

# Local & Munl. (1895) Department.

MISCELLANEOUS.

G.O., No. 568 *ln*

DATED *29<sup>th</sup> March 1895*

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[Despatch Abstract.]

Tolls.

Stating that the Government sees no reason to reconsider its order, dated 13<sup>th</sup> November 1894, No. 2335 L., to the effect that the interest on the promissory note forfeited by a defaulting toll contractor in the Erode Municipality should be considered a portion of the net receipts from-----.

# BACK PAPERS.

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

# FURTHER PAPERS.

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

# INDEXED.

[ 7 ]

## Miscellaneous.

LOCAL AND MUNICIPAL DEPT.

G.O., DATED 29-3-95

No.

568/n

When given for copying.

[Despatch Abstract.]

Tolls.

Stating that the Govt. sees no reason to reconsider its order dated 13<sup>th</sup> Nov. 1894 No. 23352 to the effect that the interest on the promissory note forfeited by a defaulting toll contractor in the Erode Munsif. should be considered a portion of the net receipts from —.

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

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH  
IN ORIGINAL (not paged).

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BACK PAPER, No.

OF 189

FURTHER PAPER, No.

OF 189

[ 8 ]

LOCAL AND MUNICIPAL DEPARTMENT.

Local & Municipal Dep  
CURRENT No. 893. M.

From

The Chairman  
Municipal Council  
Erode

To

The Chief Secretary  
to Government  
Local and Municipal Department  
Fort St George

No. 421

Dated 9<sup>th</sup> March 1895  
Received 12<sup>th</sup> March 1895  
Enclosures one only

SUBJECT.

Requesting reconsideration of  
G. O. No 2335 of this dated 13<sup>th</sup>  
November 1894 for reasons stated  
herein.

*C. miss*

*order d/29-3-95 no 568*

*The Government see no  
reason to reconsider its order  
dated 13<sup>th</sup> November 1894. No 2335*

*V.R.  
25/3/95*

*Mr. 26.3.95 12  
27/3/95*

*Note.*

*The Chairman's letter might well  
have been more respectful, but this  
is probably due mainly to his  
ignorance of English.*

*Mr. 26.3.95*

*To*

*The Chairman, M.C. Erode  
thru the Colr. of Coimbatore  
d/29/3/95*

*/with order*

*2125/3*

Copied by *HL*

Examined by *HL*

814/95  
28

Recd 20  
12-3-95

Eriode (1894-95) Municipality  
Local & Municipal De

PR. CURRENT No. 893 M

The Chairman  
Municipal Council Eriode  
The Chief Secretary  
to Government  
Local and Municipal Department  
Fort St George

Dated  
Recd  
Recd  
9 March 1895

No 421  
Enclosure only  
Subject  
Requesting reconsideration of  
Co No 2335 & Mis dated 13<sup>th</sup>  
November 1894 for reasons stated  
herein.

Forwarded

to Mr May

10/3

12/3

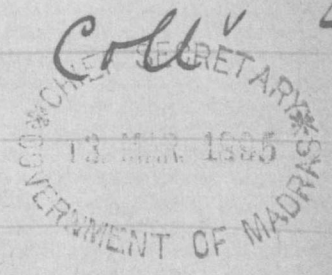
2335 & 13-11-94  
994 & 30-7-94  
1293 & 16-6-75

Forwarded.

2 I have nothing to add  
to the remarks contained  
in my letter, dated  
Oct 24, 1894, written in  
my capacity as President  
of the District Bd. Vide  
G.O. dated Nov 13, 1894,  
no 2335 & Mis.  
3 I have no doubt that  
the Municipality would  
claim to be relieved of  
its share of any loss  
by the default of one  
of its contractors

Arthur Bradley

12-3-95



2/25/3

Demand Made by the District Board  
and request reconsideration of Vol. 2335  
L No dated 13<sup>th</sup> November 1884.

A Copy of the Resolution of the  
Council on the Subject is herewith enclosed.

I have the honor to be

Sir,

Your Most Obedt Servant-

Chairman

8th Dec 85

Pro note at its nominal value; but the fact that the Council did accept it cannot help the District Board, for the Council went out its way at its own risk.

4. Supposing the Council had an urgency for the money covered by the Pro note and had to sell the Pro note for what it was worth in the open market and thereby incurred a loss, would the District Board have borne its share to the extent of  $\frac{1}{3}$  of the loss sustained by the unwarranted action of the Council?

5. That the Municipal Council had a profit in the bargain was merely an accident due to the absence of any pressing expenditure at the time. In prospect of any prospective gain or loss the Council paid the full share of the District Board within the year it became due and the Pro note consequently merged in the general balance of the Council.

6. Under these circumstances, the Government will be pleased to see that the Council is not liable to satisfy the

the interest that accrued upon a Government Pro note offered by a Toll Contractor in lieu of a money deposit for the due fulfilment of the Contract can be considered by the District Board as an item of receipt under tolls. Claiming its share therefrom. Such interest could not have been contemplated as a toll receipt by the S.O. in question. As the words "net receipts from tolls" could have been understood at the time to include only the amount fetched by the tolls when put to auction or the sums collected at the several toll gates of a municipality if under Amami Management, minus any bonafide expenditure incurred by the Municipal Council in the construction and maintenance of toll sheds, toll bars &c.

3. Further it will not be contended that the acceptance of the Pro note in lieu of the 3 months bills due from the Contractor was an investment of Municipal Funds in Government paper; for it needed the sanction of His Excellency the Governor in Council under section 28 of Act IV of 1884. The Council should not have accepted the Pro note

S. 421

Erode Municipal Office,

Dated 4 March 1895

From

M. R. RY. B. C. SUNDARA SASTRIYAR A.V.L., B. A.

CHAIRMAN MUNICIPAL COUNCIL, ERODE.

To

THE CHIEF SECRETARY

TO GOVERNMENT,

(Local and Municipal Department)

Fort St. George.

Sir,

The Toll Contractor for the year 1889'90 deposited with the Council a Government Pro note for Rs 800 in lieu of an advance of 3 months' kist payable under the Conditions of Sale by the Successful bidder, on the understanding that he was to pay 12 months' kist regularly and redeem the Pro note at the end of the year; but he paid only 9 months' kist and endorsed the note to the Chairman for the remainder. Subsequently the Contractor died and the Council attempted to sell the Pro note in the open market; but the certain prospect of loss induced the Council to desist from such a procedure and had to wait for the discharge of the loan by the Government of India.

2. It is true that the District Board is entitled to  $\frac{1}{3}$  of the net receipts from tolls vide S.O. No. 1293 Fm. dated 16 June 1875; but the Council fails to understand how

Erode Mupl. O. 20

12-3-95

11 Venkata Naiker A/c.

(True Extract)

Chairman

6.11.93

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