

Local & Munl. (1898) Department.

G.O., No. 2203 M

DATED 19-12-98.

BACK PAPERS.

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

FURTHER PAPERS.

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

Government {1898} of Madras. JUDICIAL.

LOCAL & JUDICIAL DEPT.
3774/16

Recd.

Legd.

1898.

Enclosures

Spare copies 6

G.O., No. 1891, 3rd December 1898.

N
the order

Recorded

DECEMBER. *16/12/98* *ab* *7/12/98*

Copy to the President, Municipal Comm.
Madras.

19/12/98

Bye-law for the Regulation of Hand-carts.

Stating, with remark, that Government agrees in the suggestion that a bye-law should be framed for the regulation of hand-carts in the city, and directing the publication in the Fort St. George Gazette of a notification on the subject in English, Tamil, Telugu and Hindustani.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following paper:—

From A. P. AGAR, Esq., Acting Commissioner of Police, Madras, to the Chief Secretary to Government, dated 3rd October 1898, No. 109.

I have the honour to request that Government will reconsider the advisability of making a bye-law for the better regulating of hand-carts in the city of Madras.

2. These carts are, without doubt, one of the most troublesome elements in the traffic; I continually receive complaints against them, and during my frequent journeys over the city I have seen very narrow escapes from accidents, and have experienced not a few myself. The chief danger from them lies in their being allowed on the roads with an insufficient number of men to propel them—an arrangement made by the coolies in order to secure a larger wage. This leads to numerous accidents; for instance, when such carts, undermanned and frequently overladen, reach a decline as from the crown of a bridge, they are quite out of control until the level is regained, and in this way a person was recently killed, and other accidents have occurred. Another danger arises from the blocks they cause to the traffic in crowded thoroughfares. A string of heavily laden hand-carts is a slow procession and causes considerable obstruction under the best of circumstances, but when much undermanned they have to make frequent halts, and when an incline is reached the major portion have to remain at a standstill while they are taken up one or two at a time.

3. As the law stands at present they cannot be prosecuted for dragging a cart with an insufficient number of men, and only when seen by a policeman to be causing an obstruction, or failing to drag the cart on the extreme side of the road.

4. It may perhaps be thought that the Police could do more with the powers at present at their disposal, but I have given the matter my most careful attention and do not think they can. We are hampered in several ways: First, the Magistracy treat this class of offence with great leniency—out of 1,604 persons prosecuted up to the end of August, 1,583 were convicted, but the average fine was only 4 annas 4 pies. When it is considered that every cooly on an undermanned cart can, with diligence, make at least 8 annas a day, it will be understood that this punishment is not deterrent, and that it pays them to risk a prosecution, which, owing to the very large beats and the few men we have available for duty on the roads, is not a very risky speculation.

5. Secondly, the beats are so very large that the attention of the beat constable is of necessity directed to the more important points of it when passing which the cartmen generally take care to keep within the law.

6. Thirdly, the mounted men who can do most in preventing these irregularities are too few for the growing requirements of the city.

7. I would also point out, in this connection, that the Municipality do not lay down metal across the entire width of several roads, and when coolies are prosecuted for failing to drag their carts on the extreme sides of these roads, they are sometimes let off with a warning, the Magistrate holding that they cannot be expected to push their carts through loose sand.

8. In G.O., No. 2187, Judicial, dated 20th October 1893, it was laid down that "carts that are pushed or dragged by coolies must always be moved by such a number of men as will suffice to propel or drag them with ease and rapidity." This was cancelled by G.O., No. 318, Judicial, dated 9th February 1894. What led to its being cancelled, I have not been able to find out.

9. I now respectfully beg to suggest that, should Government see the desirability of making a bye-law as recommended by me, the number of coolies required to drag a laden cart may be laid down. If left open as in G.O., No. 2187 of 1893, prosecutions become laborious and the time of the Courts is unnecessarily taken up.

10. The hand-carts now in use are of two sizes: the larger cart is generally propelled by three coolies, but the smallest number that can manage them efficiently is four; and for the smaller size, three.

ORDER—No. 1891, Judicial, dated 3rd December 1898.

The Government agrees in the suggestion that a bye-law should be framed for the regulation of hand-carts in the city, but considers it inexpedient to lay down as proposed the number of men required to drag each cart. This will be a question to be decided by the Courts in the event of prosecutions being instituted.

2. The following notification will be published in the *Fort St. George Gazette* in English, Tamil, Telugu and Hindustani:—

NOTIFICATION.

In exercise of the power conferred upon him by section 78 of the Madras City Police Act, III of 1888, His Excellency the Governor in Council is pleased to make the following bye-law and to direct that it shall come into force upon the expiration of one month from the date of its publication in English in the *Fort St. George Gazette*:—

"Carts which are pushed or dragged by coolies within the city of Madras must always be moved by such a number of men as will suffice to propel or drag them with ease and rapidity."

(True Extract.)

for Chief Secretary.

To the Commissioner of Police.
" Chief Presidency Magistrate.
" Local and Municipal Department.
" Tamil, Telugu and Hindustani Translators to Government.
" Superintendent, Government Press.
Gazette.

Esd. T. K. Narayana Aiyangar.

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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 FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

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