1-12-00
27-8-18 N

[L. & M. 2,000—28-10-97.]

Local & Munl. (1897) Department.

MISCELLANEOUS.

G.O., No. 2575 M.

DATED 15-11-97

INDEXED.

DESPATCHED.

[Despatch Abstract.]

Appointment of Secretary

Sanctioning with remarks, the appointment of Rao Saheb Secretary to the Bellary Munl: Council on a salary of Rs 200 per mensem & the delegation to him of the powers specified in the resolution of the Munl: Council, dt 19th Oct 1897.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Ccco 1582/98							

[5]
200—23-9-7.

Appointment of a Secretary Bellary Municipal Council

...ND MUNICIPAL DEPARTMENT.

P...pers ...gs:—

Again G.O., No. , dated 189 .

Current No. 2777. M of 1897, dated 21st July 1897 from the Chairman M.C. Bellary

Current No. 3759 M. of 1897, dated 20th October 1897 from the —do— —do—

Misc Order. No. 2515 M Mis dt 15/11/97.

The appointment of a Secretary on a salary of Rs 200 per mensem and the delegation to him of the powers specified in the resolution of the municipal council, dated 19th October 1897 are sanctioned.

2. The Government does not however, consider it necessary to continue the grant of a carriage allowance to the Chairman as the ~~Secretary must be able to do all~~ detailed inspection work of the municipality will fall on the Secretary. It should therefore be discontinued. The grant of a horse allowance to the Secretary, as recommended by the Collr, would appear to be desirable.

HM

BS

3. In the circumstances stated in paragraph 3 of the Chairman's first letter read above the Government will not insist upon any reduction in the pay of

of the municipal office manager at present, but the pay of the office should, as proposed by the Chn., be fixed at Rs 50-

V.R
4/11/97

8/11/97

BS
12/11/97

To
The Chairman. M.C. Bellary,
through the Collector.

Despt 18/11/97

Local & Munl. (1897) Department.

CURRENT No. 3262

V Reg. No. 1334. 5 JUL. 1897 — HEAD QUARTER DEPUTY COLLECTOR'S OFFICE, N. BELLARY.

COLLECTOR'S OFFICE, No. 3521 — 21 JUL. 97 — BELLARY.

From M.R.Ry P. Rama Rao Garu B.A.
Chairman Municipal Council
Bellary

Reference Order. No. 895 dt 21.8.97.

No. 3262

The Chairman is requested to report through the Collector, which of his other powers in addition to those specified in Sec. 42 of the Madras District Municipalities Act IV of 1884, as amended by Act III of 1897, the Council proposes should be delegated to the Secretary under Clause (d) of subsection (3) of section 39-A.

V.R
19/8/97

Dated 21st July 1897
Received 2 AUG. 1897
Registered 2-8-1897
Enclosures One
Spare copies

SUBJECT.

Appointment of a Paid Secretary to the Municipal Council of Bellary:— Submitting copy of the Council's Resolution Sanctioning the Salary of only Rs 200/- for the — and declining to reduce the pay of the Manager and the allowance of the Chairman for the reasons given—

Copy dd 23/8/97 to Bellary

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. — Municipal Councellors Office
Bellary dated 21st July 97

From

M. R. Ry C. Ranga Rowlgaru Esqr.
Chairman M.C.
Bellary

To The Secretary to Government
Local and municipal Departt
Madras

Thro: the Revenue Officer in Charge
of Division
Bellary

Sir, With reference to Parcel of G.O. No 1465-M dated 21st June 97 I have the honor to forward here= =with Extract from the resolution of the municipal Council passed at its meeting held on the 13th — Instant, regarding the pay of the Secretary and that of the — manager and the Carriage allow= =ance of the Chairman

2. In the G.O. under reference the average Annual Income of this Municipality is put down at Rs 81331/- but in the present year the Revenue of this Municipality has already suffered a loss of Rs 40000/- under tolls. The Council has taken into Consideration, also the Expected fall of Revenue under Taxes &c &c Consequent upon the

the Amendment Act fixing the assessment by income. The Council Expects a reduction under this head by Rs 3000/- at the lowest. The Actual income during 1896-97 was Rs 78450/-. These reductions will bring its income below Rs 75000/- The Council has therefore fixed the pay of the Secretaryship at Rs 200/-

The average annual income for the three financial years ending 1898-99, being Rs. 81330/- the monthly Salary of the Secretary according to the scale suggested in G.O No. 1465(R) dated June 7, is Rs 250-

3. The present Manager has been in Office for 12 years and has been drawing Rs 85/- for the last 5 years. He has uniformly done his duties well and to the satisfaction of almost all the Chairmen before and Continues to do so now. Upon this Consideration, the Council has been unwilling to reduce his pay and has resolved to Continue it to him so long as he remains in this Office.

4. With reference to the allowance to the Chairman the Council after a careful Consideration decided to Continue it, as in spite of the appointment of the Secretary, he will be required to do inspection work which the Council holds he should do.

5. As regards para 5 of the G.O. the Council offers no remarks

on the Draft Rules for the interpellation of the Chairman the Municipal Councillors as will be seen from the Copy of Resolutions Enclosed.

I have the honor to be
Sir
Your most Obd Servant
N. Narasimha Rao
Chairman M.C.
21-7-97

21.7.97

C/S
21/7.

Submitted to the Collector

2. The fall in the Revenue from Toll in the Current year is due to the Adverse state of the season, and there is no reason to suppose that it will be a recurring one. The decrease in the last two years owing to the fixing of assessment by the actual income according to the Amendment allowed the Commissioners

Extract from Proceedings of the Bellary Municipal Council dated 13 July 1897 @ 6.30 P.M.

Present (The present strength be.

1. M.R. Ry L. Ramachandra Gaga
2. - do - K. Chennaveerappa
3. - do - G. Lakshmanna Ro
4. - do - K. Ranga Rao Gar
5. do. A. Immanuel Gra
6. do. H. Balaya Sastri Gra
7. do. F. Chellaperumal
8. Captain W.F. Coleman.
9. J.S. Cotelingam Esqre. M.A

VIII. Read Government Order No 1465 dated 21st June 1897, requesting to submit Opinion on the question of appointing a Secretary to the Municipal Council under Section 39 of the District Municipalities Act IV. of 1884 as amended by Act III of 1897. and communicating for information and criticism draft rules

Rs 200 pensionless on a liberal Monthly Salary

vacancy unless they were fined two
Chairs a year — the Chairman
— and Vice-Chairman are the heads served
or. in my opinion fall below Rs 75 00
and as the duties of the Secretary would
onerous and responsible the maximum
salary, shown, as suggested in the G.O be
Rs 250 per mensem in order that competent services of a
person may be secured for the post. The
pay may begin with Rs 200 rising by
an annual increment of Rs 10 or 20.

13. The Chairman, letter and the Resolution
of the Council accompanying it are silent
on the question of horse allowance to the secretary.
As he is to attend to much outdoor work
he should, I submit, be compelled to maintain
a horse or a pony and granted an allowance
of Rs 30 per mensem for that purpose

5 of G.O. the word Offr no remark

J. Monahan
Dy Collector
25.7.97

the interpellation of the Chair-
man by the Municipal
Councillors.

a. In modification of the
Resolution of the Council —
dated 6th July 1897 Resolved
that the pay of the Secretary
be fixed at Rs 200/- a month.

b. The Council is not pre-
pared to reduce the pay of the
Manager so long as the
present incumbent continues.
in the office.

c. The Chairman's allowance
to be retained.

The Council offers no re-
marks on the Draft rules
for interpellation.

Municipal
Bellary
21st July/97

Vice-Chairman &c

WB
21.7.97

CVB
21/7

Submitted to Government.

2. I think a suitable man can be obtained for Rs 200 a month: if he does well the Council will no doubt consider the propriety of increasing his salary after some years of service.

3. It would be hard on the present Manager to reduce his pay, but the pay of the office might be reduced to Rs 50, the salary of a taluk head accountant.

4. The Secretary should certainly be required to keep a horse or pony, for this municipality covers a large area. In these circumstances a horse-allowance of Rs 30 per mensem might be allowed and the conveyance allowance of the Chairman could be reduced from Rs 50 to Rs 30, for his outdoor work will be much reduced.

Bellary
30th July 1897

H Allcard
Ag. Collector.

Local & Munl. (1897) Department.

CURRENT No. 3759 M
~~5150~~
2f.10.97

From
MRRy P. Rama Rao Garu B.A.
Chairman Municipal Council
Bellary

Order

No. 7653

Dated 20th October 1897

Received

Registered

Enclosures One.

Spare copies

SECRETARY TO GOVERNMENT
1 NOV. 1897
LOCAL & MUNICIPAL DEPARTMENT

SUBJECT.

Powers to be delegated to the Paid Secretary of the Bellary Municipal Council.

Submitting Copy of the Council's Resolution dt. the proposed ____ called in Memorandum No. 8952 dt. 24 August 1897.

MR 1952 5/11

BACK PAPERS.

G.O.	No.	Department.	Date.
Dem	895	97	
Ro	1465	do	21-6-97
"	706	do	24-3-97
"	1415	do	20-8-96

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. 7653 Ry

Bellary Dated 20 October 1897

Encl: 1

3759 M

From M. R. Ry C. Rama Rao Garu B.A.
Chairman, Municipal Council
Bellary

To The Secretary to Government
Local & Municipal Department
Madras.

Thro: The Collector and the
Revenue Officer in Charge of
Bellary Dn.

Sir)

Submitted thro' the Collector

Ramadas Dy Collector 21.10.97

With reference to memorandum No 895 dated 21st August 1897, I have the honor to forward herewith Copy of the Resolution passed by the Council at the meeting held on 19th Instant, and a list of the powers which the Council proposes should be delegated to the Secretary.

2. The Secretary will be required to do such other work also as he may be directed by the Chairman.

I have the honor to be
Sir
Your most Obdt.

M. Rama Rao
Chairman M.C.

20/10/97

Forwarded
H Blunt
Collector

20/10/97

KS 27/10/97

noted
SBs 28/10/97.
6 Dec 05/11/97

20/10/97

20/10

HEAD QUARTER DEPUTY COLLECTOR'S OFFICE
Regd. No. R 4106
21 OCT. 1897
BELLARY.

J. T. LEVER
26 OCT. 97

Extract

Municipal Council Bellary at the Meeting held on Tuesday the 19th October 1897 at 7.30 am.

Present (the present strength being 23)

1. M.R.Ry P. Rama Rao Garu B.A. Chairman M.C.
2. Revenue Officer in Charge of Division
3. M. Abraham Esquire
4. Mr. K. Abdul Kareem Saib
5. M.R.Ry G. Lakshmana Rao Garu
6. " K. Ranga Rao Garu
7. " A. Mumiah Garu
8. " G. Krishnama Chetty Garu
9. " T. Soobba Rao Garu
10. " A. Balaji Singh Garu
11. " T. Chellaperumal Pillay avl
12. J. P. Cotilingam Esquire M.A.
13. M.R.Ry A. Gopalswamy Naidu Garu
14. " B. Puttiah Chetty Garu
15. " V. Kasturi Chetty Garu.

× × × ×

IV. Read Govt order No 1465 M dated 21st June 1897 regarding the appointment of Paid Secretaries to Municipalities,

also report of the Sub Committee defining the powers to be delegated to the Secretary called for in Resolution No 8 dated 13 July

and

area 21st August

1897 from Councillor requesting to report which of the powers of the Chairman, in addition to those Specified in Section 42 the Council proposes should be delegated to the Secretary under Clause (d) of Sub. Section (3) of Section 39 A of the Act.

Resolution:— The Powers noted in the Sub. Committees report together with those added now will be delegated to the Secretary as detailed below:—

Powers noted in the Sub Committees Report.

Powers under Sec: 28 clause (2), 29 (1) & (2) 31 (1), (2) and (3) 32 (1), & (2), 52 (1), 52 B, 56, 61, 62, 80, 82, 83, 86, 89, 96 B, 96 C, 102, 134, 138, 153, 156, 159, 170, 171, 173, 173 A, 182, 183, 204, 205, 209, 215, 218, 231, 232 (1), 233, 274 275, and 42 except appointments, fines, reductions or dismissals of Servants of and above Rs 15/- a month (Secretary may recommend and nominate them).

General Powers

1. Receiving all papers, Registered letters and Money orders.
2. Carrying on all Correspondence
3. Passing bills for payment Strictly in accordance with Govt orders.
4. Custody of Councils Common Seal.
5. Making
6. Countersigning Pay Abstracts
7. Remitting Money to the Bank.
8. Signing English abstract of Vernacular Vouchers
9. Conducting Auction Sales of Sundry articles of Municipality.
10. Examining Cash Chittah
11. Do Cash Book
12. Certifying balance at the end of each Month.
13. Signing Monthly Ledgers.
14. Do Account Current.
15. Do Advance, Deposit and Miscellaneous Demand Registers.
16. Inspection of Works, New and Repairs.
17. Do of Lights.
18. Granting Casual leave to the whole Establishment.
19. Closing Office for authorized Holidays.

Powers added by the Council.

Powers under Sections 77, 84, 85, 104, 110, 131, 148, 149 A, 191 (4), 192 and 194.

Municipal Councillors' Office
Bellary D/ 20th October 1897

Vice Chairman

Chairman M. C.

20/10 20/10 20/10/97

Government of Madras.

LOCAL AND MUNICIPAL DEPARTMENT.

MISCELLANEOUS.

Recd.	1897.	*Enclosures*
Regd.		*Spare copies*

G.O., No. 2516 M., 15th November 1897.

Buildings.

Stating, with remarks, that if the military authorities decide to remove the existing — situated within the military zone round Fort St. George, it will be necessary to acquire them under the Land Acquisition Act in the usual way.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

READ—the following papers:—

I

Letter—from Lieut.-Col. G. M. J. MOORE, C.I.E., President, Municipal Commission, Madras.
To—the Secretary to Government, Local and Municipal Department.
Dated—the 13th July 1897.
No.—P.W. 425.

In forwarding the accompanying tracing, I have the honour to state that I have been requested by the Executive Engineer, Madras Division, Military Works, to remove the three buildings hatched in red as they are within the military zone.

2. It will be seen that these buildings are all on the public road.

3. Under G.O., Mis. No. 1320 M., dated 8th August 1896, these roads are vested in the Municipality.

4. The Military Department can of course fix their zone wherever they like, but it seems to me to be *ultra vires* to say that the Municipality are not to do what they like with their own roads.

II

Endorsement No. 794 M., dated 24th July 1897.

Referred to the Lieutenant-General Commanding the Forces, Madras, for favour of remarks.

G. S. FORBES,
Secretary to Government.

To the Deputy Adjutant-General, Madras Command.

III

Reference No. 964 M., dated 15th September 1897.

The President of the Municipal Commission, Madras, is requested to state what the three buildings referred to in paragraph 1 of his letter read above are and when they were constructed.

G. S. FORBES,
Secretary to Government.

To the President, Municipal Commission, Madras.

IV

Letter—from the Deputy Adjutant-General, Madras Command.
To—the Secretary to Government, Local and Municipal Department.
Dated—Ootacamund, the 21st August 1897.
No.—B./A. 12992.

With reference to your endorsement No. 794, dated 24th July 1897, asking for remarks of His Excellency the Lieutenant-General Commanding the Forces, Madras, on the subject of certain unauthorised buildings erected within the military zone of Fort St. George, the removal of which, requested by the Executive Engineer, Military Works, Madras Division, is objected to by the President of the Municipal Commission on the grounds that the said buildings are built on public roads—

Government of Madras.

LOCAL AND MUNICIPAL DEPARTMENT.

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Kegd. } *Spare copies*

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Government of Madras.

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With reference to your endorsement No. 794, dated 24th July 1897, asking for remarks of His Excellency the Lieutenant-General Commanding the Forces, Madras, on the subject of certain unauthorised buildings erected within the military zone of Fort St. George, the removal of which, requested by the Executive Engineer, Military Works, Madras Division, is objected to by the President of the Municipal Commission on the grounds that the said buildings are built on public roads—

Government of Madras.

LOCAL AND MUNICIPAL DEPARTMENT.

MISCELLANEOUS.

Recd.	1897.	*Enclosures*
Regd.		*Spare copies*

G.O., No. 2516 M., 15th November 1897.

Buildings.

Stating, with remarks, that if the military a[illegible]ities decide to remove the existing — situated within the military zone round Fort St. [illegible], it will be necessary to acquire them under the Land Acquisition Act in the usual way.

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Dated—the 13th July 1897.
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G. S. FORBES,
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To the Deputy Adjutant-General, Madras Command.

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2. The rulings of Government on this point are very clear, as will be seen by a reference to the marginally-noted Government orders.

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3. The whole *raison d'être* of a military zone, being to keep clear a sufficient space, for the due defence of a fortification, the fact that the objectionable buildings are erected on roads under the control of the Municipality of Madras is without weight.

4. His Excellency is of opinion that the buildings in question should be removed and the Madras Municipality informed as to the restriction of their powers to build stated in paragraph 1 of this letter.

5. The question has been before the Lieutenant-General Commanding in another form having been submitted to him by the Superintending Engineer of the Command on a report from the Executive Engineer, Military Works, Madras District. The Superintending Engineer was directed to report the case to the Director-General of Military Works and to suggest that the Government of India should be addressed in the matter.

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Letter—from Lieut.-Col. Sir G. M. J. Moore, *Kt.*, C.I.E., President, Municipal Commission, Madras.
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Dated—the 30th September 1897.
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With reference to Memorandum No. 964, dated 15th September 1897, I have the honour to state that the building at stone 19—*vide* tracing sent with my letter No. 425, dated 13th July 1897—consists of a water-pandal, iron bazaars and chemists shop. The water-pandal and iron bazaars were in existence before 1856 and were allowed to be tiled in 1859, as will be seen from the accompanying copy of an order passed by the Deputy Chief Engineer, Central Circle.

The chemists shop was renewed in 1893—it is not known when it was first constructed.

The line of buildings east of this was constructed, with the sanction of the Municipality, in 1895 and replaced a number of mat bazaars that had been in existence for how long is not known.

The building opposite stone 22 is merely one of the cattle drinking troughs with fountain and lamp-post combined under construction by a private individual for charitable purposes.

Enclosure.

Copy of an Order passed by the Deputy Chief Engineer, Central Circle, No. 1733, dated 16th June 1859.

Read letter from the Collector of Madras, letter No. 15, dated 11th June 1859.

Stating that there is no objection to Appathorai Iyer tiling his water pandal.

Order.—Resolved that the petitioner Appathorai Iyer be authorized to replace the present thatched roof of his water pandal by a tiled one in accordance with the orders of the Municipal Commissioners, there being no objections thereto as stated by the Collector of Madras in the foregoing letter No. 15, dated 11th June 1859.

(True Extract.)

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Deputy Chief Engineer, Central Circle.

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Memorandum No. 1086 M., dated 26th October 1897.

With reference to his letter No. B./A. 12992, dated 21st August 1897, the Deputy Adjutant-General, Madras Command, is requested to be good enough to state for the information of His Excellency the Governor in Council when the military zone round Fort St. George was constituted.

G. S. FORBES,
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To the Deputy Adjutant-General, Madras Command.

VII

Letter—from the Deputy Adjutant-General, Madras Command.
To—the Secretary to Government, Local and Municipal Department.
Dated—Ootacumund, the 8th November 1897.
No.—B/A. 17708.

With reference to your Memorandum No. 1086, dated 26th ultimo, I am directed to inform you that the military zone round Fort St. George was constituted under the orders of the Government of India in 1892. Please see Proceedings of Madras Government No. 5204 of 22nd August 1892.

Order—No. 2516 M., dated 15th November 1897.

The Government observes that the ordnance lines lie between the Fort and the buildings in question and the latter therefore are not likely to interfere seriously with the defence of the Fort. But however that may be, an executive order of Government constituting a military zone round the Fort cannot override the provisions of the City of Madras Municipal Act I of 1884, as amended by Acts VII of 1884 and II of 1892, under which the streets are vested in the Municipal Commissioners. Moreover most of the buildings in question appear to have been in existence before 1892 when the zone was constituted. If therefore the Military authorities decide that the buildings above referred to should be removed, it will be necessary as the Government is at present advised to acquire them under the Land Acquisition Act in the usual way.

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Endorsement No. 794 M., dated 24th July 1897.

Referred to the Lieutenant-General Commanding the Forces, Madras, for favour of remarks.

G. S. FORBES,
Secretary to Government.

To the Deputy Adjutant-General, Madras Command.

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Reference No. 964 M., dated 15th September 1897.

The President of the Municipal Commission, Madras, is requested to state what the three buildings referred to in paragraph 1 of his letter read above are and when they were constructed.

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To the President, Municipal Commission, Madras.

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Letter—from the Deputy Adjutant-General, Madras Command.
To—the Secretary to Government, Local and Municipal Department.
Dated—Ootacamund, the 21st August 1897.
No.—B./A. 12992.

With reference to your endorsement No. 794, dated 24th July 1897, asking for remarks of His Excellency the Lieutenant-General Commanding the Forces, Madras, on the subject of certain unauthorised buildings erected within the military zone of Fort St. George, the removal of which, requested by the Executive Engineer, Military Works, Madras Division, is objected to by the President of the Municipal Commission on the grounds that the said buildings are built on public roads—

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MISCELLANEOUS.

Recd. } 1897. *Enclosures*
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Stating, with remarks, that if the military authorities decide to remove the existing — situated within the military zone round Fort St. George, it will be necessary to acquire them under the Land Acquisition Act in the usual way.

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The chemists shop was renewed in 1893—it is not known when it was first constructed.

The line of buildings east of this was constructed, with the sanction of the Municipality, in 1895 and replaced a number of mat bazaars that had been in existence for how long is not known.

The building opposite stone 22 is merely one of the cattle drinking troughs with fountain and lamp-post combined under construction by a private individual for charitable purposes.

Enclosure.

Copy of an Order passed by the Deputy Chief Engineer, Central Circle, No. 1733, dated 16th June 1859.

Read letter from the Collector of Madras, letter No. 15, dated 11th June 1859.

Stating that there is no objection to Appathorai Iyer tiling his water pandal.

Order.—Resolved that the petitioner Appathorai Iyer be authorized to replace the present thatched roof of his water pandal by a tiled one in accordance with the orders of the Municipal Commissioners, there being no objections thereto as stated by the Collector of Madras in the foregoing letter No. 15, dated 11th June 1859.

(True Extract.)

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Memorandum No. 1086 M., dated 26th October 1897.

With reference to his letter No. B./A. 12992, dated 21st August 1897, the Deputy Adjutant-General, Madras Command, is requested to be good enough to state for the information of His Excellency the Governor in Council when the military zone round Fort St. George was constituted.

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Letter—from the Deputy Adjutant-General, Madras Command.
To—the Secretary to Government, Local and Municipal Department.
Dated—Ootacumund, the 8th November 1897.
No.—B/A. 17708.

With reference to your Memorandum No. 1086, dated 26th ultimo, I am directed to inform you that the military zone round Fort St. George was constituted under the orders of the Government of India in 1892. Please see Proceedings of Madras Government No. 5204 of 22nd August 1892.

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The Government observes that the ordnance lines lie between the Fort and the buildings in question and the latter therefore are not likely to interfere seriously with the defence of the Fort. But however that may be, an executive order of Government constituting a military zone round the Fort cannot override the provisions of the City of Madras Municipal Act I of 1884, as amended by Acts VII of 1884 and II of 1892, under which the streets are vested in the Municipal Commissioners. Moreover most of the buildings in question appear to have been in existence before 1892 when the zone was constituted. If therefore the Military authorities decide that the buildings above referred to should be removed, it will be necessary as the Government is at present advised to acquire them under the Land Acquisition Act in the usual way.

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The Government observes that the ordnance lines lie between the Fort and the buildings in question and the latter therefore are not likely to interfere seriously with the defence of the Fort. But however that may be, an executive order of Government constituting a military zone round the Fort cannot override the provisions of the City of Madras Municipal Act I of 1884, as amended by Acts VII of 1884 and II of 1892, under which the streets are vested in the Municipal Commissioners. Moreover most of the buildings in question appear to have been in existence before 1892 when the zone was constituted. If therefore the Military authorities decide that the buildings above referred to should be removed, it will be necessary as the Government is at present advised to acquire them under the Land Acquisition Act in the usual way.

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2. The rulings of Government on this point are very clear, as will be seen by a reference to the marginally-noted Government orders.

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3. The whole *raison d'être* of a military zone, being to keep clear a sufficient space, for the due defence of a fortification, the fact that the objectionable buildings are erected on roads under the control of the Municipality of Madras is without weight.

4. His Excellency is of opinion that the buildings in question should be removed and the Madras Municipality informed as to the restriction of their powers to build stated in paragraph 1 of this letter.

5. The question has been before the Lieutenant-General Commanding in another form having been submitted to him by the Superintending Engineer of the Command on a report from the Executive Engineer, Military Works, Madras District. The Superintending Engineer was directed to report the case to the Director-General of Military Works and to suggest that the Government of India should be addressed in the matter.

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LOCAL AND MUNICIPAL DEPARTMENT.

Read—the following papers :—

I

Letter—from Lieut.-Col. G. M. J. Moore, C.I.E., President, Municipal Commission, Madras.
To—the Secretary to Government, Local and Municipal Department.
Dated—the 13th July 1897.
No.—P.W. 425.

In forwarding the accompanying tracing, I have the honour to state that I have been requested by the Executive Engineer, Madras Division, Military Works, to remove the three buildings hatched in red as they are within the military zone.

2. It will be seen that these buildings are all on the public road.

3. Under G.O., Mis. No. 1320 M., dated 8th August 1896, these roads are vested in the Municipality.

4. The Military Department can of course fix their zone wherever they like, but it seems to me to be *ultra vires* to say that the Municipality are not to do what they like with their own roads.

II

Endorsement No. 794 M., dated 24th July 1897.

Referred to the Lieutenant-General Commanding the Forces, Madras, for favour of remarks.

G. S. Forbes,
Secretary to Government.

To the Deputy Adjutant-General, Madras Command.

III

Reference No. 964 M., dated 15th September 1897.

The President of the Municipal Commission, Madras, is requested to state what the three buildings referred to in paragraph 1 of his letter read above are and when they were constructed.

G. S. Forbes,
Secretary to Government.

To the President, Municipal Commission, Madras.

IV

Letter—from the Deputy Adjutant-General, Madras Command.
To—the Secretary to Government, Local and Municipal Department.
Dated—Ootacamund, the 21st August 1897.
No.—B./A. 12992.

With reference to your endorsement No. 794, dated 24th July 1897, asking for remarks of His Excellency the Lieutenant-General Commanding the Forces, Madras, on the subject of certain unauthorised buildings erected within the military zone of Fort St. George, the removal of which, requested by the Executive Engineer, Military Works, Madras Division, is objected to by the President of the Municipal Commission on the grounds that the said buildings are built on public roads—

I am directed to reply that the Municipality have no right to erect buildings of any kind within the military zone of Fort St. George, without the previous sanction of the Government of India in the Military Department.

2. The rulings of Government on this point are very clear, as will be seen by a reference to the marginally-noted Government orders.

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Proceedings of Madras Government, No. 1791, dated 21st March 1894 (Military).
Proceedings of Madras Government, No. 5293, dated 6th October 1881 (Military).

3. The whole *raison d'être* of a military zone, being to keep clear a sufficient space, for the due defence of a fortification, the fact that the objectionable buildings are erected on roads under the control of the Municipality of Madras is without weight.

4. His Excellency is of opinion that the buildings in question should be removed and the Madras Municipality informed as to the restriction of their powers to build stated in paragraph 1 of this letter.

5. The question has been before the Lieutenant-General Commanding in another form having been submitted to him by the Superintending Engineer of the Command on a report from the Executive Engineer, Military Works, Madras District. The Superintending Engineer was directed to report the case to the Director-General of Military Works and to suggest that the Government of India should be addressed in the matter.

V

Letter—from Lieut.-Col. Sir G. M. J. Moore, *Kt.*, C.I.E., President, Municipal Commission, Madras.
To—the Secretary to Government, Local and Municipal Department.
Dated—the 30th September 1897.
No.—P.W. 710.

With reference to Memorandum No. 964, dated 15th September 1897, I have the honour to state that the building at stone 19—*vide* tracing sent with my letter No. 425, dated 13th July 1897—consists of a water-pandal, iron bazaars and chemists shop. The water-pandal and iron bazaars were in existence before 1856 and were allowed to be tiled in 1859, as will be seen from the accompanying copy of an order passed by the Deputy Chief Engineer, Central Circle.

The chemists shop was renewed in 1893—it is not known when it was first constructed.

The line of buildings east of this was constructed, with the sanction of the Municipality, in 1895 and replaced a number of mat bazaars that had been in existence for how long is not known.

The building opposite stone 22 is merely one of the cattle drinking troughs with fountain and lamp-post combined under construction by a private individual for charitable purposes.

Enclosure.

Copy of an Order passed by the Deputy Chief Engineer, Central Circle, No. 1733, dated 16th June 1859.

Read letter from the Collector of Madras, letter No. 15, dated 11th June 1859.

Stating that there is no objection to Appathorai Iyer tiling his water pandal.

Order.—Resolved that the petitioner Appathorai Iyer be authorized to replace the present thatched roof of his water pandal by a tiled one in accordance with the orders of the Municipal Commissioners, there being no objections thereto as stated by the Collector of Madras in the foregoing letter No. 15, dated 11th June 1859.

(True Extract.)

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Memorandum No. 1086 M., dated 26th October 1897.

With reference to his letter No. B./A. 12992, dated 21st August 1897, the Deputy Adjutant-General, Madras Command, is requested to be good enough to state for the information of His Excellency the Governor in Council when the military zone round Fort St. George was constituted.

G. S. FORBES,
Secretary to Government.

To the Deputy Adjutant-General, Madras Command.

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Letter—from the Deputy Adjutant-General, Madras Command.
To—the Secretary to Government, Local and Municipal Department.
Dated—Ootacumund, the 8th November 1897.
No.—B/A. 17708.

With reference to your Memorandum No. 1086, dated 26th ultimo, I am directed to inform you that the military zone round Fort St. George was constituted under the orders of the Government of India in 1892. Please see Proceedings of Madras Government No. 5204 of 22nd August 1892.

Order—No. 2516 M., dated 15th November 1897.

The Government observes that the ordnance lines lie between the Fort and the buildings in question and the latter therefore are not likely to interfere seriously with the defence of the Fort. But however that may be, an executive order of Government constituting a military zone round the Fort cannot override the provisions of the City of Madras Municipal Act I of 1884, as amended by Acts VII of 1884 and II of 1892, under which the streets are vested in the Municipal Commissioners. Moreover most of the buildings in question appear to have been in existence before 1892 when the zone was constituted. If therefore the Military authorities decide that the buildings above referred to should be removed, it will be necessary as the Government is at present advised to acquire them under the Land Acquisition Act in the usual way.

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With reference to your Memorandum No. 1086, dated 26th ultimo, I am directed to inform you that the military zone round Fort St. George was constituted under the orders of the Government of India in 1892. Please see Proceedings of Madras Government No. 5204 of 22nd August 1892.

Order—No. 2516 M., dated 15th November 1897.

The Government observes that the ordnance lines lie between the Fort and the buildings in question and the latter therefore are not likely to interfere seriously with the defence of the Fort. But however that may be, an executive order of Government constituting a military zone round the Fort cannot override the provisions of the City of Madras Municipal Act I of 1884, as amended by Acts VII of 1884 and II of 1892, under which the streets are vested in the Municipal Commissioners. Moreover most of the buildings in question appear to have been in existence before 1892 when the zone was constituted. If therefore the Military authorities decide that the buildings above referred to should be removed, it will be necessary as the Government is at present advised to acquire them under the Land Acquisition Act in the usual way.

(True Extract.)

G. S. Forbes,
Secretary to Government.

To the President, Municipal Commission, Madras.
,, Deputy Adjutant-General, Madras Command.

I am directed to reply that the Municipality have no right to erect buildings of any kind within the military zone of Fort St. George, without the previous sanction of the Government of India in the Military Department.

2. The rulings of Government on this point are very clear, as will be seen by a reference to the marginally-noted Government orders.

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3. The whole *raison d'être* of a military zone, being to keep clear a sufficient space, for the due defence of a fortification, the fact that the objectionable buildings are erected on roads under the control of the Municipality of Madras is without weight.

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5. The question has been before the Lieutenant-General Commanding in another form having been submitted to him by the Superintending Engineer of the Command on a report from the Executive Engineer, Military Works, Madras District. The Superintending Engineer was directed to report the case to the Director-General of Military Works and to suggest that the Government of India should be addressed in the matter.

V

Letter—from Lieut.-Col. Sir G. M. J. MOORE, *Kt.*, C.I.E., President, Municipal Commission, Madras.
To—the Secretary to Government, Local and Municipal Department.
Dated—the 30th September 1897.
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With reference to Memorandum No. 964, dated 15th September 1897, I have the honour to state that the building at stone 19—*vide* tracing sent with my letter No. 425, dated 13th July 1897—consists of a water-pandal, iron bazaars and chemists shop. The water-pandal and iron bazaars were in existence before 1856 and were allowed to be tiled in 1859, as will be seen from the accompanying copy of an order passed by the Deputy Chief Engineer, Central Circle.

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ENCLOSURE.

Copy of an Order passed by the Deputy Chief Engineer, Central Circle, No. 1733, dated 16th June 1859.

Read letter from the Collector of Madras, letter No. 15, dated 11th June 1859.

Stating that there is no objection to Appathorai Iyer tiling his water pandal.

Order.—Resolved that the petitioner Appathorai Iyer be authorized to replace the present thatched roof of his water pandal by a tiled one in accordance with the orders of the Municipal Commissioners, there being no objections thereto as stated by the Collector of Madras in the foregoing letter No. 15, dated 11th June 1859.

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Government of Madras.

LOCAL AND MUNICIPAL DEPARTMENT.

MISCELLANEOUS.

Recd. }
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To the Deputy Adjutant-General, Madras Command.

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NOTES CONNECTED WITH G.O., No. 2516 M., DATED 15TH NOVEMBER 1897.

[SUBJECT.—*Removal of certain buildings situated within the Zone of Fort St. George.*]

Please see the notes and orders on the first two of the letters read above, and the reference made thereon to the President of the Municipal Commission, Madras. The last letter is the President's reply to this reference.

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The Government of India may be addressed, it being pointed out that the buildings (with the exception of the fountain, &c., at stone 22) were apparently in existence in some form before the zone was constituted and if it is *essential* for military purposes that they should be removed compensation should be paid.

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Please see revised draft below for approval.

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MISCELLANEOUS.

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The President of the Municipal Commission, Madras, is requested to state what the three buildings referred to in paragraph 1 of his letter read above are and when they were constructed.

G. S. Forbes,
Secretary to Government.

To the President, Municipal Commission, Madras.

IV

Letter—from the Deputy Adjutant-General, Madras Command.
To—the Secretary to Government, Local and Municipal Department.
Dated—Ootacamund, the 21st August 1897.
No.—B./A. 12992.

With reference to your endorsement No. 794, dated 24th July 1897, asking for remarks of His Excellency the Lieutenant-General Commanding the Forces, Madras, on the subject of certain unauthorised buildings erected within the military zone of Fort St. George, the removal of which, requested by the Executive Engineer, Military Works, Madras Division, is objected to by the President of the Municipal Commission on the grounds that the said buildings are built on public roads—

I am directed to reply that the Municipality have no right to erect buildings of any kind within the military zone of Fort St. George, without the previous sanction of the Government of India in the Military Department.

2. The rulings of Government on this point are very clear, as will be seen by a reference to the marginally-noted Government orders.

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Letter—from Lieut.-Col. Sir G. M. J. Moore, *Kt.*, C.I.E., President, Municipal Commission, Madras.
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Dated—the 30th September 1897.
No.—P.W. 710.

With reference to Memorandum No. 964, dated 15th September 1897, I have the honour to state that the building at stone 19—*vide* tracing sent with my letter No. 425, dated 13th July 1897—consists of a water-pandal, iron bazaars and chemists shop. The water-pandal and iron bazaars were in existence before 1856 and were allowed to be tiled in 1859, as will be seen from the accompanying copy of an order passed by the Deputy Chief Engineer, Central Circle.

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The building opposite stone 22 is merely one of the cattle drinking troughs with fountain and lamp-post combined under construction by a private individual for charitable purposes.

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Copy of an Order passed by the Deputy Chief Engineer, Central Circle, No. 1733, dated 16th June 1859.

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(True Extract.)

C. Limond, Lieut.-Col.,
Deputy Chief Engineer, Central Circle.

VI

Memorandum No. 1086 M., dated 26th October 1897.

With reference to his letter No. B./A. 12992, dated 21st August 1897, the Deputy Adjutant-General, Madras Command, is requested to be good enough to state for the information of His Excellency the Governor in Council when the military zone round Fort St. George was constituted.

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Dated—Ootacumund, the 8th November 1897.
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With reference to your Memorandum No. 1086, dated 26th ultimo, I am directed to inform you that the military zone round Fort St. George was constituted under the orders of the Government of India in 1892. Please see Proceedings of Madras Government No. 5204 of 22nd August 1892.

Order—No. 2516 M., dated 15th November 1897.

The Government observes that the ordnance lines lie between the Fort and the buildings in question and the latter therefore are not likely to interfere seriously with the defence of the Fort. But however that may be, an executive order of Government constituting a military zone round the Fort cannot override the provisions of the City of Madras Municipal Act I of 1884, as amended by Acts VII of 1884 and II of 1892, under which the streets are vested in the Municipal Commissioners. Moreover most of the buildings in question appear to have been in existence before 1892 when the zone was constituted. If therefore the Military authorities decide that the buildings above referred to should be removed, it will be necessary as the Government is at present advised to acquire them under the Land Acquisition Act in the usual way.

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[SUBJECT.—*Removal of certain buildings situated within the Zone of Fort St. George.*]

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Government of Madras.

LOCAL AND MUNICIPAL DEPARTMENT.

MISCELLANEOUS.

Recd. } 1897. *Enclosures*

Regd. } 1897. *Spare copies*

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Read—the following papers:—

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No.—P.W. 425.

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2. It will be seen that these buildings are all on the public road.

3. Under G.O., Mis. No. 1320 M., dated 8th August 1896, these roads are vested in the Municipality.

4. The Military Department can of course fix their zone wherever they like, but it seems to me to be *ultra vires* to say that the Municipality are not to do what they like with their own roads.

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(True Extract.)

C. Limond, Lieut.-Col.,
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VI

Memorandum No. 1086 M., dated 26th October 1897.

With reference to his letter No. B./A. 12992, dated 21st August 1897, the Deputy Adjutant-General, Madras Command, is requested to be good enough to state for the information of His Excellency the Governor in Council when the military zone round Fort St. George was constituted.

G. S. FORBES,
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To the Deputy Adjutant-General, Madras Command.

VII

Letter—from the Deputy Adjutant-General, Madras Command.
To—the Secretary to Government, Local and Municipal Department.
Dated—Ootacumund, the 8th November 1897.
No.—B/A. 17708.

With reference to your Memorandum No. 1086, dated 26th ultimo, I am directed to inform you that the military zone round Fort St. George was constituted under the orders of the Government of India in 1892. Please see Proceedings of Madras Government No. 5204 of 22nd August 1892.

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The Government observes that the ordnance lines lie between the Fort and the buildings in question and the latter therefore are not likely to interfere seriously with the defence of the Fort. But however that may be, an executive order of Government constituting a military zone round the Fort cannot override the provisions of the City of Madras Municipal Act I of 1884, as amended by Acts VII of 1884 and II of 1892, under which the streets are vested in the Municipal Commissioners. Moreover most of the buildings in question appear to have been in existence before 1892 when the zone was constituted. If therefore the Military authorities decide that the buildings above referred to should be removed, it will be necessary as the Government is at present advised to acquire them under the Land Acquisition Act in the usual way.

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,, Deputy Adjutant-General, Madras Command.

LOCAL AND MUNICIPAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 2516 M., DATED 15TH NOVEMBER 1897.

[SUBJECT.—*Removal of certain buildings situated within the Zone of Fort St. George.*]

Please see the notes and orders on the first two of the letters read above, and the reference made thereon to the President of the Municipal Commission, Madras. The last letter is the President's reply to this reference.

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Government of Madras.

LOCAL AND MUNICIPAL DEPARTMENT.

MISCELLANEOUS.

Recd. } 1897. *Enclosures*

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In forwarding the accompanying tracing, I have the honour to state that I have been requested by the Executive Engineer, Madras Division, Military Works, to remove the three buildings hatched in red as they are within the military zone.

2. It will be seen that these buildings are all on the public road.

3. Under G.O., Mis. No. 1320 M., dated 8th August 1896, these roads are vested in the Municipality.

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(True Extract.)

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No. 2516 M., 15TH NOVEMBER 1897.

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MISCELLANEOUS.

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(True Extract.)

G. S. FORBES,
Secretary to Government.

To the President, Municipal Commission, Madras.
,, Deputy Adjutant-General, Madras Command.

LOCAL AND MUNICIPAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 2516 M., DATED 15TH NOVEMBER 1897.

[SUBJECT.—*Removal of certain buildings situated within the Zone of Fort St. George.*]

Please see the notes and orders on the first two of the letters read above, and the reference made thereon to the President of the Municipal Commission, Madras. The last letter is the President's reply to this reference.

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H. B[LISS]—13-11-97.

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Government of Madras.

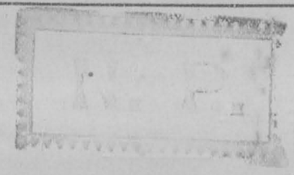
LOCAL AND MUNICIPAL DEPARTMENT.

MISCELLANEOUS.

Recd. } 1897. *Enclosures*

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GOVERNMENT OF MADRAS.

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READ—the following papers:—

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Letter—from Lieut.-Col. G. M. J. MOORE, C.I.E., President, Municipal Commission, Madras.
To—the Secretary to Government, Local and Municipal Department.
Dated—the 13th July 1897.
No.—P.W. 425.

In forwarding the accompanying tracing, I have the honour to state that I have been requested by the Executive Engineer, Madras Division, Military Works, to remove the three buildings hatched in red as they are within the military zone.

2. It will be seen that these buildings are all on the public road.

3. Under G.O., Mis. No. 1320 M., dated 8th August 1896, these roads are vested in the Municipality.

4. The Military Department can of course fix their zone wherever they like, but it seems to me to be *ultra vires* to say that the Municipality are not to do what they like with their own roads.

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Endorsement No. 794 M., dated 24th July 1897.

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Reference No. 964 M., dated 15th September 1897.

The President of the Municipal Commission, Madras, is requested to state what the three buildings referred to in paragraph 1 of his letter read above are and when they were constructed.

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Letter—from the Deputy Adjutant-General, Madras Command.
To—the Secretary to Government, Local and Municipal Department.
Dated—Ootacamund, the 21st August 1897.
No.—B./A. 12992.

With reference to your endorsement No. 794, dated 24th July 1897, asking for remarks of His Excellency the Lieutenant-General Commanding the Forces, Madras, on the subject of certain unauthorised buildings erected within the military zone of Fort St. George, the removal of which, requested by the Executive Engineer, Military Works, Madras Division, is objected to by the President of the Municipal Commission on the grounds that the said buildings are built on public roads—

I am directed to reply that the Municipality have no right to erect buildings of any kind within the military zone of Fort St. George, without the previous sanction of the Government of India in the Military Department.

2. The rulings of Government on this point are very clear, as will be seen by a reference to the marginally-noted Government orders.

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Stating that there is no objection to Appathorai Iyer tiling his water pandal.

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(True Extract.)

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Government of Madras.

LOCAL AND MUNICIPAL DEPARTMENT.

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[G.O., No. 2516 M., dated 15th November 1897.]

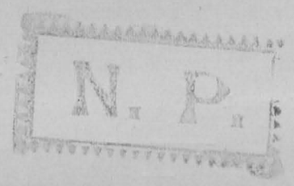
Government of Madras.

LOCAL AND MUNICIPAL DEPARTMENT.

MISCELLANEOUS.

Recd.	1897.	*Enclosures*
Kegd.		*Spare copies*

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READ—the following papers:—

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Letter—from Lieut.-Col. G. M. J. MOORE, C.I.E., President, Municipal Commission, Madras.
To—the Secretary to Government, Local and Municipal Department.
Dated—the 13th July 1897.
No.—P.W. 425.

In forwarding the accompanying tracing, I have the honour to state that I have been requested by the Executive Engineer, Madras Division, Military Works, to remove the three buildings hatched in red as they are within the military zone.

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To the Deputy Adjutant-General, Madras Command.

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The President of the Municipal Commission, Madras, is requested to state what the three buildings referred to in paragraph 1 of his letter read above are and when they were constructed.

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I am directed to reply that the Municipality have no right to erect buildings of any kind within the military zone of Fort St. George, without the previous sanction of the Government of India in the Military Department.

2. The rulings of Government on this point are very clear, as will be seen by a reference to the marginally-noted Government orders.

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Order.—Resolved that the petitioner Appathorai Iyer be authorized to replace the present thatched roof of his water pandal by a tiled one in accordance with the orders of the Municipal Commissioners, there being no objections thereto as stated by the Collector of Madras in the foregoing letter No. 15, dated 11th June 1859.

(True Extract.)

C. LIMOND, Lieut.-Col.,
Deputy Chief Engineer, Central Circle.

No. 2516 M., 15TH NOVEMBER 1897.

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LOCAL AND MUNICIPAL DEPARTMENT.

Read—the following papers:—

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To—the Secretary to Government, Local and Municipal Department.
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The President of the Municipal Commission, Madras, is requested to state what the three buildings referred to in paragraph 1 of his letter read above are and when they were constructed.

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No.—B./A. 12992.

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(True Extract.)

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With reference to his letter No. B./A. 12992, dated 21st August 1897, the Deputy Adjutant-General, Madras Command, is requested to be good enough to state for the information of His Excellency the Governor in Council when the military zone round Fort St. George was constituted.

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The Government observes that the ordnance lines lie between the Fort and the buildings in question and the latter therefore are not likely to interfere seriously with the defence of the Fort. But however that may be, an executive order of Government constituting a military zone round the Fort cannot override the provisions of the City of Madras Municipal Act I of 1884, as amended by Acts VII of 1884 and II of 1892, under which the streets are vested in the Municipal Commissioners. Moreover most of the buildings in question appear to have been in existence before 1892 when the zone was constituted. If therefore the Military authorities decide that the buildings above referred to should be removed, it will be necessary as the Government is at present advised to acquire them under the Land Acquisition Act in the usual way.

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Government of Madras.

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MISCELLANEOUS.

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With reference to your endorsement No. 794, dated 24th July 1897, asking for remarks of His Excellency the Lieutenant-General Commanding the Forces, Madras, on the subject of certain unauthorised buildings erected within the military zone of Fort St. George, the removal of which, requested by the Executive Engineer, Military Works, Madras Division, is objected to by the President of the Municipal Commission on the grounds that the said buildings are built on public roads—

I am directed to reply that the Municipality have no right to erect buildings of any kind within the military zone of Fort St. George, without the previous sanction of the Government of India in the Military Department.

2. The rulings of Government on this point are very clear, as will be seen by a reference to the marginally-noted Government orders.

Proceedings of Madras Government, No. 650, dated 25th September 1895 (Revenue).
Proceedings of Madras Government, No. 1791, dated 21st March 1894 (Military).
Proceedings of Madras Government, No. 5293, dated 6th October 1881 (Military).

3. The whole *raison d'être* of a military zone, being to keep clear a sufficient space, for the due defence of a fortification, the fact that the objectionable buildings are erected on roads under the control of the Municipality of Madras is without weight.

4. His Excellency is of opinion that the buildings in question should be removed and the Madras Municipality informed as to the restriction of their powers to build stated in paragraph 1 of this letter.

5. The question has been before the Lieutenant-General Commanding in another form having been submitted to him by the Superintending Engineer of the Command on a report from the Executive Engineer, Military Works, Madras District. The Superintending Engineer was directed to report the case to the Director-General of Military Works and to suggest that the Government of India should be addressed in the matter.

V

Letter—from Lieut.-Col. Sir G. M. J. MOORE, *Kt.*, C.I.E., President, Municipal Commission, Madras.
To—the Secretary to Government, Local and Municipal Department.
Dated—the 30th September 1897.
No.—P.W. 710.

With reference to Memorandum No. 964, dated 15th September 1897, I have the honour to state that the building at stone 19—*vide* tracing sent with my letter No. 425, dated 13th July 1897—consists of a water-pandal, iron bazaars and chemists shop. The water-pandal and iron bazaars were in existence before 1856 and were allowed to be tiled in 1859, as will be seen from the accompanying copy of an order passed by the Deputy Chief Engineer, Central Circle.

The chemists shop was renewed in 1893—it is not known when it was first constructed.

The line of buildings east of this was constructed, with the sanction of the Municipality, in 1895 and replaced a number of mat bazaars that had been in existence for how long is not known.

The building opposite stone 22 is merely one of the cattle drinking troughs with fountain and lamp-post combined under construction by a private individual for charitable purposes.

ENCLOSURE.

Copy of an Order passed by the Deputy Chief Engineer, Central Circle, No. 1733, dated 16th June 1859.

Read letter from the Collector of Madras, letter No. 15, dated 11th June 1859.

Stating that there is no objection to Appathorai Iyer tiling his water pandal.

Order.—Resolved that the petitioner Appathorai Iyer be authorized to replace the present thatched roof of his water pandal by a tiled one in accordance with the orders of the Municipal Commissioners, there being no objections thereto as stated by the Collector of Madras in the foregoing letter No. 15, dated 11th June 1859.

(True Extract.)

C. LIMOND, Lieut.-Col.,
Deputy Chief Engineer, Central Circle.

VI

Memorandum No. 1086 M., dated 26th October 1897.

With reference to his letter No. B./A. 12992, dated 21st August 1897, the Deputy Adjutant-General, Madras Command, is requested to be good enough to state for the information of His Excellency the Governor in Council when the military zone round Fort St. George was constituted.

G. S. FORBES,
Secretary to Government.

To the Deputy Adjutant-General, Madras Command.

VII

Letter—from the Deputy Adjutant-General, Madras Command.
To—the Secretary to Government, Local and Municipal Department.
Dated—Ootacumund, the 8th November 1897.
No.—B/A. 17708.

With reference to your Memorandum No. 1086, dated 26th ultimo, I am directed to inform you that the military zone round Fort St. George was constituted under the orders of the Government of India in 1892. Please see Proceedings of Madras Government No. 5204 of 22nd August 1892.

Order—No. 2516 M., dated 15th November 1897.

The Government observes that the ordnance lines lie between the Fort and the buildings in question and the latter therefore are not likely to interfere seriously with the defence of the Fort. But however that may be, an executive order of Government constituting a military zone round the Fort cannot override the provisions of the City of Madras Municipal Act I of 1884, as amended by Acts VII of 1884 and II of 1892, under which the streets are vested in the Municipal Commissioners. Moreover most of the buildings in question appear to have been in existence before 1892 when the zone was constituted. If therefore the Military authorities decide that the buildings above referred to should be removed, it will be necessary as the Government is at present advised to acquire them under the Land Acquisition Act in the usual way.

(True Extract.)

G. S. FORBES,
Secretary to Government.

To the President, Municipal Commission, Madras.
,, Deputy Adjutant-General, Madras Command.

LOCAL AND MUNICIPAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 2516 M., DATED 15TH NOVEMBER 1897.

[SUBJECT.—*Removal of certain buildings situated within the Zone of Fort St. George.*]

Please see the notes and orders on the first two of the letters read above, and the reference made thereon to the President of the Municipal Commission, Madras. The last letter is the President's reply to this reference.

V. RAGHAVA CHARLU—6-10-97.

A | I don't know when the zone was constituted, but it must have been long after these buildings came into existence. The date should be given.

It should be pointed out (1) that, as the ordnance lines lie between the buildings and the Fort, they can't possibly interfere with the fire of the Fort; and (2) that an order of Government constituting a military zone round the Fort can't overside the Act under which the streets are vested in the Municipal Commissioners, and that therefore if the buildings must be removed they must be acquired under the Land Acquisition Act in the usual way.

H. B[LISS]—12-10-97.

The Government of India may be addressed, it being pointed out that the buildings (with the exception of the fountain, &c., at stone 22) were apparently in existence in some form before the zone was constituted and if it is *essential* for military purposes that they should be removed compensation should be paid.

G. S. FORBES—11-10-97.

With reference to the portion of the Honourable Membe'rs note of the 12th October 1897, marked **A**, it is submitted that the zone round Fort St. George was constituted in 1892—*vide* G.O., No. 5204, Military, dated 22nd August 1892, in G.O., No. 1454 M., dated 7th September 1892, and C. No. 3869 M. Most of the buildings in question will have thus been in existence before the zone was constituted. Please see draft put up.

V. RAGHAVA CHARLU—12-11-97.

Please see revised draft below for approval.

G. S. FORBES—12-11-97.
H. B[LISS]—13-11-97.

[G.O., No. 2516 M., dated 15th November 1897.]