

Local & Munl. (1898) Department.

MISCELLANEOUS.

G.O., No. 1094 M

DATED 17-6-98

INDEXED. H.S.

DESPATCHED

[Despatch Abstract.]

Land

Ordering that a notification cancelling notification No. 231 published at page 82, Part I-A of the Fort Saint George Gazette, dated 30th March 1897, relating to the acquisition of 0.265 acre of — in Survey No. 81-1 in the Palghat Municipality for providing passage to private latrines in certain villages, be published in the Fort Saint George Gazette.

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 & Munl. (1898) Department.

Forwarded & recommended

CURRENT No.

1763M

Recd in
Palghat. 25.5.98



3. H. GWYNNE
12 MAY 1898

From

The Chairman,
Municipal Council,
Palghat
No. 1718

His

Order. No 1094 M. 27-6-98

The following notification
will be published in the Fort St
George Gazette :-

Under Sec. 48(1) of the Land
Acquisition Act I of 1894, His
Excellency the Governor-in-Council is
pleased to cancel notification
No. 231 published at page 82 Part I.A
of the Fort St George Gazette, dated
30th March 1897, relating to the
acquisition of 0.265 acre of land
in survey No. 81-1 in the Palghat
Municipality for providing passage
to private latrines in Govindaraja-
puram, Kalpathi and Chathrapuram
villages

Dated 6th May 1898.

Received

Registered

Enclosures

Spare copies

R. E. AUSTIN
9 MAY 1898

SUBJECT.

Soliciting that under the
circumstances stated, Notifi-
cation no 231 published at Page
82 Part I.A of the Fort St George
Gazette dated 30th March 1897 with
respect to the acquisition of lands
for the introduction of Private
Scavenging system in the Palghat
Municipality may be cancelled
by Government.

2. The Chairman should,
however

2/6

however, see that the backyards of houses in the villages above referred to are frequently inspected in view to the owners of insanitary premises being prosecuted and that those who adopt the private scavenging service provide for access into their backyards.

BACK PAPERS.

G.O.	No.	Department.	Date.
Sp	838	h	2-5-98
"	695	h	1-4-98
"	1376	h	8-6-97

FURTHER PAPERS.

G.O.	No.	Department.	Date.

V.R.
7/4/98
H.I.
14-6-98
(I have received this paper on this afternoon & it seems to require ~~consideration~~ ^{consideration} that I have time to give it was
(H. 4/6/98)

To the Chairman M.C. Palghat this
the Collector of Malabar
Gazetted 21/6/98
24/6/98
18/6/98

Notification

Under section 48(1) of the Land Acquisition Act I of 1894, His Excellency the Governor in Council is pleased to cancel notification No 231, published at page 82 Part I-A of the Fort Saint George Gazette, dated 30th March 1897, relating to the acquisition of 0.265 acre of land in survey No 81-1 in the Palghat Municipality for providing passage to private latrines in Govinda-rampuram, Kalpathi and Chathapuram villages.

f.o. No 1094-m
17-6-28

Gazette - Part I-A

No 1718

Municipal Office,

Palghat 6th May 1898

LOCAL & MUNICIPAL DEPT.
CURRENT 1763 M

From,

M. D. A.

P. I. Chinnaswamy Pillay Avargal,
Chairman, Municipal Council,
Palghat.

To,

J. H. A. Tremenhare Esqre I.C.S.,
Ag Secretary to Government,
Local and Municipal Department,
Fort St George.

Through,

The Collector of Malabar
and

The Head Assistant Collector of Malabar.

Sir,

I have the honor to submit the following
and to respectfully solicit that, for the
reasons therein stated, the Government will
be pleased to cancel notification No 231
published at page 82 Part I-A of the
Fort Saint George Gazette, dated 30th March
1897, relating to the acquisition of 0.265
acre of land in Survey No 81-1 in the

Palghat

Palghat Municipality for effecting passages to private latines in Govindapuram, Kalpathi and Chathapuram villages.

10 737M
29-3-97

2. In August 1896, when cholera prevailed in the village of Kalpathi, the Civil Apothecary reported that there were numerous cess pits in the village, and suggested that private land should be acquired to enable the scavengers to have access into backyards. The Collector remarked that the cost of acquiring a passage into backyards in Kalpathi was not likely to be great, and requested that early steps should be taken to introduce improved methods of sanitation. Dr King, Sanitary Commissioner for Madras, however, pointed out that, "although it might be desirable that the Council should facilitate the private scavenging of houses by purchasing enough land at the rear of houses to form a convenient approach for latrines, it is incumbent for the inhabitants to

themselves

3. "themselves concert measures to obey Section 221 of Act IV of 1884", and that "on no account ^{into} should any compromise be entered by the Council; daily removal of human excreta should be punctually performed at the cost of the tenant". The Council resolved to acquire the land, and the notification referred to above was published in the Gazette. The land has not yet been acquired owing, as it appears, to the various objections raised by the owners — one of whom seems to have claimed compensation at Rs 8400 per acre.

In G.O. No 695 M. Mo is dated 15th April 1898, it is stated that it is not equitable that the revenue derived from the general tax payer should be devoted to the working of the private scavenging system — "a purely private service". In para (4) of G.O. No 1376 M. dated 8th June 1897, which is embodied in the Minutes of Proceedings of the Sanitary Commissioner for Madras for the third quarter of 1897 published in the current year, the Government has ordered as follows:—

(4) " With regard to the alleged difficulties
 " in the way of the extension of private
 " scavenging, it is observed, that it is
 " not the duty of the Municipal Council
 " to open passages to backyards at the
 " cost of the general tax-payer. It is the
 " primary duty of every occupier to remove
 " on pain of criminal prosecution, under
 " section 221 of Act IV of 1804, night soil
 " and offensive matter from his premises
 " and keep them in a wholesome condition;
 " and the occupier who has no contract
 " with the Municipality for the removal
 " of such matter is bound to deposit it
 " in receptacles ready for removal. If
 " there is such a contract, it should be
 " a condition of the same that the
 " municipal servants have the necessary
 " access to the premises, which access it is
 " for the occupier, and not the Muni-
 " cipality to provide."

The Tahsildar of Palghat having desired
 to consult me with respect to the objections

raised

raised by some of the landowners before
 the Head Assistant Collector of Malabar,
 I drew the attention of the Municipal
 Council to the Government orders above
 quoted, and the Council have adopted the
 following resolution on the 4th Instant
 Present.

M. R. S. S. Chinnasawmy Pillay Avargal,
 Chairman

" D. Ananta aiyar Avargal.
 " A. M. Anantanarayana aiyar Avargal.
 " V. Raman Nair "
 " S. Veeraraghava aiyar "
 " A. Krishnan Nair "
 " A. Chockalingam Pillay "
 " V. Vythilingam Pillay "

22. " Read papers in connection with
 " the acquisition of lands required
 " for the introduction of Private
 " Scavenging system into certain
 " houses in Old Kalpathy and
 " adjoining villages together with
 " the objections raised by certain
 " parties and their statements

recorded

" recorded by the Head Assistant
 " Collector, forwarded by the Tahsildar
 " with his letter dated 28th April
 " 1898. Ref on 98
 " CHD 98

" In view of the order of Government
 " contained in G.O. No. 695 M. M. is
 " dated 1st April 1898 and of the
 " principle laid down in para (4) of
 " G.O. No. 1376 M. dated 8th June 1897.
 " recording with remarks the Deputy
 " Sanitary Commissioner's Inspection
 " Notes on the Parlakimedi Municipi-
 " cipality, the Council find that they
 " cannot acquire any path at Kalpathy
 " and other villages for the access of
 " scavengers, from municipal funds;
 " and the Chairman is requested
 " to inform the Revenue authorities
 " accordingly."

The Tahsildar has already been requested
 that steps may not be taken for the
 acquisition of the land.

3 Under these circumstances, I beg

to respectfully solicit the Government
 that the notification referred to in para 1
 supra may be cancelled under Section
 48(1) of the Land Acquisition Act I of
 1894. This letter is submitted through the
 Head Assistant Collector as he was
 appointed to perform the functions of a
 Collector, and has taken some action,
 under the Act.

I have the honor to be,
 Sir,

Your most obedt Servt,

M. Chinnayyan
 Chairman.

At.

End on C. No. 331
 m. 98

Forwarded to the Secretary to
 Government Local and Muni-
 cipal Department with the recommenda-
 - tion that the notification referred
 to may be cancelled.

M. Jeyaraj

Calicut

20th

19-5-98

20.

[Faint, illegible handwritten text, likely bleed-through from the reverse side of the page.]

L. & M.
2,000-1
When given for copying _____
When copied _____
When examined _____
When signed 17/6 } 189 .

READ AGAIN G.O., No. _____, DATED
189 .

CURRENT No. _____

ENCLOSURES TO C. No. _____

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILLED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—
A = Copy in full.
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