	ssued.	To whom issued.	Initials of Referencer.	Remarks.

L. & M.
2,000—1-3-98.

Local & Munl. (1898) Department.

MISCELLANEOUS.

G.O., No. 547 M.

DATED 10-3-98

INDEXED.

See 91(3)

DESPATCHED

[Despatch Abstract.]

Tolls – Informing the P.W.D that no octroi is levied in this Presidency & that carts conveying Government property are not exempt from the payment of municipal tolls & recommending with remarks to the municipal council Ellore the desirability of managing its tolls *amani* until further notice.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Cur 1014 M/98 = 595 M/98							
Cur 2676 M/98							

Local & Munl. (1898) Department.

CURRENT No. 735 M.

From The Government of India

~~Order~~ No.

Referred to the Municipal Council of Ellore — for remarks, which should be submitted through the Collector.

(By order)

~~A Edgington~~

Ag. Assistant Secretary.

V.R.
22/2/98

To The Chairman M.C. Rajahmundry.

No. 87 R.T.

Dated 27-1-98.
Received 2.2.98
Registered 2.2.98
Enclosures 4.
Spare copies.

SUBJECT.

Octroi duty on the stone now being used in the construction of the bridge over the Godavari at Rajahmundry.

Requesting that the necessary instructions may be issued for the refund of the above duty already paid and for the exemption from the tax of the stone to be carried in the future

2

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Local & Municipal

~~Public Works~~ (1898) Department.

Railway 735 M

CURRENT No. ~~177~~

UNDER SECY TO GOVT
9 FEB 98
PUBLIC WORKS DEPT

LOCAL & MUNICIPAL DEPT
CURRENT No. 735 M

No: 60 R.M. d/ 8th Feby 1898.

Endorsement
~~Order~~

Transferred to the Local and Municipal Department for favour of necessary action with reference to P.W.D. G.O. No 278, dated 31st January 1876 (copy attached)

Francis J. E. Spring
Joint Secretary.
4/2/98

No

From
The Govt of India

No. 87 RT

Dated 27th January 1898
Received 9 } 2. 2. 98
Registered }
Enclosures + & 4
Spare copies

SUBJECT.

Octroi duty on the stone now being used in the construction of the bridge over the Godavari at Rajahmundry.

Requesting that the necessary instructions may be issued for the refund of the above duty already paid & for the exemption from the tax of the stone to be carried in the future.

BACK PAPERS.

No.	Date.
Po 3097 P.W.D	14-2-76
" 389 P.W.D	24-2-76

FURTHER PAPERS.

No.	Date.

5

No.27 T.

FROM

THE DIRECTOR OF RAILWAY TRAFFIC.

Calcutta, the 15th January 1898.

The under-mentioned papers are forwarded to the Secretary to the Government of India, Public Works Department, for favour of necessary action, with reference to Government of India, Public Works Department, Circular No.8 P.W., dated the 17th January 1876.

Sugg no 278 P.W.D / 31-1-76

(Signed) H.Bonham-Carter, Captain, R.E.,
for Offg.Director.

Documents referred to.

1. Extract from a letter No.1137 C., dated the 6th December 1897, from the Director of Railway Construction to the Engineer-in-Chief, Godavari Bridge.

2. Extract from a letter No.1178 C., dated the 14th December 1897, from the Director of Railway Construction to the Engineer-in-Chief, Godavari Bridge.

3. Extract from a letter No.6289 dated - 1897, from the Engineer-in-Chief, Godavari Bridge.

Levy of Municipal Octroi tax on stone used in the construction of the Godavari Bridge.

M.L.M.

Extract from a letter No.1137 C.,dated the 6th December 1897,from the Director of Railway Construction to the Engineer-in-Chief,Godavari Bridge,Rajahmundry.

---

x x x x x

With reference to the correspondence ending with your letter No.1966 dated 14th September 1897,I have the honour x x x x x to suggest that you should commence laying down a broad gauge siding from Junumpally,near Ellore, to the East Coast Railway in order to enable you to get all your stone for the Godavari Bridge from that quarry.

2. It is understood that no Octroi duty can be levied on this stone.You should only pay octroi,if demanded,under protest on the Carts.

Extract from a letter No.1178 C.,dated the 14th December 1897,from the Director of Railway Construction to the Engineer-in-Chief,Godavari Bridge.

x x x x x

With reference to paragraph 2 of my letter No.1137 C., dated 6th December 1897, x x x x x x x x x x I have the honour to forward herewith for your information and guidance,copy of Government of India,Public Works Department,Circular No.8 Public Works, dated 17th January 1876,from which it will be observed that Government property is exempted from the payment of octroi.

Extract from a letter No.6289,dated ---- 1897,from the Engineer-in-Chief,Godavari Bridge,to the Director of Railway Construction,Calcutta.

---

x x x x x

The toll is levied under the Madras Municipal Act and I am informed by the Collector of the District that it cannot be avoided.

The

The Municipal Council has power under the Act to compound for the toll with a person residing out of Municipal limits but having already let the tolls for a year to a Contractor this is not now in their power to do until March 31st, 1898.

21/Ry C No 177/98

1/135 M of 1898

All communications should be addressed to the Secretary.

No. 87 R.T.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

Railway Traffic.

JOINT SECRETARY TO GOVT. OF MADRAS RYS.
RECEIVED
2 [illegible] 1898

To

The Joint Secretary to the Government of Madras,
Public Works Department, Railway Branch.

Calcutta, the 27th January 1898.

Sir,

R.

I am directed to forward herewith a copy of the Director of Railway Traffic's Memorandum No.27 T., dated the 15th January 1898, and of its enclosures, regarding the levy of octroi duty on the stone now being used in the construction of the bridge over the Godavari at Rajahmundry.

Flag H

2. With reference thereto, I am to invite attention to Government of India Circular No.8 P.W., dated the 17th January 1876, under which goods the property of Government were exempted from the payment of Municipal taxes, and to request that, with the permission of His Excellency the Governor in Council, necessary instructions may be issued for the refund of the duty already paid and for the exemption from the tax of the stone to be carried in the future.

I have the honour to be,
Sir,
Your most obedient servant,

W Bonham Carter

Captain, R.E.,

Offg. Under-Secretary.

Documents accompanying.

Copy of Director of Railway Traffic's Memo. No.27 T., dated 15th January 1898, and of its enclosures.

B.L.

2/V35 Uofk448

Circular No. 8 Public Works.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

ACCOUNT.

General.

Fort William, January 17, 1876.

The Governments of Bengal, the North Western Provinces and the Punjab, in the Public Works Department, Buildings and Roads and Irrigation Branches.
The Chief Commissioners of Oudh, Central Provinces, British Burmah, Mysore and Coorg, and Assam.
The Resident at Hyderabad.
The Agents of the Governor General for Central India and Rajpootana.
The Superintendent of Port Blair, and Chief Commissioner, Andaman and Nicobar Islands.
The Director General of Telegraphs.
The Inspector General of Military Works.
The Accountant General, Public Works Department.
The Director of State Railways.
The Consulting Engineers to the Government of India for Guaranteed Railways, Calcutta, Lahore and Lucknow.
The Director-in-Chief, Indo-European Telegraph.
The Director, Persian Telegraph.
The Deputy Director, Persian Gulf Telegraph.

Copy of the following forwarded to the Local Governments and Administrations and Officers noted in the margin, for information and guidance, and to the Governments of Bombay and Madras for information.

By order.

Alexr. J. Filgate Major R.E.

Under ~~Depy.~~ Secy. to the Govt. of India.

No. $\frac{2}{98-103}$, dated 22nd December 1875.

From—A. O. Hume, Esq., C. B., Secy. to the Govt. of India, Dept. of Revenue, Agriculture and Commerce,

To—The Govts. of the N. W. P. and the Punjab, Chief Commrs. of the Central Provinces, British Burmah, and Mysore and Coorg, and the Resident at Hyderabad.

> "No town duty or toll shall be levied on goods, vehicles, &c., *bonâ fide* the property of the Government, brought within the Municipal limits for the exclusive and direct use of Government. When the Government takes delivery of goods from a dealer or contractor within Municipal limits, the above exemption shall not apply."

Under Clause 7 (quoted in the margin) of the Rules prescribed by the Resolution of the Government of India, in the Home Department, dated the 6th November 1868, No. 4441-47 (Public), Government goods are exempt from octroi or town duties if delivery is taken without Municipal limits, while they are liable to the duty if delivery is taken within those limits.

2. The Governor General in Council is, however, of opinion that the distinction drawn by the rule is not founded on sound principle, it being immaterial whether delivery of the goods is taken by Government within or without Municipal limits, as the State should in neither case be liable to pay Municipal duties thereon, which would in effect be to tax the general public for the benefit of the local body. At the same time it is necessary that proper precautions should be taken against frauds, which might occur if goods were exempted from octroi on the mere statement of the contractor importing them.

To The Secretary to the Govt. of Madras
P.W. Department
Irrigation Branch

3. Under these circumstances, I am directed to forward a copy of Rules made in substitution of Rule VII of those laid down in Home Department Resolution No. 4441-47, dated the 6th November 1868, regarding the levy of octroi on Government stores passing a Municipal barrier, and to request that
the requisite steps may be taken for giving effect to them in the Municipalities in

---

Rules regarding the levy of octroi on Government stores passing a Municipal barrier.

I.—Goods the property in which is vested in Government at the time they pass the barrier shall pass free if accompanied by an invoice with the endorsement of the proper Government Officer certifying that they are the property of Government.

II.—Goods the property in which is not vested in Government at the time they pass the barrier, but which, being imported with a view to the fulfilment of a Government contract or otherwise intended for the use of Government, will in the ordinary course of things become the property of Government after importation, shall on passing the barrier be declared as intended for the use of Government, *e. g.*, in fulfilment of a certain (specified) contract. The duty on them shall then be paid, and subsequently, if they actually do become the property of Government, the duty shall be refunded on a certificate to that effect signed by the Departmental Officer concerned.

P. W. 1876 Dept.

GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.
ACCOUNT.
General.

No: 682

No 278

Recorded

Gmr

31 Jany/76

To

- THE GOVERNMENTS OF BENGAL, THE NORTH WESTERN PROVINCES AND THE PUNJAB, IN THE PUBLIC WORKS DEPARTMENT, BUILDINGS AND ROADS AND IRRIGATION BRANCHES.
- THE CHIEF COMMISSIONERS OF OUDH, CENTRAL PROVINCES, BRITISH BURMAH, MYSORE AND COORG, AND ASSAM.
- THE RESIDENT AT HYDERABAD.
- THE AGENTS OF THE GOVERNOR GENERAL FOR CENTRAL INDIA AND RAJPOOTANA.
- THE SUPERINTENDENT OF PORT BLAIR, AND CHIEF COMMISSIONER, ANDAMAN AND NICOBAR ISLANDS.
- THE DIRECTOR GENERAL OF TELEGRAPHS.
- THE INSPECTOR GENERAL OF MILITARY WORKS.
- THE ACCOUNTANT GENERAL, PUBLIC WORKS DEPARTMENT.
- THE DIRECTOR OF STATE RAILWAYS.
- THE CONSULTING ENGINEERS TO THE GOVERNMENT OF INDIA FOR GUARANTEED RAILWAYS, CALCUTTA, LAHORE AND LUCKNOW.
- THE DIRECTOR-IN-CHIEF, INDO-EUROPEAN TELEGRAPH.
- THE DIRECTOR, PERSIAN TELEGRAPH.
- THE DEPUTY DIRECTOR, PERSIAN GULF TELEGRAPH.

Circular No. 8 Public Works.

Dated January 17, 1876.
Received " 27. "

N° 587-588

Prescribing rules regarding the levy of octroi on Government goods, &c.

No. 27, P. W. D. Press—17-1-76—500.

Civil Dept 5/7

Dispd - 10-2-76

NOTE FOR THE

3-2-98

12

4/
735 M of 1898

Govt. of {1876} Madras.

PUBLIC WORKS.

To Financial Dept

2-2-76

Dated

Issued

Recd. Encl.

G, O., 31 Jany 1876, No. 278

Nos. 587 - 588

Rules regarding the levy of octroi on Govt goods &c. — Circular from the Govt of India prescribing — recorded.

NOTE FOR ~~THE~~

no answer yet to telephone?

2/3/98

No

2/3/98

Await it till tomorrow

this has not been received yet

2/3/98

Lo[illegible]) Department.

[illegible]RRENT No. 898 M

SECRETARY TO GOVERNMENT
26. FEB. 1898
LOCAL & MUNICIPAL DEPARTMENT

H-M

Order

Council of E[illegible]

V.R.
18/2/98

1-3-98

[illegible] the P. W. Department
Railway Branch.

No. 92 R.M.

Dated 24th February 1898.

Received 28-2-98

Registered 28-2-98

Enclosures /

Spare copies

Note for the Secy.

Please see the telegram from the Chairman M.C. Ellore in reply to the urgent telegram sent to him yesterday

C.R. 9 39 m

2/3/98

To
The Chairman, M.C. Ellore
thro' The Collector of Godavari.

SUBJECT.

Transferring telegram from the Government of India regarding Municipal Tolls near Ellore for favour of necessary action.

BACK PAPERS.

G.O.	No.	Department.	Date.
Cuo	735	L/98	

FURTHER PAPERS.

G.O.	No.	Department.	Date.

R. Form No. 11.

No. 92 R.M.

LOCAL & MUNICIPAL DEPT.
CURRENT No. 898M

Government of Madras.

PUBLIC WORKS DEPARTMENT,

RAILWAY BRANCH.

MEMORANDUM.

Dated Madras, 24th February 1898.

Telegram from the Government of India No 178 R.T. dated 21st February 1898.

Transferred to the Local and Municipal Department for favour of necessary action in Continuation? Consideration of P. W. D. Ry. Endorsement No 60 R.M. dated 8th February 1898.

Cuo 735 L / 97

F. D. Fowler
Under Secretary.

To
The Local & Municipal
Department

15

Class. XS

INDIAN TELEGRAPH.

Monthly Local No. 51

To Station MS Triplicane

From Station Calcutta

Words.	Day.	Hour.	Minute.
65/13	21	17	14

Official Instruction. +H

RECEIVED

MADRAS.

To (Person) Works railway

From (Person) Works

178 R T (1) appland 87 R T (2) affected understand that municipal tolls ellore will shortly be let to avoid possible litigation suggest that without prejudice to any settlement which may be arrived at collector godaveri be instructed that tolls on carts conveying railway material be treated as outside the tolls for which contractors may tender for 1898 1899 X (1) My letter numbered & dated as follows

Sly 2

Recd. from **L. N.** **Sent to**

At **Hrs.** **Mts. By** (2) 27th Jany. [illegible] **At** **Hrs.** **Mts. By**

Date (X rpt.)

TRIPLICANE 21 FEB

Postmaster.

1/898 M of 1898

16

Local & Munl. (1898) Department.

CURRENT No. 939 M

From The Chairman, Municipal Council, Ellore

Order

No.

Dated 1 - 3 - 98

Received 2 - 3 - 98

Registered 2 - 3 - 98

Enclosures

Spare copies.

SUBJECT.

Stating that the sale of Tolls is fixed on the 21st. March 1898

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

17

LOCAL & MUNICIPAL DEPT.
CURRENT No. 939 h

Code Class. Dp

INDIAN TELEGRAPHS

00606

SECRETARY TO GOVERNMENT LOCAL & MUNICIPAL DEPARTMENT 2 MAR 1898

To (Office) Madras fort St George				From (Office) Ellore Godavari
Words 24	Day. 1	Hour. 20	Minute. 1	Official Instructions dd

To (Person) Secretary To govt Local and municipal dept

From (Person) Chairman municipal council

Your telegram today twenty first instant fixed

KR 2/3/98 [illegible]

Recd. from LN
At Hrs. Mts. by

Sent to LN MADRAS 1-3-98
At Hrs. Mts. by

Telegraph Master.

64 Word Form.

F. C 2.

U G P—No. 383 T—13 2 97—6000000.

Local & Munl. (1898) Department.

Office Note
~~CURRENT~~ No. 7

From The Public Works Deptt.
Railway Branch

Order

No. 111 R. M.

Dated 4. 3. 98
Received 5. 3. 98
Registered 5. 3. 98.
Enclosures
Spare copies.

SUBJECT.

Stating that about six or seven lakhs cubic feet of stone will probably be carted from Junnumpally quarry for the Godavari bridge.

[G./25]
250—7-4-97.

20

LOCAL AND MUNICIPAL DEPARTMENT.

C. No. 735M, 898M & 939M.

SUBJECT.

Exemption of carts conveying stone for the Godavari Bridge, from payment of tolls to the Ellore Municipality.

FOR ORDERS.

For the Godavari bridge it has recently been determined to get about 150,000 cart-loads of stone from Jununi-palli quarry near Ellore, & all of it must pass through the Ellore Municl. toll.

2. The Director of Ry. Construction, apparently being under the impression that our Madras Municies. like those in N. India have octroi, & relying upon an exemption of Govt. propy. from octroi, ordered on 6. Dec. last that octroi shd. only be paid under protest. Prompted by the Collr., the Engineer in Chief of the bridge set him right.

Flag C

Flag D

3. Nevertheless, on the 27th Jan the India P.W.D, Ry., wrote regarding the levy of "octroi duty", from which Govt. propy. is exempt, & required exemption for the future & refund for the past. This Mr. Spring has transferred for necessary action.

4. It will be pointed out to him that no octroi is levied, & that Govt.-stores are not exempt from tolls.

Flag E

5. India now telegraphs;

"Understand that Municl. tolls Ellore will shortly be let. – To avoid possible litigation suggest that without prejudice to any settlement which may be arrived at, Collector Godavari be instructed that tolls on carts conveying Ry. material be treated as outside the tolls for which contractors may tender for 1898–9."

6. Now there can be no possible litigation, & the threat can only be another

instance of ignorance of our Munic! Act.

At the same time it see rather absurd that 150,00 × 2. A. 8ps. go into the pockets of the contractor or wholly into the pockets of the Council. It seems eminently a case for Composition under S. 91. (2).

The Council would probably agree to a fair rate; almost certainly.

But if it did not, some other expedient might be adopted; such as cutting a road round Munic! limits, or altering the limits, etc etc.

This negociation will take time, & meanwhile the tolls are to be sold on 21st. May I wire instructing the Council to manage the tolls Amani till further orders? Then we shall have no trouble with Contractors.

H.T.
5.3.98

7. 15000 carts carrying stone would do frightful damage to the roads. On the other hand, no doubt many of the carts would be kept, if not owned, in the Munic? & would thus be exempt from tolls. I should say the best course would be to exempt the ~~the~~ carts carrying the contract stone for the bridge works from the tolls & to compound for these carts. This course might be recommended to the M.C. It may also be pointed out to them that, in the utter uncertainty as to the No. 8. of carts which will be kept inside the Munic? & will ∴ be exempt from tolls, their wisest course will probably be to keep the tolls under amani for the present if they don't separate the stone carts from others as above suggested.

HS
7/3/98

I see in one of the extracts that the laying down of a siding to the quarry is advocated. I suppose no one wd. claim to tax vehicles running on a railway siding, though the law apparently makes them liable.

HS

impossible
HS

9\.

Please draft
Also answer J.P.W.
He seems to accept my view there
H.T.
8.3.98

PR
Cor

[L. & M. Dept.
500— 9-97.]

NOTE FOR THE

2. It will be brought to the notice of the Ellore Council that it is in contemplation to employ large quantities of Janampalli (?) stone ~~for~~ in the construction of the Godavari bridge. The ~~treatment~~ tollage (Check in Dil [illegible]) of the carts carrying the stone is a matter which demands careful consideration & ~~on which the Council is requested to report~~ Std It appears to Govt. that it would be to the interest equally of the Council & of the to ~~Com~~ ~~Council~~ allow composition under S. 91(2) of the D.M.A. for such of the carts as are kept outside M. limits; those that are kept inside will of course pay licenses & conse- [illegible] exempt. The

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LOCAL AND MUNICIPAL DEPARTMENT.

Proceedings :—

189 .

189 .

, from the P.W. Departt

; " "

; " Chairman, M.C. Ellore

R. No. 547 M. Mis. d/ 10-3-98.

The Public Works department w
informed that no octroi is levi
this Presidency and that carts
conveying Government property are no
exempt from the payment of muni
cipal tolls.

2. It will be brought to the noti
the Ellore municipal Council that it is in
contemplation to employ large qua
tities of Janampalli stone in
construction of the Godavari bridge
The ~~tollage~~ tolling of the carts carry
the stone is a matter which dem
careful consideration and on which
Council is requested to report.
appears to Government that it
to the interest ~~equally~~ of
Council ~~and of the~~
to allow composition under
Sec

ection 91 (2) of the District Muni-
balities Act for such of the carts
as are kept outside Municipal limits;
those that are kept inside will, of
course, pay for licenses and consequently
be exempt. The rate of composition
should be carefully fixed, so as,
without materially enhancing the
cost of the stone, to provide the
Council with funds to repair the
damage which the road will
suffer. On this point, the Collector
should help the Council with his
advice, attending the meeting for
hat purpose; and in forwarding
the Council's resolution he should
report his own views fully. Mean-
while, it is not advisable that
tolls should be leased out to
contractor and the following
elegram will be sent to the
hairman:—

Government considers that
t Municipal tolls should not be
 in auction but should, until
rther notice, be managed *amani*.
se wire acknowledgement."

To the Chairman Munl. Ellore (with Enclosures to be returned)
" Collector of Godavary.
" Public Works Dept.

Op 11/3/98

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iven for copying
pied
amined
igned 11/3
189 .

IN G.O., No. DATED
189 ,

T No.

SURES TO C. No.

OF GOVERNMENT .. .. .. A A A A A A A

O GOVERNMENT.

WITH DITTO.

T FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

B.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.