Local & Munl. (189 9) Department.

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G.O., No. 1220 M

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[Despatch Abstract.]

Additional powers for Hill Sanitaria. Stating that certain powers proposed by the municipal Council of Kalka cannot be adequately provided for by the existing laws or by byelaws already in force. That certain others might be made the subject of byelaws under the Municipalities Act & requesting the municipal council to consider the other powers with reference to the byelaws regulating the construction & disposition of buildings in force in the Hill Stations of Simla & Darjeeling & report through the

Government {1899} of Madras.

LOCAL AND MUNICIPAL.

Recd. } 1899. *Enclosures*

Regd. } 1899. *Spare copies*

G.O., No. 1220 M., 23rd August 1899.

AUGUST.

Additional powers for Hill Sanitaria.

Stating that some of the powers proposed by the Municipal Council, Ootacamund, are adequately provided for by the existing laws or by bye-laws already in force, and that certain others might well be made the subject of bye-laws under the District Municipalities Act, and requesting the Municipal Council to consider the other powers with reference to the bye-laws regulating the construction and disposition of buildings in force in the Hill Stations of Simla and Darjeeling and the Sub-Committee's report in G.O., No. 759 M., dated 26th May 1899, and report through the Collector what further suggestions it has to make on the subject.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

READ—again the following paper :—

G.O., Mis. No. 2834 M., dated 18th December 1897.

ABSTRACT.—Informing, with remark, the Municipal Council, Ootacamund, that the question raised by it regarding erection of buildings in objectionable localities will be borne in mind in connection with the legislation which it is proposed to undertake for giving increased powers to Municipal Councils in hill stations to regulate the construction and disposition of buildings, and requesting the Council meanwhile to submit, at a very early date, a full list of additional powers which it considers should be conferred on such Municipalities.

READ—also the following papers :—

From G. HAMNETT, Esq., Chairman, Municipal Council, Ootacamund, to the Secretary to Government, Local and Municipal Department (through the Collector of the Nilgiris), dated 18th August 1898, No. 2467.

In G.O., Mis. No. 2834 M., dated 18th December 1897, the Ootacamund Municipal Council was requested to submit a full list of additional powers which it considers should be conferred on such Municipalities as are established in a hill sanitarium adding—

"The list need not be restricted merely to building regulations, but should include all powers necessary in the view of the Council for proper administration of a hill sanitarium."

2. I have the honour accordingly to submit a list of the powers which are needed to administer a Municipality at a hill sanitarium in a thoroughly satisfactory manner. The powers now conferred, notwithstanding the Amendment Act III of 1897, are still found to be inadequate to enable the Council to do all that is necessary or desirable.

3. The list will be found to include powers embodied in other enactments and rules in force, but the Municipal Council is satisfied that whatever powers the Government may, after due deliberation, deem fit to confer upon it they should be drafted in clear and unmistakeable terms and be brought together in one enactment. This is especially necessary where municipal cases are disposed of by subordinate native Magistrates who place their own construction and interpretation on the municipal law.

4. This letter and list are submitted through the Collector who will have an opportunity of recording his own views thereon.

ENCLOSURE.

LIST of powers which the Ootacamund Municipal Council considers necessary for the proper administration of a Municipality in a hill sanitarium.

1. To prevent the erection of buildings in unsuitable localities and in close proximity to public roads.

2. To prevent the erection of houses higgledy piggledy wherever space is available.

3. To ensure methodical arrangement being followed.

4. To prohibit the erection of buildings which may be considered inadvisable, because of over-crowding, unhealthiness, impossibility of efficient drainage of site, of position, or for other general sanitary reasons.

5. To require that every house shall have a sufficient area of land to admit of all the requirements necessary for the house being provided on the land.

[illegible] prevent persons using kerosine or other oil tins for covering the roofs of [illegible] huts.

Hotels and boarding-houses to be included.

7. To inspect the furniture, &c., of every house periodically.

8. To require every landlord to replace old, filthy, useless furniture, dirty mattresses, carpets (or mats) and curtains by fresh furniture, mattresses, carpets (or mats) and curtains.

9. To require every landlord to provide cement drains for carrying off refuse water from bath-rooms, kitchens, stables, servants' quarters, cattle sheds and latrines and to drain the grounds appurtenant to a house effectually.

10. To require every native or other landlord in the town, bazaars and outlying villages to have the backyards of every house cemented and properly drained.

11. To require the grounds appurtenant to every house to be kept free from vegetation, as wattle, docks, useless shrubs, house and stable refuse, leaves and branches of trees.

12. To require landlords to white-wash, re-paper and thoroughly disinfect with proper disinfectants the room or rooms in which any person or persons may have been seriously ill or have died from cholera, plague, typhoid or enteric fever, cancer, small-pox, sore-throat, or other infectious disease.

13. To prohibit landlords from turning godowns, servants' quarters and stables attached to houses built for Europeans into hired lodgings for native servants, Canarese gardeners or others, or for keeping cattle.

14. To require every landlord who may dig a pit or pits in his compound for taking earth for manufacturing bricks or for building purposes, or laterite or gravel for sale to re-fill the pit or pits with pure earth and not with leaves, house or stable refuse or other rubbish.

15. To require in writing the lessee, or owner, or mortgagee of any land, to construct sufficient boundary walls, hedges or other fences therefor of such materials, description and dimensions as may be specified in the notice, or to maintain the boundary walls, hedges or other fences thereof in good order (boundary walls, hedges, or other fences to include all necessary gates and the posts or pillars thereof).

16. To require that no tree or trees of mature growth, whether standing in any private enclosure or not, shall be felled without the previous sanction of the Municipal Council.

17. To require the Conservator of Forests or District Forest Officer to cause to be lopped or trimmed any tree or trees on land belonging to the Government on the side or sides of a public road.

18. To require by public notice all lessees, owners, mortgagees, or occupiers, or by special notice in writing, to lop or trim in such manner, as may be specified in the notice, all or any trees standing on any private land on payment of reasonable compensation at market rates.

19. If the Municipal Council considers the cultivation of any description of crop, or the use of any kind of manure, or the irrigation of land in any specified manner, to be for any reason undesirable, to have power by public notice to prohibit such cultivation, use or irrigation after a certain date to be fixed in the notice, and to make compensation to all persons interested in the land or crop for any loss incurred by reason only of their having complied with the notice.

20. To prohibit persons, without the written permission of the Council, from digging up the surface of any public grass land.

21. To require every person giving notice to erect or re-erect any building, to forward a plan and specification of the building, together with a site plan of the land with such details as the Council may require, and that no such notice be held valid until such plan and specification have been supplied and approved of.

22. Chattrams within municipal limits ordinarily used, whether wholly or in part, for the accommodation of native travellers, and every keeper, or person in charge of such chattram to be bound, if to his knowledge any person in the chattram is ill of any infectious or contagious disorder, or has died of any such disorder, to make an immediate report to the Chairman of the Municipality; to maintain a sufficient supply of pure water for the use of persons frequenting the chattram; to keep all parts of the chattram in a clean and sanitary condition; and to give any information which the Municipal Council may require regarding any matters affecting its management and condition.

23. To require the owner, mortgagee or lessee of any building or land within municipal limits, who may be absent from the town, to appoint some person who resides within or near the town to act as his agent for all the purposes of the Municipal Act, and to notify such appointment to the Municipal Council.

24. To prevent any public place being used as an encamping ground without the written permission of the Council.

25. In the case of dairymen and buttermen, the Municipal Council to specify the vessels and other apparatus to be used in the operations of the trade, and the places at which and the manner in which milk or butter may be prepared and kept for sale.

26. To forbid dairymen holding a license from mixing any water with or otherwise adulterating any milk intended for sale.

27. To forbid buttermen holding a license from adulterating any butter for sale.

28. To have power to fix the places at which any animals, milch cattle or milch goats may be kept for profit; to fix the number of such animals and the manner in which they should be kept to prevent their becoming a public nuisance or injurious to the public health.

29. To fix the sources from which such animals shall be watered.

30. To require the segregation of any sick or diseased animals.

31. In the case of makers of bread, biscuits, cakes, or sweetmeat and sellers of bread, biscuits, cakes or sweetmeat, to specify the apparatus and the water, flour and other ingredients which may be used in the operations of their trade, and the places at which bread, biscuits or cake may be prepared and kept for sale.

32. In the case of manufacturers of ærated or other potable waters or ice and sellers of the same to have power to determine the sources from which water used in such manufacture shall be taken; the machinery, chemicals and ingredients which may be used; the measures to be taken in order to ensure the proper filtering of the water used; the cleanliness of all apparatus and receptacles; and the attachment of labels for the purposes of identifying the factory at which the article was made.

33. In the case of butchers and sellers of poultry, game or fish, power to specify the apparatus and coverings to be used in the operations of their trade, the places at which and the manner in which meat, poultry, game or fish may be exposed for sale.

34. In the case of persons keeping or killing pigs for profit and dealers in the flesh of pigs to require the places from whence the pigs have been brought; to fix the places at which the pigs may be kept, and the season and the places at which pigs may be slaughtered and the flesh offered for sale.

35. To determine the manner in which pigs shall be inspected prior to slaughter and the manner in which the flesh thereof shall be inspected and marked prior to sale.

36. To prevent persons within municipal limits from stacking or collecting any dry grass, straw or any other highly inflammable material or building, a matted structure, screen or a cooking place within one hundred yards of any public or private building having a thatched roof, or in any other place in which the collection or placing of highly inflammable materials may be deemed to be dangerous.

37. To require every person driving a vehicle along a street or road to keep to the left when passing a vehicle coming from the opposite direction and to the right when passing a vehicle going in the same direction.

38. To prevent any vehicle being kept standing on any street between nightfall and dawn without a suitable lamp, unless there is sufficient moonlight to render a lamp unnecessary.

39. To prohibit any vehicle or animal being left on a street without proper control.

40. Power to prohibit owners of cattle (cows, bullocks, horses and ponies) and goats letting the animals loose at nights in the streets and roads to the annoyance of any person, or damage or injury to any property.

41. To require owners carrying on hack establishments to disinfect carriages used for the conveyance of persons afflicted with any contagious disease.

42. To prevent the affixing or causing to be affixed any bill, notice or other document upon any building, embankment, monument, post, wall, fence or tree, except on the boards which the Municipal Council shall provide for such purpose.

43. To prosecute persons defacing or writing upon or otherwise marking any building, embankment, monument, post, wall, fence, or tree, or removing, destroying, defacing or otherwise obliterating any notices or other public document put up or exhibited by the Municipality.

44. To prosecute persons breaking, throwing down or damaging any direction post, lamp or lamp-post or lantern or burner or chimney maintained by the Municipality in any street or public place.

Madras Act III of 1889 provides for this, but the Municipal Council should have the power also.

45. Power to prevent any person begging or importunating for alms, or exposing or exhibiting with the object of exacting charity any deformity or disease, or any offensive sore or wound.

46. To prohibit playing or gaming on streets or roads, picketing animals or collecting carts in places other than on licensed cartstand.

47. To prohibit by general or special notice the beating of drums or tom-tom and blowing of horns or trumpets or playing any music on public streets or roads.

48. To prohibit singing, dancing or shouting at nights thereby disturbing the public rest and peace.

49. To prohibit the carrying of a corpse or causing the same to be carried without taking due precaution to prevent risk of infection or injury to the public health or annoyance to passers-by or to persons dwelling in the neighbourhood.

50. To require every person in charge of a corpse to bury, burn or otherwise dispose of it within twenty-four hours after death.

51. The Municipal Council to be empowered to maintain such standards as it may deem requisite for the purpose of verifying weights and measures, and to provide proper means for verifying weights and measures in use in the town by comparison with the said standards, and for stamping weights and measures so verified.

52. Power to fix by public notice the times and places at which a servant of the Municipal Council shall attend for the purpose of such verification.

53. To require the owner or occupier of any building or land to report the death of any animal within three hours after death, or if the death occurs at night within three hours after sunrise.

54. Power to employ a staff of detectives to bring to justice all persons infringing in any way the sanitary sections of the Municipal Act.

55. Power to levy a certain percentage on the tax of houses for the conservancy of latrines attached to the houses, there being very considerable difficulty under existing arrangements in collecting the conservancy fees and many persons escaping payment of the fees.

56. Power to increase the fees for slaughtering sheep, bullocks and pigs with the sanction of the Government, the fees being at present fixed in the Municipal Act and no increase being feasible unless the Act be amended.

57. For the same reason power to raise the tax on carts and bullocks which are fixed in the Act.

58. Power to put on a lighting tax with the sanction of the Government.

59. Power to forbid persons selling eatables, fruit, &c., near public buildings, or shops, or on streets or roads without licenses.

60. Power to forbid persons having cattle in the outlying villages from driving the cattle into the town for grazing in the compounds of houses untenanted out of the season.

Madras Act III of 1889 provides for this, but the Municipal Council should also have the power.

61. No ferocious dog to be allowed to go about the roads or streets in the town without a muzzle.

62. The provisions of Calcutta Municipal Act regarding the levy of taxes on vehicles, animals, &c., to be introduced into all the hill stations where there are municipalities.

Letter to Government, No. 860, dated 21st December 1895.

R. Dis. No. 216.

Submitted to Government with the following remarks :—

(1) *Clauses* 1—5.—I would restrict the power of the Council to object to the erection of a building to cases where its erection appears inadvisable on specified sanitary grounds. I am afraid that power to object on æsthetic grounds would give rise to a lot of ill-feeling without any compensating addition to the beauty of the town. Such power, too, might be worked to secure private ends.

(2) *Clause* 6.—The Council can prevent the use of kerosine-tin roofs (which are certainly most unsightly) by a bye-law framed under section 180 (2) of the Act, the bye-law requiring that particulars of the design of roof shall accompany every application to build. Such a bye-law would not, of course, be retrospective in its effect, but no retrospective law could be worked without causing much hardship.

(3) *Clauses* 7 *and* 8.—These are of an intolerably inquisitional character and open to many other objections.

(4) *Clause* 9.—For new buildings section 180 provides sufficiently. As to old buildings, the proposed rule goes rather beyond sections 166, 213-A and 222, but I see no objection to it.

(5) *Clause* 10.—This seems a useful provision, but it would be difficult to enforce in the case of the poorest class of huts.

(6) *Clause* 11.—This is unnecessary by virtue of section 186.

(7) *Clause* 12.—Section 231 contains all that is necessary.

(8) *Clause* 13.—I see no reason for this rule. It is a matter for private arrangement between the European tenant and his landlord.

(9) *Clause* 14.—Section 186 contains all the requisite powers if it is worked; and, if section 186 cannot be efficiently worked, neither would such a rule as clause 14 be enforced.

(10) *Clause* 15.—Section 176 contains all that is necessary.

(11) *Clause* 16.—I do not see the object of this rule.

(12) *Clause* 17.—Nothing beyond what appears in section 176 appears necessary.

(13) *Clause* 18.—Unless the trees are likely to be a nuisance to the public, I do not see why the Municipal Council should concern itself about them. Is it proposed to undertake ornamental gardening in private properties?

(14) *Clause* 19.—This is simply section 228-A.

(15) *Clause* 20.—Section 173 prevents the making of holes in streets. "Public grass lands" would be generally the property of Government, not of the Municipality. I do not understand the object of this rule.

(16) *Clause* 21.—Section 180 gives the Council power to call for such particulars as it requires, and a site plan is sufficient unless the Council is going to take the appearance of the building into consideration, a suggestion, the expediency of which I have my doubts of, as already stated.

(17) *Clause* 22.—It is doubtful whether section 233 (*c*) applies to chattrams; I should say that it does not.

The power proposed to be conferred in clause 22 might be useful, but I imagine that it could be supplied by means of a bye-law under section 255.

(18) *Clause* 23.—A similar remark applies; the case could be met by a bye-law under section 255. Sections 184, 185 and 185A also contain ample provisions for the prevention of empty houses becoming a nuisance.

(19) *Clause* 24.—There is no objection to this proposal, but surely by a bye-law under section 255 the Council could prohibit squatting on any vacant space belonging to it. Section 268, too, enables the Council to prevent the formation of encampments by charging a prohibitory rate of rent.

(20) *Clause* 25.—Section 188 seems to contain all the necessary powers so far as regards the place where milk may be sold or stored. As to the vessels to be used and the manner in which butter is to be prepared, I do not consider that the Council ought to have any power of interference beyond that of seeing that cleanliness is observed and this power the Council possesses at present.

(21) *Clause* 26.—If a dairy man mixes water with his milk, the Chairman can cancel his license. A man who sold watered milk would be liable to punishment for cheating and further, if the water could be proved to be deleterious, to punishment under sections 272 and 273, Indian Penal Code.

(22) *Clause* 27.—A similar remark applies.

(23) *Clauses* 28 *and* 29.—All this can be done under section 188 by the refusal of license or issue of a conditional license.

(24) *Clause* 30.—This would be a useful provision and would render unnecessary the trouble and delay caused by bringing the Cattle Diseases Act, 1866, into operation whenever an outbreak of cattle disease occurs in a Municipality. I take it that sections 231 *et seq.* do not apply to diseases among animals.

(25) *Clauses* 31 *and* 32.—I hardly think that anything beyond section 188 is required. My remarks under clause 25 apply. As to the filtering of water used for ærated waters, that could be made a condition of the license; so, too, the attachment of labels.

(26) *Clauses* 33 *and* 34.—Sections 188 and 191 contain all that is necessary.

(27) *Clause* 35.—Provision for the inspection of animals before slaughter (a very proper precaution) can be made by a bye-law under section 255.

(28) *Clause* 36.—Sections 179 and 188 contain all that is wanted.

(29) *Clauses* 37, 38 *and* 39.—Matters for bye-laws under section 255 are also covered by sub-sections (3) and (4) of section 3 of the Towns Nuisances Act, 1889.

(30) *Clause* 40.—Mainly covered by sub-sections (4) and (7) of section 3 of the Towns Nuisances Act. The case of goats may not come under that Act however, and power to prohibit their being allowed to stray in the streets might be useful. They are dangerous to people driving.

(31) *Clause* 41.—Section 231A covers this.

(32) *Clause* 42.—I see no objection to this proposal and am doubtful whether a bye-law could be made under section 255 to cover it.

(33) *Clause* 43.—A similar remark applies.

(34) *Clause* 44.—The acts specified would be mischief under the Penal Code.

(35) *Clause* 45.—Provided for in sub-section (8) of section 3 of the Towns Nuisances Act.

(36) *Clause* 46.—Covered by the Towns Nuisances Act and section 188 of the Municipalities Act.

(37) *Clauses* 47 *and* 48.—Bye-laws under section 255 could be framed to provide for these matters.

(38) *Clause* 49.—Covered by section 241.

(39) *Clause* 50.—There appears no reason for a hard-and-fast rule which might occasionally prove inconvenient or objectionable, as for example, if a *post mortem* had to be performed.

(40) *Clauses* 51 *and* 52.—Any powers which the Municipal Council does not at present possess could, I presume, be supplied under Act XXXI of 1871.

(41) *Clause* 53.—This seems unnecessary unless there is cattle disease in the town. It would be useful to empower the Chairman to call for such reports, whenever, by reason of the existence of cattle disease, he considers it expedient so to do.

(42) *Clause* 54.—Sub-section 4 of section 282 contains all that is necessary.

(43) *Clause* 55.—I am inclined to think that this is a good proposal, but it would not be applicable to houses in respect of which a notification under section 117 had been issued and all the houses in Ootacamund are of this class with the exception of the few, the occupiers of which have contracted under section 118.

(44) *Clauses* 56, 57 *and* 58.—These proposals for enhancing taxation should, I think, be made the subject of a separate communication. The municipal taxes have so recently been revised and enhanced that Government is not likely to take further steps without good cause shown.

(45) *Clause* 59.—Section 203 gives the necessary powers.

(46) *Clause* 60.—I do not understand what harm the practice alluded to can do.

(47) *Clause* 61.—Sub-section (7) of section 3 of the Towns Nuisances Act provides for this.

(48) *Clause* 62.—This proposal was, I presume, considered and disapproved by the Select Committee on the Bill to amend the Act.

2. It will be observed that nearly every one of the additional powers for which the Council asks is already possessed by it. Of the rest some are, in my opinion, open to considerable objection. The most important suggestion is that the Council should have power to object to the site selected for a new building and, if this power be confined to objections based upon sanitary grounds, I think it might well be bestowed. A bye-law framed under section 255 would probably suffice to give the Council power to object to a site on sanitary, though not on, æsthetic grounds.

Other useful suggestions relate to (i) the cementing and draining of back-yards, (ii) the better conservancy of chattrams, (iii) the segregation of diseased cattle, (iv) the inspection of animals before slaughter, (v) the prohibition of straying goats, (vi) the prohibition of bill-posting, (vii) the reporting of deaths from cattle disease, (viii) the levy of conservancy fees in the form of a percentage on house-tax.

Of these proposals all except (iii), (vi), (vii) and (viii) could, apparently, be met by bye-laws under section 255. The four proposals specified would, however, require legislation, and it is for Government to consider whether they are of sufficient importance to necessitate such action.

My own view is that they are not, though they might be noted for consideration when a further revision of the Municipalities Act becomes essential.

The legal powers of the Municipality are, in my opinion, ample to secure good government; it is in the exercise of these powers that defects become apparent.

(Signed) A. BUTTERWORTH,
Acting Collector.

31*st August* 1898.

From A. BUTTERWORTH, Esq., I.C.S., Acting Collector of the Nilgiris, to the Secretary to Government, Local and Municipal Department, dated 3rd September 1898, R. Dis. No. 260.

I have the honour to invite attention to my endorsement, dated 31st August 1898, R. Dis. No. 216 of 1898, on the proposals of the Ootacamund Municipal Council relative to the bestowal upon hill Municipalities of certain enhanced powers.

2. Since writing the above I have had brought forcibly to my notice by an inspection of part of the town the strong necessity there is for enlarging the Municipal Council's powers in one direction.

3. The tumble-down dilapidated condition of many of the houses in the bazaar renders it most unsightly, and I am not sure that the Council has power to remedy matters as the law stands. It ought to have power to direct the owner or occupier of any premises which are out of repair to put the same in order quite apart from the questions whether the premises are in a condition dangerous to life or health and whether they are occupied or not. In respect of buildings which are in danger of falling, sections 183 and 185 can be applied. Deserted buildings which constitute a nuisance can be dealt with under section 184. Buildings which are in a filthy or unwholesome state can be set in order under section 186. But something more than this is needed. The Council ought to have power to insist on premises being kept in a decent condition of repair, so that we may have no more of the tumble-down walls and disreputable looking houses which are not actually dangerous but which are an offence to the eye and a disgrace to Ootacamund.

4. This is a matter legislation in respect of which is in my opinion highly advisable and it may be noted that many of the dilapidated buildings in the town are the property of rich merchants who can well afford to put them into proper order.

From A. BUTTERWORTH, Esq., I.C.S., Acting Collector of the Nilgiris, to the Secretary to Government, Local and Municipal Department, dated 2nd November 1898, B. G. No. 1004.

I have the honour to invite attention to my letter of the 3rd September 1898, No. 260, in which legislation is suggested with the object of enabling Municipal Councils to insist upon the repair of all houses which are out of order.

2. Since writing the above letter I have noticed that section 166 (iii) of the District Municipalities Act gives the Council power to compel the owners of premises adjoining a public thoroughfare to keep the external walls in proper repair. If this clause were enlarged by the omission of the words "adjoining a public thoroughfare" and of the words "the external walls of" it would meet all requirements, though the position of the clause in the Act would have to be altered. The omission of the words "adjoining a public thoroughfare" is rendered necessary by the fact that the worst buildings are to be found down the little alleys which run off the public thoroughfares and not on the main roads.

3. I regret that I should not have noted section 166 (iii) before. Its existence renders the amendment of the Act less pressing than I thought, the term "public thoroughfare" being a rather elastic one, and it seems sufficient if the alteration suggested above be noted for consideration when the Act is next amended.

From the Revenue Secretary to the Government of the Punjab, dated 1st February 1899, No. 51.

From the Chief Secretary to the Government of Bengal, Municipal Department, dated 4th March 1899, No. 1346 M.

Order—No. 1220 M., dated 23rd August 1899.

The Government agrees with the Collector in considering that the powers referred to in clauses 11, 12, 28, 29, 37, 39, 41, 44 to 46, 51 and 52 and the first part of clause 36 are adequately provided for by the existing laws or by bye-laws already in force in the Municipality. As regards clause 20, the Government considers it unnecessary that any special provision should be made authorizing the Municipal Council to control the acts therein referred to, as such acts constitute "mischief" under the Indian Penal Code, while the powers specified in clauses 6, 23, 24, 35, 38, 40 and 49 and the second part of clause 36 might well be made the subjects of bye-laws under the District Municipalities Act. The Municipal Council is accordingly requested to frame bye-laws embodying these latter provisions, and after complying with the requirements of section 256 (1) of the Act, submit them for the confirmation of Government under section 255 (3).

2. The Municipal Council is requested to consider the other powers proposed by it, with reference to the bye-laws regulating the construction and disposition of buildings in force in the hill stations of Simla and Darjeeling, copies of which will now be furnished, and the recommendations of the sub-committee on the Sanitary Commissioner's report on the unhealthiness of Ootacamund disposed of in G.O., No. 757 M., dated 26th May 1899, and report through the Collector what further suggestions it has to make on the subject.

(True Extract.)

M. HAMMICK,
Ag. Secretary to Government.

To the Chairman, Municipal Council, Ootacamund
through the Collector of the Nilgiris, with copies
of the Simla and Darjeeling bye-laws (to be returned.)

Exd. A. F. Eccleston.

Government {1899} of Madras.

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ENCLOSURE.

LIST of powers which the Ootacamund Municipal Council considers necessary for the proper administration of a Municipality in a hill sanitarium.

1. To prevent the erection of buildings in unsuitable localities and in close proximity to public roads.

2. To prevent the erection of houses higgledy piggledy wherever space is available.

3. To ensure methodical arrangement being followed.

4. To prohibit the erection of buildings which may be considered inadvisable, because of over-crowding, unhealthiness, impossibility of efficient drainage of site, of position, or for other general sanitary reasons.

5. To require that every house shall have a sufficient area of land to admit of all the requirements necessary for the house being provided on the land.

6 To prevent persons using kerosine or other oil tins for covering the roofs of houses or huts.

Hotels and boarding-houses to be included.

7. To inspect the furniture, &c., of every house periodically.

8. To require every landlord to replace old, filthy, useless furniture, dirty mattresses, carpets (or mats) and curtains by fresh furniture, mattresses, carpets (or mats) and curtains.

9. To require every landlord to provide cement drains for carrying off refuse water from bath-rooms, kitchens, stables, servants' quarters, cattle sheds and latrines and to drain the grounds appurtenant to a house effectually.

10. To require every native or other landlord in the town, bazaars and outlying villages to have the backyards of every house cemented and properly drained.

11. To require the grounds appurtenant to every house to be kept free from vegetation, as wattle, docks, useless shrubs, house and stable refuse, leaves and branches of trees.

12. To require landlords to white-wash, re-paper and thoroughly disinfect with proper disinfectants the room or rooms in which any person or persons may have been seriously ill or have died from cholera, plague, typhoid or enteric fever, cancer, small-pox, sore-throat, or other infectious disease.

13. To prohibit landlords from turning godowns, servants' quarters and stables attached to houses built for Europeans into hired lodgings for native servants, Canarese gardeners or others, or for keeping cattle.

14. To require every landlord who may dig a pit or pits in his compound for taking earth for manufacturing bricks or for building purposes, or laterite or gravel for sale to re-fill the pit or pits with pure earth and not with leaves, house or stable refuse or other rubbish.

15. To require in writing the lessee, or owner, or mortgagee of any land, to construct sufficient boundary walls, hedges or other fences therefor of such materials, description and dimensions as may be specified in the notice, or to maintain the boundary walls, hedges or other fences thereof in good order (boundary walls, hedges, or other fences to include all necessary gates and the posts or pillars thereof).

16. To require that no tree or trees of mature growth, whether standing in any private enclosure or not, shall be felled without the previous sanction of the Municipal Council.

17. To require the Conservator of Forests or District Forest Officer to cause to be lopped or trimmed any tree or trees on land belonging to the Government on the side or sides of a public road.

18. To require by public notice all lessees, owners, mortgagees, or occupiers, or by special notice in writing, to lop or trim in such manner, as may be specified in the notice, all or any trees standing on any private land on payment of reasonable compensation at market rates.

19. If the Municipal Council considers the cultivation of any description of crop, or the use of any kind of manure, or the irrigation of land in any specified manner, to be for any reason undesirable, to have power by public notice to prohibit such cultivation, use or irrigation after a certain date to be fixed in the notice, and to make compensation to all persons interested in the land or crop for any loss incurred by reason only of their having complied with the notice.

20. To prohibit persons, without the written permission of the Council, from digging up the surface of any public grass land.

21. To require every person giving notice to erect or re-erect any building, to forward a plan and specification of the building, together with a site plan of the land with such details as the Council may require, and that no such notice be held valid until such plan and specification have been supplied and approved of.

22. Chattrams within municipal limits ordinarily used, whether wholly or in part, for the accommodation of native travellers, and every keeper, or person in charge of such chattram to be bound, if to his knowledge any person in the chattram is ill of any infectious or contagious disorder, or has died of any such disorder, to make an immediate report to the Chairman of the Municipality; to maintain a sufficient supply of pure water for the use of persons frequenting the chattram; to keep all parts of the chattram in a clean and sanitary condition; and to give any information which the Municipal Council may require regarding any matters affecting its management and condition.

23. To require the owner, mortgagee or lessee of any building or land within municipal limits, who may be absent from the town, to appoint some person who resides within or near the town to act as his agent for all the purposes of the Municipal Act, and to notify such appointment to the Municipal Council.

24. To prevent any public place being used as an encamping ground without the written permission of the Council.

25. In the case of dairymen and buttermen, the Municipal Council to specify the vessels and other apparatus to be used in the operations of the trade, and the places at which and the manner in which milk or butter may be prepared and kept for sale.

26. To forbid dairymen holding a license from mixing any water with or otherwise adulterating any milk intended for sale.

27. To forbid buttermen holding a license from adulterating any butter for sale.

28. To have power to fix the places at which any animals, milch cattle or milch goats may be kept for profit; to fix the number of such animals and the manner in which they should be kept to prevent their becoming a public nuisance or injurious to the public health.

29. To fix the sources from which such animals shall be watered.

30. To require the segregation of any sick or diseased animals.

31. In the case of makers of bread, biscuits, cakes, or sweetmeat and sellers of bread, biscuits, cakes or sweetmeat, to specify the apparatus and the water, flour and other ingredients which may be used in the operations of their trade, and the places at which bread, biscuits or cake may be prepared and kept for sale.

32. In the case of manufacturers of ærated or other potable waters or ice and sellers of the same to have power to determine the sources from which water used in such manufacture shall be taken; the machinery, chemicals and ingredients which may be used; the measures to be taken in order to ensure the proper filtering of the water used; the cleanliness of all apparatus and receptacles; and the attachment of labels for the purposes of identifying the factory at which the article was made.

33. In the case of butchers and sellers of poultry, game or fish, power to specify the apparatus and coverings to be used in the operations of their trade, the places at which and the manner in which meat, poultry, game or fish may be exposed for sale.

34. In the case of persons keeping or killing pigs for profit and dealers in the flesh of pigs to require the places from whence the pigs have been brought; to fix the places at which the pigs may be kept, and the season and the places at which pigs may be slaughtered and the flesh offered for sale.

35. To determine the manner in which pigs shall be inspected prior to slaughter and the manner in which the flesh thereof shall be inspected and marked prior to sale.

36. To prevent persons within municipal limits from stacking or collecting any dry grass, straw or any other highly inflammable material or building, a matted structure, screen or a cooking place within one hundred yards of any public or private building having a thatched roof, or in any other place in which the collection or placing of highly inflammable materials may be deemed to be dangerous.

37. To require every person driving a vehicle along a street or road to keep to the left when passing a vehicle coming from the opposite direction and to the right when passing a vehicle going in the same direction.

38. To prevent any vehicle being kept standing on any street between nightfall and dawn without a suitable lamp, unless there is sufficient moonlight to render a lamp unnecessary.

39. To prohibit any vehicle or animal being left on a street without proper control.

40. Power to prohibit owners of cattle (cows, bullocks, horses and ponies) and goats letting the animals loose at nights in the streets and roads to the annoyance of any person, or damage or injury to any property.

41. To require owners carrying on hack establishments to disinfect carriages used for the conveyance of persons afflicted with any contagious disease.

42. To prevent the affixing or causing to be affixed any bill, notice or other document upon any building, embankment, monument, post, wall, fence or tree, except on the boards which the Municipal Council shall provide for such purpose.

43. To prosecute persons defacing or writing upon or otherwise marking any building, embankment, monument, post, wall, fence, or tree, or removing, destroying, defacing or otherwise obliterating any notices or other public document put up or exhibited by the Municipality.

44. To prosecute persons breaking, throwing down or damaging any direction post, lamp or lamp-post or lantern or burner or chimney maintained by the Municipality in any street or public place.

45. Power to prevent any person begging or importunating for alms, or exposing or exhibiting with the object of exacting charity any deformity or disease, or any offensive sore or wound.

Madras Act III of 1889 provides for this, but the Municipal Council should have the power also.

46. To prohibit playing or gaming on streets or roads, picketing animals or collecting carts in places other than on licensed cartstand.

47. To prohibit by general or special notice the beating of drums or tom-tom and blowing of horns or trumpets or playing any music on public streets or roads.

48. To prohibit singing, dancing or shouting at nights thereby disturbing the public rest and peace.

49. To prohibit the carrying of a corpse or causing the same to be carried without taking due precaution to prevent risk of infection or injury to the public health or annoyance to passers-by or to persons dwelling in the neighbourhood.

50. To require every person in charge of a corpse to bury, burn or otherwise dispose of it within twenty-four hours after death.

51. The Municipal Council to be empowered to maintain such standards as it may deem requisite for the purpose of verifying weights and measures, and to provide proper means for verifying weights and measures in use in the town by comparison with the said standards, and for stamping weights and measures so verified.

52. Power to fix by public notice the times and places at which a servant of the Municipal Council shall attend for the purpose of such verification.

53. To require the owner or occupier of any building or land to report the death of any animal within three hours after death, or if the death occurs at night within three hours after sunrise.

54. Power to employ a staff of detectives to bring to justice all persons infringing in any way the sanitary sections of the Municipal Act.

55. Power to levy a certain percentage on the tax of houses for the conservancy of latrines attached to the houses, there being very considerable difficulty under existing arrangements in collecting the conservancy fees and many persons escaping payment of the fees.

56. Power to increase the fees for slaughtering sheep, bullocks and pigs with the sanction of the Government, the fees being at present fixed in the Municipal Act and no increase being feasible unless the Act be amended.

57. For the same reason power to raise the tax on carts and bullocks which are fixed in the Act.

58. Power to put on a lighting tax with the sanction of the Government.

59. Power to forbid persons selling eatables, fruit, &c., near public buildings, or shops, or on streets or roads without licenses.

60. Power to forbid persons having cattle in the outlying villages from driving the cattle into the town for grazing in the compounds of houses untenanted out of the season.

Madras Act III of 1839 provides for this, but the Municipal Council should also have the power.

61. No ferocious dog to be allowed to go about the roads or streets in the town without a muzzle.

62. The provisions of Calcutta Municipal Act regarding the levy of taxes on vehicles, animals, &c., to be introduced into all the hill stations where there are municipalities.

Letter to Government, No. 360, dated 21st December 1895.

R. Dis. No. 216.

Submitted to Government with the following remarks :—

(1) *Clauses* 1—5.—I would restrict the power of the Council to object to the erection of a building to cases where its erection appears inadvisable on specified sanitary grounds. I am afraid that power to object on æsthetic grounds would give rise to a lot of ill-feeling without any compensating addition to the beauty of the town. Such power, too, might be worked to secure private ends.

(2) *Clause* 6.—The Council can prevent the use of kerosine-tin roofs (which are certainly most unsightly) by a bye-law framed under section 180 (2) of the Act, the bye-law requiring that particulars of the design of roof shall accompany every application to build. Such a bye-law would not, of course, be retrospective in its effect, but no retrospective law could be worked without causing much hardship.

(3) *Clauses* 7 *and* 8.—These are of an intolerably inquisitional character and open to many other objections.

(4) *Clause* 9.—For new buildings section 180 provides sufficiently. As to old buildings, the proposed rule goes rather beyond sections 166, 213-A and 222, but I see no objection to it.

(5) *Clause* 10.—This seems a useful provision, but it would be difficult to enforce in the case of the poorest class of huts.

(6) *Clause* 11.—This is unnecessary by virtue of section 186.

(7) *Clause* 12.—Section 231 contains all that is necessary.

(8) *Clause* 13.—I see no reason for this rule. It is a matter for private arrangement between the European tenant and his landlord.

(9) *Clause* 14.—Section 186 contains all the requisite powers if it is worked; and, if section 186 cannot be efficiently worked, neither would such a rule as clause 14 be enforced.

(10) *Clause* 15.—Section 176 contains all that is necessary.

(11) *Clause* 16.—I do not see the object of this rule.

(12) *Clause* 17.—Nothing beyond what appears in section 176 appears necessary.

(13) *Clause* 18.—Unless the trees are likely to be a nuisance to the public, I do not see why the Municipal Council should concern itself about them. Is it proposed to undertake ornamental gardening in private properties?

(14) *Clause* 19.—This is simply section 228-A.

(15) *Clause* 20.—Section 173 prevents the making of roles in streets. "Public grass lands" would be generally the property of Government, not of the Municipality. I do not understand the object of this rule.

(16) *Clause* 21.—Section 180 gives the Council power to call for such particulars as it requires, and a site plan is sufficient unless the Council is going to take the appearance of the building into consideration, a suggestion, the expediency of which I have my doubts of, as already stated.

(17) *Clause* 22.—It is doubtful whether section 233 (*c*) applies to chattrams; I should say that it does not.

The power proposed to be conferred in clause 22 might be useful, but I imagine that it could be supplied by means of a bye-law under section 255.

(18) *Clause* 23.—A similar remark applies; the case could be met by a bye-law under section 255. Sections 184, 185 and 185A also contain ample provisions for the prevention of empty houses becoming a nuisance.

(19) *Clause* 24.—There is no objection to this proposal, but surely by a bye-law under section 255 the Council could prohibit squatting on any vacant space belonging to it. Section 268, too, enables the Council to prevent the formation of encampments by charging a prohibitory rate of rent.

(20) *Clause* 25.—Section 188 seems to contain all the necessary powers so far as regards the place where milk may be sold or stored. As to the vessels to be used and the manner in which butter is to be prepared, I do not consider that the Council ought to have any power of interference beyond that of seeing that cleanliness is observed and this power the Council possesses at present.

(21) *Clause* 26.—If a dairy man mixes water with his milk, the Chairman can cancel his license. A man who sold watered milk would be liable to punishment for cheating and further, if the water could be proved to be deleterious, to punishment under sections 272 and 273, Indian Penal Code.

(22) *Clause* 27.—A similar remark applies.

(23) *Clauses* 28 *and* 29.—All this can be done under section 188 by the refusal of license or issue of a conditional license.

(24) *Clause* 30.—This would be a useful provision and would render unnecessary the trouble and delay caused by bringing the Cattle Diseases Act, 1866, into operation whenever an outbreak of cattle disease occurs in a Municipality. I take it that sections 231 *et seq.* do not apply to diseases among animals.

(25) *Clauses* 31 *and* 32.—I hardly think that anything beyond section 188 is required. My remarks under clause 25 apply. As to the filtering of water used for ærated waters, that could be made a condition of the license; so, too, the attachment of labels.

(26) *Clauses* 33 *and* 34.—Sections 188 and 191 contain all that is necessary.

(27) *Clause* 35.—Provision for the inspection of animals before slaughter (a very proper precaution) can be made by a bye-law under section 255.

(28) *Clause* 36.—Sections 179 and 188 contain all that is wanted.

(29) *Clauses* 37, 38 *and* 39.—Matters for bye-laws under section 255 are also covered by sub-sections (3) and (4) of section 3 of the Towns Nuisances Act, 1889.

(30) *Clause* 40.—Mainly covered by sub-sections (4) and (7) of section 3 of the Towns Nuisances Act. The case of goats may not come under that Act however, and power to prohibit their being allowed to stray in the streets might be useful. They are dangerous to people driving.

(31) *Clause* 41.—Section 231A covers this.

(32) *Clause* 42.—I see no objection to this proposal and am doubtful whether a bye-law could be made under section 255 to cover it.

(33) *Clause* 43.—A similar remark applies.

(34) *Clause* 44.—The acts specified would be mischief under the Penal Code.

(35) *Clause* 45.—Provided for in sub-section (8) of section 3 of the Towns Nuisances Act.

(36) *Clause* 46.—Covered by the Towns Nuisances Act and section 188 of the Municipalities Act.

(37) *Clauses* 47 *and* 48.—Bye-laws under section 255 could be framed to provide for these matters.

(38) *Clause* 49.—Covered by section 241.

(39) *Clause* 50.—There appears no reason for a hard-and-fast rule which might occasionally prove inconvenient or objectionable, as for example, if a *post mortem* had to be performed.

(40) *Clauses* 51 *and* 52.—Any powers which the Municipal Council does not at present possess could, I presume, be supplied under Act XXXI of 1871.

(41) *Clause* 53.—This seems unnecessary unless there is cattle disease in the town. It would be useful to empower the Chairman to call for such reports, whenever, by reason of the existence of cattle disease, he considers it expedient so to do.

(42) *Clause* 54.—Sub-section 4 of section 282 contains all that is necessary.

(43) *Clause* 55.—I am inclined to think that this is a good proposal, but it would not be applicable to houses in respect of which a notification under section 117 had been issued and all the houses in Ootacamund are of this class with the exception of the few, the occupiers of which have contracted under section 118.

(44) *Clauses* 56, 57 *and* 58.—These proposals for enhancing taxation should, I think, be made the subject of a separate communication. The municipal taxes have so recently been revised and enhanced that Government is not likely to take further steps without good cause shown.

(45) *Clause* 59.—Section 203 gives the necessary powers.

(46) *Clause* 60.—I do not understand what harm the practice alluded to can do.

(47) *Clause* 61.—Sub-section (7) of section 3 of the Towns Nuisances Act provides for this.

(48) *Clause* 62.—This proposal was, I presume, considered and disapproved by the Select Committee on the Bill to amend the Act.

2. It will be observed that nearly every one of the additional powers for which the Council asks is already possessed by it. Of the rest some are, in my opinion, open to considerable objection. The most important suggestion is that the Council should have power to object to the site selected for a new building and, if this power be confined to objections based upon sanitary grounds, I think it might well be bestowed. A bye-law framed under section 255 would probably suffice to give the Council power to object to a site on sanitary, though not on, æsthetic grounds.

Other useful suggestions relate to (i) the cementing and draining of back-yards, (ii) the better conservancy of chattrams, (iii) the segregation of diseased cattle, (iv) the inspection of animals before slaughter, (v) the prohibition of straying goats, (vi) the prohibition of bill-posting, (vii) the reporting of deaths from cattle disease, (viii) the levy of conservancy fees in the form of a percentage on house-tax.

Of these proposals all except (iii), (vi), (vii) and (viii) could, apparently, be met by bye-laws under section 255. The four proposals specified would, however, require legislation, and it is for Government to consider whether they are of sufficient importance to necessitate such action.

My own view is that they are not, though they might be noted for consideration when a further revision of the Municipalities Act becomes essential.

The legal powers of the Municipality are, in my opinion, ample to secure good government; it is in the exercise of these powers that defects become apparent.

31*st August* 1898.

(Signed) A. BUTTERWORTH,
Acting Collector.

From A. BUTTERWORTH, Esq., I.C.S., Acting Collector of the Nilgiris, to the Secretary to Government, Local and Municipal Department, dated 3rd September 1898, R. Dis. No. 260.

I have the honour to invite attention to my endorsement, dated 31st August 1898, R. Dis. No. 216 of 1898, on the proposals of the Ootacamund Municipal Council relative to the bestowal upon hill Municipalities of certain enhanced powers.

2. Since writing the above I have had brought forcibly to my notice by an inspection of part of the town the strong necessity there is for enlarging the Municipal Council's powers in one direction.

3. The tumble-down dilapidated condition of many of the houses in the bazaar renders it most unsightly, and I am not sure that the Council has power to remedy matters as the law stands. It ought to have power to direct the owner or occupier of any premises which are out of repair to put the same in order quite apart from the questions whether the premises are in a condition dangerous to life or health and whether they are occupied or not. In respect of buildings which are in danger of falling, sections 183 and 185 can be applied. Deserted buildings which constitute a nuisance can be dealt with under section 184. Buildings which are in a filthy or unwholesome state can be set in order under section 186. But something more than this is needed. The Council ought to have power to insist on premises being kept in a decent condition of repair, so that we may have no more of the tumble-down walls and disreputable looking houses which are not actually dangerous but which are an offence to the eye and a disgrace to Ootacamund.

4. This is a matter legislation in respect of which is in my opinion highly advisable and it may be noted that many of the dilapidated buildings in the town are the property of rich merchants who can well afford to put them into proper order.

From A. BUTTERWORTH, Esq., I.C.S., Acting Collector of the Nilgiris, to the Secretary to Government, Local and Municipal Department, dated 2nd November 1898, B. G. No. 1004.

I have the honour to invite attention to my letter of the 3rd September 1898, No. 260, in which legislation is suggested with the object of enabling Municipal Councils to insist upon the repair of all houses which are out of order.

2. Since writing the above letter I have noticed that section 166 (iii) of the District Municipalities Act gives the Council power to compel the owners of premises adjoining a public thoroughfare to keep the external walls in proper repair. If this clause were enlarged by the omission of the words "adjoining a public thoroughfare" and of the words "the external walls of" it would meet all requirements, though the position of the clause in the Act would have to be altered. The omission of the words "adjoining a public thoroughfare" is rendered necessary by the fact that the worst buildings are to be found down the little alleys which run off the public thoroughfares and not on the main roads.

3. I regret that I should not have noted section 166 (iii) before. Its existence renders the amendment of the Act less pressing than I thought, the term "public thoroughfare" being a rather elastic one, and it seems sufficient if the alteration suggested above be noted for consideration when the Act is next amended.

From the Revenue Secretary to the Government of the Punjab, dated 1st February 1899, No. 51.

From the Government of Bengal, Municipal Department, dated 4th March 1899, No. 1346 M.

the Chief Secretary to

Order—No. 1220 M., dated 23rd August 1899.

The Government agrees with the Collector in considering that the powers referred to in clauses 11, 12, 28, 29, 37, 39, 41, 44 to 46, 51 and 52 and the first part of clause 36, are adequately provided for by the existing laws or by bye-laws already in force in the Municipality. As regards clause 20, the Government considers it unnecessary that any special provision should be made authorizing the Municipal Council to control the acts therein referred to, as such acts constitute "mischief" under the Indian Penal Code, while the powers specified in clauses 6, 23, 24, 35, 38, 40 and 49 and the second part of clause 36 might well be made the subjects of bye-laws under the District Municipalities Act. The Municipal Council is accordingly requested to frame bye-laws embodying these latter provisions, and after complying with the requirements of section 256 (1) of the Act, submit them for the confirmation of Government under section 255 (3).

2. The Municipal Council is requested to consider the other powers proposed by it, with reference to the bye-laws regulating the construction and disposition of buildings in force in the hill stations of Simla and Darjeeling, copies of which will now be furnished, and the recommendations of the sub-committee on the Sanitary Commissioner's report on the unhealthiness of Ootacamund disposed of in G.O., No. 757 M., dated 26th May 1899, and report, through the Collector, what further suggestions it has to make on the subject.

(True Extract.)

for *Ag. Secretary to Government.*

To the Chairman, Municipal Council, Ootacamund
(through the Collector of the Nilgiris, with copies
of the Simla and Darjeeling bye-laws to be returned.)

Exd. A. F. Eccleston.

Whitehouse

Local & Munl. (189) Department.

CURRENT No. 456 M

Seen

To be in pending receipt of the information called for on the Budget from the Govt of Bengal.
1/2/99

14/2/99

From The Revenue Secretary to the Government of the Punjab.

Order

No. 51

Dated 1-2-99

Received 6-2-99

Registered 7-2-99

Enclosures 1

Spare copies nil

SUBJECT.

Forwarding copies of notifications issued by the Punjab Government referring to the Administration of the Hill Stations of Simla and stating that the rules for the construction and disposition of buildings are contained in the notification no. 128 of 20th March 1873.

B/2

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

[Form No. 1 I.]

No. 457

Nothing to be written within this line.

It is requested that the No., and date of answer to this letter, and also the Department, Sub-head and File No., may be quoted in any reply.

FROM

M. W. Fenton, ESQUIRE,

Revenue Secretary to the Government of the Punjab,

To

The Secretary to the Government of Madras,

Local & Municipal Deptt:

LOCAL & MUNICIPAL DEPT.
DIARY No. 456 M

6 FEB 1899
LOCAL MUNICIPAL EDUCATIONAL DEPT.

Dept. & Sub-head.
Committees.

File No.

Dated Lahore, the 1st of February 1899.

SIR,

In reply to your letter No. 35 M. dated the 9th of January 1899, I am directed to forward, for the information of His Excellency the Governor, a printed copy each of certain Notifications issued by this Government referring generally to the administration of the Hill Station of Simla, and to say that rules for the construction and disposition of buildings are contained in

Punjab Government Press,
Lahore—4-1-99—2000.

in Notification dated the

20th of March 1893.

I have the honor to be,
Sir,
Your most obdt: servant,

W P Hamilton

For Revenue Secy: to Govt:, Punjab.

W

Local & Munl. (189) Department.

CURRENT No. 771 m

From

The Government of Bengal
Municipal Department

Order

No. 1346 m

Dated 4-3-99

Received 9-3-99

Registered 11-3-99

Enclosures 3 4

Spare copies nil

SUBJECT.

Stating with remarks that no special powers have been conferred on the municipal Commissioners of Darjeeling for regulating the construction and disposition of buildings beyond what is contained in Section 241 of the Bengal Municipal Act III (B.C.) of 1884 as amended upto November 1896.

BACK PAPERS

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Municipal DEPARTMENT.

Municipal BRANCH.

LOCAL & MUNICIPAL DEPT.
CURRENT No. 771m
No. 1546 M

From

The Chief Secretary to the Government of Bengal,

To The Secretary to the Government of Madras,
Local and Municipal Department.

Dated Calcutta, the 4th March 1899.

9 MAR 1899
MUNI. & LEG. DEPT.

Sir,

With reference to your letter No. 35 M. Mis: dated the 9th January 1899, I am directed to say that no special powers have been conferred on the Municipal Commissioners of Darjeeling for regulating the construction and disposition of buildings beyond what is contained in S. 241 of the Bengal Municipal Act III (B.C.) of 1884 as amended up to November 1896. A copy of the rules framed by the Commissioners under clause (1) of that section, which have been sanctioned by Government is enclosed for information.

H. P.—Reg. No.

Reg. No. 6830F—500—12 2 98.

information. These rules have, it is
ciately been reported, been found to
be too stringent for buildings erected
in the Native town and Bazar, and
they may possibly undergo some
alteration in reference to those build-
ings.-

2. A complete set of the bye-laws
at present in force at Darjeeling under
sections 350 and 351 A of the Act is also
forwarded for information.

3. By Act V (B.C.) of 1883 the
Municipal Commissioners have been
empowered to exercise some control of
the posters and dandeewallas in
Darjeeling. A report on the working
of the Act will be found incorporated
in the Annual Resolutions on the
working of Municipalities in this
Province.-

copy enclosed.

I have the honour to be,
Sir,
Your most obdt. servt.,

for Chief Secretary to the Govt. of
Beng

MUNICIPAL DEPARTMENT.

MUNICIPAL.

BYE-LAW.

DARJEELING MUNICIPALITY.

DONALDSON'S patent latrine or privy, with such modifications as may appear desirable to the Commissioners, shall be the standard latrine for Darjeeling Municipality.

A latrine or privy constructed on the above model can be seen on application to the Municipal Engineer.

The penalty for infringement of this Bye-law shall be a fine not exceeding Rs. 20.

H. P.—Reg. No. 125T—100—2-10-97.

BYE-LAWS FRAMED BY THE COMMISSIONERS OF THE DARJEELING MUNICIPALITY AND CONFIRMED IN GOVERNMENT ORDER No. 1704M., DATED THE MARCH 1898.

1. No person shall fell or destroy any tree or shrub, or make any excavation or remove any soil, or quarry, within municipal limits, on public or private property, without obtaining the previous written sanction of the Commissioners:

Felling trees and quarrying.

Provided that nothing herein contained shall apply to the following operations, viz.:—

(*a*) *Bonâ fide* pruning, trimming or otherwise altering shrubs or fruit trees for horticultural purposes only.

(*b*) Digging or other petty excavations, or removal of soil in the ordinary process of gardening in land already cultivated.

(*c*) Other petty acts, such as cutting twigs, digging ferns, and the like, from which no material harm of any kind to person or property is likely to result.

2. Every person who shall have obtained the sanction of the Commissioners to cut into a hillside or building or other purposes, shall, if required by the Commissioners, erect masonry retaining-walls of sufficient strength to support the hillside excavated, and also to retain all debris thrown outwards; and he shall not be permitted to erect any portion of any building above the plinth, until such retaining walls have been completed. In the case of existing buildings their proprietors shall be bound to build such retaining walls as the Commissioners may consider necessary.

Retaining-walls.

3. Every person who shall offend against any of the foregoing bye-laws shall be liable for every such offence to a penalty of fifty rupees, and in the case of a continuing offence to a further penalty of twenty rupees for each day after written notice of the offence from the Commissioners.

Penalties.

J. S. N.—Reg. No 8852C—20—23-3-98.

BYE-LAWS FRAMED BY THE COMMISSIONERS OF THE DARJEELING MUNICIPALITY UNDER SECTION 350 OF THE BENGAL MUNICIPAL ACT, AND CONFIRMED IN GOVERNMENT ORDER No. 4564M., DATED THE 29TH JULY 1898.

1. Every Bicycle, used within Municipal limits, shall be provided with a horn or bell which must be blown or rung, when necessary, to give warning, especially at every turn and bend of the road.

2. Bicycle-riders are required to give way to equestrians and, if necessary, to dismount in order to avoid causing danger or annoyance to persons on horseback.

3. In all cases Bicycle-riders are required to keep to the *khud* side.

The penalty for every breach of any of these Bye-laws shall be a fine not exceeding Rs. 20.

H. P.—Reg. No. 2327C—20—30-7-98.

ACT No. V OF 1883.

PASSED BY THE LIEUTENANT-GOVERNOR OF BENGAL IN COUNCIL.

(a) (*Received the assent of the Lieutenant-Governor on the 26th March* 1883, *and of the Governor-General on the 9th May* 1883.)

An Act for the Registration and Control of Porters and Dandeewallas in the Darjeeling and Kurseong Municipalities.

WHEREAS it is expedient to provide for the registration and control of porters and dandeewallas in the Darjeeling and Kurseong Municipalities:

Preamble.

It is enacted as follows:—

1. In this Act the term "Coolie" shall be limited to porters, and to dandeewallas, and other persons employed in carrying, drawing or propelling any vehicle.

Interpretation.

The term "Commissioners" means the Commissioners of the Municipalities of Darjeeling or Kurseong constituted under the Bengal Act V of 1876, or other Act for the time being in force for the regulation of Municipalities.

2. This Act shall come into force in the Darjeeling and Kurseong Municipalities respectively, when extended thereto by an order of the Lieutenant-Governor published in the *Calcutta Gazette*. Such order shall specify the date on which this Act shall commence in such Municipality, and shall operate to extend the provisions of this Act to such Municipality according to its tenor.

Commencement.

The Lieutenant-Governor may, at any time, cancel or modify an order made under this section.

3. The Commissioners shall, within fifteen days of such publication, cause a copy of the order to be deposited in the office of the Commissioners,

Publication of order.

Price one anna.

of the work; all existing outline
to be executed in red.

Provided that the provisions of this section shall not apply to section twelve of this Act.

23. All penalties and fines to be levied under this Act, shall be placed to the credit of the Municipal Fund.

Disposal of fines.

J. E. S.—Reg. No. 1841G—2,000—23-5-83.

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NIFICATION.

No. 5083M.—The 30th November 1897.—It is hereby notified for general information that, in exercise of the power vested in the Local Government by section 241(2) of Act III (B.C.) of 1884, as modified up to 1st November 1896, and on the recommendation of the Commissioners of the Darjeeling Municipality made at a meeting, the Lieutenant-Governor sanctions the Rules set forth below, which have been framed by the Commissioners of the said Municipality under section 241(1) of the said Act.

RULES FOR THE CONSTRUCTION OF HOUSES IN DARJEELING.

1. In the construction of these rules, the following words and expressions shall have the meanings hereinafter respectively assigned to them, unless such meanings be repugnant to, or inconsistent with, the context or subject-matter in which such words or expressions occur; that is to say—

Interpretation of Terms.

(*a*) Words importing the singular number shall include the plural, and the plural the singular, and words importing the masculine gender shall include females.

(*b*) "Person" includes any body of persons corporate or unincorporated.

(*c*) "The Act" means the Bengal Municipal Act of 1884 as modified up to the 1st November 1896, and includes any Act which may hereafter be passed in substitution for or amendment of the said Act.

(*d*) "Commissioners" means the Municipal Commissioners appointed under the Act.

(*e*) "The Engineer" means the Municipal Engineer appointed under the Act.

(*f*) "Base," applied to a wall, means the under-side of the course immediately above the footings.

(*g*) "Plinth," applied to a building, means the part of a wall at ground floor level.

(*h*) "Topmost" storey means the uppermost storey in a building, whether constructed wholly or partly in the roof or not, and whether used or constructed or adapted for human habitation or not.

(*i*) "Party wall" means a wall forming part of a building and being used, or constructed to be used, in any part of the height or length of such wall for separation of adjoining buildings belonging to different owners, or occupied or constructed or adapted to be occupied by different persons.

(*j*) "External wall" means an outer wall of a building not being a party wall even though adjoining to a wall of another building.

(*k*) "Nogging" means the lime or cement concrete, or the brickwork in lime or cement mortar, filling in between the frames of iron or wood in a framed structure.

(*l*) "Cross wall" means a wall used or constructed to be used in any part of its height as an inner building for separation of one part from another part of the building.

(*m*) "Masonry-walled building" means a building the external walls of which are constructed of brick, stone, or other material without the aid of timber framing.

(*n*) "Frame building" means a building the external walls of which are constructed of timber framing filled in with brick, stone, or other material, and the stability of which depends on such framing.

2. The erection, re-erection or alteration of every building, and every addition thereto, and the site thereof, shall be subject to the approval of the Commissioners, whose sanction to the same must be obtained in writing prior to the commencement of any such work.

Sanction of Commissioners.

3. Every person who under the provisions of section 237 of the Act may be required to furnish to the Commissioners any plan or other document shall furnish duplicate copies of every such plan or other document which he may be called upon to furnish, and one of such duplicate plans shall be returned to the person, signed by the Commissioners, signifying their approval of the plan or otherwise.

Documents required in duplicate.

4. Every person intending to erect or re-erect, alter or add to any building, shall make an application in writing to the Commissioners for sanction to the work, and shall submit with such application complete plans, elevations and sections of the work to be executed, neatly and accurately drawn to a scale one-eighth of an inch to a foot; and a site or block plan showing the position of the proposed work in relation to the boundaries of the estate on which it is to be executed, and to all adjacent roads, buildings and premises, drawn to a scale of not less than one-fiftieth of an inch to a foot.

Drawings to be submitted.

All drawings shall be coloured to distinguish the materials employed in the construction of the work; all existing buildings or roads shall be shown in black, all new works proposed to be executed in red.

The thicknesses of the walls, the scantlings of the various materials, and the level of the lowest floor with reference to the ground level, shall be clearly shown by figured dimensions, and the north point shall be marked on each plan.

Dimensions to be given.

The scale of each drawing shall be neatly drawn thereon, and shall show feet in the case of the site or block plan, and feet and inches in the case of the other drawings.

Scale of drawing to be given.

Such drawings shall be accompanied by a specification of the work to be constructed, comprising full information as to the following particulars, namely:—

Specification to be submitted.

(1) The materials and method of construction to be used for external and party walls, roofs, floors, fireplaces and chimneys.

(2) The provision, position, and ventilation of drains and privies.

(3) Free passage or way in front of the building.

(4) Space to be left about the building to secure a free circulation of air, admission of light, to facilitate scavenging, and for the prevention of fire.

(5) Manner in which roof and house drainage and surface drainage of land will be disposed of.

5. Every person who shall erect, re-erect, alter or add to a building, shall adopt one or other of the materials and methods of construction specified in the following rules, subject to the limitations and specifications contained in the Schedule, and shall be responsible that all the building materials used are sound, of good quality, and properly put together, so as to ensure safety, and that all walls which meet shall be properly bonded together at their junction.

Materials and method of construction.

6. The external and cross-walls for a building of one storey shall be built of—

Walls of a one-storey building.

(i) Stone or brick bedded in lime or cement mortar.

(ii) Stone or brick bedded in mud mortar, provided that those portions of the walls around doors and windows, and under the wall-plates for one foot in depth, and in the foundations up to plinth level, be of stone or brick bedded in lime or cement mortar.

(iii) Timber or iron framing filled in with nogging, or covered with corrugated or plain iron, or planked.

The external and cross-walls for a building of two storeys shall be built, in the lower storey, of—

Walls of a two-storey building.

(i) Stone or brick bedded in lime or cement mortar.

(ii) Timber or iron framing covered with corrugated or plain iron, or filled with nogging.

Provided that the cross-walls in the lower storey, if they are intended for partitions only, and do not support any wall in the upper storey, may be built also of brick nogging, or of timber framing planked with boards, and that the external walls, if they do not support any wall in the storey above, may be built also of brick nogging.

The walls of the upper storey shall be constructed in either of methods (i) or (iii), specified for the walls of a building of one storey.

The external and cross-walls for a building of three storeys shall be built, in the lowest storey, of—

Walls of a three-storey building.

(i) Stone bedded in lime or cement mortar.

(ii) Iron framing covered with corrugated iron or filled with nogging.

In the storey next above the lowest storey of—

(i) Stone or brick bedded in lime or cement mortar.

(ii) Timber or iron framing covered with corrugated iron or filled with nogging.

Provided that the cross-walls in either of these storeys, if they are intended for partitions only and do not support any wall in the storey above, may be built also of planked timber framing.

The walls of the topmost storey shall be built of—

(i) Stone or brick bedded in lime or cement mortar.

(ii) Timber or iron framing filled with nogging or covered with corrugated or plain iron, or planked.

Party walls shall in all cases be built of stone or brick bedded in lime or cement mortar for their full height, and shall be carried up, of a thickness of not less than nine inches, above the roof flat or gutter to such a height as will give a distance of at least eighteen inches measured at right angles to the slope of the roof above the highest part of the roof flat or gutter.

7. Buildings of more than three storeys shall not be allowed without the special sanction of the Commissioners, who shall in such cases specify the materials and method of construction to be adopted.

Buildings of more than three storeys.

8. The roof of every building shall be constructed of corrugated or plain iron, slates, tiles, or, when especially sanctioned by the Commissioners, of shingles securely attached to a frame of iron or timber, the rise of the roof being in no case less than one-eighth of the span.

Roofs.

9. Floors shall be constructed of one or other of the following materials, viz., brick, stone, or tiles set in lime or cement mortar; concrete; asphalte; or planks laid on timber or iron joists; and they shall be not less than one foot above the highest level of the ground within three feet of the building:

Floors.

Provided that when planks are used for ground-floors, the floor joists shall be laid in such manner that the under-side of the joist is at least six inches above the surface of the earth filling below the floor.

Ventilation of plank floors.

The space thus formed between the ground and the floor shall have free ventilation.

10. Fireplaces shall be built of brick or stone bedded in lime or cement mortar.

Fireplaces and chimneys.

11. The back of every fireplace opening in a party wall from the hearth up to the height of twelve inches above the mantel shall be at least eight and a half inches thick.

12. An arch of brick or stone, or a bar of iron of sufficient strength, shall be built over the opening of every chimney to support the breast thereof, and if the breast project more than four inches from the face of the wall, and the jamb on either side be of less width than eighteen and a half inches, the abutments shall be tied in by an iron bar or bars of sufficient strength, turned up and down at the ends, and built into the jambs for at least nine inches on each side.

Support of chimney breast.

13. There shall be laid level with the floor of every storey before the opening of every chimney a slab of stone, slate or other incombustible substance, at the least six inches longer on each side than the width of such opening, and at the least eighteen inches wide in front of the breast thereof.

Fireplace slabs.

14. All chimneys shall be built on solid foundations, and with footings of the wall against which they are built, and with which they shall be properly bonded.

Foundations of chimneys.

15. Every chimney shall be constructed of stone or brick bedded in the best lime or cement mortar, or of iron. The height of the masonry of the chimney above the roof shall in no case be more than one and a half times the width of the chimney at roof level. The sectional area of the flue shall be uniform throughout the height of the chimney, and there shall be no contraction of this sectional area at the flue opening at the top of the chimney. Every masonry flue shall be surrounded with brick or stone work at least nine inches thick from its lowest point to a height of at least eighteen inches above the roof, flat or gutter measured at right angles to the surface thereof. Above such height the walls round the flue shall be not less than 4½ inches in thickness and shall be built in cement.

Construction of chimneys.

16. Timber or woodwork shall not be placed—

Woodwork near chimneys.

(*a*) in or against any wall or chimney breast nearer than 12 inches to the inside of any flue or chimney opening,

(*b*) under any chimney opening within ten inches from the upper surface of the hearth of such chimney opening.

Where an iron pipe is used for conveying smoke or other products of combustion, such pipe shall not be fixed nearer than 18 inches to any combustible materials employed in the construction of a building.

17. Every person who shall employ iron posts, girders, joists or other ironwork for the support of any portion of a building, shall employ only such iron posts, girders, joists or other ironwork as shall, in respect to quality and strength, be approved by the Commissioners in that behalf.

Ironwork.

18. Drains from houses, tenements, holdings or premises for the conveyance of sullage water into any of the sewers or drains vested in the Commissioners, or into any streams, channels or water-courses within the Municipality, shall be constructed, as may be directed by the Commissioners, in ... other of the following methods, viz.:—

Drains for sullage water.

(i) Round or half-round tiles bedded in concrete.

(ii) U shaped stone masonry set in lime mortar, the inner surface of the d... plastered with Portland cement.

(iii) U shaped stone concrete.

No covered drains shall be allowed except with the permission of the Commissio...

19. Drains from houses, tenements, or holdings for the discharge of surface water ma

Drains for surface water.

be constructed of dry rubble, and shall be either rectangu
U or V shaped: Provided that no sullage or sewage wate
shall be discharged by such drains.

20. All latrines and privies, public or private, shall be constructed according to the

Privies.

models prescribed by the Commissioners. A copy of the models shall be kept in the municipal office, where any person on application shall be allowed to see it.

No cesspool shall be allowed.

21. No person shall erect on any estate any new building or new structure or any part

Free passage about buildings.

thereof, or extend any building or structure or any part thereof, in such manner that any external wall of any such building or structure or any part thereof shall, without the consent in writing of the Commissioners, be in any direction at a distance less than 20 feet from any part of any adjacent building or structure, or less than 10 feet from the boundary of the estate, or the centre line of any public road. Every application to erect or extend any building or structure within these limits must be notified by the applicant to the neighbouring proprietor or his agent, to show the Commissioners that the latter is cognizant that such application has been made. Copies of the orders of the Commissioners shall be furnished by them to both the applicant and neighbouring proprietor. Refusal under this section must be based only on sanitary or other public grounds.

22. Every person who shall erect out-offices, huts or sheds, or ranges or blocks of out-

Erection of huts.

offices, huts, or sheds, whether the same are to be used as dwellings or stables or for any other purpose, shall build the same—

(i) so that they may stand in regular lines with a free passage or way in front of and between every two lines of, such width as the Commissioners may direct for ventilation and for facilitating scavenging; and

(ii) with such and so many privies, latrines or urinals, and such means of drainage as the Commissioners may require; and

(iii) at such a level as will suffice for the means of drainage required by the Commissioners.

23. Every person who shall erect, re-erect, or add to a dwelling-house shall so construct

Space about dwelling-houses.

the work that the whole of at least one side of every room thereof intended to be inhabited shall be an external wall abutting on the open air; and such building shall be constructed at such a distance from any adjacent bank, revetment, or retaining wall, that a plumb line dropped vertically from any point of any roof projection, verandah projection, or other part of such building, shall meet the ground at a distance of not less than three feet from the toe of such bank, revetment or retaining wall.

24. He shall construct every room intended to be inhabited in such building, except a

Height of rooms in dwelling-houses.

room in the roof thereof, so that the same shall be in every part at least eight feet in height from the floor to the ceiling. He shall so construct every dwelling-room in the roof of such building that the same shall have an average height of at least seven feet from the floor to the ceiling.

25. He shall so construct the walls of every such dwelling-room that the same shall

Area of dwelling-rooms.

have a clear superficial area of not less than eighty square feet.

26. He shall so construct the walls of every such dwelling-room that the same shall be

Ventilation of dwelling-rooms.

ventilated by means of doors or windows which open directly into the external air, and have an aggregate opening clear of the framing equal to not less than one-tenth of the superficial area of the floor of the room.

27. Every person who shall erect, re-erect, alter or add to any building, shall construct

Disposal of drainage.

suitable and sufficient down-pipes and drains for the conveyance of the drainage from the roof and house, and from the ground adjacent to such building into such channels as the Commissioners may direct. In the case of existing buildings their proprietors shall be bound to make such drains as the Commissioners may consider necessary, within a reasonable time after the serving of notice.

28. Every building shall have at least one or so many more external doors as the

Provision to be made for egress from buildings.

Commissioners may prescribe, to afford egress from the building, not less than 3′ 6″ wide by 7′ high measured inside the door-frame.

Buildings of more than one storey shall be provided with at least one staircase of

Staircases.

three feet clear width extending from the ground to the topmost storey, and having a landing at every intermediate story room in such building shall have free communication with such staircase, so that there shall be a means of egress in case of fire.

In the case of buildings, such as hotels or public lodging-houses, intended for the habitation above the ground floor of a large number of persons, so many more staircases shall be provided as the Commissioners may prescribe.

30. No building shall, without the consent in writing of the Commissioners, be erected

Line of frontage of buildings abutting on a street.

beyond the general line of buildings in any street, place, or row of houses in which the same is situate. Such general line of buildings shall, if required, be defined by the Commissioners or by their Engineer.

31. Every new building, or addition to any existing building, shall possess such

Aspect and architectural features.

architectural features, and shall be so constructed as not to be, in the opinion of the Commissioners, unsightly or unsuitable to its surroundings.

SCHEDULE.

Foundations—Every wall shall have footings built as follows:—

The projection of the bottom of the footing on each side of the wall shall be equal to at least one-quarter of the thickness of the wall at its base. The diminution of the footings of every wall shall be formed in regular offsets, and the height from the bottom of such footings to the base of the wall shall be not less than two-thirds of the thickness of the wall at its base: Provided that when a wall is built on rock, the footings may be omitted if the surface of the rock be properly cleaned and stepped or roughened to receive the first course of masonry.

The footings of every wall, masonry or framed, shall be carried below ground level until a solid foundation is met.

The bottom of the footings shall in no case be at a less depth below ground surface than three feet, except when the foundation is rock.

2. *Measurement of walls.*—For the purpose of determining the thickness of a wall, the height of such wall shall be measured upwards from plinth level to the highest part of the wall, or, in the case of a gable, to half the height of the gable, and downwards from plinth level to the top of the footings.

3. The heights of storeys shall be measured as follows:—

(*a*) The height of a topmost storey shall be measured from the level of the upper surface of the floor up to the level of the under side of the tie of the roof or other covering, or if there is no tie, then up to the level of half the rise of the roof.

(*b*) The height of every storey other than a topmost storey shall be measured from the level of the upper surface of the floor of the storey up to the level of the upper surface of the floor of the storey next above it.

4. *Dimensions of masonry walls.*—External and party walls shall be of not less thickness than specified below:—

Wall above plinth level.

Height of wall above plinth level.	Thickness of wall in inches.		
	Rubble masonry.	Brick masonry, lime or cement mortar.	Brick masonry, mud mortar.
1	2	3	4
Not exceeding 14 feet—			
Whole of such height	18	14	18½
Exceeding 14 but not exceeding 20 feet—			
From plinth level to 10 feet above plinth level ...	24	18½	23¼
From 10 feet above plinth level to top of wall ...	18	14	18½
Exceeding 20 but not exceeding 30 feet—			
From plinth level to 10 feet above plinth level ...	30	.....	.....
From 10 feet above plinth level to 20 feet above plinth level	24	18½	.....
From 20 feet above plinth level to top of wall ...	18	14	.....
Exceeding 30 but not exceeding 40 feet—			
From plinth level to 10 feet above plinth level ...	36	.....	.....
From 10 feet above plinth level to 20 feet above plinth level	30	.....	.....
From 20 feet above plinth level to 30 feet above plinth level	24	18½	.....
From 30 feet above plinth level to top of wall ...	18	14	.....

Note.—When nogging is used for walls in upper storeys the thickness of walls in the lower storey below may be 18 inches.

The thickness of the wall below plinth level shall, when the base of the wall is more than 10 feet below that level, be 6 inches for rubble and half a brick for brick masonry, more than the thickness of the wall immediately above plinth level. When the base of the wall is more than 10 feet below plinth level, the thickness shall be increased by 6 inches for every 10 feet or part of 10 feet of such extra depth.

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In the case of buildings of more than one storey the diminutions may be made at each floor level, provided the height of the lowest storey does not exceed 14 feet, and the height of any storey above the first storey does not exceed 10 feet.

The thickness of cross walls shall not be less than two-thirds that of the external walls, provided that no wall shall be less than nine inches in thickness.

If approved bricks of the size 9 inches long by 4¼ inches wide are used,—

1	brick shall be	reckoned to be	equal to	9 inches.
1½	ditto	ditto	14	„
2	ditto	ditto	18⅔	„
2½	ditto	ditto	23¼	„
3	ditto	ditto	28	„

Wall below plinth level.

5. *Walls of timber framing covered with planks or iron sheeting.*—The height of such framing shall be—

For lower storeys not more than	...	14 feet.
For upper ditto	...	10 „

For the lower of two storeys the following shall be the minimum scantlings :—

Posts and top plates	...	... 5″ × 4″
Bracings and bottom sills	...	... 5″ × 3″

For single storeys or the upper of two storeys the minimum scantlings shall be :—

Posts and top plates	...	... 4″ × 4″
Bracings and bottom sills	...	... 4″ × 3″

No posts shall be spaced more than five feet apart, and where any exceptionally heavy loads are to be carried on the top plates, the scantlings specified above shall be increased to such extent as the Commissioners may direct.

The bracing shall consist of either horizontal or diagonal timbers, at least one brace being fixed between each pair of posts.

Such framing shall be covered externally with—

Planking of not less than ¾″ thickness; or corrugated iron of not less than 24 B.W.G.; or plain sheet iron of not less than 22 B.W.G.

6. *Walls of brick or concrete nogging.*—The framing shall consist of sound timber posts, plates, and sills, with diagonal and horizontal bracing. The height of such posts shall not exceed 14 feet from base of sill to top of plate :—

The section of posts shall not be less than		...	5″ × 4″
Ditto	plate and sills	ditto	... 5″ × 4″
Ditto	braces	ditto	... 5″ × 3″

The posts shall be not more than 5 feet apart, and shall be braced by at least one line of horizontal bracing at their centre, or where doors and windows occur, at the head or sill of such opening. Each rectangular space formed by posts and horizontal bracing shall be divided by at least two diagonal braces. The triangular spaces so formed shall be filled with brickwork or concrete, the mortar of which shall consist of at least one part of lime to two parts of clean sand or surkhi, or one part cement to four parts clean sand. The masonry or concrete shall be held in position either by planking nailed to the framing to cover the joints, or by 2½″ nails driven into the framing at 2″ intervals, and bent down over the masonry or concrete and hidden by the face plastering.

If iron is used for the framing instead of timber, a detail drawing showing a portion of the wall in section and elevation, with the dimensions of the angle or T irons clearly marked thereon, shall be submitted to the Commissioners, who shall specify in every case the minimum dimensions, and the spacing apart of such angle and T iron.

7. Masonry walls shall be constructed in accordance with one or other of the following specifications :—

Coursed rubble masonry shall consist of the best and largest stones available, laid on their natural bed, roughly squared and dressed and set in cement or lime mortar. No course shall be less than 4½ inches, or more than nine inches in thickness. If the courses are of unequal height, the deeper courses must be laid towards the bottom of the structure. Each course may be brought to a level by filling such hollows as are unavoidable by chips set in mortar and hammered; but the line of each course must be perfectly level and free from winding, and no joint shall overlie another less than 4½ inches measured on the face of the wall.

No stone shall be used which is less than one quarter of a cubic foot in size, and the length and breadth of its bed shall each be at least 1½ times its height.

Through bond stones shall be built in at intervals of 4 feet in every course, the bond stones of any course to be intermediate between those of the course below.

In walls up to two feet thick these stones shall be the full width of the wall. In walls over two feet thick two bond stones may be used, so that they overlap one another not less than one foot.

Coursed rubble masonry in mud.—The same specification shall apply, except that mud will take the place of lime mortar.

Brickwork in lime or cement [illegible] sound and thoroughly well-burned bricks, of uniform size and shape, se[illegible]mortar.

[illegible]icks shall be soaked in w[illegible]o hours befo[illegible] being used.

All bricks shall be properly l[illegible]known as English bond, which shall consist of one course of "h[illegible]retchers."

Each course shall be laid t[illegible]ry brick well bedded and flushed with mortar. No joint s[illegible]width. When the whole work cannot be carried up level, th[illegible] raked back in regular steps of one course each. All arches shall be t[illegible]y framed centres; the joints shall radiate truly from the centre and shall n[illegible]e-fourth of an inch in thickness.

Brickwork in mud mortar.—[illegible]ame specification shall apply, except that mud will take the place of lime mortar.

The external faces of all masonry walls shall be pointed with lime or cement mortar, and the internal faces plastered.

All joints shall be raked out to a depth of half an inch while the work is fresh before the pointing or plastering is done.

8. *Concrete* shall consist of fresh lime and clean stone or brick ballast, broken so as to pass through a ring 1½″ diameter, and clean sand. The materials shall be mixed on a clean platform in the following proportions by measurement :—

One part (at least) lime. | Two parts sand or surki. | Five parts ballast.

Both the lime and the sand or surkhi shall be sifted through a screen of not less than 64 meshes to the square inch, and shall then be mixed together separately before being incorporated with the ballast, water being sparingly used during this final mixing. The whole shall then be deposited in trenches and well rammed. Surki should, if possible, be used in place of sand when stone lime only is available.

Lime mortar shall be composed of freshly burned lime and clean sharp sand or surki, without earthy matter, in the proportions of at least one of lime to two of sand or surki. The lime and sand or surki shall be separately sifted through a screen of not less than 64 meshes to the square inch, and shall then be thoroughly mixed together dry on a platform prepared for the purpose.

Cement mortar shall be composed of Portland cement mixed with clean sharp sand, screened as above, in the proportions of at least one of cement to four of sand.

9. *Lintels.*—All openings spanned by wooden lintels shall be covered for their full breadth and the lintels shall have a depth of not less than one inch for each foot of clear opening.

Such lintels shall have a full bearing on the walls of not less than nine inches in openings up to three feet, and one foot on either side in openings over three feet.

10. *Floor joists.*—The following table gives the minimum sections in inches to be used with various spans and spacings of floor joists of local timber for planked floors :—

Span in feet.	Spacing.			
	1′ 0″	2′ 0″	2′ 6″	3′ 0″
1	2	3	4	5
6	3 ×2	4 ×2	4½×2	5 ×2
8	4 ×2	5½×2	6 ×2	6¾×2
10	4¾×2	7 ×2	7½×2	8¼×2
12	5¾×2	8 ×2	9 ×2	10 ×2
14	6¾×2	9½×2	8¾×3	9⅓×3
16	7¾×2	8¾×3	9¾×3	9¼×4
18	8½×2	10 ×3	9½×4	9⅓×5
20	9½×2	9½×4	9½×5	9⅓×6
Thickness of floor planking.	1 inch	1¼ inch	1½ inch	1⅔ inch

For spans above 20 feet iron or steel joists must be used.

Where span or spacing is intermediate between the dimensions given in the table, the scantling for the next higher span or spacing shall be taken.

The greatest distance between joists shall never exceed three feet.

For the purpose of ventilation a clear space of not less than one inch shall be left at the sides and ends of all wooden joists where they rest on walls.

If iron or steel joists are used with planked floors, the sections and weights given in the tables below are the minimum sizes that shall be used. They allow for a gross load of 60 lbs. per square foot:—

Iron Joists

Span in feet.	Spacing. 2·0		2·6		3·0	
	Section in inches.	Weight, lbs. per foot.	Section in inches.	Weight, lbs. per foot.	Section in inches.	Weight, lbs. per foot.
1	2	3	4	5	6	7
8	$3\frac{1}{8} \times 1\frac{5}{8}$	5·5	$3\frac{1}{8} \times 1\frac{5}{8}$	5·5	$3\frac{1}{8} \times 1\frac{5}{8}$	5·5
10	4×2	7	4×2	7	4×2	7
12	$4\frac{3}{4} \times 2$	8	$4\frac{3}{4} \times 2$	8	$6\frac{1}{4} \times 2$	11
14	$6\frac{1}{4} \times 2$	11	$6\frac{1}{4} \times 2$	11	$6\frac{1}{4} \times 2$	11
15	$6\frac{1}{4} \times 2$	11	$6\frac{1}{4} \times 2$	11	$6\frac{1}{4} \times 2$	11
16	$6\frac{1}{4} \times 2$	11	$6\frac{1}{4} \times 2$	11	$7 \times 2\frac{1}{4}$	14
18	$6\frac{1}{4} \times 2$	11	$7 \times 2\frac{1}{4}$	14	$7 \times 2\frac{1}{4}$	14
20	$7 \times 2\frac{1}{4}$	14	$7 \times 3\frac{1}{2}$	19	$7 \times 3\frac{1}{2}$	19
	Steel Joists.					
8	$3 \times 1\frac{1}{4}$	4	$4 \times 1\frac{3}{4}$	5	$4 \times 1\frac{3}{4}$	5
10	$4 \times 1\frac{3}{4}$	5	$4 \times 1\frac{3}{4}$	5	$4 \times 1\frac{3}{4}$	5
12	$4 \times 1\frac{3}{4}$	5	$5\frac{1}{4} \times 1\frac{1}{2}$	9	$5\frac{1}{4} \times 1\frac{1}{2}$	9
14	$5\frac{1}{4} \times 1\frac{1}{2}$	9	$5\frac{1}{2} \times 2$	9	$5\frac{1}{2} \times 2$	11
15	$5\frac{1}{2} \times 2$	11	$5\frac{1}{2} \times 2$	11	6×2	12·25
16	$5\frac{1}{2} \times 2$	11	6×2	12·25	6×2	12·25
18	6×2	12·25	6×3	13	$7 \times 3\frac{3}{4}$	15
20	$7 \times 3\frac{3}{4}$	15	$7 \times 3\frac{3}{4}$	15	$7 \times 3\frac{3}{4}$	15

For spans of more than 20 feet, detailed information regarding the loads to be carried and the sections proposed to be adopted shall be furnished to the Commissioners, who shall in such cases specify the minimum sections for the joists.

Planking for floors shall be not less than the thickness specified in paragraph 10 of this schedule, and shall be grooved and tongued or filleted.

11. *Roof frames. Timber framing and corrugated or sheet iron covering.*—The iron shall be attached to horizontal battens spaced not more than 4 feet apart, and of not lighter section than $3'' \times 1\frac{1}{2}''$. Such battens shall be spiked to the rafters.

If the rafters are in pairs meeting at a central ridge, they shall be coupled by a collar at not more than half their height. For slopes not exceeding 30° the following scantlings shall be the minimum that shall be used:—

Span in feet.	Rafters. Spacing. 1 foot.	2 feet.	3 feet.	Collars.
1	2	3	4	5
	Section in inches.	Section in inches.	Section in inches.	
8	3×2	4×2	$4\frac{1}{2} \times 2\frac{1}{2}$	Width same as rafter. Depth to be $\frac{1}{2}''$ + $\frac{1}{2}''$ for every foot of length of collar.
10	3×2	$4 \times 2\frac{1}{4}$	$4\frac{1}{2} \times 3$	
12	$3\frac{1}{2} \times 2$	5×2	5×3	
14	$3\frac{1}{2} \times 2$	5×2	5×3	
16	4×2	5×3	6×3	

If the slope is between 30° and 45°, add 1″ to the depth of the rafters.

The spacing of the rafters shall not exceed 3 feet.

For spans exceeding 18 feet, framed trusses must be provided, the details of which must be shown on the drawings for the approval of the Commissioners.

The table below gives the minimum scantlings for king post trusses for spans from 18′ to 24′ when the slope of roof is 2 to 1:—

Minimum scantlings for king post trusses of local timber carrying corrugated iron roof with $\frac{3}{4}''$ flat boarded ceiling. Slope of roof 2 to 1.

Span in feet.	Spacing of trusses in feet.	Scantlings in inches. Principal rafters.	Tie beam	King post.	Struts.	Purlins.
1	2	3	4	5	6	7
18	4	4×3	4×3	3×3	3×3	$4 \times 2\frac{1}{2}$
	6	$4\frac{1}{2} \times 3\frac{1}{2}$	$4\frac{1}{2} \times 3\frac{1}{2}$	$3\frac{1}{2} \times 3$	$3\frac{1}{2} \times 3$	$5 \times 3\frac{1}{2}$
	8	5×4	5×4	4×3	4×3	$6\frac{1}{2} \times 4$
20	4	$4\frac{1}{2} \times 3\frac{1}{2}$	$4\frac{1}{2} \times 3\frac{1}{2}$	$\times 3$	$3\frac{1}{2} \times 3$	$4 \times 2\frac{1}{2}$
	6	5×4	5×4	3	4×3	$5 \times 3\frac{1}{2}$
	8	$5\frac{1}{2} \times 4\frac{1}{2}$	$5\frac{1}{2} \times 4\frac{1}{2}$	$3\frac{1}{2}$	$4\frac{1}{2} \times 3\frac{1}{2}$	$6\frac{1}{2} \times 4$
22	4	5×4	5×4	$3\frac{1}{2}$	$4 \times 3\frac{1}{2}$	$4 \times 2\frac{1}{2}$
	6	$5\frac{1}{2} \times 4\frac{1}{2}$	$5\frac{1}{2} \times 4\frac{1}{2}$	$5'$	$4\frac{1}{2} \times 3\frac{1}{2}$	$5 \times 3\frac{1}{2}$
	8	6×5	6×5		$5 \times 3\frac{1}{2}$	$6\frac{1}{2} \times 4$
24	4	$5\frac{1}{2} \times 4\frac{1}{2}$	$5\frac{1}{2} \times 4\frac{1}{2}$	$4 \quad 5\frac{1}{2}$	$4\frac{1}{2} \times 3$	$4\frac{1}{2} \times 3$
	6	6×5	6×5	$5 \quad 4$	5×4	$5\frac{1}{2} \times 4\frac{1}{2}$
	8	$6\frac{1}{2} \times 5$	$6\frac{1}{2} \times 5$	$5\frac{1}{2} \times 4$	$5\frac{1}{2} \times 4$	$6\frac{1}{2} \times 4\frac{1}{2}$

12. If angle or T iron is used for the roof frames, the dimensions of every portion of the frame shall be shown on the drawings submitted, and shall be subject to the approval of the Commissioners.

H. H. Risley,
Secy. to the Govt. of Bengal.

The following Rules made by the Committee of the Simla Municipality under Sections 119, 120 and 121 of Act XIII, 1884, at a Special Meeting held the 29th July 1885, have been confirmed by the Lieutenant-Governor in Notification No. 966 S. dated 12th August 1885, and are hereby published in accordance with Section 122 of the said Act.

The Rules will come into force on the 28 day of August 1885.

Registration of Births and Deaths.

I.—The following Rules must be observed in the registration of births and deaths within the limits of the Simla Municipality :—

(1) For the purpose of the registration of births and deaths, the area over which returns shall be given shall be the municipal limits.

(2) When a birth or death shall occur in any household within the said area, the head of the household shall, within three days, make a report of the occurence orally at the Municipal Office or in writing addressed to the Secretary to the Municipal Committee. If for any sufficient reason the head of the household be unable to make the report, it shall be made by any adult member of his family residing in the house or on the premises, or, failing any such, then by any adult male servant so residing.

(3) The Civil Surgeon shall furnish the Secretary to the Municipal Committee, not later than the 15th day of each month, with a return of births and deaths occurring during the previous calendar month in the jail, hospitals and other institutions under his charge.

(4) In the case of births occurring in any public institution not under the charge of the Civil Surgeon, the person in charge of the same shall, within 15 days, make to the Secretary to the Municipal Committee a written report of the occurrence.

(5) The reports and returns required in Rules (2) to (4) preceding shall contain the following particulars, namely :—

(*a*) As to births :—

(*i*) Date of occurrence.

(*ii*) Sex of child.

(*iii*) Name of father.

(*iv*) Residence of father.

(*v*) Occupation, caste (if any), religion of father.

(*vi*) Name of person making the report or return.

Provided in the case of illegitimate children that, at the option of the person making the report or return, the name, residence, caste (if any) and religion of the mother may be substituted for particulars (*iii*), (*iv*) and (*v*).

(*b*) As to deaths:—

(*i*) Date of occurrence.

(*ii*) Name of deceased.

(*iii*) Father's name, or, in the case of a married woman, husband's name.

(*iv*) Sex.

(*v*) Age.

(*vi*) Occupation, caste (if any), religion.

(*vii*) Residence.

(6) In the case of a dead body found exposed, the District Superintendent of Police, Simla, shall, within three days, report the fact, with, if possible, a certificate from the Civil Surgeon as to cause of death.

(7) Two separate Registers shall be kept by the Secretary to the Municipal Committee, or other officer appointed by the Committee in that behalf, in which the particulars aforesaid as to births and deaths respectively shall be duly entered within forty-eight hours of receipt. These registers shall be open during office hours to inspection by any inhabitant of the Municipality, and the Secretary or other officer aforesaid shall be bound to give, on application and tender of costs incurred, certified extracts therefrom to persons interested.

(8) No person shall wilfully destroy or injure, or cause to be destroyed or injured, any register of births or deaths, or shall wilfully insert or cause to be inserted in any such register or certified copy thereof, any false entry of any birth or death.

Slaughter House and Market.

II.—Except with the written permission of the Committee, no cattle, sheep, goats or pigs shall be slaughtered at the Municipal Slaughter-house until they have been pronounced fit for the food of man by the Municipal servant in charge of the Slaughter-house and have been branded in token thereof.

III.—The following Rules shall be in force for the proper regulation of the Municipal Market:—

(1) The officer in charge of the Public Market shall cause the gates thereof to be opened at 4 A. M. and closed at 9 P. M. from the 15th day of April to the 15th day

of October in each year, and shall cause them to be opened at 6-30 A. M. and closed at 7 P. M. during the rest of the year.

(2) No person shall carry on the vocation of a shopkeeper, stall-holder, or sitter, or offer any article for sale in the Market unless provided with a license in the form prescribed by the Committee in this behalf.

(3) Every shopkeeper, stall-holder or sitter licensed to carry on business shall remove his goods and close his shop or stall daily at or before the time of closing, in order that the Market may be cleaned. Exception to this Rule may be made with the special permission of the Secretary.

(4) No person shall bring into the Market with intent to there offer the same for sale any article not fit for the consumption of man.

(5) Subject to such exceptions as the Municipal Committee may from time to time permit, all goods in the Market must be arranged within an hour after the Market has been opened, and thereafter shopkeepers, stall-holders and sitters shall be cleanly and decently dressed.

(6) The weights shall be of English pattern and accepted by the Secretary, and shall be kept clean and in proper order.

(7) Every shopkeeper, stall-holder or permanent sitter who shall employ another person to act in his stead, shall declare the fact to the Daroga, who shall enter the same on the back of the rent receipt.

(8) No articles of food shall be deposited or exposed for sale in the gangways.

(9) Not more than three persons shall be attached to one shop or stall.

(10) Shopkeepers, stall-holders and sitters shall not take into the Market children under 12 years of age not engaged in the business of the place.

(11) No person shall persist in smoking, spitting, throwing fruit peel or pieces of vegetables about within the limits of the Market after being warned by the Municipal officer in charge thereof to desist.

(12) No person shall shout or use indecent or abusive language in the Market.

(13) No article shall be offered for sale in the Market except at a shop, stall, or place assigned to a sitter.

(14) No person, unless summoned by a shopkeeper, stall-holder, sitter or purchaser, shall enter or remain in the Market in order to seek employment as a porter.

(15) No person actually suffering from a loathsome or infectious or contagious disease shall enter the Market.

(16) Any vagrant European (as defined in Act IX. of 1874), any beggar, and any intoxicated or disorderly person found in the Market may be requested by a Police officer or Municipal officer or servant to quit the same, and shall forthwith do so.

(17) No person being the owner or in charge of any dog shall bring it into, or permit it to enter, the Market.

(18) Every stall-holder or shopkeeper in the Market shall at all times, in the absence of reasonable excuse (such as the temporary removal of a name-board for repainting), keep his name affixed in a conspicuous manner above his stall or shop, legibly written in English and Urdu.

(19) The Municipal officer or servant in charge of the Market shall keep fixed up in some conspicuous place or places in the Market a copy of the Rules for the proper regulation of the Market legibly written in English and Urdu.

(20) No person shall remove, deface, alter, or in any way interfere with the copies of Rules referred to in clause (19), or, except with the consent of the stall-holder or shopkeeper, any name-board referred to in clause (18).

Burial and Burning Grounds.

IV.—The following Rules are made for controlling and regulating the use and management of burial and burning grounds:—

(1) No person shall bury, or cause to be buried, any corpse in any burial ground within municipal limits in a grave not constructed of masonry which shall be less than six feet deep, or in a grave constructed of masonry which shall be less than four feet deep.

(2) No person shall make, or cause to be made, a grave in any such burial ground at a less clear distance than three feet from any existing grave.

(3) No person shall make, or cause to be made, a grave in any such burial ground except within limits marked out for the purpose by a person duly authorized in this behalf by the Committee.

(4) Whoever burns or causes to be burnt any corpse in any burning ground within municipal limits shall completely reduce the corpse to ashes, or cause it to be so reduced, before removing or causing to be removed or attempting to remove the same or any portion thereof.

(5) Whoever brings, or conveys, or causes to be brought or conveyed, any corpse to any such burning ground shall burn or cause the same to be burnt within four hours after its arrival at the said burning ground.

Proviso.—Provided that nothing in any clause of this Rule shall affect the operation of the Rules contained in the Notification of the Government of India in the Home Department, No. 103, dated the 20th June 1885.

Water-Supply.

V.—The following Rules are laid down for the proper regulation of the water-supply and appurtenances:—

(1) No person shall use, for the purposes of bathing, washing, or human consumption, the water of any public well, tank, spring or stream within municipal limits after the Committee has by public notice declared the said water to be unfit for the use of man, until the said declaration shall be similarly cancelled.

(2) Except in the case of fire, no person not duly authorized by the Committee in that behalf, shall, within municipal limits, open or in any way interfere with any main or pipe or valve or fire-plug connected with the municipal water-supply.

Octroi Limits.

VI.—The octroi limits for the purpose of collecting that tax in Simla shall be the municipal limits.

Trees and Soil.

VII.—No person shall within municipal limits cut or destroy any tree or shrub, or make any excavation, or remove any soil, or quarry, without obtaining the previous written sanction of the Committee:

Provided that nothing herein contained shall apply to any of the following operations:—

(*a*) *Bonâ fide* pruning, trimming or otherwise altering shrubs or fruit trees for horticultural purposes only;

(*b*) Digging and other petty excavations or removals of soil in the ordinary process of gardening in land already cultivated;

(*c*) Other petty acts, such as cutting twigs, digging ferns and the like, from which no material harm of any kind to person or property is likely to result.

Traffic.

VIII.—Except with the previous written sanction of the Committee, no person shall within municipal limits take, or cause to be taken, any elephant or camel or any vehicle drawn by an animal, above the level of the cart-road or further up the said road than the gate of the house known as Ravenswood: Provided that nothing in this rule shall apply to the Governor-General, the Lieutenant-Governor of the Punjab, the Commander-in-Chief in India, or their respective households.

IX.—No person shall, within municipal limits, drive, draw or push, or cause to be driven, drawn or pushed in any street any vehicle negligently, recklessly or furiously to the obstruction, inconvenience, annoyance, risk, danger, or damage of residents or passengers.

X.—The recognized rules of the road shall, within municipal limits, apply to all vehicles permitted to be used for passenger conveyance in any street; any disregard thereof shall be considered a breach of this Rule.

XI.—No person shall, within municipal limits, and between the hours of 11 A. M. and 7 P. M., inclusive, lead out or cause to be led out for exercise, in any street mentioned in Schedule A annexed to these Rules, any horse or other animal used for riding, driving, draught or burden.

XII.—No person shall within municipai limits and between the hours of 11 A. M. and 7 P. M. inclusive, drive in any of the streets mentioned in Schedule B annexed to these Rules any animal used for riding, driving, draught or burden, or any cattle, sheep, goats, or pigs not adequately secured.

XIII.—No person in any street shall beg or apply for alms or expose or exhibit any sores, wounds, bodily ailment or deformity, with the object of exciting charity or obtaining alms.

XIV.—No porter shall seek for employment or carry any load on the Mall between the hours of 4 P. M. and 8 P. M., inclusive, between the months of April and October inclusive: Provided that nothing herein contained shall apply to any of the following cases:—

(*a*) Porters conveying personal luggage of travellers.

(*b*) Porters conveying purchases from any shop or other such establishment in Simla to the residences of the purchasers.

(*c*) Porters carrying or conveying any person in any manner.

(*d*) Any funeral.

Explanation.—for the purposes of this Rule the Mall means the streets mentioned in Schedule A, annexed to these rules, and includes any of these streets.

Penalties.

XV.—(1) Any person convicted of a breach of any of the following Rules, namely—

Rule III. (2), (3), (5), (6) and (7) when the breach is committed by the shop-keeper, stall-holder or sitter;

Rule III. (8), (9), (10), (11), (12), (13), (14), (17) and (18); and

Rule XIV;

shall be punishable with fine not exceeding Rs. 5; and in the case of rule III. (6) and (18), when the breach is a continuing breach, with a further fine not exceeding Re. 1 for each day after the first during which the breach continues.

(2) Any person convicted of a breach of any of the following Rules, namely—

Rules VIII., X., XI., XII. and XIII. shall be punishable with fine not exceeding Rs. 20.

(3) Any person convicted of a breach of any of the following Rules, namly—

Rules I. (2), (4), (7), (8); II.; III. (4), (15), (16), (20); IV. (1), (2), (3), (4), (5); V. (1), (2); VII. and IX., shall be punishable with fine not exceeding Rs. 50, and in the case of Rule II., III. (4) and VII., when the breach is a continuing breach, with a further fine not exceeding Rs. 5 for each day after the first during which the breach continues.

SCHEDULE A.

(1) Circular Road round Prospect Hill.
(2) Circular Road round Observatory Hill.
(3) Circular Road round Peterhoff Hill.
(4) From Peterhoff Hill to the Post Office.
(5) Circular Road from the Post Office round Jakko.
(6) From the Lukker Bazaar to Elysium Hotel and the Circular road round Elysium Hill.
(7) The Ridge from the Post Office to the Church and the road leading from the Ridge to the Bazaar Road.
(8) Chota Simla Bazaar to the Kasumti boundary.
(9) Road leading from Oakover to Barnes Court.

SCHEDULE B.

(1) Circular Road round Prospect Hill.
(2) Circular Road round Observatory Hill.
(3) Circular Road round Peterhoff Hill.
(4) From Peterhoff Hill to the Post Office.
(5) Circular Road from the Post Office round Jakko.
(6) From the Lukker Bazaar to Elysium Hotel and the Circular road round Elysium Hill.
(7) The Ridge from the Post Office to the Church and the road leading from the Ridge to the Bazaar road.
(8) Chota Simla Bazaar to the Kasumti boundary.
(9) Road leading from Oakover to Barnes Court.
(10) The road from below the Lukker Bazaar past Blessington and up by Wheatfield to the Public Works Offices.

The following Rules regarding the payment and remission of taxes, framed by the Municipal Committee, are hereby published for general information.

Rule 1 was framed by the Municipal Committee under the Punjab Municipal Act 1873, in accordance with the sanction of the Local Government, notified in Punjab Gazette of the 20th March 1884, and by Notification No. 804 of the 23rd October 1884, deemed to be in force, as if made under Act XIII of 1884.

Rule 11 was framed at Ordinary Meetings of the Committee dated the 18th March 1885 and 6th May 1885 respectively.

I.—Under Section 47 Act XIII of 1884, the Committee with the previous sanction of the local Government hereby directs that taxes shall be payable in the following instalments and dates:—

House Tax.—First moiety, on or before the 1st June of each year.
Second moiety, on or before the 1st October of each year.

Frontage Tax.—First moiety, on or before the 1st June of each year.
Second moiety, on or before the 1st October of each year.

Octroi Tax.—On demand.

Ground Tax.—On or before the 1st August of each year.

II.—Under Section 59 (1) Act XIII of 1884, the Committee hereby directs that no remission of House or Frontage Tax will be granted for non-occupation unless due notice in writing of the vacancy is given, within one month of the date of the bill.

Punjab Gazette, August 20th, 1885.

SIMLA MUNICIPALITY.

NOTIFICATION.

The following Rule framed by the Simla Municipal Committee under Section 88 of Act XIII of 1884, at a Meeting held at Simla on Wednesday, July 22nd, is hereby published for general information.

I.—Building Rules under Section 88 Act XIII of 1884, it is hereby directed that every person intending to erect or re-erect any building, shall give notice in writing of his intention to the Committee and shall submit—

(*a*) An accurate plan and section, showing the levels at which the foundation and lowest floor are proposed to be laid, as well as height of building, and

(*b*) Specifications of the work to be constructed and the materials to be used, comprising full information as to the following particulars, namely,

(1) The passage or way in front of the building.

(2) Space to be left about building to secure a free circulation of air and facilitate scavenging.

(3) Ventilation and drainage.

(4) Width of foundation and stability of structure.

(5) The line of frontage with neighbouring buildings if the building abut on a street or public thoroughfare.

Explanation.—The expression "erect any building" includes all additions and alterations which involve new foundations or increased superstructure on existing foundations, or the conversion into a dwelling house of any building not originally constructed for human habitation, or the conversion into more than one dwelling house of a building originally constructed as one dwelling house only.

SIMLA MUNICIPALITY.

NOTIFICATION.

The following Rules framed under Sections 90, 91 and 92 (1), of Act XIII of 1884, by the Simla Municipality, at a Meeting held on Wednesday, September 2nd, 1885, are hereby published for general information.

Bathing, washing, deposit of offensive matter and slaughter places.

I.—Under Section 90, Act XIII of 1884, the Committee hereby sets apart the following places as suitable for the purposes of bathing, washing animals or clothes and prohibits bathing, washing animals or clothes, in any public place within Municipal limits that is not hereby set apart, *viz*:—

(*a*) Below the Serai.
(*b*) Below Combermere bridge on the cart road.
(*c*) Hodgson's baoli, below the Willows.
(*d*) Below Delville in Boileaugunge.
(*e*) Below Glen Hogan.
(*f*) Below the Jail baoli.
(*g*) Below Closeburne, Chota Simla.
(*h*) Below the village Surán.
(*i*) Below Annandale.
(*k*) Below the village Bagh.
(*l*) Below the Steam bakery.

II.—Under Section 91, Act XIII of 1884, the Committee hereby sets apart the following places within the limits of the Municipality as suitable for the deposit of refuse, rubbish, or offensive matter of any kind, and for the disposal of the dead bodies of animals, *viz*:—

(*a*) Ravine below the Slaughter House and Seraie.
(*b*) Fields below Closeburne.
(*c*) The shoot provided at Boileaugunge for the purpose of carrying away sweepings.

III—Under Section 92 (1), the Committee, with the approval of the Deputy Commissioner, hereby fixes the Slaughter-house now in use below the Ripon Hospital and below the Cart Road as suitable for the slaughter of animals for sale.

By order of the Committee,

H. B. GOAD,
Secretary.

The following rules framed at a Special Meeting of the Simla Municipal Committee, under Section 24, Act XIII of 1884, and amended at a Special Meeting of the Simla Municipal Committee, are published for information.

I.—The Commissioners shall meet at such place and time as shall from time to time be determined on, but not less than once a month.

II.—Notice of an ordinary meeting shall be given at least 36 hours, and of a Special Meeting at least 60 hours, before the time fixed for the meeting. To every notice of a Meeting shall be attached a list of Agenda, which shall include all important matters (other than ordinary routine) to be discussed at that Meeting.

III.—The quorum necessary for the transaction of business at ordinary meetings, shall be three members.

IV.—The conduct of proceedings at meetings and the adjournment of meetings to be determined by vote at each meeting, and each meeting shall be governed by the ordinary rules of debate.

IV (*a*).—The proceedings of each Meeting of the Committee shall be opened by first confirming the wording of the minutes of the Meeting last held, and, secondly, by confirming the minutes of all Special Meetings, and of all Meetings of Sub-Committees, presented since the last Meeting of the General Committee.

V.—Any member may demand a weeks notice of any matter brought up for consideration at any meeting, if such notice has not already been given.

V (*a*).—No resolution reversing any previous decision of the Committee, even on a matter of ordinary routine, shall be brought up for discussion, unless written notice of intention to move it has been given at the next preceding Meeting, and it has been entered among the Agenda circulated to members.

V (*b*). All proposals for expenditure sanctioned by the General Committee shall be clearly published in the proceedings of the meeting at which such sanction is given, even though the sanction is merely in the form of confirmation of the proposals of a Sub-Committee.

VI.—The Secretary, and Assistant Secretary, shall alone be empowered to grant receipts on behalf of the Committee.

VII.—The Secretary shall have charge of the Common Seal which shall be used to stamp all powers of attorney, deeds of conveyance, debentures, contracts, and other important instruments issued.

VIII.—The President shall perform the following duties :—

(1) He shall take the Chair at all meetings and shall be primarily responsible for the current executive administration of the Municipality.

(2) He shall submit all important papers and matters to the General Committee as early as practicable.

(3) He shall issue orders as to the method of carrying out the decisions of the Committee arrived at in meeting and be responsible to the Committee for their being duly carried out.

(4) He shall issue, ordinarily through the Vice President, all orders regarding the executive work, to the Secretary, and regarding the office, to the Assistant Secretary.

(5) He shall sign all important communications.

(6) He may grant any Municipal Officer leave not exceeding one week, without the previous sanction of the Committee.

(7) He shall have power, under Sections 96, 97, 98, 99, 100, 101 (2) to enter after giving such notice (if any) as is required by law for inspection of private premises in accordance with the provisions of Act XIII of 1884.

IX.—The Vice President shall hold office for one year, but shall be eligible for re-election, and shall perform the following duties:—

(1) He shall receive all communications, reports and other papers, and in accordance with routine, pass them on as seems best to him, to the President, Sub-Committees, Ward Commissioners, Secretary or Office.

(2) He shall see that all papers for the consideration of the General Committee are in proper form, and when he considers that they are properly prepared and complete, he shall pass them on to the President.

(3) He shall also keep the President informed of the progress made in carrying out the decisions of the Committee, and see that the Secretary's action is in conformity with the resolution passed by the Committee.

(4) In the absence of the President, the Vice President shall perform all the duties attached to the office, and if thought necessary, a second Vice President shall be elected to perform the duties of the Vice President, and in the event of there being two Vice Presidents already elected, the one who has held office for a longer period shall be deemed the senior, and shall officiate for the President, the junior taking up the duties of the Vice President.

(5) In the case referred to above, when there are two Vice Presidents, the senior by date of appointment shall perform the duties of President, but they may make any arrangement for the division of the work.

(6) The Vice President shall ordinarily receive daily reports from the Municipal officers, and, when necessary, note on them inviting the attention of the President to any points which appear to call for attention.

(7) He shall have power, under Sections 96, 97, 98, 99, 100 101 (2) to enter after giving such notice, (if any) as is required by law for inspection of private premises in accordance with the provisions of Act XIII of 1884.

X.—Standing Sub-Committees shall be guided by the following rules:—

(1) Standing Sub-Committees shall be appointed by the General Committee, annually, after the elections.

(2) In the case of a vacancy occurring, a new member may be appointed at any time by the General Committee, or the vacancy may be allowed to stand over till after the next elections.

(3) The number of members of each Standing Sub-Committee shall be determined by the members at an Ordinary meeting.

(4) References may be made to a Sub-Committee by the General Committee, President, or Vice President.

(5) All Sub-Committees will have the same power of calling for information from the officers of the Committee as the General Committee.

(6) Sub-Committees should discuss all subjects referred to them, collect all arguments advanced on each side of any controversial matter, analyze them, and recommend to the General Committee the decision to be arrived at.

(7) The recommendation should be supported by a succinct report giving the reasons why the particular recommendation should be accepted, and, where possible, the decision should be formulated in the shape of a Resolution to be passed by the General Committee.

(8) Standing Sub-Committees shall ordinarily meet at least once a month.

(9) The Proceedings and Resolutions of each meeting of a Standing Sub-Committee, duly attested by the Convener, shall from time to time and not later than 14 days from the date of their having been passed by such Sub-Committee be submitted to and confirmed by the General Committee.

(10) Sub-Committees shall ordinarily be called together by the Convener, but he shall, on the application of any member of the Sub-Committee, cause notices to be issued calling a meeting.

(11) The quorum necessary for the transaction of business by a Standing Sub-Committee shall be two members. In Sub-Committees, other than Standing, the full number of members appointed shall be necessary to form a quorum. At least 12 hours notice of the meet- of a Standing Sub-Committee shall be given.

(12) The Standing Sub-Committee shall be as follows:—
Finance and Assessment.
Law and Sanitation.
Library.
Garden, Orchards, and Station Tree-planting.
Hospital.
Town Hall.

(13) No bills shall be paid or expenditure incurred except on the recommendation of the Finance Sub-Committte,

which will scrutinize and note on all estimates and vouchers, before presentation to the General Committee, provided that the President, or in his absence the Vice-President, may direct the payment of any charge in case of emergency.

(14) All applications for permission to prosecute shall be submitted to the Standing Sub-Committee for Law and Sanitation, for note and report.

XI.—Ward Commissioners shall be guided by the following rules in the exercise of their duties:—

(1) For the purpose of enquiring into applications, complaints, &c., Simla shall be divided into Wards, the boundaries of which shall be marked on a map kept in the Municipal Office.

(2) The appointment of Ward Commissioners to the various divisions of Simla shall take place, annually, after the elections.

(3) In the case of a vacancy occurring in any Ward, a new member may be appointed at any time whose term of office shall extend till after the next elections.

(4) References may be made to the Ward Commissioners by the General Committee, the President, or the Vice President.

(5) All applications, complaints and references should be personally investigated by the Ward Commissioners, by whom, however, no orders should be issued except in cases of emergency, when orders, in anticipation of the sanction of the General Committee, may be given in writing, but they shall report to the General Committee at the next following meeting the reasons for the emergency.

(6) The Ward Commissioners may require the Secretary to supply any information or attend with them on their visits to their repective wards on certain days to be fixed on by arrangement.

(7) They should note, on every case referred to them for their report, in such a manner as to enable the Committee to decide on the merits of each.

(8) The report of one Ward Commissioner shall be sufficient for the consideration of the Committee.

(9) The Ward Commissioners should report to the Committee all cases of neglect on the part of Municipal servants, or of the Police, in respect of offences against the Municipal Act, or defects in Municipal roads, drains, or arrangements, or offences by individuals that may come to their notice during their rounds of inspection; such reports shall be treated as confidential.

(10) Ward Commissioners should endeavour to visit their wards at least once a week.

(11) All estimates for Public Works proposed to be carried out should be noted on by the Ward Commissioner of the ward in which they are situated.

(12) All Public Works carried out on estimate within their wards, should, on completion, be noted on.

(13) The Ward Commissioners should note upon the advisability of any prosecutions of offenders, who may offend against the Municipal Act, or Rules made under it.

(14) The Ward Commissioners should ordinarily be consulted on matters appertaining to their wards, before such are submitted to the General or a Sub-Committee for consideration.

(15) The Ward Commissioners shall have power, under Sections Nos. 96, 97, 98, 99, 100, 101 (2) to enter after giving such notice (if any) as is required by law for inspection of private premises, in accordance with the provisions of Act XIII of 1884.

XII.—The Secretary shall exercise a general control over the whole Municipal establishment.

(1) He shall have power to appoint, dismiss, reduce or fine any servant of the Committee drawing a salary of less than Rs. 25 per mensem.

(2) He shall have power to grant casual leave, not exceeding 15 days, to any servant of the Committee drawing a salary of less than Rs. 25, provided that no extra expense to the Committee is entailed, and that the due discharge of the servants duties can be arranged for.

(3) He shall have power under Sections Nos 96, 97, 98, 99, 100, 101(2) to enter after giving such notice (if any) as is required by law for inspection of private premises, in accordance with the provisions of Act XIII of 1884.

(4) He shall submit, with all final bills for works, completion reports certified to by Ward Commissioners, through the Finance and Assessment Committee, for sanction of the General Committee.

(5) All cases of leave granted under Clause (2) of this rule, or servants dismissed under Clause (1) thereof, on a salary of Rs. 15 per mensem or over, shall be reported at the next meeting of the Committee.

(6) He shall grant receipts for all monies received by him on behalf of the Committee.

Relation to Secretary.

XIII.—In order to release the Secretary as much as possible from office duties and enable him to devote more time to out-door supervision, the following detail of work for the Assistant Secretary and Accountant is laid down. The Secretary will, however, at his discretion, exercise a general supervision over the work of the office, and all papers and books will, of course, be open to his inspection. He will not, however, be held responsible for the office work in detail.

(1) The Assistant Secretary and Accountant will be responsible for the entire work of the office, and he will have direct control over the office Establishment. He will, as a rule, get his instructions in detail from the President or Vice President. He must make himself thoroughly conversant with the Municipal Act and Bye-laws, and with all orders of the Government relating to this Municipality.

General explanation of duties.

(2) He will keep a register of all communications addressed to the Municipality, and of all communications issued. He will also keep a separate register of applications. The registers will be laid on a table in the Committee room of the Municipal Office, so as to be open for the inspection of members. He will also be required to keep the records neatly so as to be available for ready reference.

Register of Receipts and Issues.

Records to be kept neatly.

(3) He will be required to give a *prècis* of all the known facts bearing upon each case submitted for the orders of the President or Vice President, and he should be careful to see that all cases referred to the Ward Commissioners or Sub-Committees are completed with the previous papers, if any.

Précis of facts required on cases.

(4) He will act as a Secretary to all Committees and keep the minutes of their meetings. He will be required to see that the necessary orders are passed for action to be taken in furtherance of the resolutions passed by the Committees.

To be Secretary of all Committees.

(5) He will keep the Registers of Revenue, and see to the punctual collection of all sums due, and their immediate payment into the Treasury. He will supervise the duties of the Cashier.

Collection of Revenue.

To supervise Cashier.

(6) He will check the calculations, rates, &c., in every bill presented for payment, ascertaining if the expenditure was formally authorized and the rates sanctioned by the Committee, and that the Secretary, or other responsible executive officer, has certified that the work has been done, or the materials supplied. He must not allow any rates, which have not been previously approved by the Committee, to be paid without bringing them to the notice of the President or Vice President.

Check over bills before payment.

(7) He will make payments only upon the written authority of the Finance Sub-Committee and of the President or Vice President. He will countersign all cheques which will be signed substantively by the President or Vice President and one other Commissioner.

Payments how to be made.

Cheques to be countersigned.

(8) He will himself keep the Cash-book of the Municipality and will post the receipts and charges of each day, before the office closes. He will also keep the current and all blank cheque-books in his personal custody and under lock and key when not in use. He will file his vouchers of Receipts and Charges carefully and methodically, day by day, according to the entries in the Cash-book. He will be responsible that the other books of account and registers of the Municipality are accurately and neatly kept up to date, and that all accounts and returns are prepared and issued upon due dates. He will grant, on behalf of the Committee, receipts for all monies, paid into the office.

To personally keep the Municipal Cash-book.

Custody of Cheque-book.

Vouchers to be filed.

Responsible for other books and for preparation of accounts and returns.

(9) He will issue all takeeds, and prepare all notices, that may be desired by the Secretary in connection with taxes, nuisances, repairs, etc., etc., but he will not be held responsible for the accounts or safe custody of stores, monies, materials, etc., that are in the hands of the Secretary, nor will he have to conduct the correspondence between the Secretary and his subordinates.

(10) All drafts of letters, etc., to issue, will be approved by the President or Vice President, and these officers will indicate to the Assistant Secretary what letters or other documents issuing from the office may be signed by him or reserved for signature of the Secretary, the President, or Vice President.

Drafts by whom approved.

Fair Copies by whom signed.

(11) The business of the Municipality requires prompt action in most cases, and the Assistant Secretary and Accountant will be expected to keep this essential ever in view. As a rule, every communication to the Municipality should be laid before the President or Vice President not later than the day after its receipt.

Punctuality necessary.

XIV.—The Municipal Overseer shall be guided by the following rules:—

(1) He shall, subject to the supervision and orders of the Secretary, exercise a general control over the whole conservancy establishment.

(2) He shall have charge of the Slaughter House, and all animals must first be passed and branded by him before they are slaughtered; those that he considers unfit for human consumption should be rejected and branded with an R.

(3) It will be necessary to pass a certain quantity of inferior animals, in order to supply the market with second and third class meat for native and poorer purchasers, and in regard to this, the Municipal Overseer must use his own discretion to a great extent. Any animal that he is at all doubtful about he should reject, as the butcher always has an appeal to the Secretary.

(4) In the hot weather and rains, from the 1st April to the 15th October, his hours of attendance at the Slaughter House shall be from 6 A.M. to 8 A.M. daily, and in the cold weather, from the 16th October to the 30th March, from 8 A.M. to 10 A.M., for as many days a week as shall be considered necessary by the Secretary from time to time.

(5) Before branding any animal for slaughter, he must collect the pass obtained by the owner at the Octroi out-post, and in the event of the owner of the animal having no pass, he should himself collect the Octroi duty before passing, bringing the passes or money, so collected, daily to the Municipal Office.

(6) The Slaughter House account book must be written up each day by him and brought to the Secretary to be initialed.

(7) He will be held responsible for the cleanliness and good order of the Slaughter House, and should note any irregularity on the part of the Butchers in his daily report.

(8) He should visit each conservancy division at least once a week; and as far as possible on the following days:—

Bazaar division	... Monday.
Boileaugunge	... Tuesday.
Kutcherry and Kaithoo	... Wednesday.
Lukkur Bazaar	... Thursday.
Jakko	... Friday.
Chota Simla and Kasumpti ...	... Saturday.

On these visits he should inspect every public and private latrine within the division. Any repairs that may be required should be entered in his daily report, as well as any failure on the part of the duffadar to keep the former clean.

Every failure to clean a private latrine should be immediately reported orally to the tenant, and a note to that effect should be entered in his daily report. All repairs required should also be reported in the same way.

In a case of persistent refusal on the part of a tenant or owner to attend to his request, he will specially notice the same in his daily report.

(9) He should see that the Municipal sweepers perform the special duties allotted to them. They are responsible for the cleanliness of the public latrines, the carrying away of night soil from the private latrines, where houses are close together and compounds limited, twice a day, and from other houses once a day.

(10) The road sweepers should remove all dung and litter from the roads and drains, and the hill sides above and below such roads and drains must be kept clean. The road sweepings must be collected in store boxes and subsequently carted away.

(11) All the small drains in the bazaar should be daily washed, and the larger ones flushed at least once a week, and oftener, if the supply of water will allow of this being done.

(12) Boxes are provided in the bazaar as receptacles for sweepings; these should be regularly cleaned out and not allowed to get into an offensive state.

(13) In the course of his daily inspections he should search out the cause of every bad smell, and orally bring the same to the notice of the tenant of the compound, or the proprietor of the land on which the nuisance may be found to exist, and in the case of non-attention to this request by the person or persons responsible for the said default or neglect, he will notice the same in his daily report.

(14) Copies of the Sanitation rules should be distributed by the conservancy establishment to all tenants and proprietors, and the Municipal Overseer should, in his daily report, bring to notice any breach of them.

(15) As the check on the registration returns of births and deaths kept by the police is in the hands of the Municipality, it will be his business to ascertain, as far as possible, by enquiry on his daily rounds, that due reports of such occurrences are made. He will not be held responsible that all reports of births and deaths are correctly made, but he will be expected to render such assistance as he is able, to make the Municipal check as perfect as possible.

(16) All disobedience of orders, neglect of duty, absence without leave, or other irregularities on the part of the conservancy establishment, that may come to his notice, should be entered in his daily report.

(17) The overseer's daily report should be submitted in the following form, and after scrutiny and counter signature by the Secretary, should be filed in office.

(18) He shall have power under Sections 96, 97, 98, 99, 100, 101 (2) to enter after giving such notice (if any) as is required by law and inspect private premises, in accordance with the provisions of Act XIII, 1884.

SIMLA MUNICIPALITY.

Overseer's Report ..... *188* .

			QUALITY.			
			1st Class.	2nd Class.	3rd Class.	Total.
Slaughter House and class of animals branded ...	Quality	Cattle ...				
		Calves ...				
		Sheep ...				
		Goats ...				
		Pigs ...				
	TOTAL ...					

Division visited .....

Public Latrines .....

Private Latrines .....

Roads and Hill side .....

Compounds .....

.....

Efficiency of Establishment .....

.....

.....

Special Cases .....

.....

.....

Secretary's remarks.

Municipal Overseer.

NOTIFICATION.

6TH JANUARY 1886.

No. 4—The following rules, which have been made by the Local Government under the provisions of Sections 23, 24 *and* 122, *and clauses* (*a*), (*i*) *to* (*l*), (*n*), (*q*) *to* (*u*), (*w*), (*x*) *and* (*y*), *of Section* 154, *of the Punjab Municipal Act*, 1884, *for regulating the Proceedings of Municipal Committees in the Punjab in the several matters mentioned in these sections and clauses, are hereby notified to apply to the Simla Municipality.*

PART I.

GENERAL.

Continuance of statements, returns, forms and reports, until they are ordered to be discontinued by the proper authority.

I.—Municipal Committees to which these rules apply shall continue to submit such statements, returns, forms and reports as have been or shall be required to be submitted by them under any rules or orders heretofore, or from time to time, issued by proper authority.

Powers of Committees.

II.—Every Committee shall conform to the following rules in the exercise of its powers under the Punjab Municipal Act, 1884, *viz*:—

(*a*). No scheme or work estimated to cost Rs. 10,000 or over shall be undertaken before the Local Government in the Public Works Department shall have been satisfied by the Committee proposing to execute it—

(1) that the scheme or work is one of public utility;

(2) that a full and complete project has been drawn up in a satisfactory way, and in conformity with the rules laid down in the Public Works Code for the preparation of projects;

(3) that the professional aid and establishment at the Committee's disposal is adequate to carry out the work.

(*b*). General schemes of drainage, sewerage and water-supply, projects for roads which are intended to connect places situated in different districts, and other large works requiring engineering skill, shall be submitted for the approval of Government in the Public Works Department.

Powers of first class Committees.

III.—Every Committee of the first class shall conform to the following rule in the exercise of its powers under the said Act, namely:—

No original engineering work involving an expenditure of Rs. 5,000 or upwards shall be undertaken until the plans and estimates shall have received the approval of the Superintending or Executive Engineer.

IV.—Every Committee of the second class shall conform to the following rules in the exercise of its powers under the said Act, namely:—

Powers of second class Committees.

(*a*). No expenditure shall be incurred on any work involving an outlay of more than Rs. 2,000, save with the previous sanction of the Commissioner of the Division.

(*b*). No original engineering work involving an expenditure of Rs. 1,200 or upwards shall be undertaken until the plans and estimates shall have received the approval of the Superintending Engineer or Executive Engineer.

V.—No original work shall be undertaken by any Committee on an estimate for a portion of the work unless the whole work has received the sanction or approval required by these Rules.

Piece-meal estimates prohibited.

If at any time after an original work has been undertaken the cost thereof appears likely to exceed the limits fixed by Rules II, III or IV, the Committee shall at once apply to the proper authority for sanction, or approval of the work.

VI.—No Committee shall raise any loan save with the previous sanction of Government, and in accordance with the procedure prescribed by the Local Authorities Loans Act (IX of 1879) and the rules made thereunder.

Loans not to be raised otherwise than as provided by law.

VII.—No Committee shall abolish any existing school, dispensary or other institution without the permission of the head of the Department concerned. Should he object, the Committee may refer the question to Government for decision.

Committees not to abolish any institution without sanction.

VIII.—Every Committee shall observe those general principles * of which the Government has approved in the several departments of administration.

General principles of the administration to be observed by Committees.

Illustration A.—It would not be competent to a Committee to entertain inoculators, the practice of inoculation for small-pox having been strongly discouraged by Government.

Illustration B.—It would not be competent to a Committee to modify the prescribed course of study in the primary schools of a district.

* These principles are to be found in the published Code and Resolution of Government.

Illustration C.—It would not be competent to a Committee to continue, in the time of famine, expenditure which could properly be made available for the relief of famine.

Illustration D.—In the case of establishments which have been organized, and of appointments which have been created by Government, it would not be competent to a Committee to create a new grade of officers in any of the departments of Government, or to increase or diminish the pay of officials in any such existing grade without sanction of Government.

IX.—Whenever a Committee shall desire to appoint any person to an office, the proper discharge of the duties of which requires such person to possess some professional skill, the following rules shall be observed:—

Filling offices requiring professional skill.

(*a*). No person shall be appointed as Engineer, Assistant Engineer, or Overseer to a Municipality without the sanction of the Local Government in the Public Works Department, unless he is professionally qualified for such appointment according to the rules prescribed by that Department.

(*b*). No person shall be appointed as Surgeon or Assistant Surgeon to a Municipality, or to any institution, hospital or dispensary managed or controlled by a Committee, unless he shall have duly qualified, at least, as a Licentiate in Medicine.

No person shall be employed as Hospital Assistant, Vaccinator, Compounder or Dresser unless he shall be professionally qualified for such appointment under Government.

(*c*) No person other than a servant or member of the Committee shall be employed to transact its legal business unless he shall be qualified as a Barrister, Advocate, Pleader or Mukhtár.

X.—Correspondence between Committees and the Local Government or its officers shall pass in every case through the Deputy Commissioner, who shall be guided by departmental rules in conducting such correspondence.

Channel of correspondence with Government and its officers.

XI.—(*a*). Every Committee shall, as soon as possible after the close of each official year, prepare in such forms as may be sent to it for the purpose by the Secretary to Government in the Civil Department, returns for that year showing—(1) the population within the municipal limits, (2) statistics of the constitution of the committee, (3) accounts of the income, expenditure, balances and liabilities of the municipal fund, and (4) statistics of octroi taxation. Copies of the returns shall, not later than 1st May, be sent through the Deputy Commissioner to the Commissioner of the Division and also direct to the Secretary to Government in the Civil Department.

Returns, statements and reports.

(*b*). In addition to the returns above prescribed each Committee shall submit through the Deputy Commissioner to the Commissioner in time to reach the latter officer not later than 15th June, such a report of its proceedings during the previous official year as will enable the Commissioner to supply full information under the following heads, *viz.*

I.—New Municipalities constituted, and Old Municipalities abolished, with authority for the same.

II.—Revision of boundaries and bye-laws with sanction for the same.

III.—Constitution of Committees as compared with sects and classes of the population; dates and mode of appointment of new unofficial members, or committees generally, appointed during the year. Notice of elections held during the year, if any.

IV. Estimated number of regular consumers, such as pilgrims, visitors to fairs, &c., not included in the population reported in the returns, and the statistics on which the estimate is founded.

V. *Taxation.*—Taxes levied during the year, with authority for new imposts. Income from and incidence of total taxation as compared with previous year, and causes of variations. Review of the working of the octroi tax; its incidence on the population per head in such classes of dutiable goods as food, fuel, cloth, metals or any trade that may be the staple of the place; the mode of collecting it, whether direct or by lease, and the percentage of the cost of collection as compared with the income; receipts of octroi and their causes; explanation of excessive consumption of dutiable articles per head as shown by the return of octroi taxation; the effect of octroi on trade; revisions of octroi schedules; the bonded ware-house system, where in force.

VI. Notice of other sources of income under the heads given in the return of income, with explanations of any increase or decrease as compared with previous years.

VII. *Expenditure.*—Comparison with the budget and the expenditure of previous years under each of the main heads given in the return of expenditure, causes of any notable increase or decrease being explained.

VIII. *Administration.*—Notice of operations, progress, and principal public works under each head of the same return.

IX. Liabilities incurred during the year and outstanding at its end.

X. Management of *nazul* properties where entrusted to the Committees.

XI. Miscellaneous remarks not falling under the heads above mentioned, *e. g.*, development of any particular town or branch of industry, special exertions and frequency of attendance of members of committees, number of meetings, &c.

(*c*). The reports received by Commissioners under clause (*b*) above, shall be reviewed by them in a Divisional report which they shall submit to Government in the Civil Department along with the Committee's report not later than 1st September.

(*d*). The return of income, expenditure and liabilities prepared under clause (*a*) above, shall be published by the Committee as follows:—

In the case of the Municipalities of Delhi, Amritsar, Lahore Mooltan—in one English and one Vernacular newspaper.

In the case of the Municipalities of Simla, Dalhousie and Murree—in one English newspaper.

In the case of other Municipalities—in the manner prescribed hereafter for the publication of abstracts of minutes of proceedings (Rule XIII.)

Language in which business is to be transacted, proceedings recorded, and notices issued.

XII.—(1). In the Hill Municipalities of Simla, Dharmsála, Dalhousie and Murree, all business shall be transacted and proceedings recorded in the English language, and all notices shall be issued in English and Urdu.

(2). In all other Municipalities business may be conducted in English or Urdu. Proceedings should be recorded in the language in which business is conducted, and notices shall be issued in English and Urdu, unless the Commissioner of the Division directs that they shall be issued in Urdu only.

Publication of proceedings, rules, notices, &c.

XIII.—An abstract of the minutes of each meeting of a Committee, and a copy, or draft, as the case may be, of all rules proposed to be made or sanctioned by the Committee under the Punjab Municipal Act, 1884, shall be affixed in some conspicuous spot accessible to the public at the place of meeting of the Committee; and if a newspaper is published within the limits of the district, a copy of the abstract shall be supplied to the Manager of the paper.

Publication of Rules made by Committee.

XIV.—All rules made or sanctioned by a Committee under Sections 24, 88, 119 and 120 of the Punjab Municipal Act, 1884, shall, in addition to the publication under Rule XIII, be published in full in the *Punjab Government Gazette* for not less than six weeks before they are adopted by the Committee.

XV.—Every public notice given by a Committee under the Punjab Municipal Act, 1884, and every order made under Section 137 or 141 of the same, shall be published in the manner provided in Rule XIII, and shall also be affixed in different parts of the Municipalities in at least five conspicuous places accessible to the public, other than the place of meeting of the Committee.

Manner of giving certain public notices.

XVI.—In addition to the records required to be maintained by the Act or by these rules, the following general records shall be maintained by every Committee, namely:—

General records to be maintained.

(*a*) map of the Municipality;
(*b*) register of correspondence;
(*c*) list of establishments employed;
(*d*) list of roads and of buildings maintained by the Committee.
(*e*) list of schools, dispensaries, hospitals and other institutions maintained partly or wholly by the Committee;
(*f*) list of immovable property belonging to, or under the management of, the Committee;
(*g*) Stock book of furniture, books, fittings, machinery, implements and materials the property of the Committee.

PART II.

Management of funds and system of Account.

I.—(*a*). All sums received by Municipal Committees shall be paid daily into the nearest Government Treasury, Sub-Treasury or Bank managing the Treasury business of Government (if any).

Safety of taxes when collected, and authority for payment from Municipal Funds.

Provided that in places where there is no Government Treasury, Sub-Treasury or Bank, as aforesaid the sums received may be paid into the hands of any banker or person who may be approved of by the Deputy Commissioner, and who has given security as required by Section 69 (2) of the Act.

(*b*) All expenditure shall be drawn by cheques signed by the President or Vice President and one Member of the Committee. In the case of second class Municipalities cheques shall be further countersigned by the Deputy Commissioner of the District, unless the Commissioner of the Division shall decide that such countersignature is unnecessary.

II.—Every Committee shall carry out such detailed instructions in the matter of accounts as may, under the authority of the Local Government, be issued, from time to time, by the Acountant-General or Examiner of Public Works Accounts, for its guidance, under the provisions of this rule.

Instructions of Account Officer to be carried out.

III.—Every Committee shall keep up a Cash-book and Ledger in such forms as may be prescribed by the Accountant-General.

Cash-book and Ledger.

(1) In the Cash-book every item of receipts and charges shall be regularly entered, and the Cash-book shall be balanced daily.

(2) The receipts and charges shall be regularly posted under the prescribed headings in the Ledger.

(3) All receipts and charges shall be entered in gross in the monthly acccounts.

IV.—Unless the Local Government otherwise directs, the monthly accounts shall, after verification, be published by the Committee:—

Publication of accounts.

(*a*) In the case of the Municipalities of Delhi, Amritsar, Lahore and Mooltan, in one English and one Vernacular paper; and

(*b*) In the case of the Municipalities of Simla, Dharmsala, Dalhousie and Murree, in one English Newspaper.

In cases (*a*) and (*b*) the publication should ordinarily be in the local newspapers; or if there is no local newspaper, in a newspaper published within the district, or failing this within the Province.

V.—(*a*) The audit of all charges, excepting Public Works charges, shall be made in accordance with the instructions contained in the Accountant-General's Circular No. 418, of March 1878. The audit of all Public Works charges shall be made by the Examiner of Public Works Accounts.

Audit.

(*b*) For the purposes of audit, bills shall be forwarded monthly in such form as the auditing officers may, from time to time, prescribe. The said bills shall be forwarded by the President of the Committee through the Deputy Commissioner of the district, to the Commissioner of the Division, who will cause the items to be duly examined, and will be responsible for seeing—

(1) that the expenditure is incurred on objects authorised by the Act.

(2) that it is not in excess of the power of the Committee.

(*c*). The bills having been examined as aforesaid, and found to be correct, will be countersigned by the Commissioner and forwarded for final audit to the Accountant-General or Examiner of Public Works Accounts, as the case may be; and no bills shall be passed by the auditing officers unless countersigned by the Commissioner and unless supported by budget provision.

VI.—When any Committee shall require the Public Works Department to execute any work for it, the amount of the proposed expenditure shall be paid into the treasury by such Committee.

Execution of works through the public Works Department.

The following procedure shall then be followed, namely:—

(*a*) Such payments should be accompanied by a letter of advice (*chalán*) showing full particulars of the work for which the payments are made, and indicating the name of the Public Works division by which the work is to be executed. The *chaláns* should support the credits to the Public Works Department in the treasury cash account. The Treasury Officer should at once report such payments, with full particulars, to the Examiner of Public Works Accounts. The contribution should always be in advance of one month's expenditure at least. When the expenditure incurred on any municipal work is less than the amount received on account of it, the difference will be refunded to the Municipal Committee. If, on the other hand, there is any excess expenditure, the Municipal Committee shall make good the amount. The accounts of all such works should be open to the inspection of the Municipal Committee, to whom a full abstract of the expenditure should be furnished.

(*b*). As regards charges for Public Works establishments debitable to Municipal Funds, the same course will be followed as is laid down for expenditure on works and repairs; the anticipated charges should be paid by the Municipal Committee beforehand, month by month, or at other intervals as may be considered expedient.

VII.—(1). Every Committee shall frame a budget estimate of income and expenditure, for the succeeding official year, in the month of November in each year. The budget shall be in two parts. The first part, a copy of which shall be submmitted to the Accountant-General not later than the first week in December of each year, shall contain estimates in detail of all income and of all expenditure, except expenditure on public works, which shall be submitted to the Secretary to Government in the Public Works Department on the date above mentioned, shall contain an estimate in detail of all expenditure on public works, with an entry showing the total amount proposed to be spent on other heads of expenditure. Both parts shall be submitted through the Deputy Commissioner and Commissioner.

Annual budget estimates.

(2). The Accountant-General shall submit to Government in the Civil Department, on such date as may be prescribed by the rules of this Department, a consolidated budget for all the Municipalities in the Province.

VIII.—Reappropriations from one part of the budget to the other may be made on the authority of the Committees; but appropriations from balance or surplus income require the sanction of Government in the Civil Department.

Reappropriations and expenditure from balance.

PART III.

Tables of Octroi Charges and Rates of Tolls and Fees.

I.—Tables showing the octroi leviable in each Municipality shall be open to the inspection of any person at the Municipal office, and copies shall be supplied without charge to any person requiring the same. Such tables shall also be affixed in a conspicuous place at every post or office at which octroi is collected.

Exhibition of tables of octroi and tolls.

Tables showing the rates of tolls, if any, chargeable on vehicles and animals entering the Municipality shall be similarly exhibited and supplied.

II.—The fee payable in respect of a notice of demand issued under Section 61 (2) of Act XIII of 1884 shall be four annas for every such notice so issued.

Fees on notices of demand.

NOTIFICATION.

The 11th May 1886.

No. 343. The following rules made by the Local Government under the provisions of section 154 of Act XIII of 1884, for regulating Municipal Elections, are hereby notified to apply to the Municipality of Simla in modification of the Rules published in Punjab Government Notification No. 504, dated 23rd October 1884.

Qulification for holding office.

I.—Every male rate-payer of not less than 21 years of age, who ordinarily resides within Municipal limits, and is not disqualified under Rule II, shall be eligible for election to the office of member of Municipal Committee.

Disqualifications for holding office.

II.—No one shall be eligible as member of the Municipal Committee who—

(1) is under contract as regards work to be done for the Municipality; or

(2) receives any remuneration out of Municipal funds for services rendered to the Municipality; or

(3) has been proscribed from Government employment; or

(4) has been convicted of any such offence, or subjected by a Criminal Court to any such order, as implies, in the opinion of the Local Government, a defect of character which unfits him to be a member; or

(5) is in arrears for six or more months in respect of any Municipal tax.

Provided that the Local Government may exempt any person, or class of persons, from the restriction contained in clause (2) of this Rule.

Qualifications for voters, Classes A. and B.

III.—There shall be two classes of voters, *viz.*, Class A. and Class B.

Class A.—House proprietors, male or female, resident or non-resident, not less than 21 years of age, shall have for houses *outside the Bazárs* one vote for every Rs. 800 of rent on which house-tax is *bonâ fide* paid, and *within Bazár limits* one vote for every Rs. 25 of house-tax or frontage-tax paid.

Class B.—Tenants, male or female, not less than 21 years of age, *outside the Bazárs*, shall have one vote for every Rs. 400, and *within Bazár limits*, one vote for every Rs. 125 of *bonâ fide* rental paid, on which house tax is assessed. Votes on these scales may be given for

XV.—No member of the Committee who is a temporary resident of the Municipality shall be deemed to have vacated his office by reason of his absence for seven months during the winter season with intention to return to Simla.

Definition of vacancy.

Term of office of elected members.

XVI.—Elected members of the Committee shall hold office for three years.

XVII.—The Deputy Commissioner, or such other officer as he may appoint for this purpose, shall, at a convenient time, ordinarily not less than three weeks before the election, publish within the Municipality a notice setting forth the necessary qualifications of candidates and of electors, the number of candidates to be elected, the manner of voting, and such other matters with reference to the election as it may be considered desirable for the public to know.

Notice to be published by the Deputy Commissioner.

XVIII.—(1). Candidates for election shall be proposed by qualified electors not less than two in number, who shall intimate their proposals to the Deputy Commissioner by letter addressed to him or to such person as he may name, and signed by them. Such letter shall certify that the candidate is duly qualified and is prepared to serve on the Committee.

Nomination of candidates.

(2). If, before the election is held, an objection is taken to a candidate on the ground that he is ineligible under Rule I or II, the decision of the Election Committee thereon allowing or disallowing the candidature shall be final.

Provided that, if the objection is taken under clause (2) or clause (4) of Rule II, the Deputy Commissioner may permit the candidature to proceed, and shall, through the usual channel, obtain under the said clause (2) the orders of the Local Government as to any exemption from the restriction thereby imposed, or under the said clause (4) ascertain the opinion of the Local Government as to the effect of the alleged defect of character, and shall under Rule XXXI annul the election of any elected candidate disqualified by the decision of Government thus elicited. The order of the Deputy Commissioner annulling the election under this rule shall be final.

XIX.—(1). Lists shall be prepared under the orders of the Deputy Commissioner on or before the 1st June, showing for each Ward the number and names of all persons who are qualified voters under these Rules, and the qualifications entitling them to vote.

List of voters.

(2). It shall not be necessary to prepare a new list every year, but on or before the 1st June in each year the list of the preceding year shall be revised, and may be adopted with such alterations as may, in particular cases, be deemed necessary.

Proviso.

(3). As soon as the list of voters is prepared, copies of the list for each Ward shall be published in that Ward.

XX. No objection to the entries in the list shall be entertained unless it is preferred in writing within a month of its publication. All applications to be entered in the list must be made within one month from the date of its publication. The Deputy Commissioner, or such officer as he may appoint in this behalf, shall decide as to the validity of the objection or application, and his decision shall be final.

Limitation of time for objections and their disposal.

XXI.—When the revised lists have been prepared, and the objections, if any, disposed of, a voting paper in the annexed form shall be sent to each qualified voter in the Station Ward, and a certified extract from the revised list under the signature of the Deputy Commissioner shall be given in the annexed form to each qualified voter in the Bazár Ward. These certified extracts or voters' certificates must be presented at the time of election by the voters of the Bazár Ward and no person shall vote who does not present such certificate.

Voting paper and Voter's certificate.

XXII.—Unless the Local Government otherwise directs, the elections shall be completed so as to allow of elected members taking office in July in each year or as soon after as possible.

Time of elections.

XXIII.—If the number of qualified cadidates duly proposed under Rule XVIII exceed the number of vacancies, a poll shall be taken; otherwise such candidates shall be deemed to be elected.

Poll when necessary.

XXIV.—When a poll is held, the votes given by voters of the Station Ward shall be recorded on the voting papers, which should be filled up and sent to the Deputy Commissioner at the time, and must be signed by the person exercising the privilege. The votes of voters in the Bazár Ward shall be given in public and in person before such officer as the Deputy Commissioner may empower to receive them, at some convenient place or places within the limits of the Municipality.

Manner of recording votes.

XXV.—The voting papers and the lists of votes recorded by voters of the Bazár Ward shall, after the results of the voting have been declared, be open to inspection by any registered voter until a date to be fixed in the notice issued by the Deputy Commissioner under Rule XVII. In the same notice a date shall be fixed, up to which objections shall be received; and after such date no objection founded on any alleged defect in the qualification of voters or record of votes shall be entertained.

Limit of time for objection to votes.

Register No......

VOTING PAPER FOR STATION WARD.

SIX MEMBERS TO BE ELECTED.

Names in alphabetical order of gentlemen who have been nominated and who have recorded their willingness to serve if elected.

Name.	Residence.	Number of votes given to each by voter.*

* Not to exceed.....for any one person, and not to be given for more than six persons.

I the undersigned vote as above.

Name in full of voter.....

Residence.....

Date.....*188* .

The following rules made by the Committee of the Simla Municipality under Section 119 (c) of Act XIII of 1884, at a special meeting on the 25th of August 1886, have been confirmed by the Lieutenant-Governor*and are hereby published in accordance with the provisions of Section 122 of the said Act.

1. The Municipal Committee may appoint any person or persons by name or in virtue of office to take, or aid in or supervise the taking of, the census within any specified local area within the limits of the Municipality.

Persons so appointed shall be called "Census Officers."

2. A declaration in writing, signed by the Secretary or Assistant Secretary in this behalf, that any person has been duly appointed a Census Officer for any local area shall be conclusive proof of such appointment.

3. (*a*). Every person in charge of a hospital, prison, or lock-up, or of any public charitable, religious or educational institution;

(*b*). Every keeper or manager of any saráí, hotel, boarding house, lodging-house or club; and

(*c*). Every occupant of immoveable property having at the time of taking the census not less than fifty persons employed under him on or in such property,

shall, if so required by the Municipal Committee or by such officer as the Municipal Committee may appoint in this behalf, perform such of the duties of a Census Officer in relation to the persons who at the time of taking the census are under his orders or charge, or inmates of his house, or present on or in such property, as such Committee or Officer may by an order written, printed or lithographed direct.

All the provisions of these Rules relating to Census Officers shall apply (so far as they are applicable) to all such persons, while performing such duties; and any person refusing or neglecting to perform any duty which he is directed under this Rule to perform shall be deemed to have committed an offence under these Rules and be punishable with a fine which may extend to fifty Rupees.

4. The President or Vice-President of the Committee may by an order written, printed or lithographed, call upon all owners of land, tenure-holders, farmers, or assignees of land-revenue, to give such assistance as he needs towards the taking of a census of the persons who are at the time of taking the census on the houses, parts of houses, lands of such owners, holders, farmers and assignees, as the case may be.

* Punjab Notification No. 673 dated 23rd September 1886.

The following rules which have been made at a Special Meeting by the Simla Municipal Committee, under Section 119 (d) of Act XIII of 1884, have been confirmed by the Local Government, in Notification No. dated 1886, and are published for general information.

1. The Secretary of the Municipal Committee for the time being shall keep a Register of all Lodging houses within the Municipality, with the number of Lodgers authorized to be received in each, and of the names and residence of the keepers thereof. No person shall, within Municipal limits, keep such a Lodging-house until it is so registered. But in the case of the death of the registered keeper of a Lodging-house, any member of his family may, for a period not exceeding four weeks, keep the house without being registered.

2. A Lodging-house shall not be registered until it has been inspected and approved by a Committee consisting of the President or Vice-President of the Municipal Committee, a Member of the Municipal Committee elected or appointed for the Ward in which the Lodging-house is situated, and one of the Civil Surgeons. No house or part of a house shall be registered or licensed as a Lodging-house unless the same is ventilated to the satisfaction of such Committee.

3. Lodging-houses registered under these rules shall be open at all reasonable times to the inspection of any Member of the Municipal Committee, or of the Civil Surgeons, or of the Secretary of the Municipal Committee, and any person who prevents or refuses to permit such inspection shall be liable on conviction to a fine not exceeding Rs. 50.

4. No Keeper of a Lodging-house shall at any one time receive or suffer to be received into such house or into any room therein a greater number of Lodgers than shall from time to time be fixed by the Municipal Committee as the maximum number of Lodgers authorized to be received into such house or into such room. Such maximum number shall be specified in a notice in writing, according to the Form marked A, annexed to these Rules, which shall be duly served upon or delivered to the Keeper, and shall continue in force until, in pursuance of the provisions of Rule 5, the maximum number is varied by the Municipal Committee.

5. The Municipal Committee may from time to time vary the maximum number of Lodgers authorized to be received into a Lodging-house or any portion thereof. Each time such maximum number is varied the Municipal Committee shall cause to be duly served upon or delivered to the Keeper of such house a notice in writing according to the Form marked B. and annexed to these Rules. No Keeper of a Lodging-house shall at any time after such notice shall have been duly served upon or delivered to him, and after the date specified in such notice, receive or suffer to be received into such house, or into any room therein, a greater number of Lodgers than the number specified in such notice as as the maximum number of Lodgers authorized.

6. The Keeper of a Lodging-house shall cause every yard, enclosure or open space belonging to the premises of the house to be maintained at all times in good order, and to be thoroughly cleansed from time to time as often as may be necessary for the purpose of keeping the same in a clean and wholesome condition.

7. The Keeper of a Lodging-house shall cause the floor of every room and stair in such house to be thoroughly swept once a day before the hour of ten in the forenoon, and to be thoroughly cleansed once in every week.

Provided that if a room is occupied by a sick person and it is shown to the satisfaction of any person empowered under Rule 3 to inspect Lodging-houses that the sweeping or cleansing of the room would be injurious to the sick person's health, the person so empowered to inspect may exempt the room from the operation of this Rule for such time as it continues to be occupied by such sick person, and may at any time cancel the exemption.

8. The Keeper of a Lodging-house shall cause every window, fixture or fitting of wood, stone or metal and every painted surface in such house to be thoroughly cleansed from time to time as often as shall be requisite.

9. The Keeper of a Lodging-house shall cause all solid or liquid filth or refuse to be removed once at least in every day from every room in such house, and every vessel, utensil or other receptacle for such filth or refuse to be thoroughly cleansed once at least in every day.

10. The Keeper of a Lodging-house shall cause the seat, floor and walls of every privy belonging to such house to be thoroughly cleansed from time to time as often as may be necessary for the purpose of keeping such seat, floor and walls in a clean and wholesome condition.

11. The Keeper of a Lodging-house shall cause every privy belonging to such house and every receptacle for filth provided in or in connection with such privy to be maintained at all times in good order and in a wholesome condition.

12. The Keeper of a Lodging-house shall cause all such means or apparatus as may be provided or used in or in connection with such privy and such receptacle for the frequent and effectual application of dry earth or other deodorizing substance to any filth deposited in such receptacle to be maintained at all times in good order and efficient action.

13. The Keeper of a Lodging-house shall cause a sufficient supply of such dry earth or other deodorizing substance to be from time to time provided for use in such privy or receptacle for filth, and shall cause such dry earth or other deodorizing substance to be frequently and effectually applied to such filth. If dry earth or other deodorizing substance is from time to time supplied to such house in pursuance of the directions given from time to time in that behalf by the Municipal Committee or by any person with whom they may contract for the purpose, the Keeper shall cause such dry earth or other deodorizing substances to be frequently and effectually applied to such filth.

14. The Keeper of a Lodging-house shall cause every ashpit, sink and drain belonging to such house to be maintained at all times in good order and in a wholesome condition.

15. No Keeper of a Lodging-house shall allow wet filth or refuse to be thrown into any ashpit constructed and used only as a receptacle for ashes, dust and dry refuse, or to be thrown or allowed to run into any public drain, sewer or place not set apart for that purpose.

16. The Keeper of a Lodging-house shall cause all such means of ventilation as may be provided in or in connection with any room or passage in such house and in or in connection with any privy belonging to such house to be maintained at all times in good order and efficient action.

17. Immediately after the Keeper of a Lodging-house shall have been informed, or shall have ascertained that any lodger in such house is ill of any infectious disease, he shall give notice to the Secretary of the Municipal Committee as well as to the Civil Surgeon, and shall adopt such precautions as may be necessary to prevent the spread of such infectious disease.

18. Such Keeper shall not at any time, while such Lodger is suffering from such infectious disease, allow any other person, except the wife or relative of such Lodger, or a person voluntarily in attendance on such Lodger, to use or occupy the same room as such lodger.

19. Where, in consequence of the illness of such Lodger, there may be reasonable grounds for apprehending the spread of infection through the admission of lodgers to any room or rooms in such house, or through the admission to such room or rooms of the maximum number of Lodgers authorized to be received therein, such

Definition.

A Lodging-house for the purposes of these Rules shall be deemed to be, so far as the Station Ward is concerned, a building or part of a building which is let in lodgings or occupied by members of more than one family as tenants paying hire or rent. Provided that where a house consists of flats or stories it shall not by this fact alone be within the above definition, unless the apartments in each storey are separately occupied by members of more than one family as tenants paying rent or hire.

And in the Bazár Ward a Lodging-house shall be deemed to include any buildings or parts of a building which are let as lodgings or occupied for hire as a place of dwelling by members of more than one family.

A Keeper of a Lodging-house shall for the purpose of these Rules be deemed to be the person who is entitled to receive the rents from the occupants of a Lodging-house.

A.

FORM OF NOTICE.

To

of

Whereas in pursuance of Rules made in that behalf, you have been duly registered by the Municipal Committee of Simla as the Keeper of a Lodging-house situated at in the said Municipality.

Now, I,

Secretary to the Municipal Committee, do hereby give you notice that in the exercise of the powers conferred upon them in that behalf, the said Municipal Committee have fixed as the maximum number of Lodgers authorized to be received at any one time into such house and into the several rooms therein, the number specified in respect of such house and of each of such rooms in the Schedule hereunto appended.

Schedule.

Simla Municipality.....

Lodging-house situated at.....

Name of Keeper.....

The maximum number of Lodgers authorized to be received at any one time into this house is

BYE-LAWS OF THE SIMLA MUNICIPALITY MADE UNDER ACT XIII. OF 1884.

[No. 84]

No. 293, dated 31st July 1885.

From—J. WALKER, Esq., President of the Municipality, Simla,

To—The Deputy Commissioner, Simla.

IN reply to your endorsement No. 790, dated 11th July 1885, forwarding printed copy of letter No. 551 S., from the Officiating Secretary to Government, Punjab, together with copy of Rules made by the Simla Municipality, and revised by the Punjab Government, I am directed to state that the Committee approves the draft as revised by Government, and, at a special meeting held on Wednesday, 29th July, passed them.

The Committee is grateful for the trouble taken by the Local Government, and desires to acknowledge, with thanks, the improvements and careful explanation of all alterations that have been made.

I am now directed to forward the necessary information asked for in paragraph 33 of the Government letter under reference. The Committee thinks that Schedule A will sufficiently well define the limits of the Mall, and is prepared to adopt it as answering the purpose.

The following Schedules are proposed:—

SCHEDULE A.

(1) Circular road round Prospect Hill.
(2) Circular road round Observatory Hill.
(3) Circular road round Peterhoff Hill.
(4) From Peterhoff Hill to the Post Office.
(5) Circular road from the Post Office round Jakko.
(6) From the Lukker Bazar to Elysium Hotel, and the Circular road round Elysium Hill.
(7) The Ridge from the Post Office to the Church and the road leading from the Ridge to the Lower Bazar road.
(8) Chota Simla Bazar to the Kasumti Boundary.
(9) Road leading from Oakover to Barnes Court.

SCHEDULE B.

(1) Circular road round Prospect Hill.
(2) Circular road round Observatory Hill.
(3) Circular road round Peterhoff Hill.
(4 From Peterhoff Hill to the Post Office.
(5) Circular road from the Post Office round Jakko.
(6) From the Lukker Bazar to Elysium Hotel, and the Circular road round Elysium Hill.
(7) The Ridge from the Post Office to the Church and the road leading from the Ridge to the Lower Bazar road.
(8) Chota Simla Bazar to the Kasumti Boundary.
(9) Road leading from Oakover to Barnes Court.
(10) The road from below the Lukker Bazar past Blessington and up by Wheatfield to the Public Works Offices.

There is no objection to the hours fixed by Government in Rules XI. and XII.

The Committee also suggests an alteration in Rule VIII., in regard to the definition of the limit of the Cart Road, as it appears under the present wording to be an inconvenience to the inhabitants of Chota Simla. It is now proposed to alter the words "Combermere Ravine" to "the gate of the house known as "Ravenswood."

The matter being urgent, a copy of the above is forwarded to Secretary to Government, Punjab, direct.

forty-eight hours of receipt. These registers shall be open during office hours to inspection by any inhabitant of the Municipality, and the Secretary or other officer aforesaid shall be bound to give, on application and tender of costs incurred, certified extracts therefrom to persons interested.

(8) No person shall wilfully destroy or injure, or cause to be destroyed or injured, any register of births or deaths, or shall wilfully insert or cause to be inserted in any such register or certified copy thereof, any false entry of any birth or death.

Slaughter-house and Market.

II.—Except with the written permission of the Committee, no cattle, sheep, goats or pigs shall be slaughtered at the Municipal Slaughter-house until they have been pronounced fit for the food of man by the Municipal servant in charge of the Slaughter-house and have been branded in token thereof.

III.—The following Rules shall be in force for the proper regulation of the Municipal market :—

(1) The officer in charge of the public market shall cause the gates thereof to be opened at 4 A. M. and closed at 9 P. M. from the 15th day of April to the 15th day of October in each year, and shall cause them to be opened at 6-30 A. M. and closed at 7 P. M. during the rest of the year.

(2) No person shall carry on the vocation of a shopkeeper, stall-holder, or sitter, or offer any article for sale in the market unless provided with a license in the form prescribed by the Committee in this behalf.

(3) Every shopkeeper, stall-holder or sitter licensed to carry on business shall remove his goods and close his shop or stall daily at or before the time of closing, in order that the market may

be cleaned. Exception to this Rule may be made with the special permission of the Secretary.

(4) No person shall bring into the market with intent to there offer the same for sale any article not fit for the consumption of man.

(5) Subject to such exceptions as the Municipal Committee may from time to time permit, all goods in the market must be arranged within an hour after the market has been opened, and thereafter shopkeepers, stall-holders and sitters shall be cleanly and decently dressed.

(6) The weights shall be of English pattern and accepted by the Secretary, and shall be kept clean and in proper order.

(7) Every shopkeeper, stall-holder or permanent sitter who shall employ another person to act in his stead, shall declare the fact to the Darogha, who shall enter the same on the back of the rent receipt.

(8) No articles of food shall be deposited or exposed for sale in the gangways.

(9) Not more than three persons shall be attached to one shop or stall.

(10) Shopkeepers, stall-holders and sitters shall not take into the market children under 12 years of age not engaged in the business of the place.

(11) No person shall persist in smoking, spitting, throwing fruit peel, or pieces of vegetables about within the limits of the market after being warned by the Municipal officer in charge thereof to desist.

(12) No person shall shout or use indecent or abusive language in the market.

(13) No article shall be offered for sale in the market except at a shop, stall, or place assigned to a sitter.

(14) No person, unless summoned by a shopkeeper, stall-holder, sitter or purchaser, shall enter or remain in the market in order to seek employment as a porter.

(15) No person actually suffering from a loathsome or infectious or contagious disease shall enter the market.

(16) Any vagrant European (as defined in Act IX. of 1874), any beggar, and any intoxicated or disorderly person found in the market may be requested by a Police officer or Municipal officer or servant to quit the same, and shall forthwith do so.

(17) No person being the owner or in charge of any dog shall bring it into, or permit it to enter, the market.

(18) Every stall-holder or shopkeeper in the market shall at all times, in the absence of reasonable excuse (such as the temporary removal of a name-board for repainting), keep his name affixed in a conspicuous manner above his stall or shop, legibly written in English and Urdu.

(19) The Municipal officer or servant in charge of the market shall keep fixed up in some conspicuous place or places in the market a copy of the Rules for the proper regulation of the market legibly written in English and Urdu.

(20) No person shall remove, deface, alter or in any way interfere with the copies of Rules referred to in clause (19), or, except with the consent of the stall-holder or shopkeeper, any name-board referred to in clause (18).

Burial and Burning-grounds.

IV.—The following Rules are made for controlling and regulating the use and management of burial and burning-grounds :—

(1) No person shall bury or cause to be buried any corpse in any burial-ground within municipal limits in a grave not constructed of masonry which shall be less than six feet deep or in a grave constructed of masonry which shall be less than four feet deep.

(2) No person shall make or cause to be made a grave in any such burial-ground at a less clear distance than three feet from any existing grave.

(3) No person shall make or cause to be made a grave in any such burial-ground except within limits marked out for the purpose by a person duly authorized in this behalf by the Committee.

(4) Whoever burns or causes to be burnt any corpse in any burning-ground within municipal limits shall completely reduce the corpse to ashes, or cause it to be so reduced before removing or causing to be removed or attempting to remove the same or any portion thereof.

(5) Whoever brings, or conveys, or causes to be brought or conveyed any corpse to any such burning-ground shall burn or cause the same to be burnt within four hours after its arrival at the said burning-ground.

Proviso.—Provided that nothing in any clause of this Rule shall affect the operation of the Rules contained in the Notification of the Government of India in the Home Department, No. 103, dated the 20th June 1885.

Water-supply.

V.—The following Rules are laid down for the proper regulation of the water-supply and appurtenances :—

(1) No person shall use, for the purposes of bathing, washing or human consumption the water of any public well, tank, spring or stream within municipal limits after the Committee has by public notice declared the said water to be unfit for the use of man, until the said declaration shall be similarly cancelled.

(2) Except in the case of fire, no person not duly authorized by the Committee in that behalf, shall, within municipal limits, open or in any way interfere with any main or pipe or valve or fire-plug connected with the municipal water-supply.

Octroi Limits.

VI.—The octroi limits for the purpose of collecting that tax in Simla shall be the municipal limits.

Trees and Soil.

VII.—No person shall within municipal limits cut or destroy any tree or shrub, or make any excavation, or remove any soil, or quarry, without obtaining the previous written sanction of the Committee:

Provided that nothing herein contained shall apply to any of the following operations:—

(*a*) *Bonâ fide* pruning, trimming or otherwise altering shrubs or fruit-trees for horticultural purposes only;

(*b*) Digging and other petty excavations or removals of soil in the ordinary process of gardening in land already cultivated;

(*c*) Other petty acts, such as cutting twigs, digging ferns and the like, from which no material harm of any kind to person or property is likely to result.

Traffic.

VIII.—Except with the previous written sanction of the Committee, no person shall, within municipal limits, take, or cause to be taken, any elephant or camel or any vehicle drawn by an animal, above the level of the cart-road or further up the said road than the gate of the house known as Ravenswood: Provided that nothing in this Rule shall apply to the Governor-General, the Lieutenant-Governor of the Punjab, the Commander-in-Chief in India, or their respective households.

IX.—No person shall within municipal limits drive, draw or push or cause to be driven, drawn or pushed in any street any vehicle negligently, recklessly or furiously, to the obstruction, inconvenience, annoyance, risk, danger, or damage of residents or passengers.

X.—The recognized rules of the road shall, within municipal limits, apply to all vehicles permitted to be used for passenger conveyance in any street; any disregard thereof shall be considered a breach of this Rule.

XI.—No person shall, within municipal limits, and between the hours of 11 A. M. and 7 P. M., inclusive, lead out or cause to be led out for exercise, in any street mentioned in Schedule A annexed to these Rules, any horse or other animal used for riding, driving, draught or burden.

XII.—No person shall, within municipal limits, and between the hours of 11 A. M. and 7 P. M., inclusive, drive in any of the streets mentioned in Schedule B annexed to these Rules any animal used for riding, driving, draught or burden, or any cattle, sheep, goats, or pigs not adequately secured.

XIII.—No person in any street shall beg or apply for alms or expose or exhibit any sores, wounds, bodily ailment or deformity, with the object of exciting charity or obtaining alms.

XIV.—No porter shall seek for employment or carry any load on the Mall between the hours of 4 P. M. and 8 P. M., inclusive, between the months of April and October inclusive: Provided that nothing herein contained shall apply to any of the following cases:—

(*a*) Porters conveying personal luggage of travellers.

(*b*) Porters conveying purchases from any shop or other such establishment in Simla to the residences of the purchasers.

(*c*) Porters carrying or conveying any person in any manner.

(*d*) Any funeral.

Explanation.—For the purposes of this Rule the Mall means the streets mentioned in Schedule A. annexed to these Rules, and includes any of these streets.

Penalties.

XV.—(1) Any person convicted of a breach of any of the following Rules, namely—

Rule III. (2), (3), (5), (6), (7) when the breach is committed by the shopkeeper, stall-holder or sitter;

Rule III. (8), (9), (10), (11), (12), (13), (14), (17) and (18) ; and

Rule XIV.,

shall be punishable with fine not exceeding Rs. 5 ; and,

in the case of Rule III. (6) and (18), when the breach is a continuing breach, with a further fine not exceeding Re. 1 for each day after the first during which the breach continues.

(2) Any person convicted of a breach of any of the following Rules, namely—

Rules VIII., X., XI., XII. and XIII.,

shall be punishable with fine not exceeding Rs. 20.

(3) Any person convicted of a breach of any of the following Rules, namely—

Rules I. (2), (4), (7), (8) ; II. ; III. (4), (15), (16), (20) ; IV. (1), (2), (3), (4), (5) ; V. (1), (2) ; VII. and IX.,

shall be punishable with fine not exceeding Rs. 50, and,

in the case of Rules II., III. (4) and VII., when the breach is a continuing breach, with a further fine not exceeding Rs. 5 for each day after the first during which the breach continues.

SCHEDULE A.

(1) Circular road round Prospect Hill.

(2) Circular road round Observatory Hill.

(3) Circular road round Peterhoff Hill.

(4) From Peterhoff Hill to the Post Office.

(5) Circular road from the Post Office round Jakko.

(6) From the Lukker Bazar to Elysium Hotel, and the Circular road round Elysium Hill.

(7) The Ridge from the Post Office to the Church, and the road leading from the Ridge to the Lower Bazar road.

(8) Chota Simla Bazar to the Kasumti Boundary.

(9) Road leading from Oakover to Barnes Court.

SCHEDULE B.

(1) Circular road round Prospect Hill.

(2) Circular road round Observatory Hill.

(3) Circular road round Peterhoff Hill.

(4) From Peterhoff Hill to the Post Office.

(5) Circular road from the Post Office round Jakko.

(6) From the Lukker Bazar to Elysium Hotel, and the Circular road round Elysium Hill.

(7) The Ridge from the Post Office to the Church, and the road leading from the Ridge to the Lower Bazar road.

(8) Chota Simla Bazar to the Kasumti Boundary.

(9) Road leading from Oakover to Barnes Court.

(10) The road from below the Lukker Bazar past Blessington and up by Wheatfield to the Public Works Offices.

[No. 86]

No. 967 S., dated Simla, the 12th August 1885.

From—C. L. TUPPER, Esquire, Officiating Secretary to Government, Punjab,

To—The President, Municipal Committee, Simla.

IN reply to your letter No. 293, dated 31st July 1885, stating that the Committee approves the Revised Draft of the Simla Rules framed under Sections 119, 120 and 121 of the Punjab Municipal Act, and that it passed them at a Special Meeting held on Wednesday, 29th July 1885, I am directed by the Lieutenant-Governor to say that the Rules are confirmed under Section 122 of the Act, and that they will be notified as soon as possible in the *Punjab Government Gazette*.

2. With reference to the requirements of that section, the Local Government prescribes that the Rules now confirmed shall be published in three successive issues of the *Government Gazette*, and that they shall come into force after the expiration of 15 days from the first date of publication. It is further prescribed that the Rules shall be affixed in some conspicuous spot accessible to the public at the place of meeting of the Committee, and that a copy shall be supplied to the Editor of the *Argus* newspaper.

3. The Lieutenant-Governor further desires to call attention to the remarks made in paragraph 7 of my letter No. 551, dated 2nd July 1885, regarding slaughter-houses, and to those in paragraph 12 (1) regarding suitable places for bathing and washing, and also to paragraph 31 in connection with the fixing of places for the deposit of filth, and suggests that the Committee should at once take action with reference thereto.

4. A form of market-license will be prepared as soon as possible in consultation with the Government Advocate, and forwarded for the consideration of the Municipal Committee.

No. 968 S., dated 12th August 1885.

COPY forwarded to Commissioner and Superintendent, Delhi Division, for information.

HOME DEPARTMENT.

GENERAL.

The 21st July 1890.

No. 835.—*Notification.*—The following rules framed by the Municipal Committee of Simla under Section 3 of Act XX of 1887 having been confirmed by the Hon'ble the Lieutenant-Governor are published for general information :—

RULES.

I.—The expression "Wild Bird," for the purpose of Act XX of 1887, in its application to the Municipality of Simla, shall include the following :—

"*Pheasants.*"
1. "White Crested Kalij," Native name "Kukra-Murghi," "Kulsa," "Kalesha."
2. "Koklass,"—Native names "Koklás," "Plásh."
3. "Chir,"—Native names "Chair," "Chir," "Cheer," "Lánj."
4. "Moonal,"—Native names—
   Male—"Munál."
   Female—"Bodar."
5. "Western Tragopan,"—Native name "Jaju."

"*Partridges.*"
1. "Black Partridge,"—Native name "Kala Titar."
2. "Common Hill Partridge,"—Native name "Ban Titar."
3. "Chukor,"—Native names "Chakor," "Chakra."

"*Peafowl.*" "Peafowl,"—Native name "Mor."

"*Jungle fowl,*"—Native name "Lal Murghi."

II.—The expression "Animals of Game" for the aforesaid purposes shall include the animals of game other than birds to which the provisions of Section 3 of Act XX of 1887 have been made applicable by the Punjab Government Notification No. 834, dated 21st July 1890, namely :—

"*Sambha,*"	...	...	Native name "Máhá Sámbar."
"*Barking deer*"	...	...	Native name "Kákar."
"*Gooral*"	...	...	Native names "Ghorl," "Ghol,"
"*Serow*"	...	...	Native name "Aimú."
"*Hare*"	...	...	Native names "Khargosh," "Pharlú."
"*Musk deer*"	...	...	Native names "Kastura," "Mushknáfa."

III.—The breeding season of wild birds and animals of game, for the aforesaid purposes, shall extend from the 15th March to the 1st September inclusive, in each year.

IV.—During the breeding season no person shall possess, or sell, within the Simla Municipality, any wild bird or animal of game, recently killed or taken, or import into the said Municipality, the plumage of any wild bird, or the fur or skin of any animal of game :

Provided that this prohibition shall not extend to wild birds or animals of game proved to the satisfaction of the Court to be possessed, or to have been sold, as pets ; or to stuffed specimens of such wild birds or animals.

V.—Any person convicted of a breach of Rule IV shall be punished with fine which may extend, in the case of a first offence, to Rs. 5 for every wild bird or animal of game, in respect of which, or of the plumage, or fur or skin, whereof, the breach of rule has been committed ; and in the case of a subsequent offence, to Rs. 10 in respect of every such bird or animal, or fur, or plumage, or skin.

H. MAUDE,

Offg. Junior Secretary to Government, Punjab.

Punjab Government Press, Lahore—28-7-90—12.

Boards and Committees (Committees) Department, April 1893, Nos. 1—21.

Para. 3.—The Committee has availed itself of the permission accorded by His Honor the Lieutenant-Governor to allow the rules in regard to licenses to stand in the form in which Mr. Pugh has drawn them.

Para. 4.—The Committee has acted on the suggestion of Government and has restricted the special rules under Sections 92 and 93 of the Act to the Simla bazárs, the question of extending any portion of these rules to the villages situated within the limits of the Municipality being reserved for future consideration.

No. 2 of the special rules for bazárs has been recast to better express the intentions of the Committee. The object of the rule is to prevent human beings sleeping in lofts which are almost invariably little more than two or three feet in height and only admit of persons crawling in on their hands and knees. Persons have frequently been found sleeping in such places.

With reference to No. 5 of the special rules, the object of having two inches of mud mortar on the floor is to prevent danger from fire, as the natives of Simla usually make their "chulas" on the floor.

No. 14 of the special rules as contained in the former draft has now been omitted.

Para. 5.—The bye-laws referred to under Section 137 of the Act have been revised as suggested by Government.

Para. 6.—The observations of Government have been acted on in all the cases referred to.

Para. 7.—The octroi refund rules referred to have been revised in accordance with the decisio nof Government; but the Committee begs to explain that they were drawn up, as in the previous draft, in accordance with the interpretation given in Punjab Government letter No. 783 A., dated 27th December 1887, to the address of all Commissioners.

Para. 8.—The observations of Government have received attention in the present draft. Bye-law No. 8 under Section 144 (*b*) of the previous draft has been more clearly expressed in Rule 5 of the draft now submitted.

Para. 9.—The Committee appreciates the consideration of the Lieutenant-Governor in sanctioning the general repealing clause at the end of the draft. If there had been more time, the Committee would have specified all the existing rules which it is intended to supersede and repeal.

Para. 10.—The original papers are herewith returned as requested.

No. 19

Telegram dated 17th March 1893.

From—Lieutenant-Governor's Camp,
From—Under-Secretary, Punjab,
To—Delhi,
To—Commissioner.

No. 181 C. Your endorsement No. 114, dated 11th March, regarding Simla Bye-laws. The bye-laws are confirmed, but under Section 146 of the Act and No. 14 of the General Rules they cannot come into force until six weeks from the date of publication in the *Punjab Gazette*. They will be published as soon as possible.

No. 20

GAZETTE NOTIFICATION.

The 20th March 1893.

No. 120.—*Notification.*—The following Bye-laws which have been adopted by the Municipal Committee of Simla and confirmed by the Local Government under sub-section (1) of Section 146, Act XX of 1891, where necessary,

are published for general information, and will come into force six weeks from the date of publication of this Notification :—

Bye-laws under Section 25, Act XX of 1891.

THE CONDUCT OF BUSINESS BY THE MUNICIPAL COMMITTEE.

1. The Commissioners shall meet at such place and time as shall from time to time be determined on, but not less than once a month.

2. Notice of an ordinary meeting shall be given at least 36 hours, and of a special meeting at least 60 hours, before the time fixed for the meeting. To every notice of a meeting shall be attached a list of agenda which shall include all important matters (other than ordinary routine) to be discussed at that meeting.

3. The quorum necessary for the transaction of business at ordinary meetings shall be three members.

4. The business shall be conducted in the following order :—

(i) The proceedings of each meeting of the Committee to be opened by first confirming the wording of the minutes of the meeting last held; and, secondly, by confirming the minutes of all special meetings, and of all meetings of Sub-Committees, presented since the last meeting of the General Committee.

(ii) Business arising out of the minutes of such meeting or meetings.

(iii) Letters to be read.

(iv) Motions of which due notice has been given to be discussed.

5. Any member may demand a week's notice of any matter brought up for consideration at any meeting if such notice has not already been given.

6. If two or more speakers shall desire to speak at the same time, the President or Chairman shall decide which of them is to have priority. If his decision is not approved of, it shall be competent to any one to move that another of the speakers who may have risen shall be heard in preference, but no debate shall be allowed on such a motion.

7. No person shall interrupt a speaker who is in possession of the meeting, save for the purpose of raising a point of order, nor may the same point of order be raised twice by the same person.

8. Every appeal on a point of order is to be made to the Chairman and not to the meeting. On a point of order being raised, the speaker in possession of the meeting shall temporarily cease speaking whilst the Chairman decides the point of order.

9. Every motion and amendment made at a meeting shall be committed to writing and be handed to the Chairman with the name of the mover appended thereto if so required by the Chairman.

10. Every motion duly moved must be seconded, and until seconded no debate thereon shall take place.

11. No person shall speak except to a motion which has been duly moved and seconded, unless he speaks in order to move or second some motion or amendment.

12 Every speaker must confine himself to the question actually before the meeting at the time he speaks, unless he wishes to make a motion on a point of order.

13. The Chairman shall have power to prevent any person, except the mover, from speaking more than once on any motion or amendment, unless in explanation. The mover shall in all cases be entitled to speak once in making his motion and once by way of reply; but in his reply he must confine himself to matters raised in his opening speech or during the debate, and must not introduce any new matter.

14. A speaker who conceives that he has been misrepresented by any subsequent speaker shall be entitled to offer an explanation, but his explanation is to be strictly limited to some point in his original speech: he is not to enter upon any new subject. If he does so, it will become the duty of the Chairman to call him to order.

15. A speaker who has exhausted his right to speak on an original motion may speak on any amendment being moved, for such raises a new question.

16. After a motion has been moved and seconded an amendment may be moved at any stage of the debate thereon.

17. When there is before the meeting a series of resolutions, or one which embodies several distinct ideas, the Chairman shall have power to refuse an amendment which is moved at a stage of the debate not appropriate for the same.

18. An amendment proposed but not seconded is not to be entertained, and any discussion thereof is to be deemed out of order.

19. No amendment may be proposed in any part of a motion after a subsequent part has been amended, or has been proposed to be amended, unless such first proposed amendment has been withdrawn.

20. Every amendment shall be so worded as to be capable of making an intelligible sentence, either alone or in its proper place in an original motion, as the case may be.

21. When an amendment is carried which supersedes in whole or in part the original motion, the amendment or the amended original motion shall again be put from the chair as a substantive motion, and may again be the subject of amendments, subject to the restrictions mentioned in Rule 11.

22. When a motion, or an amendment which has become a substantive motion, has been put from the chair, and been declared by the Chairman to be carried, no further proposals for amending the motion or the amendment shall be entertained.

23. All motions shall be made in the order in which they appear on the agenda paper.

24. A motion which has been negatived shall not be brought forward again for discussion until after the expiration of 12 months; and if, by amendments being made in it, a motion becomes substantially identical with one which has been negatived, it must thereupon be dropped: provided that such a motion may be brought forward within six months if supported in writing by not less than two-thirds of the whole Committee.

25. No resolution reversing any previous decision of the Committee, even on a matter of ordinary routine, shall be brought up for discussion unless written notice of intention to move it has been given at the next preceding meeting and it has been entered among the agenda circulated to members.

26. When a motion has been duly carried it shall be the duty of the Chairman to refuse to put at the same meeting any subsequent motion which substantially contradicts, overrides or repeats the former one.

27. On a motion for the previous question having been put and negatived, the original motion shall be put from the chair without further debate of any kind.

28. On a motion for an adjournment being carried, it will devolve on the mover of the adjournment to resume at the next sitting the debate on the original motion.

29. Before a motion or an amendment is withdrawn by its proposer, the leave of his seconder and of the meeting must be given, expressly or impliedly.

30. No important motion shall be discussed at any meeting unless notice of the same in writing shall have been delivered to the Secretary at least three clear days before such meeting: provided always that if the Chairman refuses to receive at a meeting a motion not pre-announced, because in his judgment it is one which must be deemed "important" and therefore needs adequate notice, any person may appeal from the ruling of the Chairman as to this, and any such motion brought forward without notice shall be taken into consideration on a motion to that effect being duly carried.

31. Subject to the provisions of Rule 24, no resolution duly carried shall be altered or rescinded unless seven days' notice that its alteration or rescinding is to be proposed shall be given to every member of the Committee.

32. The Chairman shall be empowered to divide into two or more distinct motions any motion which in his opinion is so complicated in its form that confusion or inconvenience is likely to be caused by its being kept as one motion; but when a motion is divided in virtue of this rule, it shall not be requisite, unless on the demand of some person present, for the second and following portions of the original motion to be again separately moved and seconded.

33. Any member shall be at liberty to put a question to any other member, or to any officer, relating strictly to his official action or duties, after having given written notice to the Chairman of his desire to do so.

34. In putting any such question no argument or opinion is to be offered, nor any facts stated, except so far as may be necessary to render such question intelligible.

35. In answering any such question the person to whom it is put is not to debate the matter to which the same refers.

36. For the purpose of taking into consideration any subject which may require more full and free discussion than adhesion to the rules would allow, the meeting may resolve itself into a Committee of the whole body. When this has been determined on, the rule prohibiting any person from speaking more than once on the same question shall be deemed suspended *pro hâc vice* until the meeting resumes.

37. When a debate on a motion has terminated by the mover having had his reply, the Chairman shall put the question to the vote by calling for a show of hands—first, in favour of, and then against, the motion. If the votes are equal he shall be at liberty to give a casting vote. If he is unwilling to do so, the motion shall be deemed to have been negatived. The result of such voting and number of votes *pro* and *con* shall be recorded and form part of the minutes.

38. No member may use offensive or unbecoming words in reference to any member. Any member adjudged by the Chairman to be out of order for having used objectionable words, and not explaining or retracting the same, or offering apologies for the use thereof to the satisfaction of the meeting, shall be reprimanded by the Chairman.

39. All debates shall be conducted in a grave and orderly manner, and no person shall presume to cause any unseemly interruptions, or to make any noise or disturbance. In case, on a call to order by the Chairman, such noise or disturbance shall not cease, he shall be at liberty to vacate the chair and declare the meeting dissolved.

40. These rules shall apply, so far as may be, to all Committees.

41. An instruction to a Committee is a motion to extend or restrict the order of reference under which the Committee is performing certain duties which have been confided to it.

42. The public shall be admitted to all special meetings of the Committee.

43. All proposals for expenditure sanctioned by the General Committee shall be clearly published in the proceedings of the meeting at which such sanction is given, even though the sanction is merely in the form of confirmation of the proposal of a Sub-Committee.

44. The Secretary and Assistant Secretary shall alone be empowered to grant receipts on behalf of the Committee.

45. The Assistant Secretary shall have charge of the common seal, which shall be used to stamp all powers of attorney, deeds of conveyance, debentures, contracts, and other important instruments issued.

President.

46. The President shall perform the following duties :—

(1) He shall take the chair at all meetings and shall be primarily responsible for the current executive administration of the Municipality.

(2) He shall submit all important papers and matters to the General Committee as early as practicable. Such papers and matters having been previously circulated amongst the members of the Committee, to be noted on if desired.

(3) He shall issue orders as to the method of carrying out the decisions of the Committee arrived at in meeting, and be responsible to the Committee for their being duly carried out.

(4) He shall issue all orders regarding the executive work to the Secretary, and regarding the office to the Assistant Secretary.

(5) He shall sign all important communications.

(6) He may grant any Municipal officer leave not exceeding 10 days without the previous sanction of the Committee.

(7) He shall have power to enter, after giving such notice (if any) as is required by law, for inspection of private premises, in accordance with the provisions of Act XX of 1891.

(8) All daily reports will be submitted to him.

Vice-President.

47. There shall be two Vice-Presidents. The Vice-Presidents shall hold office for one year, but shall be eligible for re-election, and shall perform the following duties :—

(1) In the absence of the President, the senior Vice-President shall perform all the duties attached to the office.

(2) In the case referred to above, when there are two Vice-Presidents, the senior by date of appointment shall perform the duties of President, but they may make any arrangement for the division of the work.

(3) The senior Vice-President shall ordinarily receive all official communications coming from public bodies or officials and Government, and, when necessary, note on them, inviting the attention of the President to any points which appear to call for attention.

(4) They shall have power to enter, after giving such notice as is required (if any) by law for inspection of private premises, in accordance with the provisions of Act XX of 1891.

Standing Sub-Committees.

48. Standing Sub-Committee shall be guided by the following rules :—

(1) Standing Sub-Committees shall be appointed by the General Committee annually, after the elections, and one of their number shall be named by the General Committee the convener of each Sub-Committee, who shall preside as Chairman at each of the meetings of such body.

(2) In the case of a vacancy occurring, a new member may be appointed at any time by the General Committee, or the vacancy may be allowed to stand over till after the next election.

(3) The number of members of each Standing Sub-Committee shall be determined by the members at an ordinary meeting.

(4) References may be made to a Sub-Committee by the General Committee, President, or Vice-Presidents.

(5) All Sub-Committees will have the same power of calling for information from the officers of the Committee as the General Committee.

(6) Sub-Committees should discuss all subjects referred to them, collect all arguments advanced on each side of any controversial matter, analyze them, and recommend to the General Committee the decision they wish to be arrived at.

(7) The recommendation should be supported by a succinct report, giving the reasons why the particular recommendation should be accepted; and, where possible, the decision should be formulated in the shape of a resolution to be passed by the General Committee.

(8) Standing Sub-Committees shall ordinarily meet at least once a month.

(9) The proceedings and resolutions of each meeting of a Standing Sub-Committee, duly attested by the convener, shall, from time to time, and not later than 14 days from the date of their having been passed by such Sub-Committee, be submitted for confirmation by the General Committee.

(10) Sub-Committees shall ordinarily be called together by the convener, or in the absence of the convener by the senior member of the Sub-Committee by date of first appointment to the General Committee, but he shall, on the application of any member of the Sub-Committee, cause notices to be issued calling a meeting.

(11) The quorum necessary for the transaction of business by a Standing Sub-Committee shall be two members. In Sub-Committees, other than standing, the full number of members appointed shall be necessary to form a quorum. At least 12 hours' notice of the meeting of a Standing Sub-Committee shall be given.

(12) The Standing Sub-Committees shall be as follows :—

Finance and Assessment.
Law and Sanitation.
Library.
Garden, Orchards, and Station Tree-planting.
Hospital.
Town Hall.
School.

(13) No bills shall be paid or expenditure incurred except on the recommendation of the Finance Sub-Committee, which will scrutinize and note on all estimates and vouchers before presentation to the General Committee, provided that in case of emergency the President, or in his absence, the Vice-President, exercising the powers of President, may direct the payment of any charge.

(14) All important matters and correspondence relating to legal subjects, or sanitation, shall be submitted to the Standing Sub-Committee for Law and Sanitation, for note and report.

Ward Commissioners.

49. Ward Commissioners shall be guided by the following rules in the exercise of their duties :—

(1) For the purpose of enquiring into applications, complaints, &c., Simla shall be divided into wards, the boundaries of which shall be marked on a map kept in the Municipal Office.

(2) The appointment of Ward Commissioners to the various divisions of Simla shall take place annually, after the elections.

(3) In the case of a vacancy as Commissioner occurring in any ward, a member may be appointed at any time whose term of office shall extend till after the next elections.

(4) References may be made to the Ward Commissioners by the General Committee, the President, or the Vice-President in charge of the duties of President, or the convener of the Finance or Law Sub-Committee.

(5) All applications, complaints and references should be personally investigated by the Ward Commissioners, by whom, however, no orders should be issued except in cases of emergency, when orders, in anticipation of the sanction of the General Committee, may be given in writing, but they should report to the General Committee at the next following meeting the reasons for the emergency.

(6) The Ward Commissioners may require the Secretary to supply any information or attend with them on their visits to their respective wards on certain days to be fixed on by arrangement.

(7) They should note, on every case referred to them for their report, in such a manner as to enable the Committee to decide on the merits of each.

(8) The report of one Ward Commissioner shall be sufficient for the consideration of the Committee.

(9) The Ward Commissioners should report to the Committee all cases of neglect on the part of Municipal servants, or of the Police, in respect of offences against the Municipal Act, or defects in Municipal roads, drains, or arrangements, or offences by individuals that may come to their notice during their rounds of inspection ; such reports shall be treated as confidential.

(10) Ward Commissioners should endeavour to visit their wards at least once a week.

(11) All estimates for public works proposed to be carried out should be noted on by the Ward Commissioner of the ward in which they are situated.

(12) All public works carried out on estimate within their wards should, on completion, be noted on.

Ward Commissioners should ordinarily be consulted on matters ining to their wards before such are submitted to the General or mmittee for consideration.

d Commissioners shall have power to enter, after giving such (if any) as is required by law for inspection of private premises, accordance with the provisions of Act XX of 1891.

Secretary.

50. The Secretary shall exercise a general control over the whole Municipal establishment.

(1) He shall have power to appoint, dismiss, reduce or fine any servant of the Committee drawing a salary of less than Rs. 25 per mensem.

(2) He shall have power to grant casual leave, not exceeding 15 days, to any servant of the Committee drawing a salary of less than Rs. 25, provided that no extra expense to the Committee is entailed, and that the due discharge of the servant's duties can be arranged for.

(3) He shall have power to enter, after giving such notice (if any) as is required by law for inspection of private premises, in accordance with the provisions of Act XX of 1891.

(4) He shall submit, with all final bills for works, completion reports certified to by Ward Commissioners through the Finance and Assessment Committee, for sanction of the General Committee.

(5) All cases of leave granted under clause (2) of this rule, or servants dismissed under clause (1) thereof, on a salary of Rs. 15 per mensem or over, shall be reported at the next meeting of the Committee.

(6) He shall grant receipts for all monies received by him on behalf of the Committee.

(7) In the absence of the Assistant Secretary he will countersign all cheques.

Assistant Secretary.

51. In order to release the Secretary, as much as possible, from office duties and enable him to devote more time to out-door supervision the following detail of work for the Assistant Secretary is laid down. The Secretary will, however, at his discretion, exercise a general supervision over the work of the office, and all papers and books will, of course, be open to his inspection. He will not, however, be held responsible for the office work in detail

(1) The Assistant Secretary will be responsible for the entire work of the office, and he will have direct control over the office establishment. He will, as a rule, get his instructions in detail from the President or senior Vice-President. He must make himself thoroughly conversant with the Municipal Act and Bye-laws, and with all orders of the Government relating to this Municipality.

(2) He will keep a register of all communications addressed to the Municipality, and of all communications issued. The registers will be laid on a table in the Committee Room of the Municipal Office, so as to be open for the inspection of members. He will also be required to keep the records neatly so as to be available for ready reference.

(3) He will be required to give a *précis* of all the known facts bearing upon each case submitted for the orders of the President or Vice-Presidents, and he should be careful to see that all cases referred to the Ward Commissioners or Sub-Committees are completed with the previous papers, if any.

(4) He will act as a Secretary to all Committee meetings of all Sub-Committees, and will also keep the minutes of their meetings. He will be required to see that the necessary orders are passed for action to be taken in furtherance of the resolutions passed by the Committees.

(5) He will keep the register of revenue, and see to the punctual collection of all sums due, and their immediate payment into the treasury. He will supervise the duties of the cashier.

(6) He will check the calculations, rates, &c., in every bill presented for payment, ascertaining if the expenditure was formally authorized and the rates sanctioned by the Committee, and that the Secretary, or other responsible Executive Officer, has certified that the work has been done, or the materials supplied. He must not allow any rates which have not been previously approved by the Committee to be paid without bringing them to the notice of the President or senior Vice-President.

(7) He will make payments only upon the written authority of the Finance Sub-Committee or, in cases of emergency, of the President or senior Vice-President in the absence of the President. He will countersign all cheques which will be signed substantively by the President or Vice-President and one other Commissioner, and for the purposes of this bye-law a Vice-President signing a cheque already signed by the President or senior Vice-President shall be deemed to have signed it as a Commissioner.

(8) He will himself keep the cash-book of the Municipality, and will post the receipt and charges of each day before the office closes. He will also keep the current and all blank cheque-books in his personal custody and under lock and key when not in use. He will file his vouchers of receipts and charges carefully and methodically, day by day, according to the entries in the cash-book. He will be responsible that the other books of accounts and registers of the Municipality are accurately and neatly kept up to date, and that all accounts and returns are prepared and issued upon due dates. He will grant on behalf of the Committee receipts for all monies paid into the office.

(9) He will issue all takids, and prepare all notices, that may be desired by the Secretary in connection with taxes, nuisances, repairs, &c., &c., but he will not be held responsible for the account or safe custody of stores, monies, materials, &c., that are in the hands of the Secretary, nor will he have to conduct the correspondence between the Secretary and his subordinates.

(10) All drafts of letters, &c., to be issued will be approved by the President or one of the Vice-Presidents, and these officers will indicate to the Assistant Secretary what letters or other documents issuing from the office may be signed by him or reserved for signature of the Secretary, the President, or Vice-President.

(11) The business of the Municipality requires prompt action in most cases, and the Assistant Secretary will be expected to keep this essential ever in view. As a rule, every communication to the Municipality should be laid before the President or senior Vice.President not later than the day after its receipt.

Municipal Overseers.

52. The Municipal Overseers shall be guided by the following rules :—

(1) They shall, subject to the supervision and orders of the Secretary, exercise a general control over the whole conservancy establishment of their divisions.

(2) They shall visit a portion of their conservancy divisions at least once a day and submit a written report of their inspections daily.

(3) (*a*) The Municipal Overseer of the bazár division shall have charge, under the orders of the Secretary, of the slaughter-house, and all animals must first be passed and branded by him before they are slaughtered ; those that he considers unfit for human consumption should be rejected and branded with an R.

(*b*) It will be necessary to pass a certain quantity of inferior animals in order to supply the market with second or third class meat for native and poorer purchasers, and in regard to this the Municipal Overseer must use his own discretion to a great extent. Any animal that he is at all doubtful about he should reject, as the butcher always has an appeal to the Secretary.

(*c*) In the hot weather and rains, from the 1st April to the 15th October, his hours of attendance at the slaughter-house shall be from 6 A. M. to 8 A. M. daily, and in the cold weather, from the 16th October to the 31st March, from 8 A. M. to 10 A. M. for as many days a week as shall be considered necessary by the Secretary from time to time.

(*d*) Before branding any animal for slaughter, he must collect the p obtained by the owner at the octroi outpost, and in the event the owner of the animal having no pass should himself collect the octroi duty before passing, bringing the passes or money so collected, daily to the Municipal Office.

(*e*) The slaughter-house account book must be written up each day by him and brought to the Secretary to be initialled.

(*f*) He will be held responsible for the cleanliness and good order of the Municipal slaughter-house, the bakery, the market and the grain gunge, and should note any irregularity on the part of the occupiers in his daily report.

The foregoing bye-laws shall come into force on the 4th May 1893.

Bye-laws under Sections 92 and 93, Act XX of 1891.

NOTICE OF NEW BUILDINGS AND THE MODE OF CONSTRUCTION OF BUILDINGS, &C., &C.

General.

1. Every person intending to erect or re-erect any building shall give notice in writing of his intention to the Committee, and shall submit—

(*a*) Two drawings as follows—

No. 1. The site plan, on which should be shown, neatly and carefully drawn to scale, the building or buildings, road or roads, &c., which it is proposed to construct or alter, as the case may be ; the distances from each building which it is proposed to construct or alter to the nearest existing buildings should also be shown in figures on the plan.

On the same plan should be shown the boundaries of the estate on which the buildings above referred to are situated or are to be situated. All roads, buildings and estates adjacent to the property in question should be shown neatly on the plan, and the names of the same printed thereon.

The object of the above information is to indicate clearly the position of the estate under reference, as well as the position of the buildings which already exist or which are proposed.

All existing buildings, roads, &c., should be shown in black ; all proposed buildings or roads should be shown in red.

The scale of the map should be neatly drawn in feet at the foot of the drawing.

It is difficult to lay down any arbitrary rules for the scales of site plans, but probably the most convenient ones will be from 50 to 100 feet to an inch.

No. 2. Should show an accurate plan of the proposed building or buildings, or in the case of buildings or roads which are proposed to be rebuilt or altered, the existing or previously existing buildings or roads should be shown in black and the proposed buildings or alterations in red. A section of the proposed building should also be given, carefully drawn to scale, showing the levels at which the foundations and lowest floor are proposed to be laid, as well as the height of the building.

The scale of the plan and section should be neatly drawn in feet and tenths of a foot at the bottom of the drawing.

As a rule the plan should be made on a scale of from 4 feet to 10 feet to an inch.

(*b*) Specifications of the work to be constructed and the materials to be used, comprising full information as to the following particulars, namely :—

(1) Free passage or way in front of the building.

(2) Space to be left about building to secure a free circulation of air and facilitate scavenging, and for the prevention of fire.

(3) Ventilation and the provision and position of drains, privies or cess-pools and drainage.

(4) Manner in which roof and house drainage and surface drainage of land will be disposed of.

(5) Level and width of foundation, level of lowest floor and stability of structure.

(6) The line of frontage with neighbouring buildings if the building abuts on a street or public thoroughfare.

2 Every building shall have at least one or so many more doors as the Committee may prescribe, affording exit from the building, and not less than 4 feet wide by 6½ feet high.

Special for Bazárs, viz., *Barra Bazár, Boileaugunj, Lukker, Chota Simla and Kaithu Bazárs.*

1. All buildings in bazárs shall have their walls built upon concrete foundations one foot thick, unless rock is met.

2. The walls to be not less than 8 feet in height for each storey. The top storey to be open to the roof, *i.e.*, to have no loft.

3. The external and party wall shall be of stone, brick in lime or mud mortar, and shall not be less than 2 feet in thickness for lower, and 1½ feet for upper, storeys.

4. If the house is more than two storeys the walls of each lower storey to be 6 inches extra in thickness; the walls to be carried 2 feet above the level of the roof and to have a coping stone.

5. The floor of every upper storey to be of boards with 2 inches of mud mortar.

6. The roof to be of corrugated iron laid on purlines and to have a slope of at least one in four; the lower floors to be of lime concrete 6 inches thick, and, if necessary, a boarded floor over it.

7. Where there are one or more upper storeys, there shall be a staircase not less than 4 feet in width clear all through the building, so as to admit of free egress in case of fire.

8. If a room is intended to have a fire-place, the flue of such fire-place should be made of brick set in lime or mud mortar, and carried above the roof 4 feet and free from all wood work.

9. The whole building to have cast-iron down pipes for roof and bath-room drainage and to be connected with public drain or ravine, so that no noxious gas shall ascend. No sewage or latrine water to be run into these pipes.

10. Each dwelling-house shall be provided with a latrine, the floor of which shall be of lime concrete 6 inches thick, with a coat of asphalte at least one inch thick, with a sink for urine, made of the same material and provided with an iron bucket to catch the dirty water, together with an iron pan for seat; a bucket with air-tight cover for night-soil to be also provided. No latrine constructed on the native principle shall be built above or below a dwelling-room or be placed in a verandah or balcony facing a public road, alley or steps.

11. The bath-rooms shall have a concrete floor 6 inches thick and either asphalted or portland cemented.

12. Cook-rooms shall have fire-places with chimneys the same as the dwelling-rooms, and below each chulah there shall be a stone slab.

The foregoing bye-laws, general and special, shall come into force on the 4th May 1893.

Bye-laws under Section 104, Act XX of 1891.

PROHIBITING THE LIGHTING OF FIRES IN ANY POSITION DEEMED TO BE DANGEROUS TO THE PUBLIC SAFETY.

1. No person shall light any fire, stove, ungettie, chulah or other receptacle for ignited fuel, or keep lighted any such fire or receptacle in the top storey of any building in any of the bazárs within Municipal limits, the walls of which top storey do not exceed 7 feet in height; provided that nothing in this bye-law contained shall apply to the upper storey of any building which is separated from other buildings by a distance of not less than 50 yards.

2. No person shall place any stand for lamps, chirághs or candles on any walls or partitions in any house not wholly constructed of brick or stone in any of the bazárs within Municipal limits, and in no case within 6 feet from the nearest part of the ceiling.

3. Any person committing any breach of either of the foregoing bye-laws shall be punished with a fine which may extend to Rs. 50, and when the breach is a continuing breach, with a further sum which may extend to Rs. 5 for every day after the first during which the breach continues.

The foregoing bye-laws shall come into force on the 4th May 1893.

Bye-laws under Section 105, Act XX of 1891.

PROHIBITING THE EXCESSIVE STORAGE OF ANY EXPLOSIVE, PETROLEUM, &C.

1. No person shall use any place not registered or licensed under Section 135 of the Municipal Act for the storage of more than the following maximum quantity of any explosive, petroleum, spirit, naptha or other inflammable material, *viz.*—

Nitro-glycerine. Dynamite. Gun-cotton. Blasting powder. Fulminate of mercury or other metals. Fireworks. Other explosive substance or liquids.	Gun-powder to an amount not exceeding, on the same premises, 20lbs., or in lieu of the said quantity of gun-powder 15lbs. of any other explosive, or in lieu of any less amount of gun-powder not so possessed, half of the amount of other explosive.
Petroleum or kerosine oil, parafin oil. Rock, Rangoon, or Burmah oil.	Two cases.

2. The license to be granted in pursuance of these bye-laws shall express the quantity of the above substances or liquids or any of them which it shall be lawful for the licensee to store or keep for the purpose of sale in the place named in the license; and such license shall be valid for the time therein specified and no longer, and shall also contain such conditions as the Municipal Committee shall from time to time think fit to insert therein.

3. Any person committing any breach of the foregoing bye-laws shall be punished with a fine which may extend to Rs. 50, and when the breach is a continuing breach, with a further sum which may extend to Rs. 5 for every day after the first during which the breach continues.

The foregoing bye-laws shall come into force on the 4th May 1893.

Bye-laws under Section 137, Act XX of 1891.

REGULATING THE MANUFACTURE AND PREPARATION OF BREAD STUFFS FOR SALE; MANNER OF TRANSPORT; AND REGULATING THE GRANT AND WITHDRAWAL OF LICENSES.

1. The term "*bake-house*" whenever it occurs in these bye-laws means and shall be deemed to mean and include any bakery or place wherein bread, biscuits, confectionery, or the like are prepared or baked for sale either wholesale or retail.

2. It shall not be lawful for any person to use or occupy as a bake-house any house, room, premises or place, unless such house, room, premises or place is first licensed by the Municipal Committee, such license to be signed by the Secretary or in his absence by the Assistant Secretary, and such license shall not be granted, and if granted shall be revocable unless the following provisions of Bye-laws Nos. 13 to 16 inclusive are complied with.

3. No water-closet, privy, ash-pit or drain shall be within, or communicating directly with, any bake-house.

4. Any cistern supplying water to any bake-house shall be separate and at such distance from any privy or water-closet as the Municipal Committee or any member or officer of that body authorised by it in this behalf shall direct.

5. No drain or pipes for carrying off fœcal or sewage matter shall have an opening within any bake-house.

6. Every bake-house shall always be kept and maintained in a cleanly state, free from effluvia arising from any drain, privy or other nuisance or cause whatever, and be lighted and ventilated to the satisfaction of the Municipal Committee.

7. Every bake-house shall be provided with such flooring, drains, ovens, kneading troughs, tables, vessels, furniture, plant and utensils as shall be approved by the officer authorised by the Municipal Committee in this behalf.

8. For the purpose of securing the observance of cleanliness in every bake-house, all the inside walls and all the ceilings or roofs of such house, room, premises or place licensed as a bake-house, whether such walls, ceilings or roofs be plastered or not, and all the passages or staircases of such bake-house shall be lime-washed every three months, and the floor, kneading troughs, tables, vessels and utensils thoroughly scrubbed and washed with water daily.

9. No person shall be employed, hired or used inside the bake-house who is not cleanly clad or who is suffering from any infectious, contagious or loathsome disease, or who shall have recently been attending upon any person so suffering, nor shall any person be permitted to enter or shall enter such bake-house who is known to be suffering from any infectious, contagious or loathsome disease.

10. No person shall dwell, sleep, spit or smoke in any bake-house.

11. No person shall keep in any bake-house any hookahs, bedding, or soiled clothing or cloths. Nor shall any articles or utensils not pertaining to or required for the manufacture or preparation of the food therein carried on be kept in such bake-house.

12. Except as in these bye-laws otherwise provided, no persons other than those employed in manufacturing, cooking, baking or preparing the articles of food cooked, prepared or baked in a bake-house shall be allowed to enter therein.

13. No animals of any kind shall be kept in any bake-house, or within its precincts; and premises shall not be licensed as a bake-house if there is a cow-house or stable within 100 feet of them.

14 All dough or other materials used in the manufacture of the articles of food cooked, prepared or baked in any bake-house, and all bread or other articles of food manufactured, cooked, baked or prepared in any bake-house shall be kept in clean receptacles and be cleanly covered.

15. No one keeping or using any bake-house shall use any adulterated or unwholesome food-substance in the preparation or manufacture carried on in such bake-house.

16. Every bake-house licensed under these bye-laws whall be open at all reasonable hours to the inspection of the President, Vice-Presidents, Secretary, Ward Commissioners, Civil Surgeon or such person or persons as the Municipal Committee may by resolution appoint in that behalf.

17. No person shall use any dirty or offensive covering for carrying food of any kind, raw or cooked, or carry the same in any dirty or offensive receptacle covered with any soiled or offensive covering.

18. Any breach of any of the aforesaid bye-laws, Nos. 2 to 12 inclusive, whether his license, if any, be revoked or not, shall be punishable with a fine which may extend to Rs. 50, and when the breach is a continuing breach, with a further fine which may extend to Rs. 5 for every day after the first during which the breach may continue.

The foregoing bye-laws shall come into force on the 4th May 1893.

Bye-laws under Section 137, Act XX of 1891.

FIXING THE PLACES IN WHICH SPECIFIED ARTICLES OF FOOD OR DRINK MAY BE SOLD OR EXPOSED FOR SALE.

1. The following places are hereby fixed in which the following articles of food may be sold or exposed for sale:—

(*a*) The Municipal Market for the sale or exposure for sale of beef, mutton goats' flesh, poultry, game, fish, fruit, eggs, vegetables and butter.

(*b*) The Kashmiri Mohalla for the sale and exposure for sale of mutton and goats' flesh.

(*c*) The street leading from the market to Edward's Gunj and running below the lower bazár road, for the sale and exposure for sale of mutton, goats' flesh, poultry, game, eggs, fish, fruit and vegetables.

(*d*) The gully to the south of Chota Simla Bazár for the sale and exposure for sale of mutton, goats' flesh, fowls and vegetables.

(*e*) The gully to the south of the Boileaugunj Bazár behind the serai for the sale and exposure for sale of mutton, goats' flesh, fowls and vegetables.

2. No article of food specified in the preceding bye-law shall be sold or exposed for sale in any other part of the Municipality.

Provided that nothing above contained shall prevent the vendors thereof from hawking about for sale any of the aforesaid articles of food between the hours of 10 A.M. and 4 P.M. within Municipal limits.

3. Any breach of either of the foregoing bye-laws shall be punishable with fine not exceeding Rs. 20.

The foregoing bye-laws shall come into force on the 4th May 1893.

Bye-laws under Section 143, Act XX of 1891.

PROVIDING FOR THE PROPER INSPECTION AND REGULATION OF SLAUGHTER-HOUSES.

1. The Municipal slaughter-houses of Simla shall be under the control of the Municipal Committee, who may from time to time delegate to the Secretary or any other officer or to the Municipal Overseer for the time being in charge of the slaughter-houses such power for the regulation and management of the said slaughter-houses as the Committee shall think fit.

2. No animal shall be slaughtered for sale at the Municipal slaughter-houses or at any licensed slaughter-house until it has been pronounced fit for the food of man by the Municipal Overseer in charge of the said slaughter-houses, and has been branded in token thereof.

3. No actual fee is charged for using the Municipal slaughter-houses, provided octroi for each animal brought for slaughter has been paid at the octroi outpost; but in the event of the owner of an animal brought for slaughter having no octroi pass, he must pay a sum equal to the prescribed octroi fee to the Municipal Overseer in charge of the slaughter-house before the animal can be passed and branded for slaughter.

4. No animal in any way infected with, or suffering from, disease shall be brought to a slaughter-house, whether Municipal or licensed, for the purpose of being slaughtered or be slaughtered.

5. Any animals suspected of being diseased or presenting symptoms of disease when brought to any slaughter-house, whether Municipal or licensed, shall be removed to a pen attached to the establishment and kept under observation.

6. No dying or dead animals shall be admitted into any slaughter-house.

7. All cattle being with young, or suspected to be so, shall be rejected as unfit for slaughtering purposes.

8. All surplus animals shall be kept in the butchers' private pens, adjacent to the slaughter-houses, until required for slaughtering, and no animals shall be brought within the precincts of the slaughter-houses except those intended for immediate slaughter.

9. All carcases shall be, after slaughtering, carefully inspected, and no carcase shall be allowed to be removed from the slaughter-houses unless the Municipal Overseer in charge of the said slaughter-house declares the said meat fit for food. Should a dispute arise, the opinion of one of the Civil Surgeons of Simla shall be taken on the matter, and the Municipal Overseer shall act according to such opinion.

10. No meat or offal of animals which after having been slaughtered is found to be diseased, or believed to be unfit for human consumption, shall be removed or allowed to be removed from any slaughter-house except for purposes of inspection by the medical officer, and such meat or offal shall, if condemned, be destroyed by order of the aforesaid Municipal Overseer so as to prevent its introduction into the markets or bazárs of Simla.

11. Butchers shall not be permitted to sell meat on the premises of any slaughter-house, but, subject to the provisions of the bye-law last preceding, may sell offal or skins within the yard, but no purchaser of the above material shall be, on any account, admitted within the building.

12. Meat, entrails, offal and the like shall be removed from slaughter-houses in covered baskets or receptacles, and the Municipal Overseer or his assistants shall be bound to inspect daily the said baskets or receptacles and see that they are kept clean.

13. Butchers or private individuals using any Municipal slaughter-house shall be responsible for any damage done to such slaughter-house either by their own act or the act of their agents or servants.

14. The blowing of carcases by means of insufflation is strictly forbidden.

15. No person affected with leprosy, sores or any contagious or infectious diseases of the skin, or otherwise suffering from any infectious or contagious disease, shall be permitted to enter any slaughter-house or be employed in connection therewith.

16. No dogs shall be admitted into any slaughter-house.

17. Any person working in any slaughter-house is forbidden to make a noise, to fight, quarrel, or use insulting or obscene language, and any person contravening this bye-law shall be liable to be turned out of the slaughter-houses by the Municipal Overseer or his assistants in addition to any punishment by these bye-laws otherwise provided.

18. Servants employed by the Municipal Committee in connection with any slaughter-house are forbidden to ask or receive any gratuity, in money or otherwise, from persons using the same.

19. Any person committing any breach of any of the foregoing bye-laws, Nos. 2, 4, 10, 11, 14, 15 and 17, shall be punished with a fine which may extend to Rs. 50, and when the breach is a continuing breach, with a further sum, which may extend to Rs. 5 for every day after the first during which the breach continues.

The foregoing bye-laws shall come into force on the 1st April 1893.

Bye-laws under Section 143, Act XX of 1891.

REQUIRING THE APPOINTMENT BY OWNERS OF BUILDINGS OR LANDS IN THE MUNICIPALITY, WHO ARE NOT RESIDENT IN THE MUNICIPALITY, OF PERSONS TO ACT AS THEIR AGENTS, &C.

1. Every owner of any building or land situated within the limits of the Municipality, who does not reside in the Municipality, shall appoint a person residing within or near the Municipality to act as his agent for all the purposes of the Punjab Municipal Act, 1891, or any rule thereunder.

2. Any breach of the preceding bye-law shall be punishable with fine which may extend to Rs. 50, and when the breach is a continuing one, with a further fine which may extend to Rs. 5 for every day after the first during which the breach continues.

The foregoing bye-laws shall come into force on the 4th May 1893.

Bye-laws under Section 143, Act XX of 1891.

FIXING OCTROI LIMITS; REGULATING THE EXHIBITION OF TABLES AND THE SYSTEM UNDER WHICH REFUNDS ARE TO BE MADE ON ACCOUNT OF OCTROI, &C.

1. The octroi limits for the purpose of collecting that tax in Simla shall be the Municipal limits.

2. Tables showing the octroi leviable in the Municipality shall be open to the inspection of any person at the Municipal Office, and copies shall be supplied, without charge, to any person requiring the same. Such tables shall also be affixed in a conspicuous place at every post or office at which octroi is collected.

3. On all articles exported beyond the octroi limits, refunds shall be granted at the rate originally charged at the time of import.

4. No refund will be granted as regards exported goods unless such goods are exported within one month from the date on which octroi became payable.

Provided that, in the special cases of firms having a head office or branches elsewhere than at Simla, a refund shall be granted anything in this bye-law contained to the contrary notwithstanding upon the following conditions only, that is to say—

(*a*) Upon condition that the goods intended to be exported or that have been exported have been previously identified to the satisfaction of the Municipal Octroi official duly authorized in that behalf, with goods in respect of which octroi duty has within the period hereinafter specified been paid to Municipal Committee; and

(*b*) Upon condition that the application for such refund is made within nine months from the date upon which octroi duty in respect of such goods as aforesaid become chargeable or payable to the Municipal Committee.

5. An intending exporter shall make at the Municipal Office an application in writing, and shall specify—

(*a*) Name of exporter.
(*b*) Names of the articles to be exported.
(*c*) Quantity, value or number of articles.
(*d*) Rate of octroi duty paid on import.
(*e*) The exact amount of refund claimed.
(*f*) The barrier through which and the precise date at which the articles shall be exported.
(*g*) The place to which exported.
(*h*) A declaration under the signature of the exporter or his authorized agent.

6. Forms of applications and receipts for grant of refunds will be printed in Urdu and English, and shall be given free to exporters from the Municipal Office and be filled up by the Octroi officials at the Municipal Office as declared by exporters.

7. Refund applications shall not be accepted at any time except between 10 A. M. and 2 P. M. daily (Sundays and holidays excepted) at the Municipal Office.

8. The octroi receipt and import invoice in original, in proof of previous payment of duty, must be attached to the application for grant of refund.

9. The goods on which a refund is applied for must be produced at the Municipal Office, at the time the application is made, or be presented elsewhere for inspection by the Octroi official authorized on that behalf.

10. After the application is accepted and the goods examined a pass stating the quantity, value, or number of the packages to be exported shall be granted to the exporter, which he shall produce, with the packages, at the octroi barrier.

On the arrival of the packages at the barrier the above mentioned pass shall be produced, and the Octroi Darogah or other Octroi official shall compare the packages with the pass, and make an entry on the reverse of the pass, that he has found the packages detailed in the pass correct or not (as the case may be), and note the exact time of export.

The pass shall then be copied into the register kept at the barrier for the purpose.

The said pass, after endorsement, shall be returned to the exporter; and on the production of this pass at the Municipal Office the exporter shall be entitled to a refund.

11. If the articles are to be exported by bullock-train the bullock-train receipt must, in addition to the pass, be produced at the Municipal Office before the refund is paid.

12. Goods on which refunds are claimed shall only be allowed to pass through an octroi outpost or be despatched by bullock-train. Persons taking goods by other routes shall not be entitled to receive a refund.

13. All persons whose claims for refunds have been admitted shall come themselves or send their authorized agents, presenting the order of the owner for refund to the Municipal Office.

14. The following persons shall be responsible for the grant of refunds of octroi proved to their satisfaction to be due from Municipal Funds:—

(1) The President.
(2) The Secretary.
(3) The Assistant Secretary.

15. The Octroi Darogah must be present when refunds are paid.

16. Application for grant of refunds must be made separately by each exporter.

17. Any exporter failing to comply with the provisions of these rules shall not be entitled to receive a refund.

18. When an order is passed under the foregoing rules, rejecting an application for a refund, in whole or in part, the reasons for such order shall be recorded on the application.

19. No refund will be granted if the sum claimed is less than one rupee.

20. It shall be lawful for the Committee to refuse a refund if not satisfied that the goods proposed to be exported are *bonâ fide* exported goods within the meaning of these bye-laws.

The foregoing bye-laws shall come into force on the 4th May 1893.

Bye-laws made under Section 144, Act XX of 1891.

THE REGISTRATION AND CONTROL OF JOB-HORSES OR PONIES PLYING FOR HIRE IN THE SIMLA MUNICIPALITY, AND FIXING THE CONDITIONS UPON WHICH LICENSES ARE TO BE GRANTED AND MAY BE REVOKED.

1. For the purpose of these bye-laws every horse or pony hired for a day, or any time not exceeding a day, shall be hereinafter respectively referred to as a *job-pony*.

2. No proprietor of a job-pony shall let any such animal out on hire unless or until the said animal has been registered and licensed as hereinafter provided. The license must be signed by the Secretary or, in his absence, by the Assistant Secretary.

3. The Secretary of the Municipal Committee, or in his absence the Assistant Secretary, shall be authorized to keep the register of job-ponies and to issue a license for such animals.

4. No horse or pony shall be licensed as job-pony unless it and its saddle, bridle, and other gear has been inspected and approved by the President or such person appointed by the Committee in this behalf, and the owner thereof has paid a license fee of Rs. 4.

5. No proprietor shall ill-treat or ill-use or allow any of his job-ponies to be ill-treated or ill-used.

6. It shall be lawful for any person named in Rule 4 to enter premises in which a job-pony or job-ponies duly licensed are kept or stabled in order to inspect saddlery and other things used there, with the said animals, and generally to carry out any of the provisions of these bye-laws.

7. The saddlery belonging to, or used in connection with, every job-pony shall always be maintained in good order and in thoroughly serviceable condition.

8. No job-pony shall be registered unless it is in every respect sound, healthy and in good working condition.

9. Licenses issued under these bye-laws shall continue in force during the official year for which they are granted, but they shall be liable to revocation within that time, by order of the Committee, if the proprietor has been guilty of the infringement of any of these bye-laws or of the conditions on which the license was granted, and if the latter are not fully maintained, or the job-pony by reason of vice, sickness, over-work, physical defect, unsoundness or any other similar reason has, in the opinion of the Committee, been rendered unfit to be used as a job-pony.

10. Application for the renewal of licenses shall be made one month before the expiry of the year of license, and the renewed license shall be granted in the same way by the same officer as provided in Bye-law No. 3, and on the payment of the same fee as for the original license.

11. When a licensed job-pony is transferred to a new proprietor during the year of license, the name of such transferee shall be duly reported by the transferrer to the Municipal officer, and shall be substituted in the license for the name of the transferrer without further payment.

12. Every syce in charge of a job-pony shall bear a brass badge (for which he shall pay actual cost to the Municipality) on his arm, bearing the number of license of the job-pony, and shall also carry and produce for inspection of any person requiring the same a list of the fares prescribed under these rules, and also a card showing the number of license and the description of the animal to which it refers.

And the proprietor or agent carrying on business for the proprietor of every job-pony shall on demand produce to any Municipal Commissioner, Police Officer or Magistrate, or any hirer or intending hirer of such job-pony his license for such job-pony.

13. No proprietor of a licensed job-pony shall without reasonable and sufficient cause, the burden of proving which shall be upon him, refuse such pony upon hire.

14. In the absence of any private agreement between the owner or agent of a job-horse or pony and the hirer, the following rates shall be paid and no higher rates shall be charged:—

Licensed fees.

For 8 hours or under	... Rs. 2
For every hour over 8 up to 16 hours ...	... 2 Annas per hour.
From Tonga Terminus to any house or shop within Municipal limits (or *vice versâ*) ...	... Re. 1.

Form of job-horse or pony license.

1. Simla Municipality.
2. No. of license.
3. Date of issue of license.
4. Date of expiry of license.
5. Name of proprietor of animal.
6. Residence of ditto.
7. Description of horse or pony.
8. Remarks.

Any breach of the foregoing bye-laws, Nos. 2, 5, 6, 7 and 11 to 14 inclusive, shall whether the license (if any) be revoked or not, be punishable by a fine which may extend to Rs. 50, or, in case of a continuing breach, with a fine which may extend to Rs. 5 per diem for every day after the first that the breach continues.

The foregoing bye-laws shall come into force on the 4th May 1893.

Bye-laws under Section 144, Act XX of 1891.

RENDERING LICENSES NECESSARY FOR USING PREMISES WITHIN BAZARS AS STABLES OR COW-HOUSES, AND FOR REGULATING THE GRANT AND REVOCATION OF SUCH LICENSES.

1. No place situated within any bazár of the Simla Municipality shall be used as stables or cow-houses unless licensed by the Municipality.

2. Such license, which shall be signed by the Secretary or, in his absence, by the Assistant Secretary, shall not be granted, and if granted shall be revocable unless the following Bye-laws Nos. 3 to 12 inclusive are complied with.

3. Every such stable or cow-house shall be not less than 10 feet in height and in breadth.

4. The space allotted to each horse, pony and mule shall not be less in breadth than 7 feet, and for each cow, bullock or buffalo shall not be less than 5½ feet.

5. All places used by or for horses, ponies, mules, cows or horned cattle shall be metalled with not less than six inches of lime concrete or gravel, mixed with tar, or flagged with stone joined with portland cement, and shall at all times be kept and maintained in an efficient state of repair and impervious to percolation by urine, the floors sloping to the drain thereof, and shall be drained to the satisfaction of the Municipal Committee or such officer as it may appoint in that behalf; the liquid and washings of such places shall be conveyed by a drain to be constructed at the expense of the owner or occupier of such premises into a covered cess-pool or sump, the contents of which shall be removed from such stable or cow-house daily at the expense of such owners or occupiers, and shall be deposited in the nearest Municipal sewage tank. In default, after due notice, the Committee by its servants or agents may cause such cess-pool or sump to be cleaned, and the expense incurred shall be paid to the Committee by the person by whom such work ought to have been executed, and shall be recoverable as provided in the Municipal Act.

6. All dung or dry refuse shall be deposited daily by the owners or occupiers of such stables or cow-houses in a proper receptacle or receptacles outside such stables or cow-houses, and shall be removed and deposited in the nearest Municipal refuse depôt daily at the expense of such owners or occupiers.

7. No license shall be granted in respect of any stable or cow-house which is constructed immediately under any place used for purposes of human habitation unless the ceiling of such stable or cow-house is separated from the floor of the dwelling-house by at least 3 inches of concrete, stone, brick or mud.

8. No license shall be granted for a stable or cow-house within 100 feet of a licensed bake-house.

9. No person shall occupy as a dwelling-place or sleep in any stall occupied by any animal.

10. Every stable and cow-house shall be daily cleansed, and the walls and ceiling shall be once a quarter lime-washed or "leeped."

11. Any breach of any of the foregoing Bye-laws Nos. 1, 3, 4, 5, 6, 8 and 9 shall be punishable, whether his license (if any) shall be revoked or not, on conviction by a fine which shall not exceed Rs. 50, or, in the case of a continuing offence, by a further fine which may extend to Rs. 5 for every day after the first during which the offence continues.

12. Notwithstanding anything herein before contained, these bye-laws, in so far as the structural alteration of existing buildings may be requisite under them, shall not come into force until 4 months after the date of their confirmation but save as aforesaid.

The foregoing bye-laws shall come into force on the 4th May 1893.

Bye-laws under Section 144, Act XX of 1891.

RENDERING LICENSES NECESSARY WITHIN THE SIMLA MUNICIPALITY FOR PERSONS WORKING AS JOB-PORTERS FOR THE CONVEYANCE OF GOODS, AND FIXING THE CONDITIONS ON WHICH SUCH LICENSES ARE TO BE GRANTED AND MAY BE REVOKED.

1. For the purposes of these rules a job-porter shall be deemed to be a person working by the job or for a period not exceeding 24 hours.

2. The Secretary or in his absence the Assistant Secretary shall be the licensing officer.

3. Every job-porter shall take out a license, and on payment of the sum of one rupee as a license fee and of actual cost of badge shall thereupon be licensed and registered by the licensing officer appointed under the last preceding bye-law, who shall keep a register in which he shall enter the name and residence of every such job-porter, and every person applying for the same shall, at all reasonable times, be furnished with a certified copy of such particulars on payment of a fee of eight annas.

Provided always that the provisions of this section shall not apply to any job-porter who is hired beyond the limits of the Municipality for a period of time not exceeding twenty-four hours, but who performs a portion of the work imposed by such hiring within such limits.

4. The year during which the license shall extend shall commence on the first day of April of each year, and every license granted on any date within that year shall, subject to the provisions hereinafter contained, remain in force until the thirty-first day of March next following and no longer

5. Every license granted by the licensing officer shall specify the number of the license, and the name and place of abode, and the age of the job-porter to whom such license is granted, and shall be in the following form :—

Form of license for a person working as a job-porter.

1. Simla Municipality.
2. No. of license.
3. Date of issue of license.
4. Date of expiry of license.
5. Name.
6. Father's name.
7. Town or zilla.
8. Remarks.

6. Every license shall bear the date on which the same is granted, and shall be revocable upon a second conviction for the breach of any of these bye-laws.

7. The licensing officer shall, at the time of granting the license to any job-porter, deliver to him a metal badge, upon which shall be marked or engraved a number corresponding with number of such license.

8. Every job-porter to whom such badge is delivered shall at all times, while waiting for hire, or during the performance of his duties as such job-porter, or while attending before any magistrate, carry such badge exposed to view.

9. In the absence of any special contract to the contrary, the following shall be the rates of hire, and no higher rate shall be charged than those contained in the Schedule hereunder :—

SCHEDULE.

(*a*). *For conveyance of packages and loads over 25 seers in weight.*

From Bullock Train Office and Tonga Terminus.

To Chota Simla ...	... 3 Annas per maund.
,, Barra Bázár ...	... 1 Anna 6 pies per maund.
,, Jakko (vicinity of Church and Lowrie's Hotel) ...	... 2 Annas per maund.
,, Do. (above ditto)...	... 3 ,, ,,
,, Bolieaugunj ...	... 3 ,, ,,
,, Chowra Maidan ...	... 2 ,, ,,
,, Annandale ...	... 3 ,, ,,
,, Jail	... 2 ,, ,,
,, Elysium (vicinity of Longwood)	2 ,, ,,
,, Do. (beyond ditto) ...	3 ,, ,,
,, The Breweries ...	... 3 ,, ,,
,, Bishop Cotton School	... 3 ,, ,,
,, Chota Chelsea ...	... 3 ,, ,,

Note.—These rates apply to loads not exceeding 5 maunds in weight.

The rate for removal of any package exceeding 5 maunds in weight should be fixed by *special contract.*

(*b*). *For conveyance of packages of and under 23 seers in weight.*

From Simla*

To Chota Simla	... 2 Annas.
,, Bolieaugunj	... 2 ,,
,, Bishop Cotton School ...	... 2 ,,
,, Chota Chelsea	... 3 ,,
,, Annandale	... 3 ,,
,, Chowra Maidan	... 1 Anna 6 pies.
,, Jail	... 1 ,,
,, Elysium	... 1 ,,

* Simla here means the central part of the station, about the Church, Town Hall, Kutchery and main bazár.

(*c*). *Job-porters engaged by time shall be by special contract.*

A table of the rates of hire legibly written or printed in English, Hindi and Urdu shall be affixed in some conspicuous place within the limits of the Municipality, and a copy of the same, or such portion thereof as may be deemed sufficient, shall be given to every job-porter at the time of registration.

10. Every licensed job-porter shall be entitled to receive payment for his hiring in accordance with the rates specified in the Schedule mentioned in the last preceding section.

Provided that nothing contained in these bye-laws shall prevent any such job-porter from being bound by any contract into which he may enter to receive payment at a rate lower than that fixed by such order.

11. No job-porter shall, without reasonable excuse, refuse to accept hire at the rate fixed for such hiring ;

or shall desert from his hiring before being discharged therefrom ;

or demand more than the proper rate fixed for such hiring ;

or be drunk or make use of insulting or abusive language during the period of, or while waiting for, such hiring ;

or wrongfully prevent, or endeavour to prevent, any other porter from being hired ;

or fail to produce his license and table of rates when required to do so.

12. No person shall work as a job-porter without being duly registered and licensed, and no job-porter having a license in force shall transfer or lend the same or allow the same to be used by any other person.

16. The licenses for hackney jinrickshaws and the drawer or drawers or propeller or propellers thereof shall be in the forms attached to these bye-laws, and shall be printed on strong paper. The fee for each license of any person employed in drawing or propelling such hackney jinrickshaw shall be Re. 1 and the actual cost of badge.

Form of license for a hackney jinrickshaw.

1. Simla Municipality.
2. No. of license.
3. Date of issue of license.
4. Date of expiry of license.
6. Name of proprietor of jinrickshaw.
6. Residence of ditto.
7. Minimum number of persons by which the jinrickshaw should be drawn or propelled.
8. Remarks.

Form of license for a person to draw or propel a hackney jinrickshaw.

1. Simla Municipality.
2. No. of license.
3. Date of issue of license.
4. Date of expiry of license.
5. Name.
6. Father's name.
7. Town or zilla.
8. Remarks.

17. No proprietor or agent of the proprietor, or person employed either as a propeller or drawer or in charge of a licensed vehicle, shall knowingly permit it to be drawn by a less number of men than is provided in the license, or knowingly permit more passengers to be carried in such hackney jinrickshaw than is permitted by these bye-laws.

18. It shall be lawful for any person or persons named in Bye-law 3, and any other person or persons generally authorized by the Municipal Committee in this behalf, from time to time, to enter premises on which licensed vehicles are kept, in order to inspect the said vehicles and to carry out any of the provisions of these bye-laws, and the owner or occupier of the said premises shall at all reasonable times permit the inspection of the said vehicles by any person or persons authorized by these bye-laws to inspect such vehicles.

19. The Municipality shall from time to time appoint places as stands for licensed hackney jinrickshaws. A list of the places appointed as hackney jinrickshaw stands is attached to these rules and is contained in Schedule A to these bye-laws annexed.

20. No person employed in drawing or propelling or in charge of such hackney jinrickshaws shall wait for hire at any public places other than those appointed as stands, and any such person so doing shall be liable to forfeit his license. Hackney jinrickshaws shall take up their position at the respective stands in the order of their arrival and shall be let out for hire in the same order.

21. The proprietor or any person in charge of or employed as the drawer or propeller of a licensed hackney jinrickshaw shall, at any time of the day or night, be bound to give such jinrickshaw on hire to any person demanding the same, unless for good or sufficient reason, the burden of proving which shall lie on the proprietor or person or persons so refusing.

22. The maximum number of persons which may be carried by each hackney jinrickshaw is as follows:—

Description of vehicle.	
Single jinrickshaw	Number of persons 1.
Double jinrickshaw	Ditto 2.

One adult and child, or two children under ten years of age, shall be reckoned as one adult person.

23. The Secretary to the Committee shall open and keep up a register of licensed hackney jinrickshaws, and licensed persons employed as drawers or propellers thereof, in such form as may from time to time be prescribed on this behalf.

24. Any breach of the foregoing Bye-laws Nos. 2, 6, 8, 9 to 15 inclusive, 17, 18, and 20 to 22 inclusive, shall be punishable with a fine not exceeding Rs. 50, and in case of a continuing offence with a further fine not exceeding Rs. 5 per diem for every day after the first during which the continuing breach of these bye-laws continues.

The foregoing bye-laws shall come into force on the 4th May 1893.

SCHEDULE A.

1. On the Ridge between the Town Hall and the Church.
2. On the Mall near the Municipal Shelter Shed above Rockcliff Hotel.
3. On the Mall below Armsdell and above the Chota Simla Bazár.
4. On the old road beyond the Public Works Secretariat and below Gorton Castle.
5. On the Cart road near the Tonga terminus.
6. In Boileaugunj Bazár near the Serai.
7. At Chowra Maidan near the Municipal Shelter Shed.

Bye-laws under Section 144, Act XX of 1891.

REGULATING OR PROHIBITING OF TRAFFIC IN THE STREETS.

1. Within the limits of the Municipality—

(1) The introduction or use of camels or elephants into or in any of the streets is prohibited.

(2) The use of wheeled vehicles drawn or propelled by animals or mechanical power in any of the streets is prohibited.

Proviso.—This clause does not apply to wheeled vehicles belonging to the Viceroy, the Lieutenant-Governor of the Punjab, or the Commander-in-Chief in India.

(3) The use of the following wheeled vehicles drawn or propelled by human power in any of the streets is prohibited, *viz.*—

(*a*) Bicycles, tricycles and all other similar machines.

(*b*) Vehicles with more than three wheels.

(*c*) Vehicles drawn or propelled by less than 3 or 5 persons respectively as the vehicle is a single or double jinrickshaw.

(*d*) Jinrickshaws carrying more than one person if a single jinrickshaw or more than two if a double.

Note.—An adult and child or two children under the age of 6 to count as one adult.

(4) No wheeled vehicle drawn or propelled by human power shall be driven or propelled at a speed of more than 6 miles per hour or at other than a walking pace when the vehicle is empty.

Nothing in this bye-law shall apply to any wheeled vehicle or animal used on the cart road below the gate of the house called "Ravenswood," or to any act done with the written sanction of the Municipal Committee. Provided also that nothing herein or in the preceding bye-laws contained shall apply to children's perambulators and other vehicles of the same kind usually used by children.

2. No person shall, within Municipal limits, drive, draw or push, or cause to be driven, drawn or pushed, in any street, any vehicle negligently, recklessly or furiously, to the obstruction, inconvenience, annoyance, risk, danger, or damage of residents or passengers.

3. The recognized rules of the road shall within Municipal limits apply to a vehicle permitted to be used for passenger conveyance in any street; any disregard thereof shall be considered a breach of this bye-law.

4. No horse, pony, mule or other animal used for riding, driving, draught or burden shall, within Municipal limits, and between the hours of 11 A.M. and 8 P.M. inclusive, be led, driven, or ridden for exercise by any syce, grass-cutter, native trainer, jockey, or other native servant in any street mentioned in Schedule A annexed to these rules: provided

that nothing in this rule shall apply to a saddled horse or pony which is being taken from place to place for the *bonâ fide* use of its owner, or which is being led after an owner who has been riding or is about to ride it.

Explanation.—The term "owner" herein used shall be deemed to include, and does include, any person to whom the said horse or pony has been, or is, lent or hired, by the owner.

5. No person shall, within Municipal limits, drive in any of the streets mentioned in Schedule B, annexed to these rules, any animal used for riding, driving, draught or burden, or any cattle, sheep, goats, or pigs unless such animals or cattle are property tethered and led by an attendant, and not more than two animals, properly tethered, shall be permitted to be led or driven within Municipal limits by one man.

6. All persons leading horses on the public roads within Municipal limits shall hold them close by the head with the left hand, and keep to the left of the road.

7. No person in any street shall beg or apply for alms, or expose or exhibit any sores, wounds, bodily ailment or deformity with the object of exciting charity or obtaining alms.

8. No porter shall seek for employment or carry any load on the Mall between the hours of 4 P. M. and 8 P. M. inclusive, between the months of April and October inclusive: provided that nothing herein contained shall apply to any of the following cases :—

(*a*) Porters conveying personal luggage of travellers.

(*b*) Porters conveying purchases from any shop or other such establishment in Simla to the residences of the purchasers.

(*c*) Porters conveying or carrying any person in any manner.

(*d*) Any funeral.

Explanation.—For the purposes of this rule the Mall means the streets mentioned in Schedule A annexed to these rules, and includes all of those streets.

9. Any breach of any of the foregoing Bye-laws Nos. 1, 3, 4, 5, 6, 7 and 8 shall be punishable with fine not exceeding Rs. 20, and any breach of the foregoing Bye-law No. 2 shall be punishable with fine not exceeding Rs. 50.

The foregoing bye-laws shall come into force on the 4th May 1893.

SCHEDULE A.

1. Circular road round Prospect Hill.
2. Ditto ditto Observatory Hill.
3. Ditto ditto Peterhoff Hill.
4. From Peterhoff Hill to the Post Office,
5. Circular road from the Post Office round Jakko.
6. From the Lukker Bazár to Elysium Hotel and the circular road round Elysium Hill.
7. The Ridge from the Post Office to the Church and the road leading from the Ridge to the Bazár road.
8. Chota Simla Bazár to the Kasumpti boundary.
9. Road leading from Oakover to Barnes Court.

SCHEDULE B.

1. Circular road round Prospect Hill.
2. Ditto ditto Observatory Hill.
3. Ditto ditto Peterhoff Hill.
4. From Peterhoff Hill to the Post Office.

5. Circular road from the Post Office round Jakko.
6. From the Lukker Bazár to Elysium Hotel and the circular road round Elysium Hill.
7. The Ridge from the Post Office to the Church and the road leading from the Ridge to the Bazár road.
8. Chota Simla Bazár to the Kasumpti boundary.
9. Road leading from Oakover to Barnes Court.
10. The road from below the Lukker Bazár past Blessington and up by Wheatfield to the Public Works Department Offices.

GENERAL.

Any bye-laws or rule in force at the time when these bye-laws come into operation are hereby rescinded and repealed so far as it is inconsistent with any of the bye-laws.

Note.—The above bye-laws have been grouped for convenience under the several sections to which they more particularly relate; but it must be taken that they are made not merely under the authority of those sections, but also under the authority of Section 143 and all other powers and authorities in any wise enabling the Committee in that behalf.

No. 21

No. 121.

COPY forwarded to the Commissioner and Superintendent, Delhi Division, for information, with reference to his endorsement No. 114, dated 11th March, with the remark that under Section 146 of Act XX of 1891 and No. 14 of the Rules published with Notification No. 371 S., dated 19th June 1885 (which apply to Simla) the bye-laws cannot come into force before May 4th, 1893.

Punjab Government Press, Lahore—27-4-93—20.

BOARDS AND COMMITTEES DEPARTMENT.

COMMITTEES.

The 8th August 1894.

No. 404.—*Notification.*—The following amendments in the bye-laws in force in the Simla Municipality have been adopted by the Municipal Committee of Simla and confirmed by the Local Government under sub-section (2) of Section 25 and sub-section (1) of Section 146 of Act XX of 1891 and are published for general information. They will come into force 6 weeks from the date of publication of this Notification :—

I.—Bye-laws framed under Section 119, Act XIII of 1884, and published in Notification No. 966 S., dated the 12th August 1885—

In paragraph III, *for* "rules" *read* "bye-laws."

After sub-head (2) enter "(2 *a*). Rent and fees for shops and stalls shall be fixed annually. All such rents and fees shall be paid in advance to the officer deputed to collect the same."

After sub-head (3) enter "(3 *a*). Every such shop-keeper, stall-holder or sitter as aforesaid shall at all times keep the tables belonging to such shop or stall in a clean state."

In paragraph XV, sub-head (1), for "rules" *read* "bye-laws;" in same sub-head after "(3)," enter "(3 *a*)," and in sub-head (3) for "rules" *read* "bye-laws."

II.—Bye-laws framed under the provisions of Act XX of 1891, which were published in Notification No. 120, dated 20th March 1893—

(i)—Bye-laws under Section 25—

In clause 52 (prescribing rules for the guidance of Municipal Overseers) after sub-head (2) insert the following :—

(2 *a*).—They shall have power to enter after giving such notice if any as is required by law for inspection of private premises in accordance with the provision of Act XX of 1891.

(2 *b*).—They shall report to the Secretary any cases of breach of any of the bye-laws they may notice.

(ii).—Bye-laws under Section 137 for regulating the manufacture and preparation of bread stuffs for sale—

In clause 9 erase the words *hired or used* and substitute the words *or hired or shall enter or remain.*

In clause 18 *for* "Nos. 2 to 12" *read* "Nos. 2 to 17."

(iii).—Bye-laws framed under Section 143, providing for the proper regulation and inspection of slaughter-houses—

In clause 12 erase from "and" in second line to end of clause, and enter new clause 12 *a*. "No person shall use any dirty or offensive covering for carrying meat from the slaughter-houses or carry the same in any dirty or offensive receptacle covered with any soiled or offensive covering."

In clause 19 after "11" in second line insert "12, 12 *a*."

Erratum.

In clause 3 of the rules framed by the Municipal Committee of Simla under Section 3 of Act XX of 1887 which were published in Punjab Government Notification No. 838, dated 21st July 1890, *for* "1st September" *read* "31st August."

R. E. YOUNGHUSBAND,

Offg. Junior Secretary to Government, Punjab.

Punjab Government Press, Lahore—13 8-94—12.

BOARDS AND COMMITTEES DEPARTMENT.

COMMITTEES.

The 12th January 1895.

No. 14.—*Notification.*—The following amendments in the Bye-laws, under Section 144 of Act XX of 1891, for the registration and control of hackney jinrickshaws in the Simla Municipality, published in Notification No. 120, dated 20th March 1893, have been adopted by the Municipal Committee of Simla and confirmed by the Local Government under sub-section (1) of Section 146 of the said Act, and will come into force six weeks from the date of publication of this Notification :—

Bye-law 1.—In the first line after "and" enter *kept or.*

Bye-law 2.—For "Proprietor" in line 2 read *owner* and after "shall" in same line enter *keep or* and insert the following explanation after this bye-law :—

Explanation—

For the purposes of this bye-law in the case of a hotel by which hackney jinrickshaws are kept or let out for hire the proprietor or lessee, or where the hotel is a registered company the Secretary or other Chief Officer of the hotel in the latter case, shall be deemed to be the owner.

In the first line of bye-law 3 after "issued" enter *in the name of the owner of the hackney jinrickshaw or in the case of a hotel by which such hackney jinrickshaw is kept or let out for hire in the name of the Manager or Proprietor thereof.*

After bye-law 21 enter—

Provided that in the case of a hotel no person who is not a resident or occupant thereof shall be entitled to demand the use of any hackney jinrickshaw kept for hire by such hotel.

Provided also that nothing contained in bye-law 9 *or* 10, *relating to rates to be paid for hired jinrickshaws, shall apply to such hotel as that referred to in the previous proviso.*

H. MAUDE,

Junior Secretary to Government, Punjab.

Punjab Government Press, Lahore—19-1-95—12.

BOARDS AND COMMITTEES DEPARTMENT.

COMMITTEES.

The 15th February 1897.

No. 104.—*Notification.*—In supersession of the Bye-laws published in Punjab Government Notifications No. 966 S., dated 12th August 1885, No. 532, dated 23rd December 1885, and No. 120, dated 20th March 1893, the following revised Bye-laws, which have been adopted by the Municipal Committee of Simla and confirmed by the Local Government under Section 146 (1) of Act XX of 1891, are published for general information, and will come into force six weeks from the date of publication of this Notification :—

I.—*Bye-laws made by the Committee of the Simla Municipality under Section* 25, *Act XX of* 1891.

I.—*The conduct of business by the Municipal Committee.*

1. The Commissioners shall meet at such place and time as shall from time to time be determined on, but not less than once a month.

2. Notice of an ordinary meeting shall be given at least 36 hours, and of a special meeting at least 60 hours, before the time fixed for the meeting. To every notice of a meeting shall be attached a list of agenda, which shall include all important matters (other than ordinary routine) to be discussed at that meeting.

3. The quorum necessary for the transaction of business at ordinary meetings shall be three members.

4. The business shall be conducted in the following order :—

(i) The proceedings of each meeting of the Committee to be opened by first confirming the wording of the minutes of the meeting last held and, secondly, by confirming the minutes of all special meetings, and of all meetings of Sub-Committees, presented since the last meeting of the General Committee.

(ii) Business arising out of the minutes of such meeting or meetings.

(iii) Letters to be read.

(iv) Motions of which due notice has been given to be discussed.

5. Any member may demand a week's notice of any matter brought up for consideration at any meeting, if such notice has not already been given.

6. If two or more speakers shall desire to speak at the same time, the President or Chairman shall decide which of them is to have priority. If his decision is not approved of, it shall be competent to any one to move that another of the speakers who may have risen shall be heard in preference, but no debate shall be allowed on such a motion.

7. No person shall interrupt a speaker who is in possession of the meeting save for the purpose of raising a point of order, nor may the same point of order be raised twice by the same person.

8. Every appeal on a point of order is to be made to the Chairman and not to the meeting. On a point of order being raised, the speaker in possession of the meeting shall temporarily cease speaking whilst the Chairman decides the point of order.

9. Every motion and amendment made at a meeting shall be committed to writing, and be handed to the Chairman, with the name of the mover appended thereto if so required by the Chairman.

10. Every motion duly moved must be seconded, and until seconded no debate thereon shall take place.

11. No person shall speak except to a motion which has been duly moved and seconded, unless he speaks in order to move or second some motion or amendment.

12. Every speaker must confine himself to the question actually before the meeting at the time he speaks, unless he wishes to make a motion on a point of order.

13 The Chairman shall have power to prevent any person, except the mover, from speaking more than once on any motion or amendment, unless in explanation. The mover shall in all cases be entitled to speak once in making his motion, and once by way of reply; but in his reply he must confine himself to matters raised in his opening speech, or during the debate, and must not introduce any new matter.

14. A speaker, who conceives that he has been misrepresented by any subsequent speaker, shall be entitled to offer an explanation, but his explanation is to be strictly limited to some point in his original speech: he is not to enter upon any new subject. If he does so, it will become the duty of the Chairman to call him to order.

15. A speaker who has exhausted his right to speak on an original motion may speak on any amendment being moved, for such raises a new question.

16. After a motion has been moved and seconded, an amendment may be moved at any stage of the debate thereon.

17. When there is before the meeting a series of resolutions, or one which embodies several distinct ideas, the Chairman shall have power to refuse an amendment, which is moved at a stage of the debate not appropriate for the same.

18. An amendment proposed, but not seconded, is not to be entertained, and any discussion thereof is to be deemed out of order.

19. No amendment may be proposed in any part of a motion after a subsequent part has been amended, or has been proposed to be amended, unless such first proposed amendment has been withdrawn.

20. Every amendment shall be so worded as to be capable of making an intelligible sentence, either alone or in its proper place in an original motion, as the case may be.

21. When an amendment is carried, which supersedes in whole or in part the original motion, the amendment or the amended original motion shall again be put from the chair as a substantive motion, and may again be the subject of amendments, subject to the restrictions mentioned in Bye-law 11.

22. When a motion or an amendment which has become a substantive motion has been put from the chair and been declared by the Chairman to be carried, no further proposals for amending the motion or the amendment shall be entertained.

23. All motions shall be made in the order in which they appear on the agenda paper.

24. A motion which has been negatived shall not be brought forward again for discussion, until after the expiration of 12 months, and if, by amendments being made in it, a motion becomes substantially indentical with one which has been negatived, it must thereupon be dropped: Provided that such a motion may be brought forward within six months if supported in writing by not less than two-thirds of the whole Committee.

25. No resolution reversing any previous decision of the Committee, even on a matter of ordinary routine, shall be brought up for discussion unless written notice of intention to move it has been given at the next preceding meeting and it has been entered among the agenda circulated to members.

26. When a motion has been duly carried, it shall be the duty of the Chairman to refuse to put at the same meeting any subsequent motion which substantially contradicts, over-rides, or repeats the former one.

27. On a motion for the previous question having been put and negatived, the original motion shall be put from the chair without further debate of any kind.

28. On a motion for an adjournment being carried, it will devolve on the mover of the adjournment to resume at the next sitting the debate on the original motion.

29. Before a motion or an amendment is withdrawn by its proposer, the leave of his seconder and of the meeting must be given, expressly or impliedly.

30. No important motion shall be discussed at any meeting unless notice of the same in writing shall have been delivered to the Secretary at least three clear days before such meeting: Provided always that if the Chairman refuses to receive at a meeting a motion not pre-announced, because in his judgment it is one which must be deemed "important" and therefore needs adequate notice, any person may appeal from the ruling of the Chairman as to this, and any such motion brought forward without notice shall be taken into consideration on a motion to that effect being duly carried.

31. Subject to the provisions of Bye-law 24, no resolution duly carried shall be altered or rescinded, unless seven days' notice that its alteration or rescision is to be proposed shall be given to every member of the Committee.

32 The Chairman shall be empowered to divide into two or more distinct motions any motion which in his opinion is so complicated in its form that confusion or inconvenience is likely to be caused by its being kept as one motion; but when a motion is divided by virtue of this rule, it shall not be requisite, unless on the demand of some person present, for the second and following portions of the original motion to be again separately moved and seconded.

33. Any member shall be at liberty to put a question to any other member, or to any officer, relating strictly to his official action or duties, after having given written notice to the Chairman of his desire to do so.

34. In putting any such question no argument or opinion is to be offered, nor any facts stated, except so far as may be necessary to render such question intelligible.

35. In answering any such question, the person to whom it is put is not to debate the matter to which the same refers.

36. For the purpose of taking into consideration any subject which may require more full and free discussion than adhesion to the bye-laws would allow, the meeting may resolve itself into a Committee of the whole body. When this has been determined on, the bye-law prohibiting any person from speaking more than once on the same question shall be deemed suspended *pro hâc vice* until the meeting resumes.

37. When a debate on a motion has terminated by the mover having had his reply, the Chairman shall put the question to the vote by calling for a show of hands—first, in favour of, and then against, the motion. If the votes are equal, he shall be at liberty to give a casting vote. If he is unwilling to do so, the motion shall be deemed to have been negatived. The result of such voting and number of votes *pro* and *con* shall be recorded and form part of the minutes.

38. No member may use offensive or unbecoming words in reference to any member. Any member adjudged by the Chairman to be out of order for having used objectionable words and not explaining or retracting the same, or offering apologies for the use thereof, to the satisfaction of the meeting shall be reprimanded by the Chairman.

39. All debates shall be conducted in a grave and orderly manner, and no person shall presume to cause any unseemly interruptions, or to make any noise or disturbance. In case, on call to order by the Chairman, such noise or disturbance shall not cease, he shall be at liberty to vacate the chair and declare the meeting dissolved.

40. These bye-laws shall apply, so far as may be, to all Committees.

41. An instruction to a Committee is a motion to extend or restrict the order of reference under which the Committee is performing certain duties which have been confided to it.

42. The public shall be admitted to all special meetings of the Committee.

43. All proposals for expenditure sanctioned by the General Committee shall be clearly published in the proceedings of the meeting at which such sanction is given, even though the sanction is merely in the form of confirmation of the proposal of a Sub-Committee.

44. The Secretary and Assistant Secretary shall alone be empowered to grant receipts on behalf of the Committee.

45 The Secretary shall have charge of the common seal, which shall be used to stamp all powers of attorney, deeds of conveyance, debentures, contracts, and other important instruments issued.

President.

46. The President shall perform the following duties :—

(1) He shall take the chair at all meetings, and shall be primarily responsible for the current executive administration of the Municipality.

(2) He shall submit all important papers and matters to the General Committee as early as practicable, such papers and matters having been previously circulated amongst the members of the Committee, to be noted on, if desired.

(3) He shall issue orders as to the method of carrying out the decisions of the Committee arrived at in meeting, and be responsible to the Committee for their being duly carried out.

(4) He shall issue all orders regarding the executive work to the Secretary and Assistant Secretary respectively.

(5) He shall sign all important communications.

(6) He may grant any Municipal Officer leave not exceeding 10 days without the previous sanction of the Committee.

(7) He shall have power to enter, after giving such notice (if any) as is required by law, for inspection of private premises, in accordance with the provisions of Act XX of 1891.

(8) All daily reports will be submitted to him.

Vice-Presidents.

47. There shall be two Vice-Presidents. The Vice-Presidents shall hold office for one year, but shall be eligible for re-election, and shall perform the following duties :—

(1) In the absence of the President, the Senior Vice-President, or in his absence the Vice-President, shall perform all the duties attached to the office of President.

(2) The Vice-President shall have power to enter, after giving such notice as is required (if any) by law, for inspection of private premises, in accordance with the provisions of Act XX of 1891.

Standing Sub-Committees.

48. Standing Sub-Committees shall be guided by the following rules :—

(1) Standing Sub-Committees shall be appointed by the General Committee annually after the elections, and one of their number shall be named by the General Committee the Convener of each Sub-Committee, who shall preside as Chairman at each of the meetings of such body.

(2) In the case of a vacancy occurring, a new member may be appointed at any time by the General Committee, or the vacancy may be allowed to stand over till after the next election.

(3) The number of members of each Standing Sub-Committee shall be determined by the members at an ordinary meeting.

(4) References may be made to a Sub-Committee by the General Committee, President, or Vice-Presidents.

(5) All Sub-Committees will have the same power of calling for information from the officers of the Committee as the General Committee.

(6) Sub-Committees should discuss all subjects referred to them, collect all arguments advanced on each side of any controversial matter, analyse them, and recommend to the General Committee the decision they wish to be arrived at.

(7) The recommendation should be supported by a succinct report, giving the reasons why the particular recommendation should be accepted, and, where possible, the decision should be formulated in the shape of a resolution to be passed by the General Committee.

(8) Standing Sub-Committees shall ordinarily meet as least once a month.

(9) The proceedings and resolutions of each meeting of a Standing Sub-Committee, duly attested by the Convener, shall, from time to time, and not later than 14 days from the date of their having been passed by such Sub-Committee, be submitted for confirmation by the General Committee.

(10) Sub-Committees shall ordinarily be called together by the Convener, or in the absence of the Convener by the senior member of the Sub-Committee by date of first appointment to the General Committee, but he shall, on the application of any member of the Sub-Committee, cause notices to be issued calling a meeting.

(11) The quorum necessary for the transaction of business by a Standing Sub-Committee shall be two members. In Sub-Committees, other than Standing, the full number of members appointed shall be necessary to form a quorum. At least 12 hours' notice of the meeting of a Standing Sub-Committee shall be given.

(12) The Standing Sub-Committees shall be as follows :—

Finance and Assessment.

Law and Sanitation.

Library.

Garden, Orchards, and Station Tree-planting.

Hospital.

Town Hall.

School.

(13) No bills shall be paid or expenditure incurred except on the recommendation of the Finance Sub-Committee, which will scutinize and note on all estimates and vouchers before presentation to the General Committee: Provided that in case of emergency the President, or in his absence the Vice-President exercising the powers of the President, may direct the payment of any charge.

(14) All important matters and correspondence relating to legal subjects or sanitation shall be submitted to the Standing Sub-Committee for law and sanitation for note and report.

Ward Commissioners.

49. Ward Commissioners shall be guided by the following bye-laws in the exercise of their duties:—

(1) For the purpose of enquiring into applications, complaints, &c., Simla shall be divided into wards, the boundaries of which shall be marked on a map kept in the Municipal Office.

(2) The appointment of Ward Commissioners to the various Ward divisions of Simla shall take place annually after the elections.

(3) In the case of a vacancy as Commissioner occurring in any ward, a member may be appointed at any time, whose term of office shall extend till after the next elections.

(4) Reference may be made to the Ward Commissioners by the General Committee, the President, or the Vice-President in charge of the duties of President, or the Convener of the Finance or Law Sub-Committee.

(5) All applications, complaints and references should be personally investigated by the Ward Commissioners, by whom, however, no orders should be issued, except in cases of emergency, when orders, in anticipation of the sanction of the General Committee, may be given in writing, but they should report to the General Committee at the next following meeting the reasons for the emergency.

(6) The Ward Commissioners may require the Secretary or Assistant Secretary to supply any information or attend with them on their visits to their respective wards on certain days to be fixed on by arrangement.

(7) They should note on every case referred to them for their report in such a manner as to enable the Committee to decide on the merits of each matter referred to them.

(8) The report of one Ward Commissioner shall be sufficient for the consideration of the Committee.

(9) The Ward Commissioners should report to the Committee all cases of neglect on the part of Municipal servants, or in respect of offences against the Municipal Act, or defects in Municipal roads, drains, or arrangements, or offences by individuals that may come to their notice during their rounds of inspection: such reports shall be treated as confidential.

(10) Ward Commissioners should endeavour to visit their wards at least once a week.

(11) All estimates for public works proposed to be carried out should be noted on by the Ward Commissioners of the ward in which they are situated.

(12) All public works carried out on estimate within their wards should, on completion, be noted on by the Commissioners for that ward.

(13) The Ward Commissioners should ordinarily be consulted on matters appertaining to their wards before such are submitted to the General or a Sub-Committee for consideration.

(14) The Ward Commissioners shall have power to enter, after giving such notice (if any) as is required by law, for inspection of private premises, in accordance with the provisions of Act XX of 1891.

Secretary.

50. The Secretary shall exercise a general control over the whole Municipal establishment—

(1) With the approval of the President, he shall have power to appoint, dismiss, reduce, or fine any servant of the Committee drawing a salary of less than Rs. 25 per mensem.

(2) With the approval of the President, he shall have power to grant casual leave, not exceeding 15 days, to any servant of the Committee drawing a monthly salary of less than Rs. 25, provided that no extra expense to the Committee is entailed, and that the due discharge of the servant's duties can be arranged for.

(3) He shall have power to enter, after giving such notice (if any) as is required by law, for inspection of private premises, in accordance with the purpose of provisions of Act XX of 1891.

(4) He shall submit, with all final bills for works, completion reports, certified to by Ward Commissioners, through the Finance and Assessment Committee, for sanction of the General Committee.

(5) He shall be responsible for the entire work of the office, and he will have direct control over the office establishment. He will, as a rule, get his instructions in detail from the President or Vice-President in charge in the absence of the President. He must make himself thoroughly conversant with the Municipal Act and Bye-laws, and with all orders of the Government relating to this Municipality.

(6) He will keep a register of all communications addressed to the Municipality and of all communications issued. The registers will be laid on a table in the Committee Room of the Municipal Office, so as to be open for the inspection of members. He will also be required to keep the records neatly, so as to be available for ready reference.

(7) He will be required to give a *précis* of all the known facts, bearing upon each case, submitted for the orders of the President, or Vice-President in charge in the absence of the President, and he shall be careful to see that all cases referred to the Ward Commissioners or Sub-Committees are completed with the previous papers, if any.

(8) He will act as a Secretary to all Committee and Sub-Committee meetings, and will also keep the minutes of their meetings. He will be required to see that the necessary orders are passed for action to be taken in furtherance of the resolutions passed by the Committees.

(9) He will keep the register of revenue, and see to the punctual collection of all sums due, and their immediate payment into the treasury. He will supervise the duties of the cashier.

(10) He will check the calculations, rates, &c., in every bill presented for payment, ascertaining if the expenditure has been formally authorized, and the rates sanctioned by the Committee, and that the Assistant Secretary, or other responsible executive officer, has certified that the work has been done, or the materials supplied. He must not allow any rates which have not been previously approved by the Committee to be paid without bringing them to the notice of the President or Vice-President in charge.

(11) He will make all payments only upon the written authority of the Finance Sub-Committee, or, in cases of emergency, of the President, or of the Vice-President in charge in the absence of the President. He will countersign all cheques, which will be signed substantively by the President or Vice-President and one other Commissioner, and for the purposes of this bye-law a Vice-President signing a cheque already signed by the President or Senior Vice-President shall be deemed to have signed it as a Commissioner.

(12) He will himself keep the cash book of the Municipality and will post the receipts and charges of each day before the office closes. He will also keep the current and all blank cheque books in his personal custody, and when not in use under lock and key. He will file his vouchers of receipts and charges carefully and methodically, day by day, according to the entries in the cash book. He will be responsible that the other books of accounts and registers of the Municipality are accurately and neatly kept up to date, and that all accounts and returns are prepared and issued upon due date. He will grant on behalf of the Committee receipts for monies paid into the office.

(13) He will issue all *takids* and prepare all notices in connection with taxes, etc., but he will not be held responsible for the account or safe custody of such stores, monies, materials, etc., that are in the hands of the Assistant Secretary.

(14) All drafts of letters, etc., to be issued will be approved by the President, or in his absence by one of the Vice-Presidents, and these officers will indicate what letters or other documents issuing from the office may be signed by the Secretary or reserved for signature of the President or Vice-President.

(15) The business of the Municipality requires prompt action in most cases, and the Secretary will be expected to keep this essential ever in view. As a rule every communication to the Municipality should be laid before the President, or in his absence the Vice-President in charge, not later than the day after its receipt.

Assistant Secretary and Engineer.

51. (1) The Assistant Secretary and Engineer will conduct his duties under the orders of the President and the immediate orders and supervision of the Secretary.

(2) He shall be responsible for all Municipal building operations and repairs to Municipal property, roads, walls, drains, shops, houses, etc., etc.

(3) He shall supervise all water and sewage works and their pipe lines, &c.

(4) He shall attend to the general lighting arrangements of the town.

(5) He shall supervise all conservancy arrangements and the work of the Conservancy Overseers.

(6) He shall perform such office work as may be required.

(7) He shall not put in hand, or allow any work to be commenced, until an estimate in the authorized form has been prepared and the same sanctioned by the Municipal Committee.

(8) He shall have power to enter, after giving such notice (if any) as is required by law, for the purpose of inspection of private premises, in accordance with the provisions of Act XX of 1891.

(9) He shall submit to the Secretary all final bills for works, with completion reports, certified to by the Ward Commissioners.

(10) He shall carefully scrutinize all applications for permission to erect, re-erect, or repair any private premises or roads, and see that such applications contain all necessary information, and are in strict accordance with Municipal bye-laws, and he shall report on such applications.

(11) He shall report on all applications for sanction to cut down trees or branches of trees on private estates.

(12) In the absence of the Secretary, he will countersign all cheques and grant receipts for all monies received by him on account of the Committee. He will check the calculations, rates, etc., in every bill submitted by him for payment, and certify to their correctness.

(13) He will issue all *takids*, prepare and sign all notices in connection with nuisances, repairs, etc.

(14) He will be responsible for the account and safe custody of all stores, monies, materials, etc., that are under his charge.

(15) The business of the Municipality requires prompt action in most cases, and the Assistant Secretary and Engineer will be expected to keep this essential ever in view.

Municipal Overseers.

52. The Municipal Overseers shall be guided by the following rules :—

(1) They shall, subject to the supervision and orders of the Secretary and Assistant Secretary, exercise a general control over the whole conservancy establishment of their divisions.

(2) They shall visit a portion of their conservancy divisions at least once a day, and submit a written report of their inspections to the Secretary, through the Assistant Secretary.

(3) They shall have power to enter, after giving such notice (if any) as is required by law, for inspection of private premises in accordance with the provisions of Act XX of 1891.

(4) They shall report to the Secretary any cases of breach of any of the bye-laws they may notice.

(5) The Municipal Overseer of the Bazár division shall have charge, under the orders of the Secretary and Assistant Secretary, of the slaughter-house, and all animals must first be passed and branded by him before they are slaughtered, and those that he considers unfit for human consumption should be rejected and branded with the letter R.

(6) It will be necessary to pass a certain quantity of inferior animals in order to supply the market with second or third class meat for native and poorer purchasers, and in regard to this the Municipal Overseer must use his own discretion to a great extent. Any animal that he is at all doubtful about he should reject, as the butcher always has an appeal to the Secretary or Assistant Secretary.

(7) In the hot weather and during the rains, from the 1st April to the 15th October, his hours of attendance at the slaughter-house shall be from 6 A.M. to 8 A.M. daily, and in the cold weather, from the 16th October to the 31st March, from 8 A.M. to 10 A.M., for as many days a week as shall be considered necessary, from time to time, by the Assistant Secretary.

(8) Before branding any animal for slaughter, the aforesaid Overseer must collect the pass obtained by the owner at the octroi outpost, and, in the event of the owner of the animals having no pass, the said Overseer should himself collect the octroi duty before passing it, bringing the passes or money so collected daily to the Municipal Office.

(9) The slaughter-house account book must be written up each day by the Overseer aforesaid and brought to the Assistant Secretary to be initialled.

(10) The Municipal Overseer of the Bazár division will be held responsible for the cleanliness and good order of the Municipal slaughter-house, the bakery, the market, and the grain gunj, and should note any irregularity on the part of the occupiers thereof in his daily report.

Bye-laws made under Section 42, Act XX of 1891.

IV. 1. A. Under Section 42 (I) (A) (*c*)—

	Rs.	A.	P.	
(*a*) A tax on four-wheeled vehicles drawn by horses, ponies or mules of	50	0	0	per annum.
(*b*) A tax on two-wheeled vehicles drawn by horses, ponies or mules of	25	0	0	„ „
(*c*) A tax on two or three-wheeled vehicles drawn or propelled by men, except children's perambulators, of	8	0	0	„

Explanation.—A jinrickshaw shall be deemed to be a two-wheeled vehicle within the meaning of the above.

Provided that nothing in above shall apply to tongas and other vehicles used by the Government Postal Department, nor will such vehicles be liable to taxation as two or four-wheeled vehicles.

		Rs.	A.	P.	
(*d*)	A tax on horses, ponies, mules or donkeys used for driving or riding of	4	0	0	per annum.
(*e*)	A tax on horses, ponies, mules, or donkeys used for burden of	2	0	0	„ „
(*f*)	A tax on all dogs of	2	0	0	„ „

B. Under Section 42 (I) (A) (*e*)—

	A tax payable by the master or employer on menial and domestic servants residing or working for gain as such within the limits of the Municipality of	2	0	0	„ „

Provided that no such taxes as those described in clauses (A) (*a*), (*b*), (*c*), (*d*) and (*e*) above shall be leviable on any horse, pony, mule or vehicle which has been kept within Municipal limits for any period under 14 days.

NOTE 1.—It was resolved at Special Meeting No. 11 of the Committee of the Simla Municipality, held on the 15th September 1886, that Mounted Police Officers and Sowárs in the employ of the Government of the Punjab, in Simla be exempted from the payment of horse tax. This was confirmed in Punjab Government letter No. 151, dated 25th October 1886.

2. The Government of India in Military Department letter No. 416 C., dated 12th March 1891, decided that Sergeant Instructors attached to the 2nd Punjab Volunteer Rifle Corps should not be exempted from payment of taxes on domestic servants.

3. Punjab Government letter No. 1025, dated 18th November 1891, exempts from payment of all Municipal taxes the horses and ponies used by the Government Postal Department kept within the Municipality of Simla.

Bye-laws made under Section 137, *Act XX of* 1891.

Fixing the places in which specified articles of food or drink may be sold or exposed for sale.

XII. 1. The following places are hereby fixed in which the following articles of food may be sold or exposed for sale :—

(*a*) The Municipal Market for the sale or exposure for sale of beef, mutton, goats' flesh, poultry, game, fish, fruit, eggs, vegetables and butter.

(*b*) The Kashmiri Mohalla for the sale and exposure for sale of mutton and goats' flesh.

(*c*) The street leading from the Market to Edwardes' Gunj and running below the lower bazár road for the sale and exposure for sale of mutton, goats' flesh, poultry, game, eggs, fish, fruit and vegetables.

(*d*) The gully to the south of Chota Simla Bazár for the sale and exposure for sale of mutton, goats' flesh, fowls and vegetables.

(*e*) The gully to the south of the Boileaugunj Bazár, behind the serai, for the sale and exposure for sale of mutton, goats' flesh, fowls and vegetables.

2. No article of food specified in the preceding bye-law except fruit, eggs and butter shall be sold or exposed for sale in any other part of the Municipality.

Provided that nothing above contained shall prevent the vendors thereof from hawking about for sale any of the aforesaid articles of food between the hours of 10 A. M. and 4 P. M. within Municipal limits.

3. Any breach of either of the foregoing bye-laws shall be punishable with fine not exceeding Rs. 20.

Bye-laws made under Section 143 (1) (*e*) *of Act XX of* 1891 *for the supervision and regulation of public tanks, springs, or other sources from which water is or may be made available for public use.*

XV. 1. Except in the case of fire, no person not duly authorized by the Committee in that behalf shall, within Municipal limits, open, or in any way interfere with, any channel, reservoir, main, pipe, valve, or fire-plug connected with the Municipal water-supply.

2. No person shall cause or permit to run to waste or shall render impure any water from any channel, reservoir, main, pipe, valve or fire-plug connected with the Municipal water-supply or shall in any way injure the same.

3. All streams, tanks, baolís, and water springs, being reserved as public property, no person shall construct private reservoirs on or in public water-courses.

4. Any breach of any of the aforesaid bye-laws shall be punishable with fine which may extend to Rs. 50, and when the breach is a continuing breach, with a further fine which may extend to Rs. 5 for every day after the first during which the breach continues.

Bye-laws made under Section 144, *Act XX of* 1891.

Trees and Soil.

1. No person shall, within Municipal limits, cut or wilfully injure any tree or shrub, make any excavation, remove any soil or quarry without obtaining the previous written sanction of the Committee :

Provided that nothing herein contained shall apply to any of the following operations :—

(*a*) *Boná fide* pruning, trimming or otherwise altering shrubs or fruit trees for horticultural purposes only.

(*b*) Digging and other petty excavations or removal of soil in the ordinary process of gardening in land already cultivated.

(*c*) Other petty acts, such as cutting twigs, digging ferns, and the like, from which no material harm of any kind to person or property is likely to result.

2. Any person convicted of a breach of any of the foregoing bye-laws shall be punishable with fine not exceeding Rs. 50, and when the breach is a continuing breach, with a further fine not exceeding Rs. 5 for each day after the first during which the breach continues.

XXIII. *Bye-law made under Section* 143 (1), *Act XX of* 1891, *rendering licenses necessary for the proprietors of animals kept for hire within the limits of the Municipality of Simla.*

1. No proprietor of any horse or pony kept for hire within the limits of the Municipality shall let any such animals out on hire for any period of time whatsoever, unless and until the said animal has been registered and licensed as hereinafter provided.

2. The Secretary of the Municipal Committee, or in his absence the Assistant Secretary, shall keep the register of such animals, and is hereby authorized by the Municipal Committee to issue a license in respect of such animal or animals.

3. No horse or pony kept for hire within the limits of the Simla Municipality shall be registered and licensed, that is under the age of three years, or unless it has been inspected and approved by the President of the Municipal Committee, or such member or officer of the Committee that it may by resolution in that behalf appoint, and until the owner has paid to the Municipality a license fee of Rs. 4 for such horse or pony.

It shall be lawful for such inspecting officer or official, if he deems fit, to require any owner of any horse or pony to satisfy him or them, as the case may be, as to the freedom from vice of such animal, and the said inspecting officer or official may further, if he deem it necessary, require the said owner to produce a veterinary certificate of soundness and age from some duly qualified Veterinary Surgeon.

4. No proprietor of any horse or pony kept for hire within Municipal limits shall ill-treat or ill-use or allow any person to ill-treat or ill-use such animal.

5. Licenses issued under these bye-laws shall continue in force during the official year for which they are granted, that is to say from the 1st April till the 31st March, irrespective of the date upon which the license is granted, but they shall be liable to revocation within that time by order of the Committee. if the proprietor of such animal has been guilty of the breach of any of these bye-laws or of the conditions upon which the license has been granted, and if the latter are not fully observed and maintained, or the horse or pony by reason of vice, sickness, overwork, physical defect, unsoundness or any other similar raason has in the opinion of the Committee been rendered or has become unfit to be let on hire.

6. Application for the renewal of licenses shall be made one month before the expiry of the year of license, and the renewed license shall be granted by the same officer or officers on payment of the same fee and subject to such conditions as are provided by Bye-law No. 3 of these bye-laws, and on the said officers being satisfied of the fitness of the said horse or pony as regards age, soundness, and freedom from vice to be licensed, he shall grant the said applicant a renewed license.

7. When a licensed horse or pony is transferred to a new proprietor during the year of license, the name of such transferee shall be duly reported by the transferrer to the Municipal Office, and shall be substituted in the license for the name of the transferrer without further charge or payment.

Any breach of the foregoing Bye-laws Nos. 1, 4 and 7 shall, whether the license (if any) be revoked or not, be punishable by a fine, which may extend to Rs. 50, or in case of a continuing breach with a fine which may extend to Rs. 5 per diem for every day after the first that the breach continues.

Bye-laws made under Section 144, *Act XX of* 1891.

The registration and control of job horses or ponies plying for hire in the Simla Municipality, and fixing the conditions upon which licenses are to be granted and may be revoked.

1. Every person who lets out on hire horses or ponies for riding purposes for 24 hours or any less period of time within the limits of the Simla Municipality shall, as hereinafter provided, register the same and take out a license for each animal. Such horses or ponies shall be hereinafter respectively referred to as job horses or ponies.

2. The license, above referred to, shall be signed by the Secretary or Assistant Secretary.

3. The Secretary or the Assistant Secretary of the Municipal Committee shall be authorized to keep the register of job horses and job ponies and to issue licenses for such animals.

4. No horse or pony shall be licensed as a job horse or job pony unless it and its saddle bridle. and other gear has been inspected and approved by the President or such other person appointed by the Committee in this behalf, and the owner thereof has paid a license fee of Rs. 4.

It shall be lawful for such inspecting officer or official, if he deems fit, to require any owner of any horse or pony brought to be registered and licensed as a job horse or job pony to satisfy him as to the freedom from vice, or as to the soundness of such animal, and the said inspecting officer or official may further, if he deem it necessary, require the said owner to produce a veterinary certificate of soundness from some duly qualified Veterinary Surgeon.

5. No proprietor shall ill-treat or ill-use or allow any of his job horses or job ponies to be ill-treated or ill-used.

6. It shall be lawful for any person named in Bye-law No. 4 to enter premises in which a job horse or job horses or a job pony or job ponies duly licensed are kept or stabled in order to inspect saddlery and other things used in connection with the said animals, and generally to carry out any of the provisions of these bye-laws. No owner or occupier of such premises shall refuse to permit the inspection of the said articles or obstruct the aforesaid inspecting officers in making such inspection, and shall permit the said officers to enter such premises.

7. The saddlery belonging to or used in connection with every job horse or job pony shall always be maintained in good order and in thoroughly serviceable condition.

8. No job horse or job pony shall be registered unless it is in every respect sound, healthy and in good working condition.

9. Licenses issued under these bye-laws shall continue in force during the official year for which they are granted, but they shall be liable to revocation within that time, by order of the Committee, if the proprietor has been guilty of a breach of any of these bye-laws or of the conditions on which the license was granted, and if the latter are not observed or fully maintained, or the job horse or job pony by reason of vice, sickness, overwork, physical defect, unsoundness, or any other similar reason has, in the opinion of the Committee, been rendered or has become unfit to be used as a job horse or job pony.

10. Application for the renewal of licenses shall be made one month before the expiry of the year of license, and the renewed license shall be granted in the same manner as is provided in Bye-laws Nos. 3 and 4 and on the payment of the same fee as for the original license.

11. When a licensed job horse or job pony is transferred to a new proprietor during the year of license, the name of such transferee shall be duly reported by the transferrer to the Municipal Office and shall be substituted in the license for the name of the transferrer without further payment.

12. Every syce in charge of a job horse or job pony shall bear on his arm, a brass badge (for which he shall pay the actual cost to the Municipality) containing the number of the licence of the job horse or job pony, and shall also carry and produce for the inspection of any person requiring the same a list of the fares prescribed under these bye-laws, and also a card showing the number of the license and the description of the animal to which it refers. The proprietor or agent carrying on business for the proprietor of every job horse or job pony shall on demand produce to any Municipal Commissioner, Police Officer, or Magistrate, or any hirer or intending hirer of such job horse or job pony his license for such animal, and also, if required, the list of fares hereinbefore referred to.

13. No proprietor of a licensed job horse or job pony shall without reasonable and sufficient cause, the burden of proving which shall be upon him, refuse such animal upon hire.

14. In the absence of any private agreement between the owner or agent of a job horse or job pony and the hirer, the following rates shall be paid, and no higher rates shall be charged :—

Licensed fees.

For 8 hours or under ... ... Rs. 2.

For every hour over 8 up to 16 hours ... 2 annas per hour.

From Tonga Terminus to any house or shop within Municipal limits (or *vice versâ*) ... ... Re. 1.

Form of job horse or job pony license.

1. Simla Municipality.
2. No. of license.
3. Date of issue of license.
4. Date of expiry of license.
5. Name of proprietor of animal.
6. Residence of ditto.
7. Description of horse or pony.
8. Remarks.

15. Any breach of the foregoing bye-laws Nos. 1, 5, 6, 7 and 11 to 14 inclusive shall, whether the license (if any) be revoked or not, be punishable by a fine, which may extend to Rs. 50, or in case of a continuing breach with a fine which may extend to Rs. 5 per diem for every day after the first that the breach continues.

12. No person shall work as a job porter without being duly registered and licensed and no job porter having a license in force shall transfer or lend the same or allow the same to be used by any other person.

13. Whenever the writing on any badge shall become obliterated or defaced so that the same shall not be distinctly legible the job porter to whom the badge shall have been granted shall deliver such badge to the licensing officer, or when it shall be proved to the satisfaction of the aforesaid officer that a badge has been lost or mislaid by a job porter, he the job porter shall produce his license to the licensing officer, and such porter shall then be entitled to have a new badge delivered to him upon payment of a sum of money not exceeding Re. 1.

14. Upon the expiration, or other sooner termination, of any license granted to a job porter under these bye-laws, such job porter shall deliver up such license and the badge relating thereto (the cost of which shall be refunded) to the said licensing officer, and no such job porter after such expiration or termination as aforesaid shall wear his badge as hereinbefore provided, or shall wilfully neglect for one week to deliver the same to the said officer, and no job porter shall use or wear or detain any badge which shall have ceased to be in force or other than such as shall have been delivered to him under the provisions of this Act, and no job porter to whom any badge shall have been delivered as aforesaid shall lend such badge to any other person, and no person other than a job porter shall wear or use the badge of any job porter.

15. Every job porter who shall be in possession of any lost or unclaimed property shall within twenty-four hours carry such property, if not sooner claimed by the owner thereof, to the nearest Police Station, and shall there deposit it with the Deputy Inspector or other Police Officer on duty.

16. Whenever any porter shall be summoned to appear before any Magistrate to answer any charge preferred against him under this Act, he shall carry with him his license and produce the same if required so to do, and no porter shall on such requisition fail, without reasonable cause, to produce such license.

17. Any breach of the foregoing Bye-laws 3, 8, 9, 11 to 16 shall be punishable with a fine not exceeding Rs. 50, and in case of a continuing breach with a further fine not exceeding Rs. 5 per day for every day after the first during which the breach continues. It shall be lawful for any Magistrate, on conviction of any job porter of any offence under this Act, to endorse on such license the nature of the offence, the date of the conviction, and the penalty inflicted.

XXV *Bye-laws made under Section* 143 (1), *Act XX of* 1891, *rendering licenses necessary for the proprietors of jinrickshaws kept for hire within the Simla Municipality and hired for any period longer than a day.*

1. The owner of every jinrickshaw, which is kept for hire within the limits of the Simla Municipality for any period whatsoever, shall take out a license from the Municipality for each such jinrickshaw of which he is proprietor, and no person shall keep for hire any unlicensed jinrickshaw.

2. Such license, subject to the condition hereinafter contained, shall, upon payment of a fee of Rs 3, be issued from the Municipal Office under the signature of the Secretary, or in his absence the Assistant Secretary, or such other official or officer of the Municipal Committee as it shall by resolution authorize in that behalf, and any license so signed and issued shall be deemed to be a valid license under these bye-laws.

3. No such license shall be issued in respect of any jinrickshaw unless and until such vehicle shall have been examined and approved by the President, or in his absence one of the Vice-Presidents, or by such other person or persons as the Municipal Committee may by resolution appoint in this behalf.

Provided that no jinrickshaw shall be licensed unless—

(i) it is in good order and repair in all its parts at the time it is licensed ;

(ii) it is furnished with a good lamp.

4. Licenses issued under these bye-laws shall continue in force from the 1st April to the 31st March of the official year for which they are granted, irrespective of the date upon which the said license has been issued, and they shall be liable to revocation within that time by order of the Municipal Committee if the proprietor or his agent for the time being in charge of the said vehicle has been guilty of any breach, or has been convicted of any offence under these bye-laws, or has in any way failed to observe or maintain the conditions upon which the license was granted.

5. Every license shall be annually renewed. An application for such renewal shall be made one month before the expiry of the year for which the license has been issued, and the renewed license shall be granted in the same manner and by the same person or persons, and upon the same provision and conditions as the original license, and upon payment of the same fee.

6. When any licensed jinrickshaw is transferred to a new proprietor during the year of license, the name of such transferee shall be duly reported to the Municipal Office by the transferrer, and shall be substituted in the license for the name of the transferrer without any further payment. All alterations in the license under this bye-law shall be signed by the Secretary or Assistant Secretary.

7. Each license shall bear a serial number, and this number shall be printed in English and Urdu upon some conspicuous part of the licensed jinrickshaw.

8. The owner of any jinrickshaw licensed under these bye-laws, or his agent for the time being in charge of such vehicle, shall produce for inspection his license whenever so required by the President, or either of the Vice-Presidents, the Secretary, or any Police Officer, or any Magistrate, or any person hiring, having hired, or intending to hire the said vehicle.

9. The maximum speed at which any licensed jinrickshaw shall be propelled shall be six miles an hour.

10. The minimum number of persons to be employed in drawing and propelling a jinrickshaw shall be as follows:—

Single jinrickshaw	...	...	...	3 persons.
Double ditto	...	...	...	5 "

11. Every licensed vehicle shall while being used between sunset and sunrise carry at least one lamp, which shall, when the vehicle is so used, be kept properly trimmed and lighted.

12. Property found in a licensed hackney jinrickshaw shall be deposited at the nearest Police Station by the proprietor or person or persons employed in drawing or propelling or in charge of such jinrickshaws. A list of such property shall be posted at the Head-quarters Police Station and at such other places as the District Superintendent of Police may direct.

13. The license for a jinrickshaw licensed under these bye-laws shall be in the form hereinafter prescribed, and shall be printed on strong paper.

Form of license for a jinrickshaw kept or let for hire for a period of more than 24 hours.

(1) Simla Municipality.

(2) No. of license.

(3) Date of issue.

(4) Date of expiry of license.

(5) Name of owner or proprietor of the vehicle.

(6) Residence of.

(7) Minimum number of persons by which the jinrickshaw shall be drawn or propelled.

(8) Remarks.

14. No proprietor of a licensed jinrickshaw or his agent for the time being in charge of such vehicle shall knowingly permit it to be drawn or propelled by a less number of men than is prescribed in the license, or knowingly permit more persons to be carried in such vehicle than the number hereinafter prescribed.

15. It shall be lawful for all or any of the persons hereinbefore authorized to license or inspect licensed jinrickshaws, and any other person or persons generally authorized by the Municipal Committee by resolution in this behalf from time to time to enter premises in or upon which such licensed vehicles are kept, in order to inspect the said vehicles, or to carry out any of the provisions of these bye-laws, and the owner or the occupier for the time being of the said premises shall at all reasonable times permit the inspection of the said vehicles by any such person or persons authorized by these bye-laws to inspect such vehicles, and shall not in any manner obstruct the said person or persons.

16. The maximum number of persons which may be carried by each licensed jinrickshaw shall be as follows :—

Description of vehicles.	*Number of persons.*
Single jinrickshaw	1
Double „	2

One adult and a child, or two children under 10 years of age, shall be reckoned as one adult person.

17. The Secretary of the Municipal Committee shall open and keep up a register of licensed jinrickshaws in such form as the Municipal Committee shall from time to time prescribe in this behalf.

18. Any breach of Bye-laws 1, 4, 5, 6, 7, 11, 14 and 15 by any owner or agent for the time being in charge of a licensed jinrickshaw shall be punishable with a fine not exceeding Rs. 50, and in case of a continuing breach with a further fine not exceeding Rs. 5 per diem for every day after the first during which the breach of these bye-laws continues

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Bye-laws made by the Committee of the Simla Municipality under Section 144, Act XX of 1891, regulating the registration and control of Hackney Jinrickshaws, &c., in the Simla Municipality, and fixing the conditions upon which licenses are to be granted and revoked.

1. For the purpose of these bye-laws vehicles drawn or propelled by men and kept for and let out for hire for a day or part thereof are herein referred to as "hackney jinrickshaws."

2. The owner of every hackney jinrickshaw shall take out a license from the Municipality for each such jinrickshaw of which he is owner, and no one shall keep or let out for hire any unlicensed jinrickshaw.

3. Such license, subject to the conditions hereinafter contained, and for which a fee of Rs. 3 shall be charged, shall be issued in the name of the owner of the hackney jinrickshaw, or in the case of an hotel by which such hackney jinrickshaw is kept or let out for hire in the name of the manager or proprietor thereof, under the signature of the Secretary, or in his absence the Assistant Secretary, to the Municipal Committee, and any license so signed and issued shall be a valid license under these bye-laws.

The Secretary or the Assistant Secretary to the Municipal Committee, as the case may be, shall not sign or issue any license unless and until the hackney jinrickshaw shall have been examined or approved by the President or by such person or persons as the Committee may from time to time, by resolution, appoint in this behalf. Licenses shall only be granted subject to all the provisions contained in these bye-laws, and to the following conditions, *viz.*—

(1) That the hackney jinrickshaw is in good order and repair in all its parts.

(2) That it is provided with a lamp.

Explanation.—For the purpose of this bye-law in the case of an hotel by which hackney jinrickshaws are kept for or let out for hire, the proprietor or lessee, or, when the hotel is a registered Company, the Secretary or other chief officer of the Company shall be deemed to be the owner.

4 Licenses issued under these bye-laws shall continue in force from 1st April to 31st March of the official year for which they are granted, irrespective of the date upon which the said license has been issued. But they shall be liable to revocation within that time by order of the Municipal Committee if the proprietor or his agent has been guilty of any breach of or has been convicted of any offence under these bye-laws, or it is proven that the conditions on which the license was granted are not fully maintained.

5. Every license shall be annually renewed. Application for the renewal of a license shall be made one month before the expiry of the year of license ; and the renewed license shall be granted in the same manner, and by the same person or persons, and subject to the same provisions and conditions, as are provided in Bye-law No. 3, and on the payment of the same fee as for the original license.

6. When any licensed hackney jinrickshaw is transferred to a new proprietor during the year of license, the name of such transferee shall be duly reported by the transferrer to the Municipal Office, and shall be substituted in the license for the name of the transferrer without further payment. All alterations made in licenses under this bye-law shall be signed by the Secretary or Assistant Secretary.

7. Each license shall bear a serial number, and this number shall be painted in English and Urdu in some conspicuous part of the licensed hackney jinrickshaw.

8. The owner of any jinrickshaw licensed under these bye-laws, or his agent for the time being in charge of such vehicle, shall produce for inspection his license and also the list of fares hereinafter prescribed whenever required by the President and either of the Vice-Presidents, Secretary, or the Assistant Secretary, or any member of the Municipal Committee, or any Magistrate, or Police Officer, or by any passenger hiring, having hired, or intending to hire the said vehicle.

9. Every licensed hackney jinrickshaw shall have prominently affixed upon it a list of the fares prescribed in the following bye-laws. Such list shall be printed in English, Urdu and Hindi. One copy shall be provided yearly at the time of licensing by the Municipal Committee, but responsibility for the renewal of a list which has become destroyed or defaced shall rest with the proprietor, who shall renew it at once.

10. In the absence of any private agreement between the proprietor, agent, or person or persons in charge of or employed in drawing or propelling a licensed hackney jinrickshaw and the hirer, the following rates shall be paid, and no higher rates shall be charged :—

Jinrickshaws.

Up to 12 hours	8 annas.
Over 12 and up to 24 hours	1 rupee.

Coolies.

For 2 hours or less	2 annas each.
Over 2 and up to 8 hours	4 „

And one anna for every two hours after the first eight hours.

11. The maximum speed at which a hackney jinrickshaw hired by the day shall be propelled shall be six miles per hour.

The minimum number of persons to be employed in drawing and propelling a jinrickshaw shall be as follows :—

Single jinrickshaw	3 persons.
Double „	5 „

12. Every licensed vehicle shall while plying for hire between sunset and sunrise carry one lamp, which shall, when so plying, be always kept properly trimmed and lighted.

13. Property found in a licensed hackney jinrickshaw shall be deposited at the nearest Police Station by the proprietor or person or persons employed in drawing or propelling, or in charge of such jinrickshaws. A list of such property shall be posted at the Head-quarters Police Station and at such other places as the District Superintendent of Police may direct.

14. No person shall be allowed to act as the propeller or drawer of a licensed vehicle except under a license granted in that behalf in the manner and by the persons specified in Bye-law 3 for the licensing of hackney jinrickshaws. Such license shall not be transferable and shall be granted for the year. Such license shall not be granted to any person under 18 years of age or who is in the opinion of the licensing officer physically unfit to propel a hackney jinrickshaw : Provided that nothing herein contained shall be deemed to prevent a licensed propeller or drawer of a licensed hackney jinrickshaw from being licensed also as a job porter ; but whenever such person shall be employed in either propelling or drawing a licensed jinrickshaw, he shall wear his badge and produce for inspection, whenever required to do so, his license as such drawer or propeller, and the schedule of rates by these bye-laws authorised to be charged by him as such drawer or propeller.

Provided also that when so employed as a drawer or propeller of a licensed jinrickshaw such licensee shall only be entitled to recover from any passenger employing him hire at the rates prescribed in these bye-laws, and no higher rates shall be charged, nor shall such licensed drawer or propeller be entitled to charge the rates prescribed for and chargeable by job porters for carrying loads.

(2) It shall be lawful for the Municipal Committee, in the event of any licensed job porter applying for a license as a drawer or propeller of a licensed jinrickshaw, to grant him such a license upon such conditions as in these bye-laws are provided, and to remit the license fee hereinbefore prescribed to be paid by a licensee under these bye-laws, but such licensee shall pay to the Municipal Committee the actual cost of the badge with which he shall provide himself.

(3) Any job porter licensed under the provisions of the last preceding bye-law shall, whenever employed as such licensed drawer and propeller of a licensed jinrickshaw, be in every respect subject to these bye-laws, and be liable to the penalties hereinafter prescribed for a breach of these bye-laws.

15. Every person licensed to draw or propel a jinrickshaw shall wear while in charge of or employed with such licensed hackney jinrickshaw a brass badge on his arm bearing the number of his license, and shall be cleanly and decently clothed.

16. The licenses for hackney jinrickshaws and the drawer or drawers or propeller or propellers thereof shall be in the forms attached to these bye-laws, and shall be printed on strong paper. The fee for each license of any person employed in drawing or propelling such hackney jinrickshaw shall be Re. 1 and the actual cost of the requisite badge.

Form of license for a hackney jinrickshaw.

1. Simla Municipality.
2. No. of license.
3. Date of issue of license.
4. Date of expiry of license.
5. Name of proprietor of jinrickshaw.
6. Residence of ditto.
7. Minimum number of persons by which the jinrickshaw should be drawn or propelled.
8. Remarks.

Form of license for a person to draw or propel a hackney jinrickshaw.

1. Simla Municipality.
2. No. of license.
3. Date of issue of license.
4. Date of expiry of license.
5. Name.
6. Father's name.
7. Town or zillah.

17. No proprietor or agent of the proprietor, or person employed either as a propeller or in charge of a licensed vehicle, shall knowingly permit it to be drawn by a less number of men than is provided in the license, or knowingly permit more passengers to be carried in such hackney jinrickshaw than is permitted by these bye-laws.

18. It shall be lawful for any persons or person named in Bye-law No. 3, and for any other person or persons generally authorized by the Municipal Committee in this behalf, from time to time to enter premises in which licensed vehicles are kept in order to inspect the said vehicles and to carry out any of the provisions of these bye-laws, and the owner or occupier of the said premises shall at all reasonable times permit and shall not in any way obstruct the aforesaid persons in the inspection of the said vehicles by any person or persons authorized by these bye-laws to inspect such vehicles.

19. The Municipality shall, from time to time, appoint places as stands for licensed hackney jinrickshaws. A list of the places appointed as hackney jinrickshaw stands is contained in Schedule A to these bye-laws annexed.

20. No person employed in drawing or propelling or in charge of such hackney jinrickshaw shall wait for hire at any public places other than those appointed as stands, and any such person so doing shall be liable to forfeit his license. Hackney jinrickshaws shall take up their position at the respective stands in the order of their arrival, and shall be let out for hire in the same order

21. No owner of a licensed jinrickshaw, or his agent for the time being in charge of the same, or the propeller or drawer thereof shall at any time of the day or night, unless for good and sufficient reason, the burden of proving which shall lie on the said owner, person, or persons so refusing, refuse to hire such vehicle at the rate in these bye-laws fixed for such hiring, or demand more than the proper rate fixed under these bye-laws for such hiring, or wrongfully prevent or endeavour to prevent any other owner of a licensed jinrickshaw from hiring his jinrickshaw.

Provided that in the case of a hotel no person who is not a resident or occupant thereof shall be entitled to demand the use of any hackney jinrickshaw kept for hire by such hotel.

Provided also that nothing contained in Bye-laws Nos. 9 or 10 relating to the rates to be paid for hired jinrickshaws shall apply to such hotel as that referred to in the above proviso.

22. The maximum number of persons which may be carried by each hackney jinrickshaw is as follows:—

Description of vehicle.	*Number of persons.*
Single jinrickshaw	1
Double jinrickshaw	2

One adult and child or two children under ten years of age shall be reckoned as one adult person.

23. The Secretary to the Committee shall open and keep up a register of licensed hackney jinrickshaws and licenced persons employed as drawers or propellors thereof in such form as may, from time to time, be prescribed on this behalf.

24. No licensed drawer or propeller of a licensed jinrickshaw shall without reasonable excuse refuse to accept hire at the rate in these bye-laws fixed for such hiring or shall desert from his hiring before being discharged therefrom, or demand more than the proper rate fixed for such hiring, or be drunk, or make use of insulting or abusive language during the period of or while waiting for such hiring, or wrongfully prevent or endeavour to prevent any other licensed drawer or propeller of a licensed jinrickshaw from being hired, or fail to produce his license or table of rates when requested to do so by any person.

25. Any breach of the foregoing Bye-laws Nos. 2, 6, 8, 9 to 15 inclusive, 17, 18 and 20 to 28 inclusive, and any licensed drawer or propeller of a licensed jinrickshaw who shall demand or attempt to obtain payment from any passenger hiring him to propel or draw a licensed jinrickshaw for any hire at any rate other than those prescribed by these bye-laws for the services of such drawer or propeller of licensed jinrickshaws shall be punishable with a fine not exceeding Rs. 5, and in case of a continuing breach with a further fine not exceeding Rs. 5 per diem for every day after the first during which the continuing breach of these bye-laws continues.

SCHEDULE A.

1. On the Ridge between the Town Hall and the Church.
2. On the Mall near the Municipal Shelter Shed above Rockcliff Hotel.
3. On the Mall below Armsdell and above the Chota Simla Bazár.
4. On the old road beyond the Public Works Secretariat and below Gorton Castle.
5. On the cart road near the Tonga Terminus.
6. In Boileaugunj Bazr near the Serai.
7. At Chowra Maidán near the Municipal Shelter Shed.

H. J. MAYNARD,

Junior Secretary to Government, Punjab.

Panjab Government Press, Lahore—23 2-97—12.

BOARDS AND COMMITTEES DEPARTMENT.

COMMITTEES.

The 28th October 1897.

No. 534.—*Notification.*—The following amendment in Bye-law No. 52, framed under Section 25 of the Punjab Municipal Act, XX of 1891, and published in Punjab Government Notification No. 104, dated 15th February 1897, having been adopted by the Municipal Committee of Simla, and having been confirmed by the Local Government under Section 146 (1) of the said Act, is hereby published for general information, and will come into force six weeks from the date of this Notification :—

Amendment.

In Bye-law No. 52 (5) and (10) for the words "*Municipal Overseer of the Bazár Division*" and in Bye-law No. 52 (6) for the words "*Municipal Overseer*" read the words "*Superintendent of the Municipal Market.*"

In Bye-law No. 52 (8) and (9) for the word "*Overseer*" read the word "*Superintendent.*"

H. J. MAYNARD,

Junior Secretary to Government, Punjab.

Punjab Government Press, Lahore—6-11-97—12.

BOARDS AND COMMITTEES DEPARTMENT.

COMMITTEES.

The 24th December 1897.

No. 609.—*Notification.*—The following revised bye-law framed under Section 144 (*b*) of the Punjab Municipal Act, XX of 1891, having been adopted by the Municipal Committee of Simla in supersession of Bye-law No. XXI—3 published with Punjab Government Notification No. 120, dated 20th March 1893, and having been confirmed by the Local Government under Section 146 (1) of the said Act, is hereby published for general information, and will come into force six weeks from the date of this notification :—

Revised Bye-law.

3 The recognized rule of the road shall, within Municipal limits, apply to all animals ridden or driven or used as beasts of burden, as well as to all vehicles permitted to be used for passenger conveyance in any street.

H. J. MAYNARD,

Junior Secretary to Government, Punja

Punjab Government Press, Lahore2—3·1·98—12.

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NOTE FOR THE , H Tn.

This file relates to Suggested improvements in the administration of Hill Municipalities in this Presidency.

Jan 1896. the Chairmans Coto-cammund Municipality sent up a Resolution of the Council asking whether the opinions of the Law officers of Govt might be taken as to whether the Municipality had power under Sect. 180 (4) of the Municipal Act.

(1). To prevent the erection of buildings in unsuitable ~~localities~~ localities.

(2). To prevent the erections of buildings "helgledy-piggedly" wherever space is available.

(3) To ensure that some methodical arrangement in building should be followed.

The Solicitors of the Municipality Messrs Wenlock and A

Edge had previously advised that the Municipality could not interfere with building further than to prevent any building being constructed which did not comply with the conditions enumerated in Sect 180 (4). And they further advised that a by-law giving the Municipality the powers they desired in this respect, could not legally be framed under Section 255: as such a by-law would go beyond the scope of the Act.

2. Govt. thought it unnecessary to consult their Law officers & accepted the opinion of Messrs Waterhouse & Edge as correct, & Sir H. Bliss remarked on the subject. "Apparently this is to the effect that a Building Regulation is required in both, but I have read as a dozen times. one should be prepared"

See the Govt. d. 18.12.97. which issued, it was stated "The question raised by the Council will however be borne in mind in connection with the legislation which it is proposed to undertake for giving increased powers to Municipal Councils as will enable them to regulate the construction & disposition of buildings. In the meantime the Municipal Council is requested to submit at a very early date a full list of the additional powers which it considers should be conferred on such Municipalities. The list need not be confined to Building Regulations but should include all powers necessary in the view of the Council for the proper administration of the Act & Sanitary Regulations."

By letter of his letter dated 18.8.[illegible] the Chairman was submitted a 62. Suggestions as to the

power be considered shd
be conferred on a Hill
Municipality. These Suggestions
were carefully analysed by
the Collector of the Nilgiris, Mr
Butterworth, whose Duty will
be found pretty up in a
tabular form below. With
the remarks of the Collector, this Office,
& the Govt
on the Suggestions. When this
Statement was put up the Secretary,
Mr Prentice here, on 6.1.99
directed that it should be
ascertained what powers are
taken (by Municipalities)
in the Sanitariums in other
provinces.

The Govt of Bengal & of the
Punjab were accordingly ad-
dressed & they have sent copies
of how
of the by-laws in force in
respective Provinces.

IV

go 35 M dy 9.1.99 VI

& Bengal Hlth Z, U, VIII, IX
Punjab do. S, VII

4. The 1st 6 proposals of the Ooty
Municipality relate to Building
Regulations. & they are the most
important & can only be adequately
discussed in the columns of
the tabular statement. The 3
proposals of 1896. are repeated.
viz
with the addition, that power
should be taken

4. To prohibit the erection of buildings
which may be considered inadvisable
because of over crowding, unhealthi-
ness unsuitability of efficient
drainages, of position &c for other
General Sanitary reasons.

5. To require that every house
shall have sufficient area of land
to admit of all necessary require-
ment being provided

6. To prevent persons using Asbestos
tiles for roofing.

No. 6. can be provided against
under the existing law.

in regards the other proposals
Collector. Remarks "I would
restrict the powers of the Council
object to the erection of a
building. to cases where its erection
appears unadvisable on specified
statutory grounds. Lest afraid
power to object on aesthetic
grounds would give rise to ill
ill-feelings &c. Such powers
might be worked to
secure private ends."

The Simla building is
regulated by sect 92 et seq
of the Punjab. Municipalities
Act. XX of 1891. & by the
bye laws framed under sect
93.

Sect. 92. provides that
every person who intends to erect
or re-erect a building. shall
if required by bds so by
any by law. give notice in

× face 1 of the letter slip
76 of IV.

writing &c. to the Committee & the
Committee may within 6 weeks.
after receipt of the notice refuse.
to sanction the building. or may
sanction it absolutely or subject
to any written directions
which the Committee may
think fit in respect of following
matters"

XIII

1. By laws have been framed under
sects 92 & 93. which require the
notice alluded to above & the
Given. they also require that
the intending builder should
submit plans showing existing
buildings, & roads &c.
He must specify materials to be
used in construction & give
particulars as to the free passage
in front of the building. as to
space
to be left to secure free circulation
of air & facilitate scavenging.
& further as to ventilation, drains

provides, Levels of frontages,
& the Harpeching. & Building
is regulated by Bengal Act 237-242
Municipal Act. (amending)
Act IV of 1894. the Provisions of
the Punjab: Act have been adopted
and by-laws have been framed
under sect. 241. for Harpeching,
the requirements & conditions in
these by-laws are made
more detailed & apparently
stricter than were in Simla.
And they must be an
anxious study to any one
intending to build. The Bengal
Govt. report in forwarding
them state they are reported
to be too stringent & may
probably be modified.
It will thus be seen that both
in Simla & Harpeching very
strict building Regulations
are in force. & this clear

that the framers of the by-e laws,
intended to insist that
future building should be
regulated & not only both as
regard to primary sanitary
principles. but that the interests
of the public, & of neighboring
low-household and the
Safety & even the beauty of the
Station should be considered.
The Rules in fact go very
much beyond Mr Butters article
proposal to prohibit building
only on "Specified Sanitary
Grounds."

7. It would further appear that
under either the Bengal or
Punjab. Act - sect. 237 of the former
& sect 92 of the latter - the
Municipality has discretionary
power to refuse. sanction to
build even if the requirements
of the bye laws are fulfilled

Building sections in

9. The Punjab & Bengal acts apply to all municipalities but the latter have not been approved by Govt. In this Presidency if any alteration is made in the Municipal Law on the subject, it would probably suffice to make its applicable to Hill Municipalities only. The discretionary power to refuse sanction to build should certainly only be given in exceptional Municipalities & should, I think, be exercised subject to appeal to Govt.

10. The new Calcutta Bill which is now under consideration provides for the municipality regulating what in future certain classes of building shall only be created in particular Quarter of the city. Gives power

as their power to refuse to sanction; & not to sanction with any conditions.

8. It is true that conditions in Simla & Darjeeling are different from those obtaining in Hill stations in this Presidency. Space there is more limited, houses are or have been hitherto packed one above the other and there is much greater danger of fire. It is therefore probably not necessary to adopt all the Rules in forces in those stations but it is submitted the absence of building Regulations threatens our hill stations with disfigurement, overcrowding & insanitary conditions. And that seeing so much has been done to ensure strict control in their Municipalities elsewhere it may well follow the examples.

decorde, where. combustuous
where detached, building is
allowable. & where to are houses
to & where huts may be erected.
(Vide sect. 38 & et regs of Bill)
Such regulations are subject
to the confirmation of the Local
Govt. These Rules are based
on London building Regulations
& the practices of Continental
Europes. It is submitted that
if the law comes under alterations
these Rules might be adopted. with
advantages & not only for
Hill Municipalities. They
provides on a definite
plans for future buildings & as
they require sanction of Govt
arbitrary actions on the parts
of the Municipal Council is
prevented. if adopted the
powers of the Council & refuse
sanction to build
might be restricted. & the powers

XIV

Vide. Statement
of Objects & Reasons,

of vetos defined.

VI. If it be decided to legislate
to order in order to introduce
improved building Regulations
in our Hill Municipalities and
I submit there is a strong case
for doing so —. the opportunity
should be taken to remedy
the other deficiencies in our
Municipal Laws. brought to light
in the present file in cases
where legislation is necessary.
I say necessary as it is to be
remarked that out of the
62. proposals put forward by
the Chairman, Coimbatore and M.C.
many of them are expressly
provided for by our existing
Act & many more can
undoubtedly be provided for
by bye-laws framed under
the existing act.

12. These proposals may in the
1st instance be divided
into 2 classes, viz.

(a) Those which are manifestly undesirable or inexpedient. e.g. No 7. (see 19 October Extract)

(b). Those which apparently merit adoption.

Class (a) need not be further considered.

As regards class (b). two questions arise, are the proposals exhaustive? & on looking through the Sanitary & Buryeching bye laws. I found that some matters are provided for which are not dealt with in the Chairman's proposals.

Since the Chairman's proposals were submitted. a Sub. Committee of the Municipality considered & reported at great length on the Sanitary Commissioners report on the unhealthiness of Ooty, & made recommendations some of which are not included in the 62 proposals.

It might be well therefore to refer the matter back.

It will be better to refer the matter to the Mun! C. The Govt will give his opinion when forwarding the reply of the M.C., and the Sany. Commr can be asked for his views thereon afterwards.

K.A.

I don't think we need go into this now.
K.A

to the Chairman & the Collector sending them at the same time the Sanitary & Buryeching Rules & asking them to consider whether after perusing these Rules & considering the reports of the Sub. Committee they have any further suggestions to make. It could at the same time be pointed out which of the proposals Govt deemed undesirable.

It would be perhaps more satisfactory if the matter were referred to a Committee consisting say of the Chairman Collector & Sanitary Commissioner.

13.

As regards those proposals of the Chairman which are provided for by various sections of the Act. it is necessary only necessary to point the fact out to the Chairman.

×G.O. no 917 m 27-7-39 (Confidential corr. filed up)

There are matters which are desirable & which can be provided for by bye laws under an act. the Chairman may be instructed to submit pre-laws for the approval of Govt. ~~including any matters~~, There remain three recommendations which are desirable but regarding which it is uncertain, whether under the existing act. bye-laws embodying them can be framed, or it is clear that fresh legislation is required. The advocate Generals opinion might be asked in cases where uncertainty was felt: & if the proposal made in the last para is approved. this might be postponed till the further reports which it was suggested should be called for is received.

HA

Legislation is undoubtedly necessary for hill stations & addl powers are wanted re building regulations for hospl Mun.s

HA 18.7.99.

Govt would then be in a position to deal comprehensively with the subject by legislature. & would at the same time deal with well considered proposals for bye laws. for the hill & mofussil stations in this Presidency.

B&B
15.7.99

Office.

Put up on draft agrees. duly signed

BOB
19.7.99.

Yes
HA

~ Additional powers to hill Sanitaria

F
Further note please showing
what powers are taken in
Hill Sanitaria in other Provinces

Cur. Nos. 2384 and 3447. M.

FOR ORDERS.

In its Proceedings, No. 2834 M., dated 18th December 1897, the Government while considering it unnecessary to consult its law officers on the question whether a Municipal Council had power under the District Municipalities Act as amended, to refuse on sanitary grounds to grant licenses for building houses on private land within the municipality, requested the Municipal Council of Ootacamund to submit a full list of additional powers which it considered should be conferred on Municipal Councils in hill stations, for regulating the construction and disposition of buildings and also for the proper administration of a hill sanitarium.

2. With his letter read above, the Chairman submits a list of the powers which the Council considers necessary and states that the powers now possessed by it, notwithstanding the Amendment Act III of 1897, are still found to be inadequate to enable the Council to do all that is necessary or desirable. He also requests that the powers which the Government may deem fit to confer upon the Council should be brought together in one enactment. The several suggestions made by the Municipal Council are dealt with in the accompanying tabular statement:—

For information on this point is available. Please see draft reference to the Secretary to Govt. Punjab & Bengal, for information regarding Simla and Darjeeling. The powers possessed by the municipalities in the Punjab and Bengal in regard to the construction of buildings, are however greater than those possessed by the municipalities in the Presidency. Vide Sections 91 & 95 of the Punjab Municipal Act XXIV 1891, and Sections 236 to 244 of the Bengal Municipal Act III 1884 as amended.
Pending the file has been returned in the office.
11/
6/1/99

11
6/1/99
H.

a/

Powers proposed by the Municipal Council.	Remarks of the Collector.	Notes by the office.	Remarks of the Secretary.	Orders of the Honourable Members.
1. To prevent the erection of buildings in unsuitable localities and in close proximity to public roads. 2. To prevent the erection of houses higgledy piggledy wherever space is available. 3. To ensure methodical arrangement being followed. 4. To prohibit the erection of buildings which may be considered inadvisable, because of over-crowding, unhealthiness, impossibility of efficient drainage of site, of position, or for other general sanitary reasons. 5. To require that every house shall have a sufficient area of land to admit of all the requirements necessary for the house being provided on the land.	(1) *Clauses* 1—5.—I would restrict the power of the Council to object to the erection of a building to cases where its erection appears inadvisable on specified sanitary grounds. I am afraid that power to object on æsthetic grounds would give rise to a lot of ill-feeling without any compensating addition to the beauty of the town. Such power too might be worked to secure private ends.	The expression "in close proximity to public roads" in clause 1 and clauses 3 and 5 are vague. There is no objection to the other powers being given to the Municipal Council either by amending section 180 of the District Municipalities Act or by independent legislation.	vide separate note, para 3.	
6. To prevent persons using kerosine or other oil tins for covering the roofs of houses or huts.	*Clause* 6.—The Council can prevent the use of kerosine-tin roofs (which are certainly most unsightly) by a bye-law framed under section 180 (2) of the Act, the bye-law requiring that particulars of the design of roof shall accompany every application to build. Such a bye-law would not, of course, be retrospective in its effect, but no retrospective law could be worked without causing much hardship.	The Collector's view seems to be correct.	yes.	✓
Hotels and boarding-houses to be included. 7. To inspect the furniture, &c., of every house periodically. 8. To require every landlord to replace old, filthy, useless furniture, dirty mattresses, carpets (or mats) and curtains by fresh furniture, mattresses, carpets (or mats) and curtains.	*Clauses* 7 *and* 8.—These are of an intolerably inquisitional character and open to many other objections.	These clauses are unnecessarily stringent.	✓ agree with the Collector.	
9. To require every landlord to provide cement drains for carrying off refuse water from bath-rooms, kitchens, stables, servants' quarters, cattle sheds and latrines and to drain the grounds appurtenant to a house effectually. 10. To require every native or other landlord in the town, bazaars and outlying villages to have the backyards of every house cemented and properly drained.	*Clause* 9.—For new buildings, section 180 provides sufficiently. As to old buildings, the proposed rule goes rather beyond sections 166, 213-A and 222, but I see no objection to it. *Clause* 10.—This seems a useful provision, but it would be difficult to enforce in the case of the poorest class of huts.	These clauses seem to be unobjectionable, but huts should be exempted from their operation, the bye-laws recently proposed by the Municipal Council giving ample powers of control in regard to them.	✓ agree, but if these Building Regulations are to be introduced as subject matter for further consideration, huts should be exempted from their operation.	
11. To require the grounds appurtenant to every house to be kept free from vegetation, as wattle, docks, useless shrubs, house and stable refuse, leaves and branches of trees. 12. To require landlords to white-wash, re-paper and thoroughly disinfect with proper disinfectants the room or rooms in which any person or persons may have been seriously ill or have died from cholera, plague, typhoid or enteric fever, cancer, small-pox, sore-throat, or other infectious disease.	*Clause* 11.—This is unnecessary by virtue of section 186. *Clause* 12.—Section 231 contains all that is necessary.	As observed by the Collector, these matters are adequately provided for by sections 186 and 231 of the Act.	yes.	✓

Powers proposed by the Municipal Council.	Remarks of the Collector.	Notes by the office.	Remarks of the Secretary.	Orders of the Honourable Members.
13. To prohibit landlords from turning godowns, servants' quarters and stables attached to houses built for Europeans into hired lodgings for native servants, Canarese gardeners or others, or for keeping cattle.	*Clause* 13.—I see no reason for this rule. It is a matter for private arrangement between the European tenant and his landlord.	This clause seems to be going too far in as much as it will cause unnecessary interference with private rights.	Yes.	
14. To require every landlord who may dig a pit or pits in his compound for taking earth for manufacturing bricks or for building purposes, or laterite or gravel for sale, to re-fill the pit or pits with pure earth and not with leaves, house or stable refuse or other rubbish.	*Clause* 14.—Section 186 contains all the requisite powers if it is worked; and, if section 186 cannot be efficiently worked, neither would such a rule as clause 14 be enforced.	It is doubtful whether section 186 adequately provides against the practice referred to. Action may no doubt be taken under this section on the ground that lands in which pits are filled with rubbish, &c., are "unwholesome"; but as the question whether they are unwholesome is one for the decision of the magistracy, it is doubtful whether the prosecutions will be upheld. It is therefore desirable to give this power to the Municipal Council, and as a similar difficulty will be experienced by the municipalities in the plains, it is better that the Municipal Act is amended so as to make the point clear.	Sect 233 of the Bengal & sect 144 of Punjab act give power to prohibit excavations, & Bye laws on the subject are in force both in Simla & Darjeeling. Both are liable abuse & the same remarks apply. Legislation is called for to prevent pits being made & to prevent them being filled with rubbish afterwards. Besides they are unsightly & legislation would apparently be necessary as sect 186 does not provide for cases.	
15. To require in writing the lessee, or owner, or mortgagee of any land, to construct sufficient boundary walls, hedges or other fences thereof of such materials, description and dimensions as may be specified in the notice, or to maintain the boundary walls, hedges or other fences thereof in good order (boundary walls, hedges, or other fences, to include all necessary gates and the posts or pillars thereof).	*Clause* 15.—Section 176 contains all that is necessary.	It does not appear that section 176 will be sufficient, as it is doubtful whether boundary walls will come under fences or whether the Council can impose any conditions as to the materials to be used in putting up the fences. This clause has been adopted from No. 100 of the draft Cantonment rules and there is no objection to investing the Municipal Council with this power.	I don't think this clause any body go beyond I. sect 176.	
16. To require that no tree or trees of mature growth, whether standing in any private enclosure or not, shall be felled without the previous sanction of the Municipal Council.	*Clause* 16.—I do not see the object of this rule.	This follows No. 103 (1) of the draft Cantonment rules; but it is feared that it will trench too much on the liberty of the owners without any corresponding benefit to the public or to the Municipal Council.	These Rules are in force in Darjeeling & Kurseong. Sect 144 Punjab Act provides for them. & thus to ensure that some one in authority should superintend felling &c. whereby is dangerous that caused fatal accidents in ooty. Legislation would be needed.	VIII
17. To require the Conservator of Forests or District Forest Officer to cause to be lopped or trimmed any tree or trees on land belonging to the Government on the side or sides of a public road.	*Clause* 17.—Nothing beyond what appears in section 176 appears necessary.	These follow No. 104 of the draft Cantonment rules. It seems unnecessary that the Council should interfere in this matter unless the trees adjoining roads are a nuisance to the public, in which case section 176 of the Act will suffice.	I think sect 176 suffices	
18. To require by public notice all lessees, owners, mortgagees, or occupiers, or by special notice in writing, to lop or trim in such manner, as may be specified in the notice, all or any trees standing on any private land on payment of reasonable compensation at market rates.	*Clause* 18.—Unless the trees are likely to be a nuisance to the public, I do not see why the Municipal Council should concern itself about them. Is it proposed to undertake ornamental gardening in private properties?			
19. If the Municipal Council considers the cultivation of any description of crop, or the use of any kind of manure, or the irrigation of land in any specified manner, to be for any reason undesirable, to have power by public notice to prohibit such cultivation, use or irrigation after a certain date to be fixed in the notice, and to make compensation to all persons interested in the land or crop for any loss incurred by reason only of their having complied with the notice.	*Clause* 19.—This is simply section 228-A.	This follows No. 105 of the draft Cantonment rules and differs from section 228-A, in that under this section action can be taken only on the report of the Sanitary Commissioner and only when the cultivation, manure, &c., is injurious to public health, while under this clause, the Municipal Council can itself take action, if the cultivation, &c., is in its opinion "for any reason undesirable," whether on the ground of injury to public health or otherwise. It does not, however, appear to be necessary to invest the Council with such extraordinary powers and section 228-A is quite sufficient.	I agree.	

Powers proposed by the Municipal Council.	Remarks of the Collector.	Notes by the office.	Remarks of the Secretary.	Orders of the Honourable Members.
20. To prohibit persons, without the written permission of the Council, from digging up the surface of any public grass land.	*Clause* 20. — Section 173 prevents the making of holes in streets. "Public grass lands" would be generally the property of Government, not of the Municipality. I do not understand the object of this rule.	This is similar to No. 107 of the draft Cantonment Rules. But such a provision seems to be unnecessary in municipalities, as any person digging in public grass lands, whether the property of Government or of the Municipality, will render himself obnoxious to the Criminal law, as such act will constitute "mischief" under the Indian Penal Code.	V agree. S.425.	
21. To require every person giving notice to erect or re-erect any building, to forward a plan and specification of the building, together with a site plan of the land with such details as the Council may require, and that no such notice be held valid until such plan and specification have been supplied and approved of.	*Clause* 21.—Section 180 gives the Council power to call for such particulars as it requires, and a site plan is sufficient unless the Council is going to take the appearance of the building into consideration, a suggestion, the expediency of which I have my doubts of, as already stated.	This is similar to No. 93 (2) of the draft Cantonment Rules; but it is unnecessary, as the bye-laws proposed by the Municipal Council under section 180, give it the required power—*vide* flag I.	They have such powers in similar circumstances. but any alteration in the matter may be considered in connections with the proposed building Regulations	
22. Chattrams within municipal limits ordinarily used, whether wholly or in part, for the accommodation of native travellers, and every keeper, or person in charge of such chattram to be bound, if to his knowledge any person in the chattram is ill of any infectious or contagious disorder, or has died of any such disorder, to make an immediate report to the Chairman of the Municipality; to maintain a sufficient supply of pure water for the use of persons frequenting the chattram; to keep all parts of the chattram in a clean and sanitary condition; and to give any information which the Municipal Council may require regarding any matters affecting its management and condition.	*Clause* 22.—It is doubtful whether section 233 (*c*) applies to chattrams; I should say that it does not. NO. The power proposed to be conferred in clause 22 might be useful, but I imagine that it could be supplied by means of a bye-law under section 255.	This follows No. 110 of the Cantonment Rules. The power referred to in this clause may, as suggested by the Collector, be supplied by means of a bye-law under section 255 of the District Municipalities Act; but as it is doubtful whether the Council is competent to frame such a bye-law, it seems to be better to include it in the proposed enactment. It seems, however, open to question whether the Municipal Council should be given any power to require information on matters affecting the management of chattrams, as this will be inquisitorial.	V Should think as bye-laws under Sect. 255: might be framed but it is uncertain V sees no objection at all.	
23. To require the owner, mortgagee or lessee of any building or land within municipal limits, who may be absent from the town, to appoint some person who resides within or near the town to act as his agent for all the purposes of the Municipal Act, and to notify such appointment to the Municipal Council.	*Clause* 23.—A similar remark applies; the case could be met by a bye-law under section 255. Sections 184, 185 and 185A also contain ample provisions for the prevention of empty houses becoming a nuisance.	This clause is similar to No. 236 of the draft Cantonment Rules. It is, however, unnecessary, as under section 110 of the Act, the occupier of a house may be required to pay the tax due in respect of it in the absence of the owner, and under sections 264 and 265 the Council can itself do any work which the owner failed to do and recover the cost from the occupier.	K. They have no bye-laws in similar to the same effect as now proposed which is to be useful	
24. To prevent any public place being used as an encamping ground without the written permission of the Council.	*Clause* 24.—There is no objection to this proposal, but surely by a bye-law under section 255 the Council could prohibit squatting on any vacant space belonging to it. Section 268, too, enables the Council to prevent the formation of encampments by charging prohibitory rate of rent.	This follows An adaptation from No. 114 of the draft Cantonment Rules. The Collector's view seems to be right.	V agree	
25. In the case of dairymen and buttermen, the Municipal Council to specify the vessels and other apparatus to be used in the operations of the trade, and the places at which and the manner in which milk or butter may be prepared and kept for sale.	*Clause* 25.—Section 188 seems to contain all the necessary powers so far as regards the place where milk may be sold or stored. As to the vessels to be used and the manner in which butter is to be prepared, I do not consider that the Council ought to have any power of interference beyond that of seeing that cleanliness is observed and this power the Council possesses at present.	This is similar to No. 174 (*e*) of the Cantonment Rules. No special provision like this is necessary, as the Council can make these a condition of the grant of license under section 188 (1) (*q*) of the District Municipalities Act.	L. V agree to the Collector's remarks	

Powers proposed by the Municipal Council.	Remarks of the Collector.	Notes by the office.	Remarks of the Secretary.	Orders of the Honourable Members.
26. To forbid dairymen holding a license from mixing any water with or otherwise adulterating any milk intended for sale.	*Clause* 26.—If a dairyman mixes water with his milk, the Chairman can cancel his license. A man who sold watered milk would be liable to punishment for cheating and further, if the water could be proved to be deleterious, to punishment under sections 272 and 273, Indian Penal Code.	*f.* Nos. 177 and 178 of the draft Cantonment Rules. These clauses are desirable. In this connection, however, please see the notes and orders in G.O., No. 1693 M., dated 4th Oct. 1898.	Query. Could licenses for places licensed be cancelled. S.	? yes. Please see section 188(2) of the Act.
27. To forbid buttermen holding a license from adulterating any butter for sale.	*Clause* 27.—A similar remark applies.			
28. To have power to fix the places at which any animals, milch cattle or milch goats may be kept for profit; to fix the number of such animals and the manner in which they should be kept to prevent their becoming a public nuisance or injurious to the public health.	*Clauses* 28 *and* 29.—All this can be done under section 188 by the refusal of license or issue of a conditional license.		I doubt if 29. is expedient. How is it to be enforced?	?
29. To fix the sources from which such animals shall be watered.				
30. To require the segregation of any sick or diseased animals.	*Clause* 30.—This would be a useful provision and would render unnecessary the trouble and delay caused by bringing the Cattle Diseases Act, 1866, into operation whenever an outbreak of cattle disease occurs in a municipality. I take it that sections 231 *et seq.* do not apply to diseases among animals.	These clauses follow No. 174 (*c*) and (*d*) of the draft Cantonment Rules: the Collector's suggestions may be adopted.	30. would be useful. Could it be made by a bye law under 215 etc. seems doubtful.	?
31. In the case of makers of bread, biscuits, cakes, or sweetmeat and sellers of bread, biscuits, cakes or sweetmeat, to specify the apparatus and the water, flour and other ingredients which may be used in the operations of their trade, and the places at which bread, biscuits or cake may be prepared and kept for sale.	*Clauses* 31 *and* 32.—I hardly think that anything beyond section 188 is required. My remarks under clause 25 apply. As to the filtering of water used for ærated waters, that could be made a condition of the license; so, too, the attachment of labels.	Clauses 31, 32, 33 and 34 are similar to clauses (*f*), (*h*), (*a*) and (*b*) of No. 174 of the draft Cantonment Rules. The provisions of the Municipal Act, specified by the Collector seem to be adequate to exercise the proper control over these places.	I agree with the Collector & think Rules under sect 188-191 will be generally sufficient. Some of the Chairman's proposals are out of the question & taken as sect 188 will permit any conditions preparing sanitation & also allow interference with internal management except for strong sanitary reasons.	
32. In the case of manufacturers of ærated or other potable waters or ice, and sellers of the same to have power to determine the sources from which water used in such manufacture shall be taken; the machinery, chemicals and ingredients which may be used; the measures to be taken in order to ensure the proper filtering of the water used; the cleanliness of all apparatus and receptacles; and the attachment of labels for the purposes of identifying the factory at which the article was made.				
33. In the case of butchers and sellers of poultry, game or fish, power to specify the apparatus and coverings to be used in the operations of their trade, the places at which and the manner in which meat, poultry, game or fish may be exposed for sale.	*Clauses* 33 *and* 34.—Sections 188 and 191 contain all that is necessary.			
34. In the case of persons keeping or killing pigs for profit and dealers in the flesh of pigs to require information as to the places from whence the pigs have been brought; to fix the places at which the pigs may be kept, and the season and the places at which pigs may be slaughtered and the flesh offered for sale.				

Powers proposed by the Municipal Council.	Remarks of the Collector.	Notes by the office.	Remarks of the Secretary.	Orders of the Honourable Members.
35. To determine the manner in which pigs shall be inspected prior to slaughter and the manner in which the flesh thereof shall be inspected and marked prior to sale.	*Clause* 35.—Provision for the inspection of animals before slaughter (a very proper precaution) can be made by a bye-law under section 255.	*Cf.* 174 (*b*) of the Cantonment rules. No. 34 of the bye-laws framed by the Municipal Council under section 255 of the Act and approved in G.O., No. 936 M., dated 19th June 1891, requires that all animals slaughtered should be inspected and that their slaughter should be sanctioned by an officer empowered by the Chairman in that behalf. The manner of inspection of pigs and of their flesh may also be made the subject of a bye-law.	O Q Agree.	
36. To prevent persons within municipal limits from stacking or collecting any dry grass, straw or any other highly inflammable material or building a matted structure, screen or a cooking place within one hundred yards of any public or private building having a thatched roof, or in any other place in which the collection or placing of highly inflammable materials may be deemed to be dangerous.	*Clause* 36.—Sections 179 and 188 contain all that is wanted.	This follows No. 174 (*m*) of the Cantonment rules. The first part of this clause is covered by section 188 of the Act. But it is doubtful whether the restriction as to the distance of the matted structures, screens or cooking places from the nearest thatched building referred to in the second part can be enforced under section 179 of the Act. This part of the rule may therefore stand.	Yes. I think as by-law under 255 will be legal	
37. To require every person driving a vehicle along a street or road to keep to the left when passing a vehicle coming from the opposite direction and to the right when passing a vehicle going in the same direction. 38. To prevent any vehicle being kept standing on any street between nightfall and dawn without a suitable lamp, unless there is sufficient moonlight to render a lamp unnecessary. 39. To prohibit any vehicle or animal being left on a street without proper control.	*Clauses* 37, 38 *and* 39.—Matters for bye-laws under section 255 are also covered by sub-sections (3) and (4) of section 3 of the Towns Nuisance Act, 1889.	Clauses 37 and 39 cover the same ground as sub-sections (3) and (4) of section 3 of the Towns Nuisance Act, 1889. Bye-law No. 25 framed by the Municipal Council and approved in G.O., No. 936 M., dated 19th June 1891, lays down that no vehicle shall be driven in a public street without sufficient light except on moonlight days. Clause 38, however, relates to "keeping a vehicle standing" on the street without a sufficient light and it is doubtful whether the word "driving" in the existing bye-law No. 25 includes keeping them on the street. In any case, the matter referred to in clause 38 may be provided for by a bye-law.	B. R.	
40. Power to prohibit owners of cattle (cows, bullocks, horses and ponies) and goats letting the animals loose at nights in the streets and roads to the annoyance of any person, or damage or injury to any property.	*Clause* 40.—Mainly covered by sub-sections (4) and (7) of section 3 of the Towns Nuisance Act. The case of goats may not come under that Act however, and power to prohibit their being allowed to stray in the streets might be useful. They are dangerous to people driving.	The case of cattle let loose on the streets or roads so as to cause injury, annoyance, &c., is covered by section 3 (4) of the Towns Nuisance Act. The prohibition as regards goats is desirable.	Yes. B. a bye law under 255 could be framed	
41. To require owners carrying on hack establishments to disinfect carriages used for the conveyance of persons afflicted with any contagious disease.	*Clause* 41.—Section 231A covers this.	It does not appear that "hiring" a carriage which has not been disinfected after being used for the conveyance of a person afflicted with contagious diseases can come under section 231 A of the Act, which will apply only if a person "gives, lends, sells, transmits or otherwise disposes of" it. This clause which follows Nos. 70 (*k*) and 190 of the Cantonment rules may stand.	"Otherwise disposes of" does not this cover letting for hire.	
42. To prevent the affixing or causing to be affixed any bill, notice or other document upon any building, embankment, monument, post, wall, fence or tree, except on the boards which the Municipal Council shall provide for such purpose.	*Clause* 42.—I see no objection to this proposal and am doubtful whether a bye-law could be made under section 255 to cover it.	This clause follows No. 70 (1) (*k*) of the draft Cantonment rules and may stand. But it seems to be unnecessary that the Municipal Council should provide boards for the posting of notices.	They have a similar Rule in Darjeeling framed under a Sec corresponding to 255 acts of our act. I think "shall" should remain as Municipality can prevent advertising elsewhere	

Powers proposed by the Municipal Council.	Remarks of the Collector.	Notes by the office.	Remarks of the Secretary.	Orders of the Honourable Members.
43. To prosecute persons defacing or writing upon or otherwise marking any building, embankment, monument, post, wall, fence, or tree, or removing, destroying, defacing or otherwise obliterating any notices or other public document put up or exhibited by the Municipality.	*Clause* 43.—A similar remark applies.	This clause follows No. 70 (1) (*k*) of the draft Cantonment Rules and may stand. But it seem to be unnecessary that the Municipal Council should provide Boards for the posting of notices.	Vide above	
44. To prosecute persons breaking, throwing down or damaging any direction post, lamp or lamp-post or lantern or burner or chimney maintained by the Municipality in any street or public place.	*Clause* 44.—The Acts specified would be mischief under the Penal Code.	The Collector's view is correct.	yes	
45. Power to prevent any person begging or importunating for alms, or exposing or exhibiting with the object of exacting charity any deformity or disease, or any offensive sore or wound. Madras Act III of 1889 provides for this, but the Municipal Council should have the power also.	*Clause* 45.—Provided for in sub-section (8) of section 3 of the Towns Nuisances Act.	Do.	yes	
46. To prohibit playing or gaming on streets or roads, picketing animals or collecting carts in places other than on licensed cart-stand.	*Clause* 46.—Covered by the Towns Nuisances Act, section 3 (10) and section 188 of the Municipalities Act.	Do.	yes.	
47. To prohibit by general or special notice the beating of drums or tom-tom and blowing of horns or trumpets or playing any music on public streets or roads.	*Clauses* 47 *and* 48.—Bye-laws under section 255 could be framed to provide for these matters.	These follow clauses (9) and (10) of No. 70 of the draft Cantonment Rules. Clause 48 may, no doubt, be embodied in a bye-law, but it is doubtful whether clause 47 can be. Moreover, it seems to be unnecessarily stringent in giving the Chairman power to prohibit the playing of music, &c., even though it may not cause nuisance to the public.	Vide above. Bye-laws framed. Other powers desirable	
48. To prohibit singing, dancing or shouting at nights thereby disturbing the public rest and peace.				
49. To prohibit the carrying of a corpse or causing the same to be carried without taking due precaution to prevent risk of infection or injury to the public health or annoyance to passers-by or to persons dwelling in the neighbourhood.	*Clause* 49.—Covered by section 241.	It does not appear that this clause which follows No. 70 (1) (*l*) of the draft Cantonment Rules is covered by section 241, as stated by the Collector. It may therefore be retained.	Steps to frame bye laws to supplement 241 if necessary could be framed.	
50. To require every person in charge of a corpse to bury, burn or otherwise dispose of it within twenty-four hours after death.	*Clause* 50.—There appears no reason for a hard-and-fast rule which might occasionally prove inconvenient or objectionable, as for example, if a *post mortem* had to be performed.	This is similar to No. 70 (4) of the Cantonment Rules, and might be a very desirable provision in the case of persons dying from infectious diseases, but does not appear to be necessary in ordinary cases; and does not provide for cases such as those referred to by the Collector.		
51. The Municipal Council to be empowered to maintain such standards as it may deem requisite for the purpose of verifying weights and measures, and to provide proper means for verifying weights and measures in use in the town by comparison with the said standards, and for stamping weights and measures so verified.	*Clause* 51.—Any powers which the Municipal Council does not at present possess could, I presume, be supplied under Act XXXI of 1871.	The Collector's view is correct.	Steps.	

Powers proposed by the Municipal Council.	Remarks of the Collector.	Notes by the office.	Remarks of the Secretary.	Orders of the Honourable Members.
52. Power to fix by public notice the times and places at which a servant of the Municipal Council shall attend for the purpose of such verification.	*Clause* 52.—Any powers which the Municipal Council does not at present possess could, I presume, be supplied under Act XXXI of 1871.	The Collector's view is correct.	I agree.	
53. To require the owner or occupier of any building or land to report the death of any animal within three hours after death, or if the death occurs at night within three hours after sunrise.	*Clause* 53.—This seems unnecessary unless there is cattle disease in the town. It would be useful to empower the Chairman to call for such reports, whenever, by reason of the existence of cattle disease, he considers it expedient so to do.	This follows No. 70 (15) of the Cantonment Rules. No. 49 of the bye-laws approved in G.O., No. 936 M., dated 19th June 1891, requires the person within whose premises any animal dies to remove the carcass within twelve hours of its death or to report the death to the Inspector of the division so that he might cause the carcass to be removed and buried on payment of the necessary cost. The proposed rule will be unnecessary unless the Municipal Council undertakes to remove and bury all dead animals, which does not appear to be intended.	Q Whether their proposal is useful. Could not both rules work. Different.	
54. Power to employ a staff of detectives to bring to justice all persons infringing in any way the sanitary sections of the Municipal Act.	*Clause* 54.—Sub-section 4 of section 282 contains all that is necessary.	Section 282 seems sufficient.		
55. Power to levy a certain percentage on the tax of houses for the conservancy of latrines attached to the houses, there being very considerable difficulty under existing arrangements in collecting the conservancy fees and many persons escaping payment of the fees.	*Clause* 55.—I am inclined to think that this is a good proposal, but it would not be applicable to houses in respect of which a notification under section 117 had been issued and all the houses in Ootacamund are of this class with the exception of the few, the occupiers of which have contracted under section 118.	These clauses contemplate the introduction of additional taxation which it is needless to consider in this connection.	I think further increase in undesirable if it can be avoided.	
56. Power to increase the fees for slaughtering sheep, bullocks and pigs with the sanction of the Government, the fees being at present fixed in the Municipal Act and no increase being feasible unless the Act be amended.	*Clauses* 56, 57 *and* 58.—These proposals for enhancing taxation should, I think, be made the subject of a separate communication. The municipal taxes have so recently been revised and enhanced that Government is not likely to take further steps without good cause shown.			
57. For the same reason power to raise the tax on carts and bullocks which are fixed in the Act.				
58. Power to put on a lighting tax with the sanction of the Government.				
59. Power to forbid persons selling eatables, fruit, &c., near public buildings, or shops, or on streets or roads without licenses.	*Clause* 59.—Section 203 gives the necessary powers.	This seems to be sufficient.	I agree. As regards Chairman's proposals which overlap. Town Nuisances Act. We mean Municipal Council & Municipal Staff should be given these powers of Police. Such powers also have been given to Sanitary Inspectors.	
60. Power to forbid persons having cattle in the outlying villages from driving the cattle into the town for grazing in the compounds of houses untenanted out of the season.	*Clause* 60.—I do not understand what harm the practice alluded to can do.	There is no reason why the municipality should have anything to do in this matter.		
61. No ferocious dog to be allowed to go about the roads or streets in the town without a muzzle.	*Clause* 61.—Sub-section (7) of section 3 of the Towns Nuisances Act provides for this.	This seems adequate.		
62. The provisions of Calcutta Municipal Act regarding the levy of taxes on vehicles, animals, &c., to be introduced into all the hill stations where there are municipalities.	*Clause* 62.—This proposal was, I presume, considered and disapproved by the Select Committee on the Bill to amend the Act.	The provisions of the Calcutta Municipal Act referred to here are those of sections 78, 79 and 80 of the Calcutta Act II of 1888, under which the tax on vehicles, animals and carts is payable in advance. This proposal was considered by the Select Committee and rejected. *Vide* the papers flagged E and N.	B.F.W. 15.7.94	

Madras Act III of 1889 provides for this, but the Municipal Council should also have the power.

Letter to Government, No. 860, dated 21st December 1895.

[L. & M. Dept. 23-9-97.]

NOTE FOR THE

~~Punjab etc~~

on the application of a M. C. (? Generally, or as Patna, Shevaroys & Nilgiris?) & without such applicn after consulting the M. C. Govt may extend to such municip any one or more of the following clauses; cf. also my endt on M. Co's letter.

(1) e.g. Such as those in Punjab etc ✓ Cantonment Rules.
(2). to prevent a native Quarter & providing up where it does not now exist.
(3) materials of roof. e.g. not Kerosene tins kept down by Stones.
(4) Compound walls in bad repair
(5) Taxing of Cows.
(6). advertisements on trees, walls etc. Give power to erect notice boards?
(7) refuse to license butcher shops etc outside market.

[Dept. 23-9-97.]

NOTE FOR THE F. A.

Draft something to the effect that it does not seem necessary to consult the Law officers, but that the points raised by the Council will be borne in mind. Ask them to give a list of powers × they would like to see conferred. v. Soon Then please put up a note abt limiting act.

H. T.
14/12/97.

× need not be confined to limiting?

Please see draft submitted.

Additional powers for hill Sanitaria in this Presidency

[L. & M. 250—19-12-98.]

LOCAL AND MUNICIPAL DEPARTMENT.

Papers to be read in proceedings:—

Again G.O., No. dated 189 .

Again G.O, No. 2834 M dated 18th December 1897.

Current No. 2884. M of 1898, dated 18th August 1898 from the Chairman Mc Cotacamund

" " 3447. M " 1898, " 2nd November 1898, " the Collector of the Nilgiris

" " 456. M " 1899, " 1st February 99, " the Rev. Secy, Govt of Punjab

771. M. 1899, " 4th March 99. " the Govt of Bengal, Mud Dept

PS

ORDER No. 1220 M of 23. 8. 99

130

The Government agrees with the Collector in considering that the powers referred to in clauses 11, 12, 28, 29, 37, 39, 41, 44 to 46, 51 and 52 and the first part of clause 36 are adequately provided for by the existing laws or by bye laws already in force in the Municipality. As regards clause 20, the Government considers it unnecessary that any special provision should be made authorizing the Municipal Council to control the acts therein referred to, as such acts constitute "mischief" under the Indian ~~Penal~~? Code, while the powers specified in clauses 6, 23, 24, 35, 38, 40 and 49 and the second part of

clause 36 might well be made the subjects of byelaws under the District Municipalities Act. The municipal Council is accordingly requested to frame byelaws embodying these latter provisions, and after complying with the requirements of Section 256(1) of the Act, submit them for the confirmation of Government under Section 255(3).

2. The Municipal Council is requested to consider the other powers proposed by it, with reference to the byelaws regulating the construction and disposition of buildings in force in the hill stations of Simla and Darjeeling, copies of which will now be furnished, and the recommendations of the Sub-Committee on the Sanitary Commissioner's report on the unhealthiness of Cotacamund disposed of in G.O. No 757.M, dated 26th May 1899, and report, through the Collector, what further suggestions it has to make on the subject.

(From Orders)

VR
15/9/99

Dep 8/9/99

To
The Chairman, M.C. Cotacamund
through the Collector of Nilgiris with copies of Simla & Darjeeling byelaws &c &c.

copy sent to Press. 24-8-99

urned with signature. 6-9-99

pasted in print. 8-9-99

AGAIN G.O., No. 2884 M DATED 16-12-99 — P

No. 2884-M in type

3447-M — A.

456-M3

771-M3 — Q.

GOVERNMENT .. A

OF GOVERNMENT.

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