23-10-12 ✓

Local & Munl. (~~190~~ 1899) Department.

PRINTED.

G.O., No. 617 m.

DATED 4. 5. 1899

[Despatch Abstract.]

Constitution of Nandyal a Municipality

Ordering the publication in the Fort St. George and Kurnool District Gazettes of notification for the ——— and requesting the Collector to report the date of publication of the notification in the District Gazette.

BACK PAPERS.

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

FURTHER PAPERS.

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

Government {1899} of Madras.

LOCAL AND MUNICIPAL.

Recd. } 1899. *Enclosures*

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GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

READ—the following papers :—

From MUHAMMAD RAZA KHÁN, Esq., Collector of Kurnool, to the Secretary to Government, Local and Municipal Department, dated 17th September 1898, Dis. No. 3500-Genl.

Adverting to G.O., No. 1259 M., dated 13th July 1898, I have the honour to submit herewith under section 4 (1) of the District Municipalities Act a draft notification in which the boundaries of the proposed Nandyal Municipality are described, together with a sketch showing the position of these boundaries.

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ENCLOSURE.

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I think you will agree after considering the grounds for my opinion set forth in the following paragraph that there are strong reasons for recommending its exclusion.

3. (*a*) The hamlet of Kothapalli is very small consisting of about 90 houses.

(*b*) It is distant nearly 3 miles from Nandyal itself and fully 2½ miles from the Municipal boundary as it would be defined if Kothapalli were excluded.

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(*d*) There is not the remotest chance of Nandyal extending in this direction, the intervening space being entirely covered by wet cultivation.

(*e*) It is a purely agricultural village containing no trade whatever.

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(*h*) The inclusion of this village destroys the compactness of the Municipality altogether. It will, I think, be admitted that the more compact a Municipality is, the more efficient is the work of the staff and its supervision likely to be.

4. To sum up, the inclusion of the hamlet in the Union was a mistake which it is unnecessary to repeat. The village has itself derived no advantage from its inclusion, nor is it likely to do so unless at the expense of an unreasonable amount of inconvenience to the Municipal staff. No benefit financially or otherwise is likely to accrue to the Municipality as a whole by its inclusion. On the other hand by excluding it, we shall make the Municipality more compact and the work of the staff more simple.

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2. By making the Chamakalwa as the southern boundary of the proposed Municipality, not only the railway, but also the hamlet of Moolasagaram and the village of Nunepalli which are gradually rising in importance owing to their close proximity to the railway station, as well as the European quarters and the cotton-press buildings will be excluded from its limits.

3. The exclusion of these places from the Municipal limits involves a reduction in the estimated receipts to the extent of Rs. 1,119 as detailed below briefly :—

		RS.	A.	P.
(a)	Taxes on arts and professions	212	0	0
(b)	" buildings	445	8	0
(c)	" vehicles and animals	461	8	0
	Total ..	1,119	0	0

This is exclusive of the sum of Rs. 303 7/8 to be deducted from the originally estimated receipts on account of the exclusion of the hamlet of Kothapalli as already reported by me—please *vide* the latter part of my letter, Dis. No. 3500-Genl., dated 17th September 1898.

4. While the fall in the estimated receipts to be occasioned by taking Chamakalwa as the southern boundary is thus considerable, the savings to be effected thereby in the shape of reduction of charges is disproportionately small, the same being only Rs. 270 as will be seen from the Nandyal Tahsildar's arzi, a copy of which is herewith submitted. The Tahsildar, whose views are fully endorsed by the Acting Head Assistant Collector, apprehends that there may be a further fall in the receipts under the head of tolls by the exclusion of the railway from the Municipal limits, and I consider that his apprehensions are well founded. Even neglecting this, the net result of the decrease in receipts as estimated in paragraph 3 and of the slight diminution in expenditure adverted to in paragraph 4 *supra* will be that the total charges of the Municipality will exceed the revenue by Rs. 219 if the alteration in boundary referred to by Government is carried out.

5. The plan received with the memorandum under reply is herewith re-submitted.

From the Government Solicitor, Madras, dated 13th April 1899, No. 205.

ORDER—No. 617 M., dated 4th May 1899.

The following notification will be published in the Fort St. George and the Kurnool District Gazettes :—

NOTIFICATION.

Under the provisions of sub-section (1) of section 4 of the Madras District Municipalities Act IV of 1884, as amended by Act III of 1897, His Excellency the Governor in Council hereby declares his intention to constitute as a Municipality the town of Nandyal situated within the boundaries specified below. Any inhabitant of this local area desiring to object to the proposal may submit his objection in writing to Government within six weeks from the date of publication of this notification.

North.—A straight line from the khandam stone on the eastern boundary of survey No. 916 of Nandyal to the south-west corner of survey No. 1642, crossing the Madduleru stream; then survey Nos. 1642, 1662, 1664, 1663, 1670, 1682, 1671, 1677, 1678, 1719, 1720, 1721, 1722, 1723, 1821 and 1816, all of Nandyal; thence a straight line drawn from the south-east corner of survey No. 1816 to the junction of the Atmakúru-Koilkuntla road with Billalapuram cart-track.

East.—A line from the eastern extremity of the northern boundary described above passing along the foot of the Nandyal tank bund on the western side of the same until it reaches the southernmost extremity of survey No. 2295 of Nandyal; then survey Nos. 2323, 2321, 2320 and 2317 of Nandyal and survey Nos. 414, 434, 433, 441, 442, 443, 451, 378, 377, 175, 182, 186 and 231 of Nunepalli.

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2. The Collector is requested to report the date of publication of the notification in the District Gazette.

3. The proposed appointment of Mr. A. Gallyôt, civil apothecary, as a Municipal councillor, cannot be approved, as it is inadmissible under clause (*d*) of sub-section (1) of section 10 A of the District Municipalities Act. The Collector is requested to recommend another person in his place. The occupation or position in life of the nine non-officials recommended for appointment as councillors should also be reported as required in G.O., No. 366 L., dated 19th February 1897.

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(c)	" vehicles and animals	461	8	0
	Total ..	1,119	0	0

This is exclusive of the sum of Rs. 303$\frac{7}{8}$ to be deducted from the originally estimated receipts on account of the exclusion of the hamlet of Kothapalli as already reported by me—please *vide* the latter part of my letter, Dis. No. 3500-Genl., dated 17th September 1898.

4. While the fall in the estimated receipts to be occasioned by taking Chamakalwa as the southern boundary is thus considerable, the savings to be effected thereby in the shape of reduction of charges is disproportionately small, the same being only Rs. 270 as will be seen from the Nandyal Tahsildar's arzi, a copy of which is herewith submitted. The Tahsildar, whose views are fully endorsed by the Acting Head Assistant Collector, apprehends that there may be a further fall in the receipts under the head of tolls by the exclusion of the railway from the Municipal limits, and I consider that his apprehensions are well founded. Even neglecting this, the net result of the decrease in receipts as estimated in paragraph 3 and of the slight diminution in expenditure adverted to in paragraph 4 *supra* will be that the total charges of the Municipality will exceed the revenue by Rs. 219 if the alteration in boundary referred to by Government is carried out.

5. The plan received with the memorandum under reply is herewith re-submitted.

From the Government Solicitor, Madras, dated 13th April 1899, No. 205.

Order—No. 617 M., dated 4th May 1899.

The following notification will be published in the Fort St. George and the Kurnool District Gazettes :—

NOTIFICATION.

Under the provisions of sub-section (1) of section 4 of the Madras District Municipalities Act IV of 1884, as amended by Act III of 1897, His Excellency the Governor in Council hereby declares his intention to constitute as a Municipality the town of Nandyal situated within the boundaries specified below. Any inhabitant of this local area desiring to object to the proposal may submit his objection in writing to Government within six weeks from the date of publication of this notification.

North.—A straight line from the khandam stone on the eastern boundary of survey No. 916 of Nandyal to the south-west corner of survey No. 1642, crossing the Madduleru stream; then survey Nos. 1642, 1662, 1664, 1663, 1670, 1682, 1671, 1677, 1678, 1719, 1720, 1721, 1722, 1723, 1821 and 1816, all of Nandyal; thence a straight line drawn from the south-east corner of survey No. 1816 to the junction of the Atmakúru-Koilkuntla road with Billalapuram cart-track.

East.—A line from the eastern extremity of the northern boundary described above passing along the foot of the Nandyal tank bund on the western side of the same until it reaches the southernmost extremity of survey No. 2295 of Nandyal; then survey Nos. 2323, 2321, 2320 and 2317 of Nandyal and survey Nos. 414, 434, 433, 441, 442, 443, 451, 378, 377, 175, ~~476~~, 182, 186 and 231 of Nunepalli.

South.—A straight line drawn from the north-west corner of survey No. 231 of Nunepalli to the north-east extremity of survey No. 235; then survey Nos. 235, 255, 270, 268, 348, 343, 331, 332 and 318, all of Nunepalli and 555 of Nandyal.

West.—A straight line drawn from the south-west corner of survey No. 556 of Nandyal to the south-east corner of survey No. 541 of the same village; then survey Nos. 541, 540, 538 and 536 of Nandyal, the village boundary line running along the west of survey Nos. 535, 534,

533 and 522; then survey No. 520 of the same village; thence a line along the left bank of the Kundair stream up to the south-west corner of survey No. 408 of Nandyal, where the Kundair stream aforesaid is joined by the Madduleru stream; thence a line crossing the Madduleru stream to the southernmost corner of survey No. 393 of the same village, and thence a line along the right bank of the Madduleru up to the khandam stone on the eastern boundary of survey No. 916.

2. The Collector is requested to report the date of publication of the notification in the District Gazette.

3. The proposed appointment of Mr. A. Gallyôt, civil apothecary, as a Municipal councillor, cannot be approved, as it is inadmissible under clause (*d*) of sub-section (1) of section 10 A of the District Municipalities Act. The Collector is requested to recommend another person in his place. The occupation or position in life of the nine non-officials recommended for appointment as councillors should also be reported as required in G.O., No. 366 L., dated 19th February 1897.

(True Extract.)

for *Ag. Secretary to Government.*

To the Collector of Kurnool.

Gazette.

Copy to the Agent, Southern Mahratta Railway.

Exd. P. Seetharam.

Local & Munl. (1898) Department.

CURRENT No. 2947 M

118

From

Current Nos 2947M & 3043M & 3644M 998 & 3851M & 1042M 999

The Collector of Kurnool.

P.S. Order No 617 M dt 4/5/99

The following notification will be published in the Fort St George and the Kurnool District Gazettes.

Dio No. 3500/genl of 1898.

Dated 17th September 1898.

Received 19th September 1898

Registered

Enclosures 4 (one map separately sent)

Spare copies. nil.

Sent to the Secretary 4/11

Notification.

(H.E. Notification submitted by the Collector, as amended by Government)

2. The Collector is requested to report the date of publication of the notification in the District Gazette.

3. The proposed appointment of Mr. A. Gallyot, Civil Apothecary, as a Municipal Councillor cannot be approved, as it will be inadmissible under clause (d) of Subsection (1) of section 10 A of the District Municipalities Act.

SUBJECT.

Submitting a draft notification of the boundaries of the proposed Nandyal Municipality and a list of the persons proposed to be appointed as members of the Municipal Council.

The Collector is requested to recommend another person in his place. The occupation or position in life of the nine non-officials recommended for appointment as Councillors should also be reported as required in G.O. No 366 L, dated 19th February 1897.

VR 8/10/98

To The Public Works (Railway) Department for Counter-initials.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Note. For a precedent in regard to the former part of para 3 of the draft order, please see G.O. No 1200M/5.7.98 L

To The Collector of Kurnool,

Gazetted 30/5/99 18-5-99

Copy to the Agent Southern Mahratta Railway

Dep. 16/5/99

R.C. No 724/B4 of 1898

Proceedings of the Collector of Kurnool.

Read from the Head Assistant Collector letter No RC 1000 dated 22d instant requesting to exclude Kottapalli from the proposed Nandyal municipality for reasons stated therein.

order

The reasons urged by the Head Assistant Collector for excluding the hamlet of Kottapalli from the limits of the proposed Nandyal municipality are sound. His proposal is accepted in anticipation of the approval of Government since it is not likely that the Govt. will have any objection to this slight alteration. The Hd. Assistant Collector is requested to submit forthwith a plan & a statement of boundaries only in respect of the revised

limits in consequence of the exclusion of the hamlet.

(Sd.) Muhammad Rozakhan
Collector

25th August
1898.

(True Copy)

Intermediate Clerk
for Collector

4/8
10-9-98

2947/m/98

List showing the names of proposed members constituting the Nandyal Municipality Council

Officials

1 J. M. Turing Esqre. I.C.S. (Chairman)
2 M. R. Ry. G. Venkatramanjulu Naidu garu
Tahsildar of Nandyal
3 Mr. A. Gallyôt. Civil Apothecary.

Non-officials

4 Revd. A. A. Groves.
5 Mr. Edulji B. Pocha
6 M. R. Ry. Acholi Subbanna garu.
7 " S. V. Kanniah garu
8 " Kadaraboid Maisur Row garu.
9 " A. Chenchiah garu.
10 " Kodur Subramanya Iyer avl.
11 " Khajee Khajee Mohaneddeen Saib Bahadur.
12 " Syed Peer Padsha Saib.

Kurnool
-9-98

Md Hazrat Khan
Mestor.
17/9/98

PAPERS.

Date.

Jnl. (1898) Department.

CURRENT No. 3043 M

From Mahomed Aazibhai Esq Collector of Kurnool

Order.

Rb No. 724/B+9 of 98.

Dated 27th September 98

Received 30 SEP. 1898

Registered "

Enclosures "

Spare copies "

SUBJECT.

Reporting that all the members recommended for appointment as members of the Kurnool Municipal Council express their willingness to serve in the Council

TA 30/9/98

4/10

BACK P

G.O.	No.	Department	

FURTHER PAPERS.

G.O.	No.	Department.	Date.

26 No. 724/B4 of 98.

ENCLOSURES.

KURNOOL COLLECTOR'S OFFICE,
KURNOOL,
Dated 27th Sept 1898.

FROM

Mahomad Rajabhan Esqre.,
COLLECTOR OF KURNOOL.

LOCAL & MUNICIPAL DEPT.
CURRENT No. 3043 M

TO

THE SECRETARY TO Government,
Local and Municipal Deptm.
Madras.

SIR,

In continuation of this office Dio No. 3500 dated the 17th Instant, I have the honour to report that all the members recommended therein to be appointed as members of the Nandyal Municipal Council have expressed their willingness to serve as such.

I have the honour to be
Sir,
Your most obedt servant,
[illegible]
for Collector

189 .

CORRESPONDENCE DEPARTMENT.

FROM

THE COLLECTOR OF

KURNOOL,

To

THE SECRETARY TO

Dated } 189 .
Received }

No.

ENCLOSURES.

SUBJECT.

Local & Munl. (1898) Department.

V

To lie over pending receipt of the report called for from the Collector in Rep. No. 1291 d/17th November 1898.

KR
6/12/98

ale
7/12/98

CURRENT No. 3644 M

UNDER SECRETARY TO GOVT. 28 NOV 98

Treasury

From

H. A. Sim Esquire I.C.S.
Private Secretary to
H.E. the Governor.

No.

Order

Dated 23rd November 1898.

Received

Registered

Enclosures -

Spare copies.

SUBJECT.

Transfers a petition from the ryots of Nandyal, praying that Nandyal town may not be made a Municipality.

By order,

Mr. Private Secretary.

BACK PAPERS.

G.O.	No.	Department.	Date.
Encl 1291/98.			

FURTHER PAPERS.

G.O.	No.	Department.	Date.

LOCAL & MUNICIPAL DEPT.
CURRENT No. 3644 M

To

His Excellency
the Governor of
Madras.

May it please your Excellency?

We, the agricultural population of Nandyal and loyal subjects of your excellency, embrace this golden opportunity of your Excellency's visit to this place to represent our manifold grievances in the full hope that they will receive due consideration & sympathy in your Excellency's benevolent heart.

This ancient town of Nandyal situated in the middle of the District and surrounded ~~on~~ almost on all sides by water and wet fields, is a great centre of agriculture having for its wet cultivation more than a thousand (1000) acres with an annual revenue of not less than Rs 25000 and has two big tanks

supplied by the Tungabhadra Canal. The inhabitants of the place number nearly 12000 the majority of whom form the hand-to-mouth-living Mahammadan and Sudra classes many of whom not being owners of lands, cultivate them as tenants under Zamandars and Pattadars. They are raising two or three crops every year in the wet fields which cost them a good deal on account of manure, cooly and heavy rent to the owners, besides requiring their constant business with cart and cattle. In order to manure their fields they cannot but rear a number of cattle and drive them and their carts through the busy public roads laden with manure and thorny plants for fencing their fields.

2 Such poor population, accustomed, as they are, to lead a rural and happy life, though a town one, for generations, of late hear news of this town being made a municipality like a thunderbolt to their ears and hopes and they have in consequence been waiting very anxiously to venture to approach your Excellency with this humble and undecorated memorial by way of an objection to the intended proposal.

3 If the above news of Municipality were to prove true, the difficulties which your Excellency's poor subjects will have to undergo by subjecting themselves to the laws of the Municipality, both by way of paying penalties for their unavoidable breaches of the rules and the payment of its heavy taxations for carts and cattle and every little thing, will be innumerable. The town of Nandyal which is an agricultural one, is not like many of the municipal towns in the presidency. The state of the town and its inhabitants is well known to your Excellency's private secretary H. A. Sim Esquire. who was their gracious Head Assistant Collector and the District Forest officer for a long time and who can very well describe it to your Excellency rather than what the poor tongues try to do.

4 In venturing to express their heartfelt grief for the intended conversion of the town into Municipality your Excellency's humble memorialists most respectfully beg to state that it will not be out of place to mention here the fact that such a proposal of Municipality was under contemplation twice before this but was opposed to by the humble memorialists with success on those occasions.

5 In conclusion the humble and loyal subjects of your Excellency most earnestly pray that your Excellency may be graciously pleased to order that this town be not made a municipality and thus, as Protector of the poor, relieve them from the fear and trouble they are exposed to.

For the above act of justice, benevolence, and charity they shall ever pray your Excellency's long life and prosperity.

We beg to remain,

May it please your Excellency.

Your Excellency's humble and loyal subjects

Lemuel Stevens Etc

Office,

Local and Municipal Departm

Nos. 2947 and 3043 M of '95

Reference 1291 / 19/11/95

The Collector of Kurnool is requested to state his opinion as to whether the Railway may not be excluded from Municipal limits by taking the Chinna Kalawa as the Southern boundary and to report how the receipts of the proposed municipality would be affected by such exclusion.

N.R. 15/11/95

18/11/95

Copy to the Collector of Kurnool for the Papers

18/11/95

To

The Collector of Kurnool

with a map to be returned.

19/11/95

37

DISTRICT ... OFFICE,
... 1st January

Local and Municipal

~~Revenue~~ (1899) Department.

CURRENT No. 385 M

REGISTT SECY TO GOVT
1-FEB.1899
LOCAL MUNL EDL & LEG DEPTT

From Mahomed Raza Khan Esqr.

Order

Res No. 37/1899

Dated 26-1-99

Received

Registered

Enclosures 3 (including a sketch)

Spare copies

SUBJECT.

Replying to Government memorandum No. 1291 / 19-11-98 regarding the exclusion of the Railway and other places situated to the south of Chanda Kalva from the limits of the proposed Municipality of Nandyal

BACK PAPERS

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

R. Dis

No. 37 / 1899 Dated Camp: Dhone 26th January 1899.

DISTRICT [illegible]'S OFFICE,

FROM Mahomed Raza Khan Esq.,

COLLECTOR OF THE Kurnool District,

LOCAL & MUNICIPAL DEPT.
385 M

To

THE SECRETARY TO GOVERNMENT,

Local and Municipal DEPARTMENT,

Madras.

SIR,

In reply to Government memorandum No. 1291 / 19-11-98, I have the honour to state that it is not in my opinion desirable that the Railway and other places situated to the south of Chamakalva should be excluded [illegible] the limits of the prop[illegible]d Municipality of Nandyal, as the finances are likely to be materially affe[illegible] thereby.

2. By making the Chamakalva as the southern boundary of the proposed Municipality, not only the Railway but also the hamlet of Moolasagaram and the village of Nunepalli which are gradually rising in importance owing to their close proximity to the Rail[illegible]y station, as well as the

as a per [illegible] and the cotton Press buildings will be excluded from its limits.

3. The exclusion of these places from the Municipal limits involves a reduction in the estimated Receipts to the extent of 1119 Rs as detailed below briefly:—

(a) Taxes on Arts and Professions	212
(b) Taxes on buildings	445 1/2 Rs
(c) Taxes on vehicles and animals	461 1/20
Total	1119

This is exclusive of the sum of 303 7/8 to be deducted from the originally estimated Receipts on account of the exclusion of the hamlet of Kothapa as already reported by me; please [illegible] the latter part of my letter No. 3500/Gl. dated 17th September 1898.

4. While the fall in the estimate Receipts to be occasioned by taking [illegible] Kalwa as the southern boundary is considerable, the savings to be effected by in the shape of reduction of [illegible] is disproportionately small the sav[illegible] being only [illegible] Rs as will be seen [illegible]

the Nandyal Tahsildar's [illegible] copy of which is herewith submitted. The Tahsildar, whose views are fully endorsed by the Acting Head Assistant Collector, apprehends that there may be a further fall in the Receipts under the head of tolls, by the exclusion of the Railway from the Municipal limits, and I consider that his apprehensions are well founded. Even neglecting this, the net result of the decrease in Receipts as estimated in para 3, and of the slight diminution in expenditure adverted to in para 4 supra will be that the total charges of the Municipality will exceed the revenue by 219 Rs, if the alteration in boundary referred to by Government is carried out.

5. The plan received with the memorandum under reply

is now with resubmitted.

I have the honour to be,

Sir

Your most obedient servant

Collector.

H. Lord

Dis. 6 of 99 Nandyal Spring office

Dated the 1st January 1899

From

The Tahsildar of

Nandyal

To

The Head Assistant

Collector

Nandyal

Sir,

In obedience to your reference on current No. 10006 of 1898 dated the 30th November last I beg to state that the proposal of Government to take the Chamakalwa as southern boundary of Nandyal Municipality if given effect to will result in the exclusion from the municipal limits of not only the Railway buildings but also (1) Moolasagaram hamlet of Nandyal (2) the Nanepalli village (3) the S.P.G. Mission buildings (4) the European quarters and (5) two cotton press houses. The Collector has already approved of the exclusion of Kothapalli. It is very undesirable from a financial point of view to exclude them.

I append a memorandum showing in detail under receipts and charges, the reduction in our estimate consequent on the proposal of Government. The decrease of Rs 270 under charges is quite out of proportion to the large decrease of Rs 1423 under receipts. I do not think that the estimated expenditure will admit of any further reduction. It may be thought that with the reduction of the extent of the Municipal limits a reduction of expenditure on communications will be possible, but I submit that the provision I made under this most important head had already been reduced from Rs 1500 to 1000 Rs by the Collector. Almost the whole length of the existing roads that lie within the portion now proposed to be excluded are under the maintenance of the Local Board and will I believe, continue to be so even after the constitution of Municipality.

2. On the other hand I may say that possibly under "tolls" there may be a reduction in the estimated receipts though owing to my not being sure about it I have not calculated any for the purposes of this report. At present all consignments generally from the villages to the south of the Railway line are now brought into Nandyal where they are handed over to Brokers who take the responsibility of their transmission by rail afterwards, but if the Railway station is excluded, payment of tolls may be avoided by the brokers arranging to book the consignments without bringing them into Nandyal Town. The [illegible] south of the Railway line is not very great but some decrease in the toll receipts may be anticipated.

3. The financial effect of the Government's proposal is a reduction of the Collector's estimate under receipts from Rs 15,739 to Rs 14,316 and under charges from Rs 14,805 to Rs 14,535, resulting in a minus balance of Rs 219.

4. Moolasagaram and Nanepalli are owing to their close proximity to the Railway station gradually growing into importance and I submit that for that very reason alone they should be subject to strict sanitary rules and there is no use of conserving Nandyal leaving its gates dirty.

5. I beg therefore to request that you will be good enough to urge upon Government the undesirability of excluding the portion lying to the south of Chamakalwa.

6. The plan received with your reference is enclosed.

I beg to remain
Sir
Your most obedient servant
(Signed) Y. Venkataramanjulu
1-1-99
Tahsildar.

R.C. No. 1000c/98

Submitted to the Collector with referen

Appendix — Memorandum showing in detail under receipts and C 798 / 24-11-98 on G.O. No 1291 / 19-11-98

I fully agree with the Tahsildar for the reasons given herein that it is undesirable to make Chamakalwa as the southern boundary and to exclude the portion to the south of it from the proposed Municipal limits of Nandyal as such a step would considerably affect the financial position of the Municipality.

(Signed) M. Ghose
Ag. Head Assistant Collector

Nandyal 9-1-99

(True Copy)

Camp: Dhone 26-1-99 — Collector

26-1-99

2/385/m/99

Memo showing the items will have to be forgone if Chamakalwa is made the southern boundary of the Nandyal Municipality.

Arts and Professions

Companies

Cl iii	Volcart Brothers and Binny & Co Cotton Press owners at Rs 50	Rs 100

Officials

Cl IV	1. Head Assistant Collector at Rs 25 2. Assistant superintendent of Police at Rs 25-0-0	Rs 50-0
Cl V	1 Forest sub Divisional officer 2. Salt Inspector at Rs 12-0-0	Rs 24-0
Cl VI	3 Missionary Gentlemen at Rs 8-0-0	Rs 24-0-0
Cl VII	1. Railway Traffic Inspector 1 Railway station Master 2 Permanent Way Inspectors 1 Railway Medical officer Carriage Examiner Forest Ranger at Rs 2-0-0	Rs 14-0
		212-0-

II b. Tax on Buildings

94 houses in Moolasagaram including Head Assistant Collector, Assistant superintendent and Volcart cotton Press buildings.	Present union receipts Rs 138-8-0 × 3/2 = 138-8-0	Rs 207-12-
15 Mission Bungalows — Rs 20 × 3/2	=	Rs 30-0-0
175 houses in Nandyalpalli including Forest Bungalows & Binny's cotton Press	union receipts 138-8-0 × 3/2 =	Rs 207-12-
93 houses in Kothapalli	union receipts 79-4-0 × 3/2 =	Rs 118-14-
		564-6-

respective memorandum
under receipts a
4 horses on 15 hands

Note

2 Head Assistant Collectors } at Rs 9-0-0 = 36-0-0
2 Assistant Superintendents }

10 dogs - - - - at Rs 8 each = 5-0-0

Moolasagaram

77 bullocks - - - - at Rs 1 a year
28 carts - - - - - at Rs 4-0-0

Kothapalli

74 bullocks at 1 Rs a year - - - = 74-0-0
6 He-buffaloes at 1 Rs - - - - = 6-0-0
18 Asses . . . at 8 As - - - - = 9-0-0
24 Carts . . . at 4 Rs - - - - = 96-0-0

Nunepalli

85 bullocks at Rs 1 a year = 85-0-0
11 He-buffaloes at 1-0-0 = 11-0-0
9 asses at 8 As = 4-8-0
3 Jattus at Rs 1 = 3-0-0
32 Carts at Rs 4 = 128-0-0

646-0-0

Grand total 1422-14-0

(Signed) Y. Venkataramanaiah
Tahsildar.

Charges

Sanitation

(a) One peon at Rs 6 per mensem — Rs 72-0-0
2 sweepers at Rs 6 each per mensem — Rs 96-0-0
1 Jotti on Rs 6 — Rs 72-0-0
(c). Cholera charges — Rs 15-0-0
(d). Contingencies — Rs 15-0-0
Rs 270-0-0

(Signed) Y. Venkataramanaiah
1st January 99
Tahsildar.

(True Copy)

Camp: Dhone
26-1-99

for the Collector

1/385 pm/99

Local & Munl. (1899) Department.

CURRENT No. 1242 pr

10 heads

From
The Government Solicitor
Madras.

Order

No. 205

Dated 13-4-99
Received 14-4-99
Registered 15-4-99
Enclosures nil
Spare copies

SUBJECT.

Forwarding the opinion of the Advocate General with reference to Govt memorandum no 782 dated 18-2-99.

BACK PAPERS

G.O.	No.	Department.	Date.
Endt. No.	182/99	PC	

FURTHER PAPERS.

G.O.	No.	Department.	Date.

LOCAL & MUNICIPAL DEPT.
DOCUMENT No. 1042 m

OPINION

I. I am of opinion that when a new Municipality is started so as to include an already existing railway within its limits the railway administration is not liable to taxation in aid of the funds of the new local authority unless the Governor General in Council, in pursuance of s.135 (I) of the Indian Railways Act, 1890, has declared the railway administration to be liable.

2. I think it will be found that, in addition to the Notifications of the Government of India and the Home Department letter referred to in the Memorandum dated Feb: 18th, 1899, the Government of India, by resolution dated Aug: 17th, 1894, directed that "when it is sought to impose any new tax on a railway, application should be made through the Local Government concerned for the sanction of the Governor General in Council."

3. Now, there can be no doubt that a tax imposed by a "new Municipality" is a "new tax." Further, in my opinion, neither the Notification of (~~July 21st,~~ 12th June) 1890, nor the Notification of April 5th, 1893, apply to the case of taxation in aid of the funds of a "New Municipality". The application of both these Notifications is, in my opinion, limited to cases of Municipalities which were in existence prior to April 30th 1890.

C. Arnold White
Advocate General.

Ootacamund)
April 11th 1899)

(True Copy)

Ernest Barclay

Government Solicitor.

Papers re memorandum under receipts re

(1899) Department

From

Ernest Barclay
Government Solicitor
Madras

To.

The Secretary to Government
Local & Municipal Department
Madras

No. 205.

Dated. 13 April 1899
Recd

Encls 3.

Forwarded with enclosures with reference to the Memorandum of Government No. 182. dated 18 February 1899. Local & Municipal

Ernest Barclay
Government Solicitor

To

The Secretary,
Local and Municipal Deptt

I would prefer not to counter mind this. In the first place I have nothing to do with the Southern Mahratta Railway at Nundyal. In the second place I think that dragging the Railway station in, in this very deliberate manner in which it is being dragged in for the special purpose of taxing it, is most unfair. I do not believe that the Municipality will willingly spend a penny on doing any thing for the benefit of the railway or of its servants. I suggest that the boundary be revised so as just to exclude the Railway. I see of course that the Railway Company can raise an objection to being included, but my experience is that this is of very little use. Impecunious Municipalities look on Railway stations any where in their vicinity as sort of milch cows.

[illegible] V. R. Spring
Joint Secretary to Govern
P.W.D. Ry. Branch

K.H. 25/10/99

[L. & M. Dept. 500—28-9-98.]

NOTE FOR THE F.A. V.R.

Ask Mr. Stone's objection, the ~~Municipality~~ Rly cannot be taxed by the Municipality, Can it, as it was not taxed in 1894 (or whatever the year was)?

H 1 3 2 99

It is doubtful whether the Municipality Can tax the Railway. The Notification of the Govt of India, Public Works Department, No 136 dated 5th April 1893, printed in Fo. No. 658 (R) 25th May 1894, declares every Railway or part of a Railway which might be newly opened, liable to municipal taxation, but it doesnot appear that where, as in the present Case, a new municipality is started so as to include an already existing Railway within its limits, the Railway will be liable to such taxation. The question may be referred to the Advocate general for opinion. Yes please.

V.R. 9/2/99

H 1 13 2 99

[L. & M.] 250—19-12-98.

LOCAL AND MUNICIPAL DEPARTMENT.

A.

Papers to be read in proceedings:—

Levying the Railway by the proposed Wandegal Municipality

Again G.O., No.	dated	189 .	
Again G.O., No.	dated	189 .	
Current No.	of 189 , dated	, from	
" "	" 189 , "	, "	
" "	" 189 , "	, "	

Refer Ins. 182 by 18-2-99

~~ORDER.~~

Under Sec. 135 of the Indian Railways Act IX of 1890, a railway administration is not liable to pay any tax in aid of the funds of any local authority unless the Governor General in Council has by notification, declared the administration to be liable to pay the tax.

2. In its notification No 270 dated 12th June 1890, the Govt of India declared every railway administration to be liable, from and after the 1st Jan 1890, to pay every tax which it was lawfully required by any local authority to pay in aid of the funds of such local authority, during the year ending 30th April 1890, and in Home Department letter No. 123 dated 31st December 1891, the Scope of this notification

respec[illegible] memorand[illegible]
under resolte[illegible]

[L. & M. Dept.] 500—28-9-98.

[illegible] explained rule is continued until further orders the liability to certain taxes which as to their amount might be altered or increased according to "the law in force". By notification No 136, dated 5th April 1893, any railway or portion of a railway which ~~may hereafter~~ might be newly opened, was declared liable to taxation; but it is not clear whether, when a new municipality is started so as to include an already existing railway within its limits, the railway will be liable to taxation. The Honorable the Advocate General is requested to give his opinion in the matter

VR
16/2/99

17/2/99

Fo[illegible]
refe[illegible]
Go[illegible]
ary

Copy disp. respec[illegible] together. [illegible]

To
The Govt Solicitor
with Copies of Govt No 1074 and 21.7.90
" " 188 M & 28.1.92
& " 658 M & 25.5.94

18/2/99

[L. & M. Dept.] 5,000—[illegible]

Constitution of Nandyal a Municipality.

Current No. 2947 M.
~~2943 M~~ + 3645
~~[illegible] 365 M~~ 99
+ C.No. 1042 M 99

Note for the ~~Secretary~~.
N.M.

The Secretary to Government, Public Works Department while stating that he has nothing to do with the Southern Mahratta Railway at Nandyal, expresses the opinion that the inclusion of the Railway Station within Municipal limits for the special purpose of taxing it is most unfair and accordingly suggests that the boundary may be revised so as to just exclude the Railway — vide his note flagged H. As, however, the Railway Company will have an opportunity of stating its objections, if any, to the proposal on the issue of the preliminary notification under Section 41 [illegible] it is for consideration whether this Notification may not be now issued, as proposed in the draft order, a copy of it being sent to the agent of the

Q. Are Govt. bound to consult R.R. by letter on the Chaus Kalva & say the boundary what the boundary is? diff in re[illegible]

For orders 17 2 99

The Secretary to Govt. O.P.W.
Applies to the Nandyal station being included in the limits of the Nandyal Municipality. It however appears that the Municipal Council cannot tax the Railway work out side of the fort of India. His opinion therefore does not hold. It is submitted that the notice attached may issue.

26.10.99.

yes
27.4.99.

Issue
26.10.99.

No 38/4

[illegible] memorandum
under [illegible]

-pany for information, so that he may come forward with his objections, if any, to the proposal.

V.R
31/10/98

In reply to the reference made to him, the Collector states that he considers it undesirable that the Railway and other places situated to the South of the Chenna-Kalwa should be excluded from the limits of the proposed Municipality of Nandyal, as the finances are likely to be materially affected thereby, that by making the Chamakalwa the Southern boundary of the proposed municipality, not only the Railway station, but also the hamlet of Moolasagaram and the village of Nunepalli which are gradually rising in importance owing to their close proximity to the Railway Station, the European quarters and the Cotton Press buildings will be excluded from the municipal limits, that the exclusion of these places involves a reduction in the estimated receipts to the extent of Rs. (1) while the savings which may be effected in the shape of reduction in charges will be only Rs 270, and that the net result of such exclusion will be that the total charges of the Municipality will

Vide C No. 385 in 99

C No. 1042 in 99

have exceed[illegible] the [illegible] of [illegible]

He further points out that the apprehension of the Tahsildar that there will be a further fall in the receipts under tolls, by the exclusion of the Railway from the Municipal limits, is also well founded.

The third letter read above is a petition from the inhabitants of Nandyal protesting against the Constituting the town a municipality.

V.R
8/2/99

In the last letter read above, the Advocate General, who was consulted in the matter, states that when a new municipality is started so as to include an already existing railway within its limits, the railway administration is not liable to taxation in aid of the funds of the new local authority unless the Governor General in Council, in pursuance of section 135 (1) of the Indian Railways Act 1890, has declared the Railway administration to be liable. It will thus be seen that the inclusion of the Railway station within municipal limits cannot render the [illegible] liable to municipal taxation, un[illegible]

...to wrapper ... memorand...
...under result...

...company for information, so that he
...the Government of India issues a
...special notification declaring it liable,
~~and~~ the objection raised by the
Secretary to Government, Public
Works Department, to the inclusion,
of the Nandyal Railway Station
within the limits of the proposed
Municipality, is therefore untenable.
Moreover the Collector is opposed
to the exclusion of the railway
premises, as it will involve the
exclusion of some hamlets which
are rising in importance owing to
their proximity to the railway station,
and will render the successful working
of a municipality financially impossible.
It is therefore submitted that the
limits of the municipality proposed by
the Collector may be approved and the
preliminary notification under
Sec. 4 (1) of the Act, may be issued
as proposed in the draft order flagged K.

I. R.
21/4/99

[initials]
26.IV.99

7.90
1.92
5.94

L. & M.
5,000—5-4-99.

I

C. No.

A.—Print in full.
B.—Not to be printed.
C.—Print abstract only.
D.—Print heading only.