

[L. & M.]
[3,000-4-2-97.]

Local & Munl. (1897) Department.

MISCELLANEOUS.

G.O., No. 1998^m

DATED 15-9-97

INDEXED. *ca*

[Despatch Abstract.]

Bye-laws

Informing the Chairman, Municipal Council, Madura, with remark, that the proposed bye-law, prohibiting the drying of paddy or other grains on public roads in the Municipality is unnecessary.

BACK PAPERS.

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

FURTHER PAPERS.

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

Papers to be read in proceedings:—

Again G.O., No. dated 189 .

Again G.O., No. dated 189 .

Current No. 2925. m of 1897, dated 31st July 1897 from the Chairman M.C. Madura.

" " " 189 , " , "

" " " 189 , " , "

Mis

ORDER.

No 1998 M. mis. dt 15-9-97.

The proposed byelaw is unnecessary, as the municipal council has ample powers under section 229 of Act IV of 1884, as amended by Act III of 1897, to prohibit or regulate the carrying of paddy or other grain on public roads and thoroughfares, by refusal of a license or by attaching certain conditions to the grant of the license.

VR
5/7/97

8/8/97

To
The Chairman M.C. Madura,
Through the Collector of Madura.
130
out - 20/9/97

may be inserted in the licenses
of paddy etc on public roads
LOCAL AND MUNICIPAL DEPARTMENT.

Again G.O., dated 189 , No.
Current No. 2925 m of 1897, dated 31st July 1897 from the Chairman. M. C.
Current No. of 189 , dated from the Madras.

SUBJECT.

FOR ORDERS.

With his letter read above, the Chairman of the Municipal Council of Madras forwards for the approval of Government a byelaw framed by the Council under sections 229^{and 255} of the Madras District Municipalities Act IV of 1884, as amended by Act III of 1897, prohibiting the drying of paddy and other kinds of grain on public roads. Section 229 says "whoever, not being an officer of Government in the discharge of his duty, or not being provided with a license from the Chairman or from some officer of Government having authority to grant the same, removes earth, sand or other materials from, or deposits any

matter, or makes any encroachment or obstruction, in or upon any land shall be liable to a fine not exceeding twenty rupees for every such "offence." The drying of paddy on public streets can be construed to be "depositing any matter or making any encroachment or obstruction in or upon any land" and under section 229, this will be an offence only if it is done without a licence from the Chairman or other officer of Government having authority to grant the same. As cases in which paddy or other grain is deposited upon public streets without a licence, can be dealt with under section 229, the proposed byelaw is unnecessary. It is ultra vires, for while under section 229, paddy &c may be dried on public streets with a licence, the byelaw absolutely prohibits it.

If, however, it is considered desirable to prohibit the use of roads, &c, for this purpose in such a manner as to cause obstruction to traffic, a condition

may be inserted in the licences granted under section 229, that only margins and not the road way, should be used for such purposes.

P.R.
26/8/97

~~the~~ The byelaw is as the note points out unnecessary. Sec 229 is sufficient. If the Mty. ~~is~~ object to the drying of paddy on roads they can refuse a licence. The matter is entirely in their own hands without a byelaw.

26/8/97

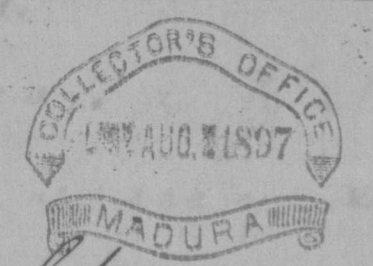
Local & Munl. (1897) Department.

CURRENT No. 2925 M

2 Dis 2878 off 78/10 8-97

Current No. 2878 of 1897
Date 1-8-97

Submitted
Suru
Collector
10.10.97
Madura
Collector



From
The Chairman,
Municipal Council,
Madura
No. 36.

Order

Dated 31st July 1897.

Received 13 AUG. 1897

Registered 13-8-1897

Enclosures 1 one

Spare copies

SUBJECT.

Submitting a draft bye law framed by the Municipal Council prohibiting the drying of paddy and other grain on the public streets for the sanction of Government.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

ENCLOSURE No. /

In a letter

FROM,

THE CHAIRMAN,
MUNICIPAL COUNCIL,
MADURA.

Dated No. 36
31st July 1897.
No.

Copy of resolution of
the Municipal Council
Madura.

1
2925 no of 1897

		Present:—
		Chairman
1.	R. Fischer Esquire.	
2.	M.R.Ry. K. Ramachandra Rao Avargal B.A. Comptroller	
3	Rev. C. Y. Vaughan.	Do
4	M.R.Ry. P. R. Venkatesulu Nayudu Garu.	Do.
5	" P. Selvaraj Nayudu Garu.	Do.
6	" S. Jombu Chettiyar Avargal.	Do.
7	" G. Subbarayalu Nayudu Garu.	Do.
8	" Fayid Muhammad Ibrahim Sahib Aul.	Do.
9	" E. Y. Subrahmanya Aiyar Avargal.	Do.
10	" S. Ramachandrayya Avargal.	Do.
11	" Trisarnan Chettiyar Avargal.	Do.
12	" M. Anantha Krishna Nayudu Garu	Do.
13	" Goma Sundara Nadar Avargal.	Do.

(Signed) R. Fischer
Chairman
(True Extract)

Im
eee
 31.7.92

ENCLOSURE No. 2

In a letter

FROM,

THE CHAIRMAN,
MUNICIPAL COUNCIL,
MADURA.

Dated

No. 36.
31st July 1897.
No.

Copy of Bye law

2
Wrs May 1897

31/7



MADURA MUNICIPALITY.

Madura Municipality Notification.

In exercise of the powers conferred by Section 256 (1) of the District Municipalities Act IV of 1884, the Madura Municipal Council directs the publication of the following draft Bye-law for adoption in the Madura Municipality. Any objections or suggestions which may be made in respect of the said Bye-law by any person interested therein will be considered on or after the first May 1897.

Bye-law under Act IV of 1884.

Miscellaneous Section 229.

"No person shall dry or cause to be dried paddy or other kinds of grain on public roads, thorough fares, or other places of public resort except on the margin thereof on mats or gunnies provided for the purpose."

Any violation of the Bye-law will render the offender liable on conviction before a Magistrate to a fine not exceeding Rupees 5 (five) and in cases of repetition of the offence to a further five of annas eight for every day."

Madura,
Municipal office
31st March 1897

R. Fischer,
Chairman.

மதுரை முனிசிபாலிட்டி நோட்டிபிகேஷன்.

1884-ஆவது ஆண்டு 256 (1) பிரிவுப்படிக்கு மதுரை முனிசிபாலிட்டியில் அனுசரிக்கவேண்டியதற்காக அடியிற்கண்டிருப்பது சகாயவிதியை பிரசித்தஞ்செய்யப்பட்டிருக்கிறதது அதவிஷயமாய் செய்யப்படும் ஆகையினை அல்லது அபிப்பிராயத்தைப்பற்றி 1897-ஆம் மே 1-உயிலாவது அதற்குப்பின்னிட்டாவது ஆலோசிக்கப்படும்

1884-ஆவது 4-வது ஆக்டை அனுசரித்து ஏற்படுத்தலான சகாய விதி

மிஸிலேனியஸ் 229-வது பிரிவு.

பப்பினிக்குண்டுகளிலாவது அல்லது ஜனப்பழுக் கமான மற்ற இடங்களிலாவது ஓரத்தல் பாய்கள் அல்லது சாக்குகளை விரித்து நெல் அல்லது மற்ற தானியங்களை உலர்த்தவேண்டுமேதவிர மற்றபடிக்கு மேற்கண்ட இடங்களில் உலர்த்தவாவது அல்லது உலர்த்தும்படிக்கு செய்யவாவது கூடாது.

இத்தசகாயவிதியின்படி நடக்கத்தவறினால் அப்படிதவறி நடப்பவர்கள் குற்றவாளிகளென்று ரூசுவா அல் 5 ரூ. க்கு அதிகப்படாத அபராதத்திற்கு அவர்களுள்ளவர்கள் அதேகுற்றத்தை மறுபடியும் செய்கொண்டுவந்தால் அப்பேர்ப்பட்ட ஒவ்வொரு துணைக்கும் 8-அணு அபராதத்திற்கு உள்ளவர்கள்

மதுரை, } ஆர் பீஷர்,
முனிசிபல் ஆபீசு, } சேர்மன்,
1897-ஆம் மார்ச்சு 31-உ }

(True copy)

R. Fischer
Chairman

Municipal Office
Madura 31st July 1897.

No 36

Enclatures Two

From,

R. Fischer Esquire
Chairman, Municipal Council
Madura.

To,

The Secretary to Government
Local and Municipal Department
Madras.

Through

The Collector of
Madura.

Giv.

I am forwarding herewith for the Sanction of Government a draft of the Bye-law framed by the Municipal Council prohibiting the drying of paddy and other grain on the public streets, I have the honor to state that a bye-law of the kind is absolutely necessary as the habit is becoming a regular nuisance to the public in such a densely populated town as this. The driers of grain sweep clean the middle of a street and sprinkle cow dung water over it, then spread the grain and keep turning it over with their hands for hours together to the damage of the road and to the great inconvenience of pedestrians and wheeled traffic.

The preliminaries prescribed in Section 256(1) of Act IV of 1884, have been observed.

I have the honor to be
Sir,

Your most obedient servant

R. Fischer
Chairman

4/11/97

[Faint, mostly illegible handwritten text on the left page, possibly bleed-through from the reverse side.]

When given for copying
 When copied 27/11/1884
 When examined
 When signed

READ AGAIN 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.

N.B.—
 A = Copy in full.
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 Q = Copy heading only.