

Local & Munl. (1899) Department.

MISCELLANEOUS.

G.O., No. 112700

DATED 9-8-99

INDEXED.

[Despatch Abstract.]

Sanitation. Stating that the order of the Collector of the Nilgiris Cancelling the resolution of the Municipal Council of Coimbatore and the Chairman's proceedings on the subject of the licensing of dhobis shall continue in force permanently.

BACK PAPERS.

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

FURTHER PAPERS.

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Local & Munl. (1899) Department.

CURRENT No. 2003 m



Pls
Order No. 1127 muni of 9-8-99
From the Asst Collector the Nilgiris

Under Section 35(2) of the Madras District Municipalities Act IV of 1864, as amended by Act III of 1897, His Excellency the Governor in Council directs that the order of the Collector of the Nilgiris dated 21st July 99, Cancelling the resolution of the Municipal Council of Ootacamund dated 4th February 99 and the Chairman's Proceedings of the 19th idem on the subject of the licensing of dhobies, shall continue in force permanently.

R.O. No. 551 1899

Dated 21st July 1899

Received 26th July 99

Registered

Enclosures one

Spare copies nil

SUBJECT.

Dhobie question

Sending a copy of a fresh order passed Cancelling the resolution of the Ootacamund Municipal Council for the licensing of dhobies.

Note

The Collector's order in question is practically the same as his order dated 6th May 1899, which was dealt with in G.O. No. 1005 M. of 17th July 1899, which was not acted upon owing to a clerical error therein. As the order of the 6th May 99, had been sent

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P.T.O. 118

BACK PAPERS.

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	1005	h	17-7-99
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	1379	h	28-8-99

FURTHER PAPERS.

G.O.	No.	Department.	Date.

to the Municipal Council of Ootacamund as required by Sec 35 (2) of the Act, it seems to be unnecessary to send the fresh order to the Council for its explanation. The view of the Law taken by the Collector in the order is correct - Vide H. M's remarks in G.O. No. 1005 dated 17th July 99.

To
The Chairman, M.C. Ootacamund
Collector of the Nilgiris
21/7/99

Proceedings of the Collector of the Nilgiris dated 21st July 1899.

Read:— G.O. No. 1005 M. Miscellaneous dated 17th July 1899 requesting the Collector to pass a fresh order cancelling the resolution of the Municipal Council of the 4th February and the Chairman's Proceedings of the 19th February.

Read again Proceedings of the Collector of the Nilgiris, dated 6th May 99 on the petition from the Shohies of Ootacamund with the Memo from the Chairman Ootacamund Municipal Council.

Order

1. The Shohies of Ootacamund Complain of the action of the Municipality in refusing to let them take licenses jointly as heretofore and ask that no fees should be levied from them.

2. The facts which have given rise to the present state of affairs are as follows:—

In 1892, the Ootacamund Municipality under section 188 of the District Municipalities Act

decided

decided that licenses should
be taken out for places in which
to deposit & wash soiled clothes.
The fee for such licenses was
fixed at Rupees 5. Since 1892,
it appears to have been the custom
for several Dhobies to carry on
their business in the same licensed
premises, and in several cases
licenses were issued for such
premises in the joint names
of Dhobies who used them.

3. At the end of 1898,
the second Sub-committee of the
Municipality, in dealing with the
report of the Sanitary Commissioner
on the Sanitation of Potalamund,
made the following recommendation:-

"As regards the licensing of
Dhobies, we observe that Control
can be exercised under section
188 (1) (a) & we suggest that this
clause be rigorously worked in future.
Each dhobie ought to supply himself
with a special building or room
for the storage of clothes and
the

"the practice of storing clothes in
the huts wherein they live should
be put a stop to. Licenses should
be refused in respect of places
where separate & suitable storage
room for clothes is not provided
and a list of such places
should be prepared by the Sanitary
Inspector."

The Potalamund Municipality, at a special meeting held
on February 4th, passed a resolution
accepting this recommendation
of the 2nd Sub-Committee and the
Chairman, in accordance with this
resolution, seems to have issued
his proceedings on the 19th February
to the effect that "the Sanitary
Inspector will communicate the
suggestion to all dhobies in the
town at once and require them
to carry it out if they wish to
obtain a license for the ensuing
year which is close at hand."

4. The collector is of opinion
that the Sub-Committee in their recom-
mendation & the Municipality in
accepting the recommendation
have

had have not rightly appreciated the law on the subject. The Sub-Committee speak of the licensing of dhobies under Section 188. Now Section 188 does not deal with licenses to persons ~~to persons~~ at all. The licensing of places for the various trades referred to in the section is alone mentioned. This section in other words does not require each dhobie to take out a license to exercise his calling, but it requires that he should exercise his calling only in a licensed place.

5. It is true that Section 188(3) enables the chairman to grant licenses subject to such conditions as to Conservancy and other matters as he thinks proper. The words of the section are no doubt wide, but the collector is of opinion that the conditions intended are conditions regarding Sanitation and that it

it was never intended to grant the chairman power to prescribe conditions for the internal management of the trades specified in Section 188, in matters which do not affect the public health or safety.

6. The resolution of the Municipality now under consideration amounts to a decision that no one dhobie or at all events one master dhobie shall use the same place licensed for washing. The collector sees no objection from a Sanitary point of view to more than one dhobie using the same building provided proper arrangements are made for keeping soiled & clean clothes separate & that the other conditions laid down in the existing form of license are complied with & the Civil Surgeon who has been consulted on the point shares this view.

This of course possible
that if very many dhobies
crowded into one small place,
they might cause an unsani-
-tary state of affairs. This,
however, could be remedied
when it occurred under
other provisions of the Act.

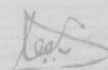
For the reasons stated
above, the Collector considers
that the decision of the
Municipality to refuse license
any place for washing clothes
on the condition that no one
dhobie should use it, was
in excess of the powers conferred
on the Municipal Council
by law, and for this reason
& because execution of the
Resolution is likely to cause
annoyance and possible danger
to health, he resolves, in exercise
of the powers conferred by
Section 35 of the District Muni-
-cipalities Act, to cancel

the resolution of the Municipal
Council in question & the
Proceedings of the Chairman
thereon. The dhobies of Potacarnum
will be so informed.

(Signed) S. G. Roberts
As Collector

(True Copy)


23/7.


24/7

For Collector

The NILGIRI COLLECTOR'S OFFICE,
OOTACAMUND, 21st July 1899.

Ref. on R.O. No. 551
1899

FROM

S. C. Roberts Esquire &c.
of COLLECTOR OF

LOCAL & MUNICIPAL DEPT. the Nilgiris,
To CURRENT NO. 2003m

THE SECRETARY TO GOVERNMENT,

Local & Municipal DEPARTMENT,

Madras, Stone House Hill.

SIR,

ENCLOSURES.

In accordance with the instructions contained in Government Order No. 1005 M. Miscellaneous, dated 17th July 1899, I have the honour to state that a fresh order cancelling the resolution of the Municipal Council of the 4th February 1899 & the Chairman's Proceedings thereon has been passed and that a copy of the same is sent herewith for information.

I have the honour to be,

Sir

Your most Obedient Servant

Laurence
For the Collector

2003/m/99

22.7.99
24/7

When given for copying _____
When copied _____ } 189
When examined _____
When signed 10/8

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 DETTO.

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IN ORIGINAL.

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