within 7 days the parent does not get his child vaccinated the Magistrate can punish him.

MR. M. VENKATRAMIAH CHETTY:—I propose an amendment, "That, with reference to Resolution No. 6 of 5th April 1895, in the amended Vaccine bye-law 8 (a) 'seven' be altered to 'fifteen.'" The period mentioned by the Health Officer is very small.

MR. S. GURUSAWMI CHETTY seconded the amendment, which when put to the vote was carried.

The rest of the proceedings were recorded.

19th April Confirmed.

3rd May—PRESIDENT:—There is the question of the revision of pension to Mr. G. C. Manickam Chetty, late Manager and Book-keeper. The papers have been circulated to you. The Standing Committee went into the matter, after getting the opinion of the Accountant-General. It appears he was under certain rules when he entered the service which were subsequently altered. But if the same rules had been applied in his case, he would have got a higher pension. The Accountant-General to whom the question was referred had no objection to the higher pension being given. The Standing Committee recommend for the Commissioners' sanction that he should be granted the full pension to which he would be entitled if he got it under the rules which were in force when he entered the service, namely, Rs. 47-12-9. It is an increase of a little over Rs. 12. The question is from what date you will sanction it.

MR. N. SUBRAHMANYAM:—From the date he retired.

THE PRESIDENT:—The Standing Committee say from the date of sanction.

MR. N. SUBRAHMANYAM:—What does he apply for?

THE PRESIDENT:—He does not apply for anything special.

MR. N. SUBRAHMANYAM:—Then we will sanction it from the date of sanction. But if he applies for arrears we pay it.

MR. S. GURUSAWMI CHETTY:—But he does not claim it in his petition.

It was proposed by Mr. N. Subrahmaniam, seconded by Mr. J. DeCaster and carried, "that, with reference to Resolution No. 10 of 3rd May 1895, the increased pension to G. C. Manickam Chetty, late Manager and Book-keeper, take effect from 3rd May 1895."

The rest of the proceedings were recorded.

The meeting then terminated.



MR. M. VENKATARAMIAH CHETTY :—I beg to propose, even if it is circulated, the adjournment of the consideration of the subject. Looking to the importance of it and considering the lengthy arguments that had been advanced by Mr. R. N. Pragasa Mudali, we must have the benefit of reading his arguments leisurely. In that view I propose.

“That the consideration of this question be deferred to the General Meeting in July 1895, to enable the Commissioners to consider the arguments of Mr. Pragasa Mudaliar and the Solicitors’ opinion after circulation to the Commissioners.”

MR. S. GURUSAWMI CHETTY seconded the amendment.

THE PRESIDENT :—The Solicitors’ opinion has not been circulated.

The amendment was put to the vote and carried.

#### Lighting of the City.

THE PRESIDENT :—The next business on the agenda paper is the Resolution of Mr. W. S. Gantz *re* obtaining sanction of Government for a bye-law requiring all carriages to be lighted between sunset and sunrise on each and every day of the year. I think this may be struck out of the agenda paper as Mr. Gantz is no more a Commissioner.

MR. P. THEAGAROYA CHETTY :—May I ask whether in case Commissioner gives notice of a proposition that it cannot be moved by anybody else, if the proposer ceases to be a Commissioner?

THE PRESIDENT :—Referring to bye-laws replied in the affirmative.

No Commissioner being willing to take up the subject, the resolution was dropped.

#### Tax on Bicycles.

THE PRESIDENT :—The next subject is the consideration of the resolution of Mr. M. Venkataramiah Chetty *re* bicycles not being taxable under the Municipal Act.

MR. M. VENKATARAMIAH CHETTY :—With regard to this also I move “that the consideration of this subject be deferred to the meeting in July.” There are two reasons for this step, viz., I want to ask Dr. Wilson if he is going to fight out the question in a Court of Law and the Solicitors’ opinion should be circulated before the question is discussed.

The proposition was put to the vote and carried.

#### Tax on Petroleum.

THE PRESIDENT :—The next business is the G. O. No. 661 M. Mis., dated 10th April 1895 on the levy of duty on Kerosine oil imported into Madras for local consumption. Government wish to know whether the Commissioners are prepared to levy a tax on kerosine oil. You may remember the Commissioners sometime ago asked the Government to allow them to levy a tax on kerosine oil consumed in the city, but the Government then said that they were not prepared to consider it. Now they want to know whether the Commissioners are of the same opinion that the duty upon kerosine oil would be a satisfactory method of raising a part of the funds required for the drainage of the city.

MR. N. SUBRAHMANYAM :—Would not this be practically discussed at to-morrow’s meeting.

THE PRESIDENT :—Yes. I will strike this subject out of the agenda paper.

#### Sanitation.

THE PRESIDENT :—The next subject is the report of the Committee appointed by the Commissioners at their meeting held on 1st October 1894 to consider the sanitary defects pointed out in the Administration report for 1893-94.

MR. VARADAPPA NAIDU proposed : “that the report of the Committee be adopted.”

Hon’ble MR. P. RUNGIAH NAYUDU seconded the proposition.

MR. M. VENKATARAMIAH CHETTY :—I do not know what it means. What are we to do by adopting it?

THE PRESIDENT :—It means that the recommendations of the Committee are to be carried out.

The proposition was put to the vote and carried.

#### Rules for the Conduct of Elections.

THE PRESIDENT :—The next business is the consideration of the Rules for the conduct of elections as revised by the Standing Committee. On the motion of Mr. Pragasa Mudaliar these rules were referred to the Standing Committee, who went into them one by one and they give their opinion. These rules have been circulated.

that under part 4 of the Act various sources of revenue are provided for, and among them is “tax on buildings and lands. Sec. 119 empowers the Commissioners to impose an annual tax upon all buildings and lands with certain exceptions. In the case of lands unappropriated to any building or occupied by native huts, Sec. 120 empowers the President to levy a fixed annual tax not exceeding Rs. 4 for every ground of such land. For the purposes of the Act the word “building is defined to include any house, hut, shed or roofed inclosure, whether used for the purpose of a human habitation or otherwise, and also any wall.” It must be remembered that this word building, wherever it occurs in the Act, includes and means something more than what it ordinarily signifies in the English language. On the contrary the word land is not defined in the Act, and hence wherever this occurs in the Act we are not at liberty to attach to it anything more than its etymological meaning. The word land must therefore be taken to mean what the word ordinarily signifies in the English language. It could not be understood to include any superstructure or any machinery or trees thereon. Well, gentlemen, as the Act empowers the Commissioners to impose an annual tax on lands the question is how that tax is to be arrived at. Clause 1. Sec. 119, provides that “such tax shall not exceed 10 per cent. of the annual value of the property on which it is imposed.” How then is the annual value of that property to be arrived at? We find it provided in Sec. 123, which runs thus :—“The gross annual rent at which a building or land might reasonably be expected to let from month to month or from year to year shall, for the purposes of Assessment under this act be deemed to be the annual value of such building or land. In other words the gross annual rent at which the land is let or might reasonably be expected to let is to be taken as the annual value of such land, and at 10 per cent. of such valuation the tax on that land is to be fixed. It must then be borne in mind that the annual value of land is the gross annual rent at which that land is let or may be expected to let that is to say, the annual value of lands is the annual rent that may be derived or may be expected to be derived by the leasing or the renting of that land. In the case of lands unappropriated to any building, and also lands occupied by native huts, the Act provides (Sec. 120) a fixed annual tax. In the case of lands appropriated to a building the present mode of arriving at the annual valuation is perfectly legal. There are, however, other descriptions of lands such as (1) lands used for wet or dry cultivation, including vegetable and flower gardens, (2) lands used for the growing of betel or plantain trees, and (3) lands on which cocoanut, mango, and other fruit trees are grown. In the first two cases the land is either enjoyed by the owner himself or it is leased by the month or year. When the land is leased we take the actual rents for the purpose of our valuation, but when it is not leased, the amount is likely to be realised by renting it, or a sum equal to double the quit-rent, is reckoned as the annual valuation of such land. So far we are perfectly right, and our action thoroughly legal. As regards lands on which cocoanut, mango and such like fruit trees are grown, it must be remembered that the fruits are either enjoyed by the owner or that the trees are leased at so much a month or year and it must also be remembered that the land on which such trees stand is never leased. Bearing these facts in mind, and reading Sec. 123, which in the clearest and plainest terms says, that “the gross annual rent at which a land might reasonably be expected to let \* \* \* shall, for the purposes of assessment, be deemed to be the annual value of such land,” it is evident that our present practice of calculating the gross annual rent of such lands by the income derived by the leasing of the trees is, at least in my opinion, thoroughly illegal, so long as the land is not let or leased. If the land on which cocoanut trees are grown is leased or rented, it would be a different matter, and our mode of calculating the annual valuation would then be legal, but it is not so, it is the trees that are rented, the land in such cases is never leased at all, nor is it capable of being leased. The most that could be done in such cases is to take double the quit-rent of the land as the annual value, and even as regards this, I have my own doubts. Reading carefully Sec. 123 of the Act, it seems to me that the tax we now collect on cocoanut, &c., gardens was never contemplated by the Act. The tax appears to be more of the nature of an income-tax on the revenue derived from trees, and as such does not come within the intention or scope of the Municipal Act. By way of summing up I would repeat once more that under Sec. 123 the annual value of lands is the rent derived or likely to be derived by leasing it. In the case of cocoanut topes the land on which the trees stand is never let, and therefore whatever may be the revenue derived by the leasing of the trees, it ought not to be reckoned for any of the purposes of the Act, and therefore again such lands ought not to be assessed in the mode in which it is done at present. Let us see what is the practice under the land revenue system in the collection of land tax. We all know that in the case of waste lands and other lands that could be utilised in some way or other the lands are given away on puttah on the usual land tax. In the case of lands containing trees such as palmyra topes or the like, the land is never made over on puttah—a puttah for the trees is



4

granted and tree tax collected. It may be asked very naturally why the land containing such trees is not given on puttah. It is simply because it could not be let. This is exactly the case in the matter of the tax which forms the subject of my resolution. The Municipal Act does not provide for a tree tax, and therefore the collection of such a tax must be illegal.

In this connection, I think I may point out that the provision of law in regard to the valuation of lands under the District Municipalities Act IV of 1884 is the same as ours. Sec. 65, clause 1 of the former Act is word for word identical with Sec. 123 of the latter Act. It is therefore as well to see what the practice is in the District Municipalities in regard to the taxation of lands. I have tried to collect information from a number of districts, and it appears that in one the tax is a fixed rate per acre according as the land is wet or dry. In another the annual rent of wet or dry lands is taken at Rs. 25 and Rs. 12 per cawny respectively, waste lands, including cocoanut tops, being charged six pies on every 80 square yards. In a third district the annual rent value is calculated at the sanctioned percentage on three times or twice the Government assessment, according as the land is wet or dry. In six other districts the practice appears to be to calculate the annual gross rent of lands on the income derived by the leasing of the trees or other produce, and, when not leased, on the estimated income from the trees or produce. In one of these districts it is argued that the trees form a part of the land, that the value of the produce is really the value of the land, and that it is the productive power of the land itself which is a source of income, and not the trees themselves, which but for the richness of the soil of the land will be of little value. I shall not enter into the legality or otherwise of this argument. I have pointed out already that the word "land" is not legally defined in either of the Acts. I may also mention, if my information is correct, that in one case at least Government took exception to the levying of a random money-rate on lands, and directed that land tax assessment should be based on the annual rental value of the land. You will thus see, gentlemen, that, though working under the same provision of law, there is such divergence in practice from the Presidency Municipality downwards, and hence the necessity for an authoritative ruling, whether my contention is based on technical or legal grounds.

Let us now see what our Solicitors say on the point. The following is their opinion:—

1. "We have considered the question put to us by the Revenue Officer at the interview we had with him yesterday regarding the mode in which gardens should be assessed.

2. "Under the Municipal Act there are two modes of assessing lands, that under Section 120, whereby you are authorised, in lieu of imposing an annual tax on lands as provided in Section 119, to levy upon any lands unappropriated to any building or occupied by native huts with their appurtenances, a fixed annual tax not exceeding Rs. 4 for every ground of such lands, and that under Section 123, by taking the gross annual rent at which land might reasonably be expected to let from month to month or from year to year. We understand that it is with reference to the latter Section that our opinion is required.

3. "Taking it that it is the garden with the trees on it that is let by the owner and not merely the trees, we are of opinion that, in the absence of any special agreement between the owner and his tenant as to the rent to be paid, the rent actually paid, may generally be taken as a fair guide to the gross annual rent at which the garden might reasonably be expected to let. Of course, it might possibly, though hardly probably, happen that the owner let the garden for a less rent than its real gross annual value, and, in that case, the gross annual value would have to be ascertained. It seems to us that the trees in the garden cannot be separated, for the purposes of assessment from the land in which the trees grow, the land produces the trees, and the trees increase the value of the land; where land is of no annual value, unless it is in some way made valuable as by cultivation or by artificially improving it. If the trees in the garden were to die, the owner would undoubtedly have a right to claim that the assessment of the land should be reduced, because the land could not reasonably be expected to let for the same monthly or annual rent as when the trees were on it.

4. "Under 37 and 38 Vict. c. 54, an Act to amend the law respecting the liability and valuation of certain property for the purpose of rates, the gross and rateable value of any land used for a plantation or a wood or for the growth of saleable underwood is to be estimated as follows:—

(a). If the land is used only for a plantation or a wood, the value is to be estimated as if the land, instead of being a plantation or a wood, were let and occupied in its natural and unimproved state.

5

(b). If the land is used for the growth of saleable underwood the value is to be estimated as if the land were let for that purpose. So, in the case of the garden used for the growth of fruit or toddy trees, the value should be estimated as if the land were let for that purpose, that is, of course, in cases where the land is not so expressly let, if it be so let, it seems to us that there can be no question as to how the assessment is to be fixed.

5. "The Revenue Officer raised a question as to whether the expenses of watering and cultivating the garden, whether by the landlord or the tenant, should be taken into consideration in fixing the assessment. The Act does not expressly provide for this, but in arriving at the gross annual rent we think it would have to be taken into consideration for, no doubt, the greater the expense of watering and cultivating, the lower would be the gross annual rent for which the garden might reasonably be expected to let. But it is immaterial by whom the expenses of cultivation are to be incurred, whether by landlord or the tenant. It might be that the tenant undertakes the cultivation and, in consequence of that undertaking, the landlord might make an equivalent reduction in the rent to be paid to him, but the worth of the garden to the landlord would be the same as if he undertook the cultivation, the only difference being that instead of getting money which he would have to expend in cultivation he would never receive the money, and it would be expended by the tenant instead."

You will observe, gentlemen, that the letter opens by saying that the opinion is "regarding the mode in which garden should be assessed." You will remember that our Act does not define the word "garden," and much less do we find any mention whatever made of that word throughout the Act. It becomes necessary, therefore, to see what the word "garden" means. Taking Webster as the authority, it means "a piece of ground appropriated to the cultivation of herbs and plants, fruits and flowers and vegetables, so that we must bear in mind that "garden" does not mean "mere land," nor does "land" mean "garden." Referring to para. 3 of the opinion, you will note that something is assumed by our Solicitors as the ground for further argument, and then a conclusion is drawn. Para. 3 begins thus:—"Taking it that it is the garden with the trees on it that is let by the owner, and not merely the trees, we are of opinion that in the absence of any special agreement between the owner and his tenant as to the rent to be paid, the rent actually paid may generally be taken as a fair guide to the gross annual rent at which the garden might reasonably be expected to let." If the assumption "that it is the garden with the trees on it that is let by the owner and not merely the trees," is admitted as correct, there would certainly be no doubt as to the correctness of the conclusion arrived at by our Solicitors. I have stated already that if the land together with the trees growing thereon is leased, there would be no objection whatever to the present mode of calculating the annual value of that property. As I have also pointed out, it is an unquestionable fact that in the case of cocoanut tops the land and the cocoanut trees thereon are never leased—it is the tree exclusively that are leased, and I hence do not see how the argument of our Solicitors can stand. Probably our Solicitors were not aware of this fact.

I do not understand again what our Solicitors mean by saying "that the trees in the garden cannot be separated for the purposes of assessment from the land in which the trees grow." I do not know why. Inasmuch as the term "garden" cannot be applied to land apart from trees I can quite understand that for the purposes of a "garden" the one could not be separated from the other but that they could not be separated for the purposes of assessment is what I cannot see, as the Municipal Act does not define the term "land" for the purposes of such assessment. With reference to the English practice of ascertaining the gross and rateable value of land, it seems to me that we are not at liberty to be guided by it, as there is no provision in our Act similar to the one in the English Act.

As regards the principle laid down by our Solicitors in the matter of arriving at the gross annual rent by deducting the expenses incurred, such as by watering, &c., I would like to know if the Executive is prepared to accept it and to act accordingly, although I do not doubt the equity of the principle. If it is once accepted and acted upon the same rule must, of course, apply to the valuation of buildings.

In reading through the Act since I gave notice of my resolution, serious doubts were raised in my mind as to the correctness of our charging 15½ per cent. of the gross annual value of lands other than those appropriated to buildings. The Act apparently contemplates two descriptions of lands, (1) lands appropriated to buildings, i. e., lands on which buildings stand and those forming the necessary adjuncts to such buildings (Section 119) and (2) lands not so appropriated and hutting grounds



(Section 20). In the former case, we are authorised to collect, (1) a "Building tax" not exceeding 10 per cent. of the annual value of the property on which it is imposed; (2) a "Watering tax" not exceeding 4 or 2 per cent; and (3) a "Lighting tax" not exceeding 2 per cent. Thus, on account of these 3 taxes we charge in the aggregate  $15\frac{1}{2}$  per cent. on "buildings and lands." In authorising us to collect these three different rates of percentages, the expression used in Sections 119, 138, and 148 is "Tax on buildings and lands"—not "tax on buildings or lands." The question naturally is, supposing there is no building on the land or the land forms no part of a building, at what percentage are we to collect the tax? It appears to me—I may be wrong in thinking so—that to collect  $15\frac{1}{2}$  per cent in such cases was not intended by the Act. The proper percentage, it seems to me, ought to be  $5\frac{1}{2}$  per cent. only. Whilst the expression used in Sections 119, 138 and 148 is "buildings and lands," the expressions used in Section 123 is "buildings or lands." It is therefore natural to infer that the legislature did not intend to convey the same meaning in using the word "and" in Section 119, 138 and 148, and the "or" in Section 123. In the views I have expressed in moving my resolution I may be wrong, and I am wrong if the legal opinion of our Solicitors is correct: yet I think that the questions raised are so important that I thought it best to lay the matter before you, and seeing that a large number of our body belong to the legal profession, I submit the matter to your judgment, believing that "in the multitude of councillors there is wisdom."

When Mr. R. N. Pragasu Mudali spoke for a few minutes, Mr. N. Subrahmaniam rising to a point of order said:—Mr. President I rise to a point of order. Suppose this resolution is carried and the opinion of Mr. R. N. Pragasu Mudaliar is adopted by a majority of the Commissioners how would it bind you in assessing the lands? The present valuation has been fixed according to the old system which Mr. R. N. Pragasu Mudaliar says, is wrong, but the ratepayers who have been affected by it have not appealed.

MR. R. N. PRAGASA MUDALIAR:—I should like to know if Mr. N. Subrahmaniam is in order.

THE PRESIDENT:—I am waiting to see what he is objecting to and where his point of order lies.

MR. N. SUBRAHMANIAM:—I doubt very much whether the valuation of lands can be affected by this resolution. I would more particularly suggest to my friend that the question however can be practically and effectually settled by a test case, first by the procedure laid down in the Act, namely, by an appeal to the Commissioners and then before a Magistrate and eventually before the Highest Court in the land. I think in my opinion it would be a waste of time to go into this legal question and discuss it at a meeting like this.

THE PRESIDENT:—Where is the point of order?

MR. N. SUBRAHMANIAM:—What is the ultimate object of passing this resolution when it cannot bind you?

THE PRESIDENT:—It cannot bind me and nothing but law can bind me. If the Commissioners pass a resolution which is illegal it cannot bind me. But what is your point of order.

MR. N. SUBRAHMANIAM:—The question is not so much as one of order, but it is merely a suggestion to my friend that it would be much better that this question should be tried in a Court of Law by some one who is affected by it.

MR. G. SUBRAYULU CHETTY seconded the proposition.

HON'BLE MR. P. RUNGIAH NAYUDU:—Five or six Commissioners on this side say that they have not seen the Solicitor's opinion.

MR. S. GURUSAWMI CHETTY:—I do not think it was circulated.

HON'BLE MR. P. RUNGIAH NAYUDU:—Before we can go on with the discussion of this resolution I should like to know whether it was circulated to the Commissioners. If it has not been circulated I intend to move for an adjournment.

THE PRESIDENT:—I cannot say whether all the Commissioners have seen it.

HON'BLE MR. P. RUNGIAH NAYUDU:—I pause to get an answer whether it has been circulated or not.

Q.—What does this notice refer to?

A.—It refers to Lawyer Chinnathamby Mudaliar's street in the 1st Division, with reference to which the residents and this Department have been in correspondence since the 25th of October 1894.

Q.—What are the streets referred to in this notice?

A.—Chinnathamby Mudaliar's street.

Q.—What is Masalamony Mudali required to do under this notice?

A.—Pave, metal, channel and drain the street.

Q.—If Masalamony fails to take any notice will you be justified in carrying out the work you intended to render to and recover the cost from the party?

A.—I think, under the circumstances of the case, that the costs are recoverable under Section 424.

Q.—Who is responsible for issuing this notice?

A.—P. W. D.

#### Re instatement of a Commissioner.

THE PRESIDENT:—Before we go to the business on the agenda, gentlemen, I have to say that at the last meeting, that is, on the 30th April Dewan Bahadur R. Raghunath Rao vacated his seat by his non-attendance at three consecutive General Meetings. But that afternoon I had a telegram from him saying "Regret, unable to attend meeting. Sick. Commissioners' forbearance." It remains with the Commissioners to say whether you propose to reinstate him under sec. 28 of the Act.

MR. R. N. PRAGASA MUDALIAR:—Is this the first time?

THE PRESIDENT:—No, he was re-instated on the 28th September.

MR. R. N. PRAGASA MUDALIAR:—I propose "that he be re-instated." Though this is the second time he has vacated his seat, yet, I think under the circumstances of the case, he ought to be re-instated. It is not that he is in Madras and absented himself owing to private business or any other business in preference to the Municipal business. It appears he is in Kumbakonam sick and is not able to attend. Therefore I think consideration ought to be shown to him.

MR. J. P. NICHOLAS seconded the proposition.

THE PRESIDENT:—I will just record that the Commissioners re-instate him.

#### Tax on Land.

THE PRESIDENT:—The first business on the agenda paper is the resolution No. 5 of the Commissioners at the General Meeting on the 24th March 1895 deferring consideration of the proposition moved by Mr. R. N. Pragasu Mudali re-tax on buildings and lands.

MR. R. N. PRAGASA MUDALIAR:—

You are aware, gentlemen, that I gave notice of my intention to move a resolution at the last meeting in the matter of "Tax on buildings and lands." As I heard at the meeting that our Solicitors who were consulted gave an opinion on the subject, I thought it advisable to have the consideration of my resolution deferred till I had an opportunity of reading it, and this I was kindly allowed to do by the President. With all deference I regret I cannot see my way to accept the view, expressed by our Solicitors, and I therefore move my resolution which runs to the following effect:— "That the Commissioners on a careful consideration of the provision of the Madras Municipal Act, re-tax on buildings and lands regret to observe that the practice of calculating the gross annual rent of lands by the income derived by the leasing of cocoanut and other fruit trees growing thereon, is irregular and unwarranted, and that the taxation of the income accruing by the leasing of such trees is illegal and ought to be given up, unless it is thought fit to move the legislature and the Act is so amended as to legalise the present practice." The question which is raised for your consideration is of great importance. If my view of the question is accepted by you we must be prepared to forego a revenue of something like Rs. 15,000 which is, in my opinion, being collected illegally from the rate-payers. If the collection of this sum is not sanctioned by law, it is our duty, as the representatives of the rate-payers, to protect their interests, whatever may be the pecuniary loss that may be sustained by our action.

In commending my resolution to you I do not think it necessary to take up much of your time by making a long speech. My observations will be brief, as the whole question hinges on the plain reading of a few sections only of the Act may upon its construction. You are aware, gentlemen,



Proceedings of an Adjourned General Meeting of the Municipal Commissioners for the City of Madras, held at their Office Premises, No. 22, Errah Bauloo Chetty Street, Black Town, on Friday, the 5th June 1895, at 5 P. M., under the provisions of the City of Madras Municipal Acts I and VII of 1884 and II of 1892.

PRESENT :

Lieutenant-Colonel G. M. J. Moore, C. I. E., *President*.  
M. R. Ry. P. Theagaroya Chetty Garu.  
M. R. Ry. R. Balakistnama Chetty Garu.  
M. R. Ry. R. N. Pragasa Mudaliar Avargal.  
M. R. Ry. Salla Gurusawmy Chetty Garu.  
M. R. Ry. M. Venkataramiah Chetty Garu.  
Haji Mahomed Abdul Hadi Badsha Sahib.  
M. R. Ry. P. V. Kistnasawmy Chetty Garu.  
M. R. Ry. M. Varadarajulu Chetty Garu.  
M. R. Ry. G. Subbarayalu Chetty Garu.  
V. Mahomed Sheriff, Khan Bahadur.  
M. R. Ry. M. Ramakistnaiya Pantulu Garu.  
J. DeCaster, Esq.  
J. P. Nicholas, Esq.  
M. R. Ry. V. Varadappa Nayudu Garu.  
The Hon'ble P. Rungiah Nayudu Garu.  
B. Lavery, Esq.  
N. Subrahmanyam, Esq.  
M. R. Ry. Rai Bahadur A. Dhanakoti Mudaliar Avargal.  
Surgeon-Major G. L. Walker.

Questions and Answers.

THE PRESIDENT :—Gentlemen, I have to answer some questions put by Mr. P. Theagar oya Chetty.

The following are the questions and answers.

The following notice under your signature was served upon one Masalamony Mudali,

"No. 14.

MADRAS MUNICIPALITY.  
NOTICE.

Triplicane.

To

M. R. Ry.  
Masalamony Mudali.

Take notice that under Section 248 of the City of Madras Act I of 1884, you are required within a month from the receipt of this notice to pave, metal, channel and drain satisfactorily the above street and if you fail to comply with this requisition within time specified, the work will be executed by the Municipality and the expense thereby incurred will be recovered from you.

Health Dept.,  
MADRAS, 22-9-1895.

(Sd). G. M. J. MOORE, Lt.-Col.,

President, M. M. C."

Proceedings of an Adjourned Special Meeting of the Municipal Commissioners for the City of Madras, held at their Office Premises, No. 22, Errah Bauloo Chetty Street, Black Town, on Friday, the 31st May 1895, at 5 P. M., under the provisions of the City of Madras Municipal Acts I and VII of 1884 and II of 1892.

PRESENT :

Lieut.-Col., G. M. J. Moore, C.I.E., *President*.  
M. R. Ry. P. Theagaroya Chetty Garu.  
M. R. Ry. R. Balakristnama Chetty Garu.  
M. R. Ry. R. N. Pragasa Mudaliar Avargal.  
M. R. Ry. Salla Gurusawmy Chetty Garu.  
M. R. Ry. M. Venkataramiah Chetty Garu.  
M. R. Ry. C. Yetherajulu Nayudu Garu.  
M. R. Ry. P. M. Sivangnana Mudaliar Avargal.  
Cawasjee Eduljee, Esq.  
M. R. Ry. M. Varadarajulu Chetty Garu.  
M. R. Ry. G. Subbarayalu Chetty Garu.  
V. Mahomed Sheriff, Khan Bahadur.  
J. DeCaster, Esq.  
M. R. Ry. V. Varadappa Nayudu Garu.  
The Hon'ble P. Rungiah Nayudu Garu.  
M. R. Ry. W. S. Venkataramanjulu Nayudu Garu.  
B. Lavery, Esq.  
M. R. Ry. M. O. Parthasarathy Iyengar Avargal.  
Surgeon-Major G. L. Walker.  
Surgeon-Major J. Maitland.

Report of the Committee appointed by the Commissioners at their Meeting held on 28th January 1895 on Mr. Cousins' Schemes for the improvement of the Drainage and the Water-supply of Madras.

THE PRESIDENT :—Gentlemen, before proceeding to the consideration of the Report, there are one or two remarks I wish to make. I think there has been a certain amount of misconception as regards the scope of what the meeting has got to do this night. There is one thing that I wish you to put aside altogether from this question—that is the question of Incinerators, which somehow seems to have cropped up in connection with this matter. Mr. Rowlandson has touched upon it, and the Government in their subsequent order, which is not before you to-night directly, but which comes before you in connection with the financial question, make mention of it. There is the proposal of the Commissioners still before Government based on the recommendation of a Committee which are as follows :—

"With regard to the financial part of the question. If the system of incinerators be introduced into Madras, the initial outlay will be very considerable, probably three or four lakhs—but the Committee think that this could easily be met if the course adopted in 1883 be resorted to again. The original loan of 1869-73 amounting to Rs. 14,30,000 was to be paid off in 1899, by a sinking fund of 2 per cent., accumulating with interest at 4 per cent. The period of 30 years was extended to 50 years,



and the Municipality enjoyed the interest on the accumulating sinking fund. The position of the loan on the 31st March 1885, will be as follows:—An accumulated sinking fund of Rs. 7,41,200, leaving Rs. 6,88,800 due to Government. The interest due to the Municipality on the sinking fund would be about Rs. 28,000. The Committee are of opinion that the argument that prevailed in 1883, as to the taxation of the present generation for the benefit of posterity being unjustifiable, may with equal fairness be used now, and they would therefore suggest that Government be moved to grant a fresh loan of Rs. 14,30,000 on the same conditions as the loan of 1869-73. This loan would be repayable in 1945. The result would be that the loan of 1869-73 would be paid off—the Municipality would have Rs. 7,41,200 in hand for capital outlay, and would lose an income of Rs. 28,000 odd, decreasing by annual increments of Rs. 1001 (the interest on Rs. 28,000 sinking fund at  $3\frac{1}{2}$  per cent.) This Rs. 7,41,200 would not only provide for the cost of incinerators but obviate the necessity for raising the loan of Rs. 4,00,000 sanctioned by the Commissioners for the extension of water-supply both of which works the Committee submit, are not only for the benefit of this generation but for that of posterity. Should Government decline to accede to this request, the Committee would recommend that sanction be applied for to raise a loan of Rs. 14,30,000, at 4 per cent. repayable in 50 years, in the public market, and the loan of 1869-73 be paid off—the result being the same.”

What you have to do to-night is to consider the report of the Committee which was appointed by the Commissioners on the order of Government passed on the Chief Engineer's report on Mr. Cousins' Scheme. The Chief Engineer recommended the Government to abandon the idea of drainage altogether owing to excessive expenditure and suggested that the Water-Supply Scheme should be undertaken. According to the Chief Engineer's own remarks, it would require an annual income of 2 lakhs of Rupees to meet the increased outlay. It is unnecessary for me to go into details of what the Committees have said, and they have put before you their opinion. It is now for you to decide whether you approve of these recommendations or not. If you approve of them, then you have to consider how you are going to raise the money required to meet the expenses of Drainage and Water-Supply whichever you may approve of. The question of incinerators is not before us now. There has evidently been some misconception about the matter, papers have talked about incinerators, and the Government themselves have mixed this up in their order which will come before you at the next meeting. This is intimately connected with the financial question, and therefore I had to put it before the Commissioners.

MR. P. THEAGAROYA CHETTY :—Mr. President and gentlemen. I suppose every one present here has carefully studied the report that is placed before us and I think we are agreed that out of the three schemes placed before us, namely, those of Mrs. Cousins, Ellis and Loane, Mr. Loane's scheme is a capital one and the report of the Committee is also very favourable to the execution of his scheme. There are certain portions which are omitted in the report such as the raising of the bund of the Red Hills Tank by 10 feet.

THE PRESIDENT :—There is no use going into it as the Government will not sanction it. Mr. Loane himself has touched upon it in his report, but I feel perfectly confident that the Government would not sanction it.

MR. P. THEAGAROYA CHETTY :—The report of the Committee does not refer to that portion of Mr. Loane's scheme which refers to the raising of the level of the Red Hills Lake.

THE PRESIDENT :—The Committee did not go into that portion of the report.

MR. P. THEAGAROYA CHETTY :—We must go into that also.

THE PRESIDENT :—There is no use in dealing with it, as the Government will not sanction it.

MR. P. THEAGAROYA CHETTY :—At any rate that is a trivial point and I would not trouble you about it. The scheme of Mr. Loane seems to be a very practical one and he wants only two lakhs of rupees for the annual upkeep and payment of interest and sinking fund. The Committee in suggesting ways and means to meet this increased charge propose an increase of house tax by 2 per cent.

THE PRESIDENT :—The Committee do not propose it but simply throw out a suggestion. You will find that the *Madras Times* has also given you some suggestions to day.

MR. P. THEAGAROYA CHETTY :—The Committee suggest the raising of the house tax by 2 per cent. The house tax at present is  $15\frac{1}{2}$  per cent. and as it is, it is quite unbearable. If you look at the houses in the town, you will find they are in a dilapidated condition and the owners are not able

to put them in proper order. If that is the case, I do not see how you can raise the house tax any more. My own opinion is that it would not be wise to increase the house tax even by quarter per cent. If you want other means of raising funds I will make some suggestions to see if they can accept them. First I will take the wheel tax. I have studied the Budget for the last four years and I find we have collected Rs. 52,000 from the tax on vehicles and animals, Rs. 20,000 upon carts and Rs. 44,000 from tolls, making a total of Rs. 1,16,000 a year; whereas we spend Rs. 1,50,000 on our roads. It seems to me that the roads must be maintained by funds derived from taxes on carts, vehicles and animals and from tolls. We now collect as I said Rs. 1,16,000 and we spend more than Rs. 1,50,000. How are we going to meet this difference? I propose that the taxes on vehicles and animals and carts except tolls should be raised by 50 per cent. Now a carriage that is drawn by 2 horses has to pay Rs. 10 for six months. I propose that it should be raised to 15. In the same way I propose to raise the tax on horses and animals. That will give us Rs. 35,000. That is by no means a small amount. There is another tax namely, the professional tax. Gentlemen, if you look into the schedule in the Act you will find that those who get an income of Rs. 100 to Rs. 200 per mensem pay a tax of Rs. 5 per annum, that is, those that get Rs. 1,200 per year pay a tax of Rs. 5—that is not even one third per cent. We are not taxing people getting 50 or 30 rupees as the income Tax does, but we begin with Rs. 100 and then ending one hundred can very well afford to pay a little more. I think the raising of the professional tax cent per cent is not very much and it will give us about Rs. 65,000. A man drawing Rs. 100 a month or Rs. 1,200 a year will not grudge to pay Rs. 10 a year. I do not think that is much as it does not even amount to one per cent. We pay an income tax of  $2\frac{1}{2}$  per cent. for imperial purposes. Why not the people pay one per cent for the improvement of the town? Then we go to another item, namely, the tax on liquor shops. The budget gives an amount of 13,606 which the Government pays. If we levy the tax according to the schedule we will get a good deal more than that sum. If you look into the schedule as regards liquor shops you will find that the least tax leviable is Rs. 12 per year, that is a rupee a month. There are good many shops which make an immense amount of money and they would not suffer in any way by raising this tax cent per cent, so that it will give us another Rs. 13,600. Then comes the tax on Petroleum, which as suggested by the Committee, if levied at the rate of one anna per gallon would give us 45,000.

THE PRESIDENT :—When I gave these figures I was only in possession of the figures from the Government Office as regards railway and sea, but I have since got figures for the Canal. There is simply export trade by the Canal. The actual sum that you will get after paying the refund, supposing the refund is to be just, would be Rs. 41,000.

MR. P. THEAGAROYA CHETTY :—Let us take it at 40,000. All these items if adopted by the Commissioners will give us 1,50,000. Then there is the question of contribution of Rs. 50,000 to Provincial funds. We are going to ask the Government to give back that contribution. That contribution, I believe, is for hospitals.

THE PRESIDENT :—It is for miscellaneous purposes—not hospitals.

MR. P. THEAGAROYA CHETTY :—We are going to spend 40 lakhs of rupees for the improvement of the town and I think we may respectfully go before Government and ask them to give up the Rs. 50,000 so that we may make up our two lakhs. I hope if you find these proposals acceptable you will adopt them. Therefore I beg leave to propose formally.

“That the Committee's recommendations in paragraphs 13 and 16 of their report be adopted and that the following measures be adopted to meet the necessary expenditure :—

|                                                                                              | RS.             |
|----------------------------------------------------------------------------------------------|-----------------|
| Tax on vehicles, animals, carts, &c., to be raised 50 per cent. yielding an additional...    | 36,000          |
| Profession tax to be raised 100 per cent. yielding an additional ...                         | 65,000          |
| Tax on liquor shops to be doubled yielding an additional ...                                 | 13,600          |
| Petroleum tax at 1 anna per gallon for all petroleum consumed in the city yielding...        | 40,000          |
| That Government be requested to forego the contribution of Rs. 50,000 per annum yielding ... | 50,000          |
|                                                                                              | <u>2,04,600</u> |



Mr. M. O. PARTHASARADHY IYANGAR :—I second it.

Mr. M. VENKATARAMIAH CHETTY :—It is better to divide the resolution into two parts.

Mr. P. THEAGAROYA CHETTY :—I have no objection.

Hon'ble Mr. P. RUNGAYYA NAYUDU :—I think the figures given by the Committee are not quite correct, because Mr. Ellis states that the present expenditure is 25,000, whereas I calculated it and I do not find it correct. It is better that all these figures are corrected.

The President explained that the figures were only approximate and they seemed to be on the right side. Even though the actual expenditure would be a little less than two lakhs of rupees a year, still they were within the mark in taking the two lakhs as their basis, and as long as they did it they were on the right track.

Mr. R. N. PRAGASA MUDALIAR :—While I fully support the proposal made by my friend Mr. P. Theagaroya Chetty, I propose "that the following words be added to the first part of the resolution 'with the additional recommendation that the Red Hills tank be restored to its original level at the cost of the Municipality.'" I make this suggestion on two grounds, financial and sanitary. As regards the financial ground we find that the annual expenditure in pumping the water of the Red Hills Lake was something like Rs. 20,000.

THE PRESIDENT :—Not so much as that.

Mr. R. N. PRAGASA MUDALIAR :—That is the approximate figure which Mr. Loane gives in his report. Perhaps the exact figure is Rs. 18,000. The Red Hills Tank has been reduced by 3 feet and if it is raised to its original level, you will have a larger sheet of water and much purer water and also the necessity for baling out water would be avoided. Mr. Loane proposes that by the expenditure of one lac of rupees in raising the level of the tank to its original height, we would not only obviate an annual expenditure in pumping, but also we would secure a much larger sheet of water and certainly much purer one than what you were able to get at present. As regards sanitary grounds on which I make this recommendation, I think gentlemen, you must have noticed from the Administration reports of the past few years that fever had inordinately increased during the past 10 years, that is from the year 1884, the year in which the Red Hills Tank breached. We find that some 3,000 deaths took place annually from fever, but the figure has now risen to something like 9000 a year. For this, various causes have been assigned by Sanitarians one of which is the defective water-supply. Surely the general level of water after the reduction of the bund by three feet must be much smaller than what it was originally. During the hot months water goes down and sun's action plays upon the water and the vegetation down below with the natural result that the whole water in the Tank is contaminated and we are obliged to drink that water; whereas if the tank is raised to its original height the action of the sun upon the vegetation at the bottom of the tank would be comparatively very little, there being a larger sheet of water. For these grounds I propose the amendment.

Mr. R. BALAKISTNAMA CHETTY seconded the amendment.

Dr. MAITLAND :—It will be a pity if we pass this amendment, because it is perfectly certain that the Government will never agree to the raising of the bund. Moreover if we ask for this it may wreck the whole thing. I do not at all believe in what Mr. Pragasa Mudali said about the improved condition of the water-supply. I do not see how the raising of the bund can possibly affect in the slightest degree the quality of the water. It will of course increase the quantity of the water but it cannot have any possible effect upon its quality.

Mr. W. S. VENKATARAMANJULU NAYUDU :—No doubt the Government has to be consulted before we can carry out the work of raising the bund to its original level. Unless the Government accedes to our request and sanctions the proposal, we cannot at all undertake it. Here you have heard the professional authority that the raising of the bund would not affect the sanitation of the water—it will not influence the quality of water. After that opinion I do not think there is any one who would dispute Dr. Maitland's authority. Nevertheless there is no harm in our asking the Government to give us permission to raise the bund. If they think there is no harm to the bund itself by raising it to its original level and if they can permit the Municipality to do the work under their superintendence, the Municipality bearing the cost, then it will be all the same desirable to have more water than we can now possibly have, with the present level of the bund. I think the Commissioners may approve of the amendment which is simply a request to Government. If the

Government approve of it, we will carry it out. If not, the other resolution which deals with Mr. Loane's scheme will not at all be affected, and we will yet be in a position to do what is really needful in the interests of sanitation.

Hon'ble Mr. P. RUNGAYYA NAYUDU :—May I know whether the initial expenditure should be incurred by us and also the maintenance. When the breach took place, the Government was advised by their professional gentlemen, namely the Engineers, that it was dangerous to have the bund at that height and they advised Government to reduce it.

Mr. DeCaster agreed with the Committee in thinking that drainage should be given priority over water-supply; and he thought that Mr. Loane's drainage scheme, costing 28 lakhs, should be preferred to the more costly schemes of Messrs. Cousins and Ellis.

The amendment was put to the vote and carried.

THE PRESIDENT :—Now we come to the second part of Mr. Theagaroya Chetty's resolution, which deals with the financial question.

Mr. M. VENKATRAMIAH CHETTY :—I wish to propose an amendment. Wheel tax and the professional tax being taxes directly payable by people and not leviable upon goods ultimately payable by the consumer, they will be heavily felt and therefore I would suggest that the tax on petroleum may be raised to 3 annas per gallon. It may look ridiculously heavy but this will be paid not by the people but by the consumer. Considering that this is an article of consumption and considering the small fraction of expenditure on this head which every man incurs, it would not be heavily felt by the consumer who pays the tax ultimately. I do not believe that in the richest families a man spends more than 5 or 6 rupees a month upon Kerosine oil. If that is so, the poorest man spends very little and his expenditure would not be more than a rupee a month. The raising of the tax would therefore only raise the monthly expenditure by a few annas, and the tax on petroleum may be safely raised. No objection can be raised to raising the tax on liquor shops because the liquor merchant does not pay it but only the consumer who never feels it. Therefore I propose as an amendment, "that that portion of the second part of the resolution referring to the tax on vehicles, animals, carts, &c., and the profession tax be omitted and 3 annas be substituted for 1 anna in the tax on petroleum."

Mr. C. Yethirajulu Nayudu seconded the amendment.

Mr. P. THEAGAROYA CHETTY :—I have to say only one word in connection with this amendment. The report states that there is already a tax of 14 per cent. levied on petroleum by the Imperial Government, and if you levy a tax of 3 annas upon it, it will amount to a tax of 56 per cent. I do not think any Government would sanction it.

Mr. R. N. PRAGASA MUDALIAR :—I have to say one or two words in regard to this amendment. If the collection of this tax on petroleum is sanctioned at all, it must be borne in mind that it would be subject to refund. The taxation on petroleum at one anna per gallon would be bad enough but taxation at 3 annas would surely bring about the effect which the Committee have pointed out, namely, that the trade would be driven off from the Madras Port. As regards the question of refund, the Committee have carefully pointed out the result of the experience gained from the tobacco tax what was the result in that case? Our refunds amounted to something more than the revenue derived from it; and in the case of petroleum there is nothing to prevent a similar result being brought about. No body would examine a tin or can of Kerosine oil. Suppose a tin or can filled with water is exported as if it contained Kerosine oil, who can find it out?

Mr. S. GURUSAWMI CHETTY :—Experience has taught us that any additional direct taxation is always keenly felt by the people and therefore it would be advisable to bring about an additional taxation which would not be felt by the people. In that view I agree with Mr. M. Venkatramiah Chetty to a certain extent in the levying of the tax on petroleum but I would reduce the tax to two annas per gallon which would yield Rs. 80,000. I would therefore propose the following amendment.

"That 2 annas be substituted for 1 anna in the tax on petroleum and the following be added: the tax on tolls be doubled and that portion of the second part of the resolution referring to the tax, on vehicles, animals, carts, &c., and the profession tax be omitted."

Mr. Mahomed Sheriff seconded the amendment.



Mr. W. S. VENKATRAMANJULU NAIDU:—I beg to propose another amendment and in doing so must say I do not agree with Mr. S. Gurusawmy Chetty or Mr. M. Venkatramiah Chetty in thinking that we can afford to raise the tax on petroleum by two or three annas. In the first place the Government will never consent to it and in the second place the trade would be practically driven off from Madras and it is therefore most injudicious to raise it higher than was proposed by Mr. Theagaroya chetty. Even now it is only after a lengthy correspondence extending over a period of 5 or 6 years that we have succeeded in getting the Government to allow the municipality to levy a small tax on petroleum and therefore it is not likely Government would agree to any injudicious step of this kind. I agree with Mr. Theagaroya Chetty generally in the ways and means he has proposed, but I do not agree with him in the raising of the professional tax cent per cent. If you raise the professional tax 50 per cent and increase the timber fees slightly, you will in fact divide the burden of taxation pretty equally upon all the classes. I therefore propose the following amendment.

"That 50 per cent. be substituted for 100 per cent. in the profession tax and that the following be added:—

"Tax on tolls to be raised 50 per cent.

"Tax on timber to be raised one-fifth of the present rate,"

Mr. G. Subroyalu Chetty seconded the amendment.

Dr. WALKER:—It seems to me from my limited knowledge of Madras that the taxes on vehicles and animals and the professional tax are already high and if they are increased they will become oppressive and inequitable because they will press upon a limited number of people. Of course I speak quite as a stranger, from what I have picked up during these few days. The proper direction for increase of taxation in connection with the proposed measure would be that of raising the tolls somewhat and raising the house tax somewhat. I am not able to give any figures, because I know nothing about the matter, but I think those are the directions in which taxation should be increased.

Mr. P. M. SIVANGNANA MUDALIAR:—I beg to propose "that the meeting be adjourned till Friday the 7th June 1895." We have had a combination of taxes proposed and we must have sometime to consider them.

The motion for adjournment was put to the vote and carried.

Local General Department.  
Madras, 2<sup>nd</sup> September 1895.  
CURRENT No. 2749

From

LIEUT.-COL. G. M. J. MOORE, C. I. E.,

President, Municipal Commission.

To

The Chief Secretary to Government,  
Fort Saint George.

SIR,

Enclosures  
8.

I have the honor to submit herewith for the information of Government full proceedings of the following meetings of the Commissioners together with copies of abstract proceedings of the same meetings.

Adjourned Special Meeting held on 31<sup>st</sup> May 1895  
— do — General — do — 5<sup>th</sup> June 1895  
— do — Special — do — 7<sup>th</sup> do —  
— do — do — do — 14<sup>th</sup> do —

I have the honor to be,  
Sir,

Your Obedt. Servant,  
G. M. J. Moore  
President, Municipal Commission.

2749



When given for copying \_\_\_\_\_  
 When copied \_\_\_\_\_ } 189  
 When examined \_\_\_\_\_  
 When signed \_\_\_\_\_

READ AGAIN G.O., No. \_\_\_\_\_  
 189 , DATED \_\_\_\_\_

CURRENT No. \_\_\_\_\_

ENCLOSURES TO G. No. \_\_\_\_\_

ORDER OF GOVERNMENT .. .. A A A A A A A

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.

*Mr. Chief Secretary to Government  
 Fort St. George*

*I have the honor to acknowledge receipt of the  
 information of Government for forwarding of the  
 following extracts of the Government papers to  
 with copies of abstracts forwarding of the same  
 herewith.*

*Government Office Madras 1st May 1892  
 to Government .. ..  
 to .. ..  
 to .. ..  
 to .. ..*

*I have the honor to  
 do  
 Your Obedient Servant  
 .. ..  
 .. ..*