Nature of document.	Reference.

Record Office 9—20,000—15-11-15.

[L. & M. 5,000—19-11-96.]

Local & Munl. (1897) Department.

MISCELLANEOUS.

G.O., No. 1192

DATED 19-1-97

INDEXED.

DESPATCHED

[Despatch Abstract.]

L.f. Kurnool

Stating that Govt will not object to the constitution of Jurcund as a Union working directly under the control of the Salem District Board, and directing the President to place the subject before the District Board and submit a copy of its resolution to Govt. together with the necessary draft notifications.

Constitution of Yercaud a Union.

BACK PAPERS.

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

FURTHER PAPERS.

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

LOCAL AND MUNICIPAL DEPARTMENT.

[5]
700—6-4-96.

Papers to be read in Proceedings:—

Again G.O., dated 189 , No.

Current No 2988 L of 1896, dated 30th October 1896 from the Pres. Dt. Bd. Salem

Current No. 3377 L of 1896, dated 11th Dec. 1896 from the Govt. Solicitor

Mis: Order. No 119 Luis dt 19-1-97

In the special circumstances stated, the Govern-
ment will not object to the constitution
of Yercaud as a Union working directly
under the control of the District Board.
The Government will also be prepared to make a grant
of Rs 1,000 from Provincial funds to
start the Union on a sound basis.

2 The President should place
the subject before the District Board
and submit a copy of its resolution to
Government together with the necessary draft notifications,
under Sections 6 and 122 of the Local
Boards Act and also as regards under Section 5
for excluding the Yercaud village from
the Local Fund taluk of Salem. Under
Section 58, the District Board should
also determine the rate at which the
house tax is to be levied in the proposed
union.

(From orders)

To
The Pres. Dt. Bd. Salem.

VB

Hon'ble Bl'ds
H.E. the Governor

LOCAL AND MUNICIPAL DEPARTMENT.

Again G.O., dated 189 , No.

Current No. 2988 L of 1896, dated 30th October 1896 from the President Dt. Bd. Salem

Current No. 3377 L of 1896, dated 11th December 1896 from the Govt Solicitor.

FOR ORDERS.

As the Advt-Gen. thinks the suggested scheme legal let it be carried out. I don't think it a good one, however. For my part, I adhere to the view that a Municipality should be opposed.

BS
12/1/97

The scheme should be carried out.

A.P.H
15.1.97

Please see the Notes and orders on the first of the Currents read above. The Advocate General who was consulted, thinks that there is no legal objection to the Course suggested by Mr G. Stokes.

V.R
14/12/96.

are there any instances of Hill stations which are Unions being made a taluq Bd., or are all our other Hill stations Municipalities.

S.R 24/12/96

Yes, there is the Kodaikanal Union under the Dindigul taluk Board in the Madura District.

V.R
31/1/97

P.T.O

The

H.H.

The terms of the reference to the Adv. Genl. are contained in the Memo of 5th Inst.

The Adv. Genl. replies that there is none.

Of course so long as Ypecaud is within the Salem Valley, it cannot legally be subordinated to any body but that Valley Board. Ypecaud can under sec. 167 come under the Distr Bd only "where there is no Valley Board."

The plans suggested by the Solrs of Salem is therefore legal in the opinion of the Adv. General. Whether that was the intention of sec. 167 may be open to question.

The point then remains whether the plan is expedient.

S.H. 9/1/97

FOR ORDERS.

Local & Munl. (1896) Department.

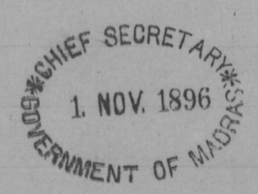
CURRENT No. 2988 L

From

The President,
District Board,
Salem.

Order.

No. 469
Govt



Dated 30th October 1896.

Received —

Registered

Enclosures

Spare copies

SUBJECT.

Constitution of ver and union.

Submitting proposals for the —— and requesting orders in time to admit of the proposals being placed before the District Board

...pality.

The

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. 169 Govt.

SALEM DISTRICT BOARD'S OFFICE,

30th October 1896.

Recd 31st October 96.

FROM

C. H. Mounsey Esqr.

President, District Board, Salem.

To

2988 L

The Chief Secretary to Government,

Local and Municipal Department,

Madras.

Sir,

I have the honor to lay before Government the following remarks. In so doing I do not consider I am raising a question that has already been finally decided, as though an opinion against a union was once given it was given when it was believed that another project since abandoned could be carried out, viz, making Yercaud a municipality.

2. It will be convenient I think if I briefly report the history of the various ~~efforts~~ efforts to obtain Yercaud a municipality.

The

sanitary control over yercaud.

3. In 1890 the Salem District Board considering the large expenditure of Taluk Board funds recommended that yercaud should be declared a union vide letter Ref no 425/LF Dated 1st February 1890, but the proposal after further correspondance was negatived in Go Dated 18th June 1890, no 1510 L Mis, in view of the insignificance of the villages proposed to be constitu-ted into a union and their distances from the union centre. But Government further said that they saw no objection to constitute yercaud itself into a union, which is the proposal now made.

4. The Salem Taluk Board on this were of opinion that no further action was necessary and the matter dropped.

4 In Jan 1892 the Honorary Secretary Shevaroy Planters' Association addressed the President, District Board with a view to have the panchayat for the yercaud roads increased. He was asked in reply if the Association were willing to have yercaud made a union. They reported that they had negatived the idea in January 1891 and did not wish to reopen the matter.

5. In February 1895 the Shevaroy Planters' Association suo motu resolved "that as long as the Chairman of the union is entirely under the President of the Taluk Board as required by the Madras Local Boards Act 84 the Association considers it inadvisable that yercaud should be formed into a union, but that it would be very willing to agree if the Collector [illegible] yercaud a municipality.

The

and President of the District Board were substituted for the President of the Taluk Board."

6. The District Board in their resolution of the 22d February 1895 resolved that "the position which the Planters' Association would desire to set up is not possible as the law stands at present. If a union in yercaud is to be established as the Board thinks it should be, it can only be so under the Taluk Board."

7. Apparently after the receipt of this resolution the Association addressed Government, and Mr Stokes forwarded this letter with his Endorsement no 1965 Dated 12th May 1895. He pointed out the necessity of sanitary control, and also went at some length into shewing how under the provisions of the law the union could be brought directly under

in GO 1017 L 17-6-95

Flag A

the District Board. I respectfully refer to his remarks.

8. No order upon this passed on the 17th June 1895, no 1017 L Mis, did not negative it, but made a counter-suggestion, viz, that probably it would be better to have a Municipality.

Flag B

Mr Stokes replied in Ref no 844/1309 Dated 2d September 1895 beginning by saying that there was no question as to the necessity for bringing yercaud under Sanitary Control. His answer brought to notice the suggestion to have the Shevaroy Hills formed into a Taluk Board with yercaud as a union under it. He considered this proposal had nothing to recommend it and adhered to the idea of having yercaud a union directly under the District Board. In passing orders in Go no 2056 L Mis, Dated 28th October 1895, Government said that Mr Stokes

constitute Yercaud a municipality.

The

proposal did not commend itself as they were of opinion that the cost of improving the sanitation of yercaud would mainly fall upon the District rate payers and adhered to the idea of a Municipality.

9. I reported upon this in my letter no 283 Dated 16th January 1896 stating that there was a general concurrence of opinion against a Municipality, again urging the advisability of making a union upon Sanitary grounds.

Flag C

10. Go no 399 2 Mis, dated 2d March 1896 passed upon this letter again urged the matter of a Municipality and offered Rs 2000 to start it.

11. In negativing the idea of a union it was stated in the order that the ryots of the Salem District, would, if there was a union, have to pay an extra sum of Rs480 per annum towards the sanitation of yercaud. This seems to have been based on some misconception, for the proposed budget I included in my letter no. 283 of 16.1.96 mentioned ~~put down~~ Rs500 as the Taluk Board contribution - whereas being the actual expenditure by the Taluk Board for the past two and what will be the expenditure this year are as follows:-

year	Expenditure on Roads	Expenditure on Sanitation	Total	Remarks.
	Rs	Rs	Rs	
1894-95	155	380	535	* A special allotment of Rs 360 was also granted but was transferred, the spending of a special allotment of Rs 500 in January to March 96 having made it use unnecessary
1895-96	694	410	1104	
1896-97	240 *	370	610	

So as a fact the Taluk Board would save money by making yercaud a union as is evident from the fact that the only extra cost the union involves is Establishment and 2 Peons, whereas the extra taxation is Rs 500. If I had not proposed some Rs 300 more upon Scavenging Establishment

1 - Rs 120
2 Rs 100
220

constitute Yercaud a municipality.

The

than the Taluk Board spend, the Taluk Board would save Rs 400 not Rs 100, but there would be no increased efficiency.

This is not clear.

12. In reply to the last Go quoted Mr Le Fanu reported in no 1880 dated 21st april 96 and the result of this was that in Go no 1036 L Mis of 5th June 1896 Government decided that it was not at present necessary or advisable to constitute Yercaud a municipality.

Flag D

13. This brings us back to the question of a union directly under the District Board which would be accepted by all concerned. Sanitary control as Mr Stokes said, is necessary for Yercaud. I may here briefly recapitulate what is now done and what is wanted to be done. At present there are 6 Scavengers employed 3 of whom are paid Rs 4 a month and 3 Rs 6 a month, total Rs 360 per annum.

But only one of these has anything to do with the latrines (male and female) in Longleypett, the other five clean the streets &c &c.

14. To make the place thoroughly sanitary, my opinion is after local inquiry and consultation with the District Medical and Sanitary officer that five ~~Peons~~ Coolies, latrines are wanted, 4 tonies would be necessary for these. The private Scavenging system should be introduced for houses. 4 other coolies would be wanted to keep the roads and ditches clean, and a Sanitary Inspector to Supervise would also be wanted. A few dustbins, brooms, baskets & an hand cart for entertainment would be wanted. Such an establishment would cost about Rs 725 a year, but it would not all be wanted until the latrines ... course would be to constitute Yercaud a muni...pality.

The

are constructed. I see no local source from whence this initial outlay can be met. I can only suggest that as Government were willing to give Rs 2,000 towards starting a Municipality they will be good enough to give a sum of Rs. 1000 to start Yercaud union on a sound basis. In asking for help from sources outside Local ones I can only give as an excuse the fact that Yercaud is visited by officials from all parts of the Presidency to keep or recruit their health and therefore it is to the interest of Government to have the place in as sound a sanitary condition as possible.

Flag E

15. A Sanitary Establishment at Rs 725 per annum will cost Rs 350 more than is now paid and Rs 200 more than I previously estimated to be necessary but this extra expenditure seems to be unavoidable if improvement is to be made. On the other hand a recent inquiry into the probable Receipts from the house tax shews that Rs 577.8.0 may be collected, Rs 315 of which would be from 1st Class houses, the number of which are increasing. I will estimate the house tax Receipts Rs 575

Fines and Miscellaneous Receipts 100

Private Scavenging fees 25

Contribution 600

1300

In making the contribution Rs 600 I beg to point out that this is Rs less than (any previous allotment, (In 94-95 the allotment was not all spent necessitating extra grant next year), that in future owing to much increased wheeled traffic Rs 400 would probably

† the Allotment for 1896-97 vide para 11 supra.

⊗ instead of Rs 240.

[illegible] would be to constitute Yercaud a muni[illegible]pality.

The

be the Taluk Board part for
the roads if there is no union, so
the total grant would be Rs 770-
whereas I only suggest Rs 600 and
as pointed out by Mr Le Hane in
his letter no 1880 Dated 21st April 96
the plains profit enormously by the
hills, so I do not think Rs 600 excessive.
On the expenditure side we should have

	Rs
Roads	300
Sundries	50
Sanitation	725
Office Establishment and Contingencies	200
Total Rs	1,275

(the extra cooly establishment will clear side drains &c and so save money).

This would just balance, but I do not call it a satisfactory sheet. As new houses are completed the funds at the disposal of the union will also increase and perhaps in the end a stable equilibrium will be attained. As stated above to work the union on proper lines it should start clear with the necessary appliances. If Government are prepared to have Yercaud made a union under the District Board, if this can legally be done, on the above or any other lines I shall be much obliged if orders may be passed in time to admit of the proposals being placed before the District Board at the next Budget meeting, so that the union can be started from the 1st April 1897.

Flag D

I have the honor to be
Sir
Your most obedient servant
C A Mornsey
President

constitute Yercaud a municipality.

Constitution of the Yercaud Union

Local and Municipal Department.

Cur No 2988 L. dy 30 October 1896. from the President. Dt. Nd. Salem

FOR ORDERS

Flag G. The suggestion made by Govern-
ment in para 1 of its order No.1017 L
dated 17th June 1895, and repeated in
E para 2 of its order No.2056 L, dated
28th October 1895, that Yercaud should
be constituted a municipality was, in
view of the strong opposition of the
residents of that place, withdrawn in
H G.O.No. 1036 L, dated 5th June 1896. The
President now recommends the consti-
tution of Yercaud a Union working
directly under the control of the
District Board and suggests that as the
E Government was willing to give Rs 2000
towards starting a municipality, it
may be pleased to ~~give~~ make a grant of
Rs 1,000 to start the union on a sound
basis. The proposal to place the union
directly under the contrl of the
District Board, by excluding the vil-
lage, by notification, from the Local
Fund Taluk of Salem, was made in May
1895. This course would be unprecedented
F but the Hon'ble Mr. Bliss observed that
he did not see any objection to it, al-
though a better course would be to
constitute Yercaud a municipality.

The

The receipts and charges of the proposed union are now estimated as follows:-

Receipts.	Rs	Charges.	Rs
House tax.	575	Roads.	300
Fines and miscellaneous.	100	Sundries.	50
Private scavenging fees.	25	Sanitation.	725
Contribution.	600	Office establishment and Contingencies.	200
Total	1,300	Total	1,275

The actual expenditure from Taluk Funds on account of Yercaud during 1894-95 and 1895-96 has been Rs 535 and Rs 1,104, respectively, and the outlay during 1896-97 is estimated at Rs 610.

L.R.
27/11/96

H.T.

(The papers in the file were forwarded to H.E.'s P.S. on 23d Sept 96 & returned on the 17th Nov.)

Some of them - not the current. Has

It seems admitted by everybody that Yercaud requires to be placed under some regular sanitary control. The idea of a Municipality having been abandoned, we can only fall back on a Union. ~~The reason~~ That as a Union it cannot ~~to~~ come [illegible] financially

the proposed amount of contribution from district local taxation is only Rs 600: and I think that can be justified. No Every Union, or rather most unions, get some contribution, & on principle that is not in itself unreasonable for unions are important towns, and if left unsanitary become foci of disease affecting the general community & the taluq or district. Yercaud ~~the~~ specially deserves fairly liberal treatment inasmuch as it attracts a considerable number of people to the district & enhances its wealth. Rs 600 is not a large contribution.

But if Govt agrees to the proposal, I see no sufficient reason for placing it in an exceptional position by making it subordinate to the Dist. Bd instead of to the taluq Bd, as the law contemplates. The sensitiveness on this point seems quite un-

legally admissible – sec^{n} 128 Act V of 1884 (BT). (1) ~~It~~ ~~is~~
(2) It is the Govt.
Govt may also for the
reasons given by Mr Chamier
contribute R1000 to start
the Union. It is however
~~a bad precedent~~ not a very
desirable precedent

No – but it does not touch the matter. BS

S.R
19/11/96

It is clear that the Union
cannot legally be placed under
the Dist. Bd.

BS
21/11/96

Mr Stokes points out in his letter flagged A
a course by which the believer Yercaud might
be placed under the Dist. Board. It is admitted
that it is desirable that Yercaud should
have local govt. in some shape or form; and
I think we should if possible indulge the
wishes of the local community, not to be put
under the Taluq Board. I would ask the
Advocate General to say whether the
course proposed by Mr. Stokes can be legally
carried out.

A.H. 27.11.96

Constitution of the Yercaud Union

[5]
700—6-4-96.

LOCAL AND MUNICIPAL DEPARTMENT.

Papers to be read in Proceedings:—

Again G.O., dated 189 , No.

Current No. 2988 L of 1896, dated 20th October 1896 from the President, District Board, Salem
Current No. of 189 , dated from the

Reference / ~~Order~~ 1458
5-12-96

Under section 5 of the Madras Local Boards Act (V of 1884), the Revenue taluk of Salem has been declared, by notification, to be a taluk for the purposes of the Act, and under Section 14, the Salem taluk Board having authority over such taluk, has been constituted. It is now ~~proposed~~ considered desirable under Section 6, to declare Yercaud, a village in the Salem Local Fund taluk, to be an Union, and under Section 119, to establish a Panchayat having authority over such Union. Under Section 128, the Panchayat should be under the control of the Taluk Board. But the chief inhabitants of Yercaud ~~request~~ have asked that the ~~Local~~ Panchayat may be placed directly under the control of the District Board. This ~~Course~~ is not legally admissible ~~as matters stand at present~~ so long as Yercaud remains a village within the Salem taluq. And it ~~is proposed to get over~~ has been suggested that the difficulty may be overcome by excluding, under the proviso to Section 5, the

No.

(One averse from being so subordinated & have asked)

(Has been suggested that)

taluk. When this is done, there will be no taluk Board having authority over the portion of the district comprised in the area of the Yercaud village, and under Section 167, the proposed Union and its Panchayat will ~~then be~~ under the control of the District Board. ~~As this Government considers it desirable that Yercaud should have local government in some shape as there and that the voice of the local community, not to be placed under the taluk Board, should, if possible, be~~ The Advocate General is requested to state whether in his opinion, the course suggested above can legally be adopted.

(Form orders).

V.R. 2/12/96

To
The Govt Solicitor
~~The Advocate General.~~

Dated 5/12/96

[L. & M. 1,000—28-10-96.]

Local & Munl. (1896) Department.

CURRENT No. 3877/L

Order

From The Govt Solicitor.

No. 647

Dated 11/12
Received 11/12
Registered
Enclosures
Spare copies

SUBJECT.

Forwg the opinion of the Advocate Genl that there is no legal objection to the proposal to constitute Yercaud a Union & place the panchayat directly under the control of the Dt Bd.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

(1896) Department

From

Ernest Barclay
Government Solicitor
Madras

To

The Secretary to Government
Local & Municipal Department
Madras

No 647

Dated 11 December 1896

Recd

Forwarded with reference to the Memorandum of Government dated 5th December 1896 No 1458. Local and Municipal Department.

Ernest Barclay

Government Solicitor

LOCAL & MUNICIPAL DEPT.
CURRENT No. 3377 L

SECRETARIAT TO GOVERNMENT
11 DEC. 1896
LOCAL & MUNICIPAL DEPARTMENT

O P I N I O N.

I do not think that there is any legal objection to the course suggested

J. H. Spring Branson.
Advocate General

Madras 10th December 1896

True Copy
Ernest Barker
Government Solicitor.

When given for copying 6.8.97
When copied
When examined 14.8.97
When signed 20/1

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.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only