

20-11-15 ✓

[L & M.]
[8,000-5-5-90.]

Local & Munl. (1895) Department.

MISCELLANEOUS.

G.O., No. 15422.

DATED 24th Aug 1895

[Despatch Abstract.]

Toll-gate.

Approving the proposal of the Malabar District Board to establish a ---- at Perintalmannu and ordering the issue of the necessary notification in the Fort St. George and Malabar District Gazettes.

BACK PAPERS.

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

FURTHER PAPERS.

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

Resolution by the District Board of Malabar

With the approval of His Excellency the Governor in Council, the District Board of Malabar hereby resolves, under Section 88 of the Madras Local Boards Act V of 1884, that a toll gate will be established at Poritalmanna in the Valluvana Taluk at the junction of the Pattambi-Pandikad road with the great western road from Mannar-ghat and that tolls at the maximum rates specified in Schedule B of Act V of 1884 ^{the same} will be levied from ^{and after 1st October} 1895 on all carriages, carts and animals passing through the said gate.

24 March 1895
Kuthuparamba

President
President

B

Journal Part I A

Extract from the Proceedings of the Dist.
Board. Malabar at its meeting held at -
Calicut on Saturday the 9th March 95

Present

H. Moholy Esq. President.

- 1 A. H. Pinkey Esq. of sub Collector.
- 2 Mr. J. Murphy Esq. of Head asst Collector.
- 3 Mr. P. S. Lingarajulu Pillay and Def
Collector Cashier.
- 4 J. H. Gwynne Esq. of Collector Begnad
- 5 Mr. P. Ram menon and
- 6 " P. Kanaran and
- 7 " P. Unni Kutta Kidaow and
- 8 " P. Parayana menon and
- 9 " C. Kunki Chandoo Nambiar and
- 10 " P. Sreedharan Nambudri and
- 11 " S. Parayana Dyer and
- 12 " S. Ananta Putter and Tahsildar
Wallemanad
- 13 " H. Krishnan Nair and A. H. B. C.
- 14 V. C. Assoo Sahib Bahadur.
- 15 Koya Kunki Koya Mangal Sahib
Bahadur.

x

x

x

4- Read endorsement of the Def Collector
in Charge of the Special Assistant Dir
dated 2nd February 95 and on the
69
2-2-95' Substanting Wallemanad

2
Tahsildar's report dated 29th January
1895. Refon^{no}. $\frac{36}{1895}$, suggesting the
desirability of opening a new toll-
gate at Perintalmanna where
the Pattamul - Pandicad road and
the great western road from -
Mannarghah meet.

And dish: Board's resolution
dated 15th January 95. postponing
the same for the consideration of
the Board at the next meeting.

The timber traffic from Coandur
to Pattamul is very heavy and cuts
up the roads. The Board is therefore
of opinion that a toll should be
established at Perintalmanna.

The President is requested to
address the members as to the ad-
-visability of raising the fees
to be levied on carts laden

with timber on the log.

Sy. H. Molochy.
President.

(True Extract)

R. R. R.
do President.

Malabar Collector's Office,
Camp. Kuthuparamba 27th March 1885.

Local & Municipal Dept.

CURRENT No. 996 L

From,

H. Moberg Esquire
President of the District Board, Malabar,

To,

The Chief Secretary to Government
Local and Municipal Departments,
Madras.

Sir,

In forwarding herewith Copy of resolution
of the District Board, passed at its meeting held on the
9th March 1885, I have the honor to request that Govern-
ment will be pleased to accord its sanction for the
Establishment of a toll-gate at Peritalmanua, in
the Walluvanad Taluk where the Pattambi-Pandikka
road, and the great western road from Mannargha
meet.

2. The Tahsildar Walluvanad, reports that
the heavy timber traffic which has recently sprung up
between Wandur and Pattambi does considerable
damage to that road and it is only reasonable
therefore that the above traffic which now altogether
escapes toll should be taxed in order to provide
funds for keeping the road in good condition.

3. A draft notification under Section 88 of
the Local Board's Act V of 1884 is herewith submitted
for approval and for publication in the Fort St
George Gazette.

4. In accordance with the latter part of

X the
nearest Railway
station

996 L/95

District Board's resolution, I also beg to bring to the notice of Government, the desirability of raising the fees to be levied on Carts laden with timber in the log. Under Schedule B to Act V of 1884, the rate of toll now levied on such Carts is only 4 annas, even though they carry double the usual weight and are drawn by 2 pairs of bullocks. Considerable damage to the roads is caused by these Carts, as already stated above. I beg, therefore, to submit for the Consideration of Government, the advisability of amending the Act, so that the rate of toll to be levied on Country Carts laden with timber in the log may be fixed according to the number of bullocks required to drag the Cart.

I have the honor to be,
Sir,

Your most obedient Servant

Chunab

President of the District Board.

Dist. Bd.

Local & Municipal Dept.

Current No. 996 L

H. L.
misc.

order

From

The President
District Board
Malabar

To,

The Chief Secretary to Govt.
Colonial Dept.

D 27. 3-95

2nd
Red

UNDER SECRETARY
COLONIAL DEPT.
31 MAR 95

Encl- 2.

Subject.

Forwarding copy of District Board
Resolution of 9-3-95 & requesting
to sanction the establishment
of a toll gate at Perintalmanna
in the Wakkamand Taluk.

The proposal of the D. & B. is
approved and the draft notification,
as amended by J. G., will be
published in the Fort St. George
and the Malabar D. & B. gazettes.

2. The President should have
submitted the usual sketch
showing the position of the
present and the proposed toll gate.

3. The suggestion to amend
the Local Bd's Act in view
to the raising the ^{rate of} tolls levied
on carts laden with timber
in the log does not commend
itself to J. G.

V. A.
11/2/95

To

The President, D. & B.
Malabar
Gazette.

(with order)

A. J. M.

ment showing the distance and Wakkamand.

Current No. 996 L

From

Dated

189

FOR ORDERS.

As to para 3. of the draft order on
the current.

It would perhaps be impossible
to alter the schedule so as to charge
carts laden with timber in the log a
higher rate of toll. For then a cart
with any sort of log in it would
probably be made to pay the enhanced
rate.

If the schedule charged a higher
rate on bandies drawn by more than
two bullocks the bandymen would
probably unyoke the extra pair out of
sight of the gate, take the bandies
to the gate with one pair, & yoke up
again further on. Why

The real reason these timber-car
cut the roads so pieces so much is
that their wheels have such narrow
tires that they go through soft roads
bet roads like a knife. Heavy
bandies are nearly as bad, & damage
roads where the metal is soft & is
very quickly. It is suggested
that if the schedule in the new
Act charged a higher rate of toll
every country cart with a tire
less than ^{three} inches width, there
would speedily be a change in the
wheels of all bandies (it could be
by widening the tire & felloes or
actually remaking the wheels) of

would save District & Palakk
Boards a very large sum in
repairs annually. It is submitted
that this measure would cause
no hardship to carts except the
first charge of altering their
wheels if they often went through toll
gates, & would even be convenient
for them when going across country,
as the wheels would then sink less
deeply into the soil, & the bands would
pull more easily. The extra weight
of the broader felloes & tires would, it is
submitted, be not enough to cause any
considerable inconvenience or additional labour
to the bullocks.

The band-wheels of this part of
the country are, it is believed, unusual
in other parts of India, & are much
higher, & lighter, & with narrower tires
than are the patterns of other parts.

W. W. A. 95

Ask how far Serintalavanna
is from the nearest toll bar
& make the note on the map.
18/4.

Order

The President District Board
requested to report how far
Serintalavanna is from the nearest
existing tollgate
(from order)

21

19.11.

558
26/11/95

Order

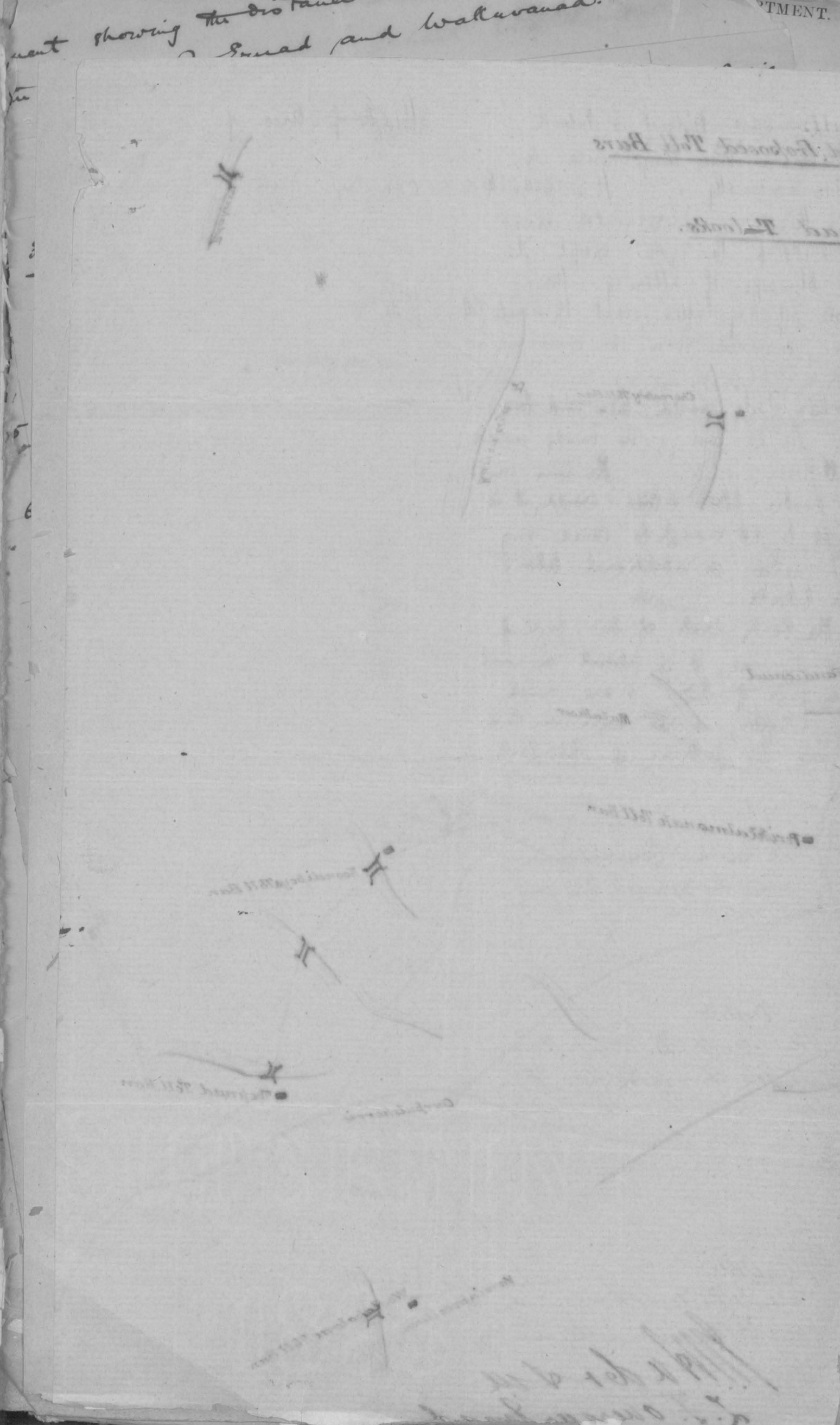
The President District Board is requested
to submit a sketch showing the existing
& proposed tollgates and to
state the distance between them
(from order)

9962

Width of tires of

country carts

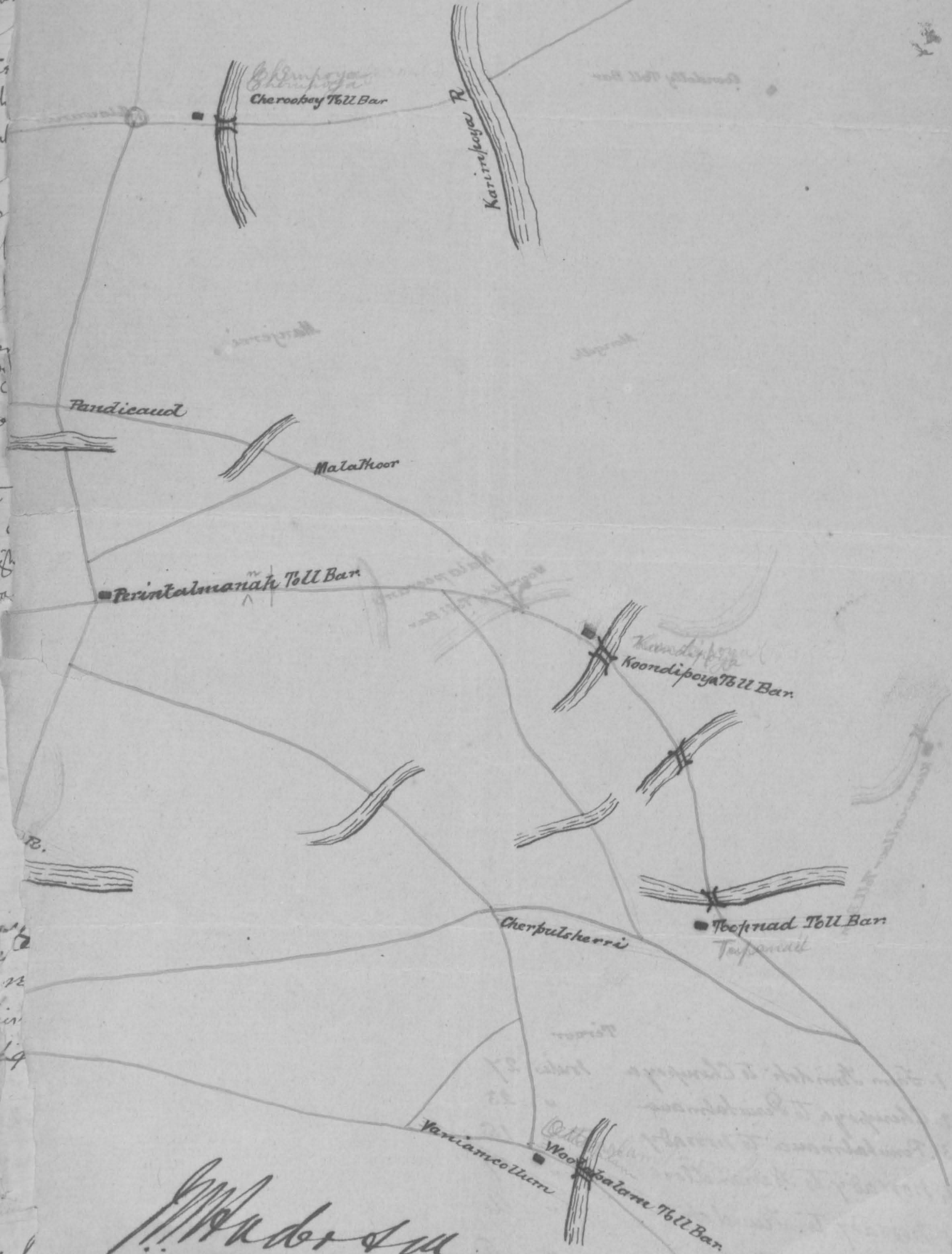
fm



and Proposed Toll Bars

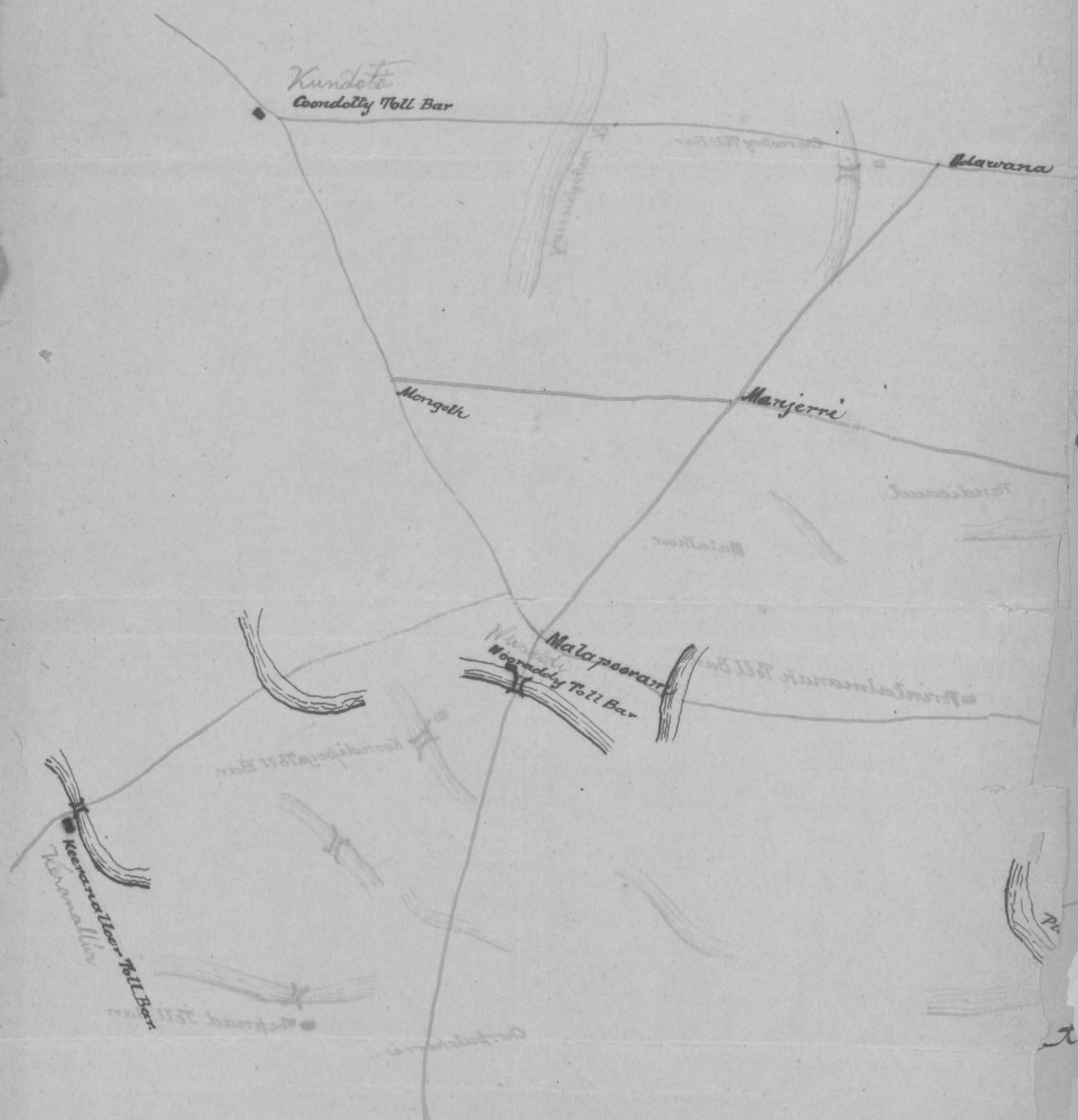
andad Talooks.

? Wardur.



Sketch Showing Existing

Ernad and Wall



- | | Piroor |
|--------------------------------|--------|
| 1. From Kundote to Chempoyya | 27 |
| 2. Chempoyya to Perintalmannah | 23 |
| 3. Perintalmannah to Koorady | 15 |
| 4. Koorady to Karamalloor | 17 |
| 5. Koorady to Kundote | 14 |
| 6. Chempoyya to Karimpooya | 5 |

Asst. Secy. to Govt. of Madras
Ag. W. S. S. S. S.

[Signature]
L. F. Overman, Secy.

proposed to...
the distance between them
(from each)...

ment showing the distance
the bulks of Ennad and Wakkavand.

Particulars

No. of miles

	From the Kundipoya toll gate to the proposed	17
	Toll gate at Perintul manna	21
	From the Ottapalam toll gate to ———	23
	From the Cherupoya toll gate to ———	15
	From the Turadi toll gate to ———	
	From the Kundipoya toll gate to the Thuppanad	13
	toll gate	
6	From the Turadi toll gate to the Keraallur	17
	toll gate	
7	From the Turadi toll gate to the Kundothi	14
	toll gate.	
8	From the Kundothi toll gate to the Cherupoya	27
	toll gate	

J. Radhakrishnan

For President

Cablet
1-8-95

K. H.

A. H.

Municipalities Act, III of

21654/95

553 L7

Dis

Malabar District
Calicut July 31. 1895.

MENT.

From,

H. Moberly Esq
President District Board
Malabar

To,

The Chief Secretary to Government
Local and Municipal Dept
Madras

Sir,

With reference to official memorandum is
from Government dated 26th April 1895 n. 558, we
have the honor to forward herewith a sketch
showing the existing toll gates in the taluk
of Emad and Walluwanad and the proposed
toll gate at Perintalmanna in the latter taluk.
2 A statement showing the distances between
several toll gates in the two taluks is also
herewith submitted.

I have the honor to be,

Sir,

Your most obedt Servant

J. P. P. P.

For President

As
orig
in
as
as

BH

88

... of ...
Municipalities Act, III of

21654/95

LOCAL
2165 L

The President
District Board
Malabar

To the Chief Secretary to Govt
Madras

27 31-7-95

ssd

Recd - 3 AUG. 95

no 553 L7
Dio

Encl. 2.

Subject

Forwarding a sketch showing
the existing toll gate in the
valley of the river Malabar
at the proposed toll gate at
Perintalmanna in Malabar
and sketch as required

post memo of 26-4-95 no 558.
is the suggestion that a higher rate of tolls
be charged on carts with narrow wheels
than on those with wide wheels. It is
in fact that was the rule in England
and seems to have been in force in
this country also. I have looked up
the matter and find that it is
admitted.

20/8/95

(For orders)

H.M.

C. No. 996 L.
& 2165 L. of 10

For orders.

Please see the draft order and
Note for orders on the first of the current
read above. The second current furnishes
the information called for in the Report
thereon dated the 26th April 1895, no. 558. In
this it appears that the nearest existing toll
gate to the proposed toll bar is at Nuradi
fifteen miles to the west. It seems

however to be improbable that
there is any considerable
traffic from Nuradi to Perintalmanna
or vice versa. almost all the through
traffic will go the shortest way to the
railway. From Wandur to Pattambi
Railway station there are no toll gates
at all.

There seems to be no objection to
the proposed gate. As
for the proposal made in
the original note I do not think
that it would be desirable to
make a distinction between the wheels of carts.
There seems no sufficient reason
for altering the law so as to tax
increased tolls on heavier carts.

19/8/95
No objection to the proposed

When Simon
Who
Who

LOCAL AND MUNICIPAL DEPARTMENT.

189, No.

G.O. dated
ent No.
rent No.

of 189, dated
of 189, dated

from the
from the

FOR ORDERS.

could not care to legis-
late in this matter without
consulting Mr. C. & L. R. D., nor
do I think that legislation is
necessary - Under the Act
it stands, why should not
the toll be remitted
in the case of carts with
wheels more than 3 inches
width?

30/10/95

Please see the notes and orders in G. O.
No. 1542 L. Misc., Local and Municipal, dated
24th Aug. 1895 regarding a proposal to
levy a higher rate of tolls on carts with
narrow tires.

2. The English Law authorizing the
levy of a higher rate of tolls on
vehicles with narrow-tired wheels is
3. Geo. 4. Cap. 126, ss. 7-11 and 4. Geo. 4,
Cap. 95, ss. 5, 6, 10 and 19.
3. No Indian precedent can be traced
in the Local Boards and Municipal
Acts in force in the other Presidencies
and Administrations.

Perhaps this is because,
as was submitted in the
original suggestion, the wheels
in other parts of India are rarely
as narrow as those in
Madras Presidency.

[Bengal -

(1) In the schedule of tolls annexed to
Howrah Bridge Act, IX of 1871
is no distinction between narrow
and other carts.

(2) No schedule of tolls is given in
the Municipalities Act, III of

anything

to fix the rates of tolls with the sanction of the Commissioners of the Division.

(5) In the Bengal Local Self Government Act, III of 1885 there is no reference to tolls as a source of local fund income.

(4) In the Calcutta Municipal Consolidation Act, II of 1888 tolls are not mentioned as a source of revenue (Sec. 77 relates to tax on vehicles and animals).

II. N.W. P. and Oudh.

(1) Under Sec. 41 (1) (d), and 42 of the Municipalities Act, XV of 1883 the rates of all taxes and tolls are to be fixed by the Municipality.

(2) In the Local Board Act, XIV of 1883 there is no reference to tolls as a source of local fund income.

III. Punjab.

(1) In the Punjab District Boards Act, XX of 1883 there is no reference to tolls as a source of local fund income but a District Board may impose such taxes as may be approved by the Government (Sec. 30)

Under Sec. 39 (d) and 42 of the Punjab Municipal Act, XIII of 1884, the rates of taxes, &c. are to be fixed by Committees to be appointed by the Municipality, subject to the approval

(1) Under Sec. 21 of the Bombay District Municipalities Act, VI of 1873 the Municipality is to fix the rates of all taxes and tolls subject to the approval of Government.

(2) In the Schedule annexed to Act III of 1875 there is no distinction between narrow-tired and other carts.

(3) In the Bombay Local Boards Act, I of 1884, rates of tolls are not given, those given in the Schedule to Act III of 1875 being in force.

(4) In the City of Bombay Municipal Act, III of 1888 a uniform rate of two annas is fixed for tolls on vehicles entering Bombay (Sec. 180) and no distinction is made between narrow-tired and other carts.

V. Burma.

Under Sec. 45 of the Burmah Municipal Act, XVII of 1884 the rates of all taxes and tolls are to be fixed by Municipal Councils subject to the approval of the Local Government and in some cases, of the Government. Orders are solicited.

1.2
24/10/95
Whether the matter may be referred to the Bill to amend that suggested addition be made

19/8/95

1884, it could be seen in
to be the debate in the Council. What
of the was the general opinion on the
(5) Subject. I think I will leave this alone
Act Mr. 13. 1905 25/10/95

Levy of a higher
on vehicles with
wheels.

FOR ORDERS.

(4) Note for H.M.
-to With refer to his note above.
-to Submitted that H.M.'s proposal amounts
to the insertion of a new item in the
II schedule of tolls in the Acts, & that
(1) secs 51 & 63 of Acts IV & V of
1884 respectively do not appear to
contemplate such an exemption as
that under discussion.

Note for H.M.

Mr. 13. 1905 I am afraid that is
the case.
I doubt if the matter is of sufficient
importance to render it worth while
to legislate about it.

I don't think that S. 51 bears on the
question. Take the example of Andhra
S. 47 tolls may be levied at rates
exceeding those given in the schedule
of 91. The rates of tolls are to
be put in a list for the
Secy of the M.C. - speaking for
the tolls levied are half tolls,
which must run:
any 4-wheeled vehicle
with things - 0.4-0
to to to to
we should not come of the
unpleasant:-
with a 4-wheeled vehicle.

question of the proposed

When given for copying
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When examined
When signed

Papers to be read in proceedings. DEPARTMENT.

Note for H.M. for orders.

With refer. to the question in his
note of 7/11/95, it is submitted
that inserting provisions for sur-
taxed wheels in the schedule
practically amounts to an amendment
of the act. Schedules D & E of
Acts IV & V of 1884, respectively,
provide for certain vehicles &
no exemptions are provided for as
by inserting them the schedule, which
form part of the act, are altered
under secs 51 & 63 respecting
the two Acts. Special provisions
made for exempting a particular
class of persons, but no
is made for exempting a particular
order are requested as a precedent
is necessary to take
up to the proposed amendment
rates on surtaxed

I don't agree - However,
it is perhaps not necessary
to say anything in the matter

W.H.
12/11/95

Despatched
Please return
to me after

after any of
a. part
to which
is the Board,
Malabar
Despatched 29/12/95

1884

levy of higher rate of tolls on narrow gird vehicles.

For Orders

R.S.

La
and
S. 47
here
being
800
the
distance
between
the
proposed
distance between them

Levy of higher rate of tolls on narrow gird vehicles.

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Papers to be read in proceedings:— DEPARTMENT.

Again G.O., dated

189 , No.

Again G.O., dated

189 , No.

Current No. 996.2 of 1895, dated

from

Current No. 265.2 of 1895, dated

om

ORDER.

18/95 No. 1542 Linn

The proposal of the D. B. to establish a toll-gate at Perintalmanna is approved, & the draft notification, as amended by Govt., will be published in the Port of George & the Malabar Dist. Gazette.

2. The suggestion that the Local Boards' Act should be so amended that the rate of tolls levied upon carts laden with timber in the log may be enhanced does not commend itself to Govt.

M. S. 95

(from orders.)

Office. Note H.M.'s note about rates of tolls for narrow-gated carts, put up note about schedules in President's administrations. Can we discover any English precedent?

M. S. 95

Despatches
Please return them
to me after despatches
M. S. 95

To

The President, Dist. Board, /

Forwarded 27-8-95

Malabar
Despatch 29/8/95

Palgate at Perintalm.

(from orders)

21652

N.

Scene: need not go to CS.

ME

15227

Officer in charge (Pam.)
1/11/19

When given for copying _____
When copied _____
When _____
When _____

189.

RECEIVED G.O., No. _____
189.

DATED

CURRENT No.

ENCLOSURES TO C. 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.

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