

12-1-27 MTV

21-2-27 MTV

Local & Munl. (1899) Department.

MISCELLANEOUS.

G.O., No.

1232 M

DATED

19-8-99

INDEXED. DESPATCHED

[Despatch Abstract.]

Baye-law Agreeing with the Advocate
General in considering that the
proposed by the Coonoor Municipal Council,
regarding the sale of flesh within Municipal
limits is ultra vires.

BACK PAPERS.

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

FURTHER PAPERS.

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

Al. Cur. Regr. No. 797 of 99

Local & Munl. (1899) Department.

CURRENT No. 1931m



From

The Chairman
Municipal Council
Coonoor

Order

No. 273

Ad.

Forwarded.

Dated 4th July 1899

Received 19th July 99

Registered

Enclosures nil

Spare copies..

of collector

15/7/11 24. 15/7

Desp

TO BE RETURNED
WITH REPLY.

No. 796 of 1-8-99

Referred to the Advocate General for
opinion.

to be
secretary to Govt

1/7
26/7/99

SUBJECT.

Submitting for the approval
of Government, extract from the
Proceedings of the Municipal
Council Coonoor regarding a By-Law

To

The Government Solicitor

P.T.O

BACK PAPERS.

G.O.	No	Department.	Date.
10	946	Int	6-7-99
10	388	h	7-3-91

FURTHER PAPERS.

G.O.	No.	Department.	Date.

June 24 1899
C.N. 1931 + 2158m/99

Order No. 1232 mms
29.8.99 M.A. 23.8.99

The Government agrees with the Advocate General in considering that the proposed bylaw is ultra vires.

16/8/99
18.8.99

There certainly should be a power to control the hawking of meat about the streets, but the Act appears to contain no provision on the subject.

Certainly.
This should be noted for the next amendment of the Act.

The Chairman, Coonoor Dy. Magistrate
Thro the Colls of the Nilgiris
Sept 31/99

Voted 11/5/98
Returned this time after dep.

No 243

Coonoor 7 July 1899

From

G. H. Coleman Esq
Chairman Municipal Council
Coonoor

LOCAL & MUNICIPAL DEPT.
COONOOR
JULY 1931/M

To

The Secretary to Government
Local and Municipal Department
Through the Collector of the Nilgiris

Sir,

In submitting copy of a resolution passed at a meeting of the Municipal Council held on the 5th Instant, I have the honor to state below the reasons for the Bye-Law proposed therein.

At present butchers from Wellington and Bandy Shola slaughter sheep outside Municipal limits, without any supervision or inspection of the animals slaughtered, and vend the flesh in Coonoor, by hawking it from house to house: the purchaser not being in a position to know that it has not been passed by the Municipal Inspector.

Apart from the danger to health incurred by permitting meat to be sold to the public without inspection, the practice mentioned above, causes a loss of revenue to the Municipal Slaughter house, and if allowed to continue, will result in the majority, if not all, of the Coonoor butchers following the example of those at Wellington and Bandy Shola. For when they discover that they may slaughter sheep without inspection, or paying fees of any kind, by merely going beyond Municipal limits for the purpose, and that a ready sale for the meat is found amongst the European and native residents by taking it to their doors, they will naturally

naturally cease to use the Municipal Slaughter House.

I have the honor to be

Sir,

Your Most Obedient Servant

Just Coleman

Chairman

Minute No. VII of a meeting held on 5th July 1899

Read petition of Balajee Row, Slaughter House Contractor, praying that the Council may prohibit the sale of mutton within Municipal limits, by certain butchers from Wellington and Bandy Shola:-

Resolved. That Government be moved to sanction the following Bye-law:-

" No beef or mutton shall be sold within Municipal limits except that of animals slaughtered in the Municipal Slaughter House,

" This Bye-law shall not apply to the sale of dried or preserved meat."

(True Extract)

Just Coleman
Chairman

Local & Munl. (1899) Department.

CURRENT No. 2158 M

Order

From

The Government Solicitor
Madras

No. 399

Dated 10th August 99

Received 11th

Registered

Enclosures C. no 1931 M of 99 returned

Spare copies "

SUBJECT.

Forwarding the Advocate General's opinion on the bye-law proposed by the Munl. Council Coonoor prohibiting the sale within municipal limits of the flesh of animals slaughtered outside the municipality.

BACK PAPERS

G.O.	No.	Department.	Date.
fp	946	hch	6-7-99
	388	hch	17-2-91

FURTHER PAPERS.

G.O.	No.	Department.	Date.

LOCAL & MUNICIPAL DEPT.

CURRENT No. 2158 M

OPINION

In my opinion the proposed bye-law would be ultra vires as -
being beyond the powers conferred upon the Municipality by Section
255 of the Act. Under Section 191 of the Act, the Municipality are
required to provide a sufficient number of public slaughter houses,
and no animal may be slaughtered within the Municipality except in
a public or licensed slaughter house. Under Section 192 any person
who slaughters animals at any place within the Municipality, other
than a public or licensed slaughter house, is liable to a penalty.
But there is nothing in the Act which prohibits the sale within -
Municipal limits of the flesh of animals slaughtered outside -
Municipal limits, and a bye-law prohibiting such a practice could
not be said to come within any of the paragraphs of Section 235 of
the Act.

17 AUG 1899

C. Arnold White

Advocate General.

Madras)
8th August 1899)

(True copy)

Ernest Barclay

Government Solicitor.

(1899) Department

From

Ernest Barclay
Government Solicitor
Madras

To

The Secretary to Government
Local & Municipal Department
Madras

N^o 399

Dated 10th August 1899
Recd

Encl 1.

Forwarded with enclosed with
reference to the endorsement of
Government N^o 796. dated 1st
August 1899. Local Municipal
Ernest Barclay
Government Solicitor

When given for copying _____
When copied _____ } 189
When examined _____
When signed _____ 20/8

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

CURRENT NO.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B. -

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