

Local & Munl. (1896) Department.

MISCELLANEOUS.

G.O., No. 1263

DATED 13th July 1896

[Despatch Abstract.]

Tolls.

Declining, with remarks, to answer the question raised by the Superintendent of Telegraphs regarding the exemption of telegraph stores from payment of -----.

BACK PAPERS.

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

FURTHER PAPERS.

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

Cuddapah

District Board's Office

Dated 7th February 1896

Camp Kadur

From

A. C. Tate Esq. M.A. I.C.S.

President

District Board

Cuddapah

To,

The Sub Divisional Officer
Government Telegraph Department
Vellore.

Sir,

In reply to your endorsement
1976 dated 27th ultimo on the
Madanapalle Taluk Board's President's
letter to your address Dis. Ct. 93 of 96 dated
24th January 1896. I have the honour to
inform you that Telegraph Stores are not
exempt from payment of Dols.

2) Government has ruled in G. O. Ct. 6132
dated 10th March 1892 and Ct. 18522 dated
1st August 1891 that Carts conveying
Government-Sumbers, Salt, timber or records
are not exempt from payment of Dols
on the ground that these articles are not
supplied with the Government

I

Specified in Clause 3 Section 87 Act II of 1884. The same argument applies to Telegraph stores.

3) The levy of Dols that you complaining was therefore proper and legal.

I have &c

(C.D.)

For President.

TRUE COPY

K. Sankaralingam
Head Clerk, Supdt's Office,
Madras Division, Telugu.

20 JUN. 96

L 2a. (1/2 foolscap).

GOVERNMENT TELEGRAPH DEPARTMENT.

INDEX No.

OF 189 -9 .

ABSTRACT:

PRECIS.

To *A. L. N. Palmer Esq.*
Superintendent, Madras Division
The Chief Secretary
Madras Government
No. 2199 Dated 19th June 1896.
(Place) Madras

Encs. Recd.

CURRENT No. 1741

SIR,

With reference to your letter No. , dated the
of 189 , I have the honour to forward herewith
for the favour of your perusal a copy of letter
No. 152, dated the 7th February 1896 to the
address of my Sub Divisional officer
at Vellore in which you will see that
the President of the District Board,
Buddappa, rules that "Telegraph stores
are not exempt from payment of Dols.
2. As "Telegraph Stores" are actually the
property of the Government of India it
appears to me that this ruling is
incorrect, and I may add that I am
not aware that this Department has
ever been obliged to defray Dols charges
in any other part of the Madras Division
of Telegraphs.
3. Under the circumstances I shall
be much obliged if you will let me
know the correct interpretation of the
rules on the subject for future guidance.

I

Sir,

Your most obedient servant

A. W. Lamer

Superintendent

Madras Division.

Local & Municipal Dept.

CURRENT No. 1741 L

From

The Supt. Telegraph Dept
Madras.

No. 2199

Dated 19/6.

Received 20/6.

Enclosures /

SUBJECT.

Ref^d to be informed of the
Correct interpretation of the
rules reg: the exemption
of the "Telegraphic Stores"
from payment of tolls.

For orders

Telegraph Stores would certainly seem
to come under "Govt. Stores" in sec. 87(3)
of Act II of 1884, even according to
the Adv. Genl's opinion of the
interpretation to be placed on Govt. stores
as used in sec. 131 of Act IV of 1884
(G.O. No. 863 in dt 8-7-89), as they
are equated generally with Commissariat
Medical & Ordnance stores. Govt.
cannot interpret the law, but in previous
G.O.s (a G.O. 1852 L - 6.8.84
1-8-91 10-3-92)
certain rulings have been laid down
for general guidance, & this course may
again be adopted, allowing parties aggrieved
to appeal to the Courts if they think fit.

W.D.

2-7-96 It appears to me that Govt. Telegraph
Stores are certainly Exemptable
The Adv. Genl. seems to have had an
idea floating in his mind that
only stores of a military nature
were exempt. I do not think that
the working of the Section at all
warrants this narrow construction.
The only reason for settling the question
is as far as I can see for the
Telegraph Dept. to save the
Adv. Construction for the
money paid to

W.D. 5.8.96
7/7/96

Papers to be read in proceedings:—

Again G.O., dated 189 , No.

Again G.O., dated 189 , No.

Current No. 1741 L of 1896, dated 19 June, from

" " " 189 , " " "

" " " 189 , " " "

Supt. Telegraphs
Madras.

ORDER. No. 1263 Lmis dt 13/7/96.

As the Govt. has no power to
interpret the law it cannot answer
the question raised by the Supt.
of Telegraphs, but it considers that
his best course would be to sue
the toll contractor for the money
paid, & thus obtain from the
Courts of law a definite ruling
on the subject.

(from orders) 12

11/7/96

W.D.
10-7-96

To
The Superintendent, Govt. Telegraph
Department, Madras.

Dated 18/7/96

Despatcher
Please return

later by the Supt.

(For orders)

Payment of Tolls by *Weymouth*
Storrs

From Odio

C. S.

21263

off. intell. case

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OF 189

BACK PAPER, No.

OF 189

FURTHER PAPER, No.

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

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

STATEMENT WITH DITTO.

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Miscellaneous.

LOCAL AND MUNICIPAL DEPT.

G.O., DATED 13th July 96

No. 1263 L.

INDEXED.

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[Despatch Abstract.]

To Ms.

Declining, with remarks, to answer the question raised by the Superintendent of Telegraphs regarding the exemption of telegraph stores from payment of —.

1263 from 109887

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189

G.O., No.

DATED

189

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

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LETTERS OF GOVERNMENT

STATEMENT WITH DITTO

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