Legislative (189) Department.

ORDINARY PRINTED.

G.O., No. 87-88

DATED 30/12/88

(Brabbles)

VE

1491/143

[Despatch Abstract.]

Bill further to amend the Madras Local Boards Act, 1884.

Reading the Order of the Day for the Further Consideration, as amended, (in Select Committee), of the Bill further to amend the Madras Local Boards Act, 1884, (as settled in Select Committee on the 23rd instant);

Bringing up the notice of the Hon'ble Mr. Brabbles, dated the 24th instant, proposing certain amendments in the Bill;

Considering the Report of the Select Committee on the Bill further to amend the Madras Local Boards Act, 1884, dated the 27th instant, recommending the adoption of that Bill, with certain amendments;

Considering the amendments proposed by the Hon'ble Mr. Brabbles, dated the 24th instant, to be made in the Bill as reported by the Select Committee;

Considering the amendments proposed by the Hon'ble Mr. Brabbles, dated the 24th instant, to be made in the Bill as reported by the Select Committee;

Considering the Report of the Select Committee on the Bill further to amend the Madras Local Boards Act, 1884, dated the 27th instant, recommending the adoption of that Bill, with certain amendments;

Bringing up the notice of the Hon'ble Mr. Brabbles, dated the 24th instant, proposing certain amendments in the Bill

Government {1898} of Madras.

LEGISLATIVE.

Recd.	1898.	*Enclosures*
Read.		*Spare copies*

Letter, No. 88, 30th December 1898.

DECEMBER.

Bill further to amend the Madras Local Boards Act, 1884.

Bringing to the notice of the Government of India certain amendments proposed in the Madras Local Boards Act, 1884, by the Select Committee on the Bill further to amend that Act and requesting the sanction of that Government for a new penal clause in sub-section (3) of proposed section 117-F.

Local & Munl. (1898.) Department.

CURRENT No.

Order.

From The Secretary
Secretary Board
Calcutta

No. 559

Dated 5th July 1898.

Received

Registered

Enclosures Nil

Spare copies

SUBJECT.

Re forwarding statement in
case in Municipal meeting
Resolution between Bridge
and Junior Leucodes +

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No.

CUDDAPAH,
DISTRICT BOARD'S OFFICE,
dated 5th Jany 1898.

Enclosures

From H. O. D. Harding Esquire
PRESIDENT,
DISTRICT BOARD,
CUDDAPAH.

To
THE SECRETARY TO GOVT.,
LOCAL FUND DEPARTMENT,
FORT SAINT GEORGE.

Sir,

With reference to Government
Proceedings No 709 dated 20th January 98,
I have the honor to state that the
District Board has forwarded
Estimates for major and
minor Communications during the
year 1898-99 and that there is no
objection that there is no use in
maintaining the Dispensaries.
I have the honor to be
Sir
Your most obedt Servant
Executive Engineer
for Secretary

6.1.98

Local & Munl. (1898.) Department.

CURRENT No.

From The President
District Board
Malabar

Order

No. 835
E 98.

Dated 8th July 1898.

Received

Registered

Enclosures

Spare copies

SUBJECT.

Enquiring that no there are no vacancies in this District the Board is not in a position to give an opinion as to whether there is any one in particular Qualification between Mayor & Mamun Ahmad.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. 235
1898.

Colombo, 8th June, 1898.

9

Sir,

F. C. Dawson, Esq.,
President D.L. Bd.

I do

the Secretary to Government
Local and Provincial Depts.

Sir,

With reference to correspondence ending
with your No. 709 of 20th June 98, I
have the honor to state that there are
no lunatics in this District and Coroner
Gleed & the District Surgeon do not
see a probable case for admission to
the Asylum there is no accommodation
existing at present for lunatics
at Kurunegala.

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

Government Agent
Provincial

Local & Muni. (1898) Department.

CURRENT No. 16882

From The President, District Board
North Perak

Order

No. 752 of 98

Dated 11th Sept 1898

Received

Registered

Enclosures one

Spare copies

SUBJECT,

Submitting a copy of the District Board resolution considering that there is no necessity for the establishment of Police Stations

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Extract from the Minutes of Proceedings of the District Board, North Arcot, passed at their Mee held on Saturday the 9th January 1898, in the n Office at Chittoor.

Present

1. J. R. Bourne Esquire, Actg Collector & Presidents
Exe officio Members

2. Br-Lt. Col. Price Esquire Sub Collector

3. Br Maj. C. Cadell Commanding Jam Regt.
Dy Collector in charge of Tirupattur & Vaniyambadi Sub Collectors

4. —— T. G. Srinivasa Ayyar Avergal Dist. Engr
Executive Deputy Collector
Nominated Officials

5. Br Maj. J. Colson Major Commanding Bn B.C.
Treasury Dy Collector & Vice Presidents

6. Surgeon Lieut Col. John Lawrence M.D. C.I.E.
District Medical & Sanitary Officer
Appointed Non Officials

7. Br Maj. C. Barkworth Esqr. Coffee planter

8. —— B. Faulkner Esqr Indigo planter

9. —— C. Faulkner Esqr Commanding Jam Rangers

10. The Revd. John Scudder M.D. D.D.

11. Sayed Ghulam Hussain Sahib
Elected Officials

12. Br Maj. C. Cadell Esqr Major Commanding Jam Rangers
Tahsildar of Tirupattur

13. —— C. M. Srinivasa Chariar Avergal
Sub Assistant Inspector of Schools Chittoor

...ently K. Gopala Chariar Avergnl Tahsildar
of Tirupati.
15. ——— D. G. Sivakava Row Avergnl, Tahsildar
of Arcot
Added Non officials

16. In Rly. K. Sadasiva Aiyer Avergnl
17 ——— D. Sundarachetyar Jamn
18 ——— S. Venkatachella Chetty Avergnl

5 Read Government Memorandum
No 709 dated the 20th June 1898,
requesting the Opinions of District
Boards to report at a very early date
whether in the opinion of the Board,
there is any case for amending Section
Schedules Regn and Minor Revenue.
The District Board does not
perceive that there is any case for amending
Section Schedules Regn and
Minor Revenue.
(Vide extract)

Vide Proceedings

Copy forwarded
Collector
[illegible]

North Arcot, District Board's Office,

No. [illegible]

Chittoor, 11th July 1898.

Enclosure. One

From

LOCAL & MUNICIPAL DEPT.
OUTWARD No. 1865

In Rly.
K. Gopala Aiyer Avergnl Tahsildar
Vice President, District Board,
North Arcot.

To

The ~~CHIEF~~ SECRETARY TO GOVERNMENT,
Local and Municipal Department,
Fort St. George.

Sir,

With reference to Government
Memorandum No 709 dated 20th
June 1898, I have the honor to
submit herewith a copy of the
Resolutions of the District Board
on the Subject.

I have the honor to be
Sir,
Your most obedient humble
Servant

Vide Proceedings

Copy forwarded
Collector

Local & Munl. (1898) Department.

CURRENT No. 1874

From The President, District Board, South Canara

Order

Dis No. 399/273 of '98

Dated 11th July 1898

Received

Registered

Enclosures one

Spare copies

SUBJECT

Unions - Sedgwickburg

Copy of the District Board's Resolution Stating that the distinction between Union and Minor ——— is immaterial for

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Read

Extract from the Proceedings of the District Board of South Canara dated 9th July 1898.

Present:

W. B. Ryding Esqre President
M. R.Q. D. Ananthaya avg. Treasury Dy Collector Vice President
P. S. Booty Esqre Actg Head Assistant Collector of South Canara
M R Q P. S. Singaravelu Pillai avg. General Duty Dy Collector of South Canara
M R Q K. N. Viswesvara Rao avg. Sub-Assistant Inspector of Schools Uttapi Range
Mr P. Castelino, Actg Tahsildar of Coppen-angadi
Dewan Bahadur A Pinto
Khan Bachadur Haji Abba Bagar Beary
M R Q K. Lakshmappa Parade Fund Agent

13. Read Memorandum of Governor No 709 dated 26th June 1898 requesting Boards of District Boards to report whether in opinion of the Boards there is any use maintaining distinction between major & minor Unions.

The Board considers the distinction between major and minor unions unnecessary.

True Extract

for Sd.

PAPERS.

Answered, 22 Aug.

To

F. B. Taylor Esquire
President, District Board,
SOUTH CAN

The Secretary to Government
Local & Municipal Depar
Madr.

Sir,

With reference to the Memora & Co
of Government No 709 dated 26th June 1898 req
-uiring whether there is any use in maintai
distinction between major and minor unions
I have the honor to submit herewith copy
the District Board's Resolution on the sa

I have the honor to be,
Sir,
your most obedt servt

for President

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Madura District Board Office,

Rc No. 603

14th July 1898.

From

D. G. D. Partridge **Esquire,**

President, District Board,

Madura.

LOCAL & ... PARTMENT.
CURR...

To

The Secretary to Government,

Local and Municipal Department,

Madras.

Sir,

With reference to Government Memorandum No 709, dated the 20th of June 1898, I have the honor to state that the District Board considers that the selection between Dasia and Devadanapatti may be abolished. The Board's recommendation is as above.

I have the honor to be
Sir
Your most obedient
humble servant
D. G. D. Partridge
Pres. D. B.

Rec'd 1898

LOCAL & MUNL. (189) DEPARTMENT.

CURRENT No. 16882

From, M.D.C.

A. Pinnaderickskloeder Paulus Jans
Vice President, District Road
Kiosha

Order.

Dio No. 970/98 & 28

Dated 11-7-98

Received 18 JUL 1898

Registered

Enclosures

Spare copies

SUBJECT.

Submitting copy of District
Board Resolution No. 165
9-7-98
resolving that there is no
need to maintain the
district of Major cause
Simon Simons as the District

BACK PAPERS.

G. O.	No.	Department.	Date.

FURTHER PAPERS.

G. O.	No.	Department.	Date.

Proceedings of the District Board Kistna passed at a meeting held at Masulipatam on Saturday the 9th July 1892 at 7-30 A. M.

Present.

R. Morris Esquire President District Board

Non-Officials.

M. R. Ry. A. Pundarikakshudu Pantulugaru Vice President District Board Kistna.

Ex-officio Member.

J. Williams Esquire Head Quarters Deputy Collector

Nominated official Member.

Surgeon Major Sarkies Carrapiett Sarkies Acting District Medical and Sanitary Officer Kistna.

Sri R. Ry. Sri Venkayya Pantulugaru Sub Assistant Inspector of Schools Bandar Range.

Nominated Non-officials.

Sri R. Ry. C. V. Subrahmanyam Pantulugaru

" Bh. Ramayya Pantulugaru

" P. Venkatappayya Pantulugaru B. A.

Mr. J. D. Samuel B. A. B. L.

J. W. Madden Esquire

V. K. Narayanaswami Naydu garu

Muhammad Saffder Hosain Khan sahib

Rg. S. Narayanaswami Naydu garu

Elected Officials.

1 Rg. T. R. Lakshmana Perumal Pillai Avergal Assistant Surgeon

Elected Non-officials.

11 Rg. T. Rajalingam Pantulu garu

" M. Lakshminarasimham garu

" Z. Venkatapathiraju garu

" V. Venkata Subbayya Pantulu garu

" S. Nagamma Naydu garu

" Sir. Seetharamulu garu.

× × ×

165. Read Government Memorandum 1709 dated 20th June 1898 requesting to report whether in the opinion of the Board there is anyone in maintaining distinction between Peasant and Minor Industries.

Resolved—

The Board does not consider that there is any need to maintain the distinction.

(signed) K. Swamiraj
President

(True Extract)

Forwarded to Government Local and Municipal Department for information.

Abdul Karim Sahib 13-7-98
Vice President

DISTRICT BOARD CHITTOOR
DESPATCHED ON
14 JUL 1898

Local & Munl. (1898) Department.

CURRENT No. 1883 L

From
The President, District Board
Tinnevelly

Order.

Despatch No. 373 of 98

Dated 15th July 1898.
Received 18 JUL 1898
Registered
Enclosures /
Spare copies

SUBJECT.

Enquiries.

Reporting that the District Board do not consider that there is any need for maintaining the distinction between Peasant and Minor Industries.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

PROCEEDINGS OF THE Devicolam BOARD Tuesday

Dated 11th July 1898

Resolution No. 10

Present.

A. L. B. Nissen Esquire, President

Officials

1 Indg/ Sri Ravi Varma Raja Row Dy Collector Devicolam
2 " Sri Sreenivasa Ayyangar Head Quarters Dy Collector
3 " Narasimha Sastriar Assistant Tahsildar of Periyakulam
4 " Krishna Row Tahsildar of Devicolam
5 " Kalyana Sundaram " Do of Dindigul
6 " T. K. Rajagopala Ayyar " Do of Srivilliputtur

Non-Officials

7 " Kunjaramen Egga Thandan of Ettayapuram
8 " P. Venkatachalam Ayyar
9 " Balanjyandi Kesavalu Ayyar
10 " A. Ganapathy Pillai Ayyar
11 " Ramalingam Pillai Ayyar
12 " Kumara Vanna Medaliar Ayyar
13 Kyddjemaah Kakili
14 Nakkadu Kotta Chinnathai

Read Proceedings of previous meeting No. 709 dated 28th June 1898 Resolved to file the same
No letters there to any were in readiness for disposal

Distinction between major & minor unions.

The Board is of opinion that there is no use in maintaining the Distinction between major & minor unions.

(Sgd) [illegible]

Secretary

President

Dist. 2nd 3730/98 District Board office Tuam
Tenc. 1

Dated 15th July 1898.

From

N. L. B. Stephens Esquire

President District Board

Tuam.

To,

The Secretary to Government

Local & Municipal Department

Irish Branch Secretary.

Sir,

In reply to Government memorandum No. 709 Dated 20th June 1898, I have the honor to enclose a Copy of District Board resolution No. 10 Dated 11th July 1898.

The Board is of opinion that there is no use in maintaining the distinction between major and minor unions.

I have the honor to be,

Sir,

Your most obedient Servant

[illegible]

President

DT. BD.
DESPATCHED
15 JUL 98

Local & Munl. (1898) Department.

CURRENT No.

From The President
District Board
Jacques

Order

Disposal No. No. 691

Dated 14 - 7 - 98

Received 1 JUL 1898

Registered

Enclosures /

Spare copies

SUBJECT.

Submitting a copy of Dr.
Peel's Report on Barcelona
dated 2/12/98 Cost of Living
Ref. Rate in various
Indian Stations
Major and Brevet Rank

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

One Enclosure to Disposal No. 691 of 98

Extract from the Proceedings of the District Board of Tuticorin dated 12th July 1898

Present

J. Twigg Esqr. - President.

Members

1. The Hon'ble C. Murugesam Pillai Avargal Deputy Collector Tuticorin.
2. The Hon'ble T.N. Sivagnanam Pillai Avargal Deputy Collector Pattuk Kottai
3. Lieutenant Colonel H.A.F. Paillet M.B District medical and Sanitary officer Tuticorin.
4. The Hon'ble K. Jagannatha Chetti Garu Thasildar of Kovilpatti
5. The Hon'ble T. Ramasami Sastriyar Avargal Thasildar of Nazareth.
6. The Hon'ble V.S. Sambasiva Sastri Avargal Thasildar of Tuticorin
7. Doctor Abbas Ali Sahib Bahadur Thasildar of Tuticorin
8. The Hon'ble Seethapathiya Thevar Avargal Extra Thasildar of Tuticorin
9. The Hon'ble A. Devasiriyar Avargal Tuticorin
10. The Hon'ble Devasagayam Padiyachi Avargal Kovilpatti.
11. The Hon'ble N. Ramasami Pillai Avargal Nazareth

2 The Revenue Engr Assistant Agent South Indian Railway Trichinopoly.

3 Do Do Executive Engr Irrigation Tanjore

4 Do Do Sub Collr Ramnad

5 Do Do N. S. Ramalinga Nadr Tuticorin

× × × ×

2 Read Government Memorandum No 709 dated 20th June 1898 regarding Procedure of District Boards & Report of the Engr Local Fund Audit Circle in the matter of the Board's Proposal to open a Travellers Bungalow at Valliyur

Read the Report of the Executive Engineer Tanjore

Read the Report of the Collr of Ramnad

Resolved that the Board do not see its way to undertake the construction of the Travellers Bungalows at Valliyur & Tuticorin

× × ×

(Signed) J. Twigg.
President

(True extract)
Secretary

Local Fund Department

Tanjore District Board's Office.

Camp Vallam Dated 4th July 189 8.

Disposal No. 64 / D. B.

LOCAL & MUNICIPAL DEPT.
OUTWARD No. 1668

From

J. Twigg ESQUIRE,
PRESIDENT DISTRICT BOARD
TANJORE.

To

~~THE HONORABLE MR.~~

The ~~CHIEF~~ SECRETARY TO GOVERNMENT,
LOCAL AND MUNICIPAL DEPARTMENT,
MADRAS.

Sir,

With reference to Government official memorandum dated 20th June 1898 No 709, I have the honor to submit herewith copy of the District Board's resolution dated 12th July 1898 on the Travellers Bungalows at Valliyur & Tuticorin

Received on 2-7-98

Local & Munl. (1898) Department.

CURRENT No. 1898/

From The Town Clerk
Dublin Corporation

Order.

Ad No. 395
26/7/98

Dated 14-7-98

Received 15 JUL 1898

Registered

Enclosures

Spare copies

SUBJECT.

Re Cleansing refuse &c
Encroachment Regulations
etc 1898 & Pre dated 20-6-98
recd and to Surveyor and
Sewer Committee.

DESPATCHED
15 JUL 93

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

PROCEEDINGS OF THE DISTRICT BOARD BELLARY.

Dated 9th July 1898.

Present

E A Elsworthy Esqr. President

Official members.

1. J. F. Lever Esqr. Vice President
2. E S Lloyd Esqr. Head Assistant Collector, Hospet.
3. Surgeon Captain C. L. Williams M.D. District Medical & Sanitary Officer Bellary
4. M. K. Ry Rao Bahadur T. Rama Rao Garu. Head quarter Deputy Collector Bellary.
5. —do— D. Jagannatha Rao Pantulu Garu. Deputy Collector Adoni.
6. —do— Rao Bahadur M. V. Chellapathy Naiyudu Garu. Tahsildar of Bellary
7. —do— —do— P. Subbraya Mandalcar avl. Tahsildar of Adoni
8. —do— —do— P. Rama Rao Garu. Tahsildar of Hospet.
9. —do— V. Lokanya Mandalcar avl. Tahsildar of Kudligy.
10. —do— J. Ranga gopaula Iyengar avl. Tahsildar of Kudligi
11. —do— T. Soma Sundara Rao Garu Pantulu Garu. Assistant Inspector of Schools S.D. Adoni
12. —do— J. Vittal Punt Garu. Sub Assistant Inspector of Schools Bellary Range
13. —do— S. V. Melagiri Rao Garu. —do— Hospet Range

Non official members

14. —do— D. Krishnama Chariar Garu.
15. —do— J. Sanjeevikat Garu.
16. —do— J. P. Kotalingayya Shroff Sb. A.
17. —do— Kempakoka Gowd Garu.
18. —do— A. Bombayya Gowd Garu.
19. —do— Siddla Ramappa Gowd Garu.
20. —do— A. Ramappa Gowd Garu.
21. —do— Pirza Abdul Gafur.
22. —do— Mahammad Shah Saheb.

Dir

2 11 Read Government Memorandum No 709 Land M. dated 20th June 1898 requesting to report whether there is any use in maintaining the existing distinctions between major and minor towns.

The Board considers that there is no use in maintaining the distinctions.

(Sd) E. A. Elwin
President

Dir No 395
6.7.98 (True Copy)

Submitted to the Secretary to the Government Local and Municipal Department in reply to Government Memo No 709 L and M. dated 20.6.98.

Secretary.
Vice President
for President

Con 85/7
18.7.98

Local & Munl. (1898) Department.

CURRENT No.

From The Secretary Board of Revenue Trichinopoly

Order

No. 33

Dated 17.7.98

Received 21 JUL 1898

Registered

Enclosures

Spare copies

SUBJECT.

Distinction between Major & Minor Towns

BACK PAPERS.

G.O.	No.	Department	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

DISTRICT BOARD'S OFFICE,

No. 33 ANANTAPUR,

Dated 17 7 1898

From Barnabas Hubbard Esquire Acting Chairman,
THE PRESIDENT, ad Loan.
DISTRICT BOARD,
ANANTAPUR.

LEGAL & MUNICIPAL DEPT.
CURRENT No.....

To
THE SECRETARY TO GOVERNMENT,
Local and Municipal Department,
MADRAS.

SIR,

With reference to Government orders on Dis. No. 3909 dated 20.6.98. I have the honor to state that Messrs Arbuthnot & Co. were in accordance with the old terms of the lease paid a Rent Rebate

Please the Commissioner

for

Government obtained

Yours

17-9-98

Local & Munl. (189) Department.

CURRENT No.

From J. A. Robertson Esquire
President, Scottish
Board of Agriculture

Order

Ltr No. 29 of 98

Dated 11th Dec 1898

Received 2nd Jan

Registered

Enclosures one

Spare copies

SUBJECT

Reference to Proceedings
of the 20th March 1898 and
to circular of 7th Sept
last forwarding Board of
Agriculture Order No 6 and
Circular Letter
transmitting Order
No 7 and Circular
Letter

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Proceedings of the district Board

Trichinopoly at the meeting held on

Thursday the 14th July 1898.

Present:

1. M R Ry. T. Lakshmana Rao Avergal, Vice-President

2. " A. Thanikachalam Pillai avergal, Deputy Collector, Executive Division

3 " M. Srinivasa Rao Avergal, Head Quarters Deputy Collector, Trichinopoly.

4. Syed Shah Kazim Ameen Sahib Sattar.

5. M R Ry A. P. Thandavaroya Pillai avergal

6. Captain A. D. G. Skelly R. Agent S. I. R.

7. M. R Ry. Rao Bahadur T. Pattabhirama Pillai avergal.

8. Reverend Father Gois, S. J.

9 " Jacob Gnanaprakasam Pillai

10. M R Ry. C. Duraisami Aiyar avergal

11. Karim Sahib.

12. M R Ry. Venkatachalla Pillai avergal

M R Ry. R. Vasudeva Aiyangar
avergal.

Ramachandrayar Aiyar avergal.

Syed Shah Mahmud-ud-din
Sahib.

Resolution No 82

Read Government Memo No 709
dated 21st June 1898 requesting
to report whether in the opinion
of the Board there is any use in
maintaining the distinction between
Major and Minor Unions.

The District Board considers that
no distinction need be made
between Major and Minor Unions.

(Signed) Ekambara Rao
Vice-President.

(True copy)

Secretary.

Vice-President.
14/7/98

TRICHINOPOLY DISTRICT BOARD'S OFFICE,
Dated 16th July 1898.
Dis No. 298 of 98 Despatch Sect.

FROM,

J. A. Robertson ESQUIRE,

PRESIDENT, DISTRICT BOARD,

TRICHINOPOLY.

To,

THE CHIEF SECRETARY,

TO GOVERNMENT, Local and Municipal Department,

MADRAS.

Sir,

With reference to Government
Memo No 709 dated 20th June
1898, I have the honour to inform
you that the District Board considers
that no distinction need be made
between the Major and Minor Unions.

2 I enclose a copy of the
District Board's Resolution No 82
dated 16th July 1898.

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

Vice-President.
14/7/98

Local & Munl. (1898) Department.

CURRENT No. 1958

From The Secretary
Revenue Board
Ootacamund

Order

Disposal No. 680/D.B. 8/1898.

Dated 25th July 1898

Received 25 JUL 1898

Registered

Enclosures

Spare copies

SUBJECT.

Re-enacting Rule 6 in Board's
Order of 3rd August 1896 regarding
Engagement of Chain Bearers
Pleaders Gumastas & Brokers
Carriers Coolies &c. &c. Should
be Issued on Stamped Paper.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Disp. No. 680/Dis. 97898

Coimbatore District Board's Office,
22 July 1898

From

J. A. Cameron Esquire
PRESIDENT, DISTRICT BOARD,
COIMBATORE.

To

THE SECRETARY TO GOVERNMENT,
LOCAL AND MUNICIPAL DEPARTMENT,
MADRAS.

Sir,

In reply to Government Orders dated 20 June 1898, No 709, I have the honor to report that the Board is of opinion that every union paying house tax should be a major union and that unions not paying house tax should be minor unions.

I have the honor to be,
Sir,
Your Most Obedient Servant,

for President.

Local & Munl. (1898) Department.

CURRENT No.

10062

From

The President
District Board
Tatoo

Order

No. 161
Govt

Dated 20 July 98

Received 23 JUL 1898

Registered

Enclosures

Spare copies

SUBJECT.

Major and Minor Irrigation
— Reporting that there
is no use in maintaining
the Kaolin Line of — as in
practice it is never
observed.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Extract from the Proceedings of the District Board, Salem,

passed at its Meeting held on the 8th July 1898.

PRESENT.

K. B. Lelegg Esquire (President)

Ex officio Members.

1. M.K.Ry T. V. Gopalaswami Ayyar and B.A.
Temporary Dy Collector in charge of
Head Assistant Collector's Duties,
Trichinopoly.

2. " P. S. Gowrisankaram Ayyar and B.A.
General Charge Dy Collector,
Namakkal.

3. S. M. F. Workman and Bahadur (B.A.)
Head Quarter Dy Collector, Salem.

Official Members (Nominated).

4. M.Ry T. P. Ramachandra Ayyar and B.A.
Treasury Dy Collector & Vice President.

5. Surgeon Lieut Col. M.K. Rogers
Harrison, District Medical & Sanitary
Officer, Salem.

6. F. L. Crowley Bevan Esq.
District Forest Officer, Salem.

Non-official members (nominated)

1. Rev. A. J. Bergunan
2. Mr. Ely Devia Ramanadha Gounder, retd.
3. Rev. M. Andersen.
4. Muhammad Abdul Khader Sahib.
5. Mr. Sri Mukkavia Bradlaugh Ramaswamy Reddiyar.

Official members (elected)

6. Mr. Muhammad Ibrahim Sahib Bahadur, B.A.
   Inspector of Vaccination.
7. Mr. P. Ramachandra Row, avergal
   Inspector of Schools.
8. Mr. P. Sambiah Iyaru.
   Inspector of Hospitals

Non-official members (elected)

9. Rev. Barker Scott.
10. Mr. K. Ramaswamy Aiyar, avergal.
11. Mr. Syed Ibrahim Saheb Bahadur.
12. Mr. S. Muthu Krishna Pillai, avl.
13. Mr. T. Venkata Row, retd
    Deputy Collector, retd.
14. "
15. "
16. "
17. "
18. "
19. "
20. "

21. Read memorandum No. 709, dated 20 June 1898, from the Government of Madras, Board and Municipal Department, requesting to report, whether in the opinion of the Boards there is any use in maintaining distinction between Major and Minor Unions.

Resolution:— The Board considers that there is no use in maintaining the distinction as in practice it is never observed.

(Signed) R. B. Gregg.
President.

(True Extract)

LOCAL & MUNICIPAL DEPT.
CURRENT No. 2446

No. 161 Govt.

Dated 20 July 1898.
Despd 28th July 98

Submitted to Government with reference to its memorandum No. 709 dated 20 June 1898.

Yours obedt
For President

To
The Secretary to Government
Local & Municipal Department
Madras

Copy 28/7/98 AP

Local & Munl. (1898) Department.

CURRENT No. 2038

Order

From Muhammad Razakhan Esq
Collector & President
District Board
Thanesar

No. 17

Dated 25th July 1898.

Received 28 JUL 1898

Registered

Enclosures

Spare copies

SUBJECT.

Reporting that the District Board is of opinion that the distinction between major and minor roads may be dispensed with

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. 17.

KURNOOL.
District Board's Office,
dated 25th July 1898.

Enclosures

From

Muhamad Raza Khan Esq
Collector & PRESIDENT DISTRICT BOARD,
KURNOOL.

LOCAL & MUNICIPAL DEPT.
CURRENT No. 2634

To

THE ~~CHIEF~~ SECRETARY TO GOVERNMENT,
LOCAL AND MUNICIPAL DEPARTMENT,
FORT SAINT GEORGE.

Sir,

With reference to Government memorandum No 709 Local and Municipal dated 20th June 1898 I have the honour to report that this District Board is of opinion that the distinction between major and minor Unions may be dispensed with.

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

[illegible]
For Collector and President

26-7-98

189

Kurnool District Board's Office.

From

Collector and President,
District Board,
KURNOOL.

To

The Chief Secretary to Government,
Local and Municipal Department,
MADRAS.

Dated } 189 .
Received }

No.
Enclosures
Subject

Local & Muni. (1898) Department.

CURRENT No. 20552

From The President, District Board, Nellore.

Order

No. 1225 / 98 D.

Dated 1st August 1898
Received 3 AUG 1898
Registered
Enclosures 1
Spare copies

SUBJECT.

Stating that it is not necessary to maintain distinction between major and minor districts

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

BRANCH.

EXTRACT FROM RESOLUTION BOOK OF THE NELLORE DISTRICT BOARD.

No. 56 dated 30th July 1898.

Members Present.

M. R. Ry S. Narayanaswami Chetty garu, B. A. Dewan of Venkatagiri (Presiding)

H. J. Simpson Esquire, Assistant Commissioner of Salt and Abkari &c.

The Reverend Frank. H. Levering A. B. Missionary, Nellore.

M. R. Ry E. Sitaramma Row Sahib garu, B. A. Tahsildar of Gudur.

" A. Raghava Row Pantulu garu, Tahsildar of Kanigiri.

" S. Venkata Subba Aiyar Avargal B. A. Sub-Assistant Inspector of Schools, Nellore Range.

" K. Venkata Ramanujulu Naidu garu, Naidupeta.

" D. Markondayya Sastri garu, Ongole.

" P. Venkatanarasayya garu, Addanki.

" S. Venkatasesu garu, Podduturu.

" K. Narasinga Row garu, 2nd grade Pandit, Kanigiri.

Ahamed Hussain Sahib, Ongole.

Syed Mukarum Ali Sahib, Chenna Reddy Abdul Kareem Sahib, Kandukur.

M. R. Ry M. Kondayya Naidu garu, Naidupeta.

Subject or Proposition.

Read Government Memorandum No. 709 dated 20th June 1895 requiring if the Board considers it necessary to ascertain the distinction between Major and Minor canons

Resolution. Resolved the Board does not consider it necessary to maintain the distinction

(Sd.) S. Narayanaswami Chetty,
Presiding Member.

(True Extract)

President.

B. 14-10-97] 6.8.v.p. Govt. Press, Ootacamund.

NELLORE COLLECTOR'S OFFICE

No. 1225
D. B.

Dated 1st August 1898.
Deptt 2nd do

From C. Scott Esquire

President, District Board, Nellore.

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

Sir,

With reference to Government Memorandum No. 709 dated 20th June 1898, Local and Municipal Department, I have the honour to Submit herewith a Copy of the District Boards resolution No. 57 dated 30th July 1898, stating that it is not necessary to maintain the distinction between Major and Minor Unions.

I have the honor to be
Sir
Your most obedient Servant

Encl. 1
Copies &c
Compared

President.

8.8.98. (9.10.97).

Local & Munl. (1898) Department.

CURRENT No. 20852

Order

From

The President,
District Boards
Southern Area.

Ref. on Page No. 27 of 1898

Dated 4th August 1898

Received

Registered

Enclosures

Spare copies

SUBJECT.

Stating that Tenders
Proposals are not now
required for any electric
time lectures during
Current Financial

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

SOUTH ARCOT DISTRICT BOARD PRESIDENT'S OFFICE,

CUDDALORE.

Ref.——Regr. No. ——/D. B. of 189 . 4th August 1898.

FROM,

L. M. Wyneh ESQUIRE,

President, District Board.

SOUTH ARCOT.

To,

THE SECRETARY TO GOVERNMENT,

Local and Municipal Department,

MADRAS.

GOVT. MUNICIPAL DEPT.
CURRENT No. 20852

ENCLOSURE.

Sir,

With reference to your Memorandum
dated 20-6-98, no 709, I have the honour
to state that all the Taluk Boards Presi-
dents are of opinion that there is no
use in maintaining any distinction be-
tween Major and minor Unions &
and I agree with them.

I have the honour to be
Sir
Your most obedient servant
L. M. Wyneh
Vice President
for President D.B.C.

Local & Munl. (1898) Department.

CURRENT No.

From

The Resident,
District Board.
Chicacole

Order.

No. 610 & 998

Dated 15th August 1898

Received

Registered

Enclosures One

Spare copies

SUBJECT.

Reporting that the District Board considers the distinction recognised between a "major" and a "minor" service to be of no value

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No 5 of 1898-99

Minutes of Proceedings of the District Board of Chingleput, passed at a meeting held at 3 P.M. on Saturday, the 13th August 1898 at Vepery Sessions, Madras.

Present

D. M. G. Cowie Esquire, President.

Officials

1 B. M. D'Cruz Esquire, Treasury Deputy Collector and Vice President, District Board
2 Surgeon Major J. C. Mareden, District Medical and Sanitary Officer, Chingleput
3 M. Young Esquire, Asst. Collector, Chingleput
4 M. R. Ry. A. Ramachandra Pedungadi avargal, Deputy Collector, Saidapet
5 Dur Sultan Mohideen Sahib Bahadur, Deputy Collector, Tindivanam Division
6 M. R. Ry. V. Alwar Chetty Garu, District Engineer.
7 " T. N. Krishnamachariyar avargal, Government Pleader, Chingleput
8 " N. Rajahathur Mudaliyar avargal, Taluk Board Member, Madurantakam

Non Officials

9 " A. Srinivasachariyar avargal
10 " P. Ekambaram Naicker Garu
11 J. M. Nanoo Esquire.
12 M. R. Ry. Dr. Venkataramalinga Reddi Garu

M. R.Ry S. Rajanya Rao avargal

K. Ramachandra Nayudu garu

Read A. C. Clayton

Mahomed Mohamed Khan Bahadur

M.R.Ry P. Rajagopala Aiyar avargal

Read A. Rudrum

-

No. Read Memorandum of Government No 709, dated 20th June 1898, calling for report as to whether, in the opinion of the Board, there is any real or maintaining distinction between Major and Minor Irrigation.

The Board is of opinion that the distinction is of no value

(Signed) D W G Cooper
President

(True Extract)

Vice President
for President District Board

No. 610 of 1898

CHINGLEPUT DISTRICT BOARD'S OFFICE,
SAIDAPET, 15th August 1898.

From

D. W. G. Cooper Esquire, I.C.S.
President of the District Board,
Chingleput.

To

The Chief Secretary to Government,
Local and Municipal Department,
Madras.

Sir,

In reply to the memorandum of Government, No 709, dated 20th June last, I have the honour to report that the District Board considers the distinction or classification between a "Major" and a "Minor" Irrigation to be of no value.

2 A copy of the resolution in the matter passed at a meeting held on the 13th instant is enclosed.

3 The Taluk Boards in the District are of the same opinion.

I have the honour to be
Sir,
Your most obedient
humble servant
Vice President
for President

Local & Munl. (1898) Department.

CURRENT No. 2179

From The Presidential District Board Vizagapatam

Order

No. 538

Dated 24th August 1898

Received 29 AUG 1898

Registered

Enclosures one

Spare copies

SUBJECT.

Reporting that in the opinion of the District Board there are no Municipal Commissioners in Vizagapatam

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O	No.	Department.	Date.

Extract from the Proceedings of the Vizagapatam District Board passed at its meeting held on Monday the 2nd August 1898.

Present

1 M. R. Ry. P. Govindarow Naidu Garu, Assistant Collector in charge of the Huzur Division. Presiding Member.

Official Members.

Nil.

Non-official Members.

2 M. R. Ry. P. B. Thammanna Chetti Garu.
3 " M. B. Sanyasi Chetti Garu.
4 " K. Butchi Venkanna Chetti Garu.
5 " V. Lingamoorty Pantulu Garu.
6 " M. Mallayya Pantulu Garu.
7 " P. Ramanna Pantulu Garu.
8 " K. V. Krishnarow Pantulu Garu.
9 " P. Venkatarow Pantulu Garu.
10 " V. Madhavarow Naidu Garu.

Q. Read Government Memo
No 709 dated the 20th June 1898,
requesting to report whether in
the opinion of the Board, there
is any case in maintaining
distinction between Major and
Minor Unions.

Read also file of replies
from the Presidents of Taluq
Boards.

No distinction is
necessary.

(signed) R Govindarow
Presiding Member.

(True Extract)

(J Finch)
for President Dist Board

No: 538.

DISTRICT BOARD'S OFFICE,
VIZAGAPATAM,
Dated 24th August 1898.

From

R. C. Horne Esquire
PRESIDENT, DISTRICT BOARD,
VIZAGAPATAM.

LOCAL & MUNICIPAL DEPT.
GOVERNMENT No.

To

J. H. D. Kennedeere Esquire,
CHIEF SECRETARY TO GOVERNMENT,
LOCAL AND MUNICIPAL DEPARTMENT,
MADRAS.

Sir,

With reference to your Memorandum
No 709 dated 20th June 1898 I have the
honor to report that in the opinion of
this District Board there is no case in main-
taining distinction between Major and Minor
Unions.

A copy of the Board's resolution is enclosed
herein.

I have the honor to be,
Sir,
Your most obedient Servant

(J Finch)
for President Dist Board

Local & Munl. (1898) Department.

CURRENT No.

SECRETARY TO GOVERNMENT
31 AUG 1898
LOCAL & MUNICIPAL DEPARTMENT

From The Recorder of Dublin's Board of Dublin Commissioners.

Order L. No. 8-8-1

Dated 30th August 98.

Received

Registered

Enclosures Nil.

Spare copies

SUBJECT,

Stating that the Board is not in a position to express an opinion on the question of maintaining Christchurch Cathedral Monastery & premises Dublin.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Extract from the Proceedings of a Meeting of the Nilgiri District Board, held on the 9th August 1898.

Present

Alan Butterworth, Esq. President.

Ex. officio

1. L. C. Roberts Esq. Head Assistant Collector & Nilgiris.

Official Members.

2. W. C. McMurray Esq. Asst. Collector and
3. C. E. Douglas Esq. Asst. Conservator of
4. Surgeon Major F. C. Reeves, District Medical
and Sanitary Officer, the Nilgiris.

Non. Official Members.

5. D. A. Manjeribanks Esq.
6. W. E. Driver Esq.
7. E. G. Wade Esq.
8. C. Barton Wright Esq.
9. W. Rhodes Dawes Esq.
10. A. M. Jones Esq.
11. H. Sheldrick Esq.
12. C. Mack Esq.
13. H. G. Stuart Esq.
14. R. C. Hebbard Esq.
15. F. W. Price Esq.
16. H. G. Bedwell Esq.
17. M. R. Ry C. A. Kittel Avergal
18. D. A. Daniel Esq.

10. Read Government Memorandum No 709, dated 20th June 1898, requesting to report whether there is any use in maintaining Victoria Culverts major and minor mains.

Resolution.

The Board, having no practical experience of the working of Culverts, is not prepared to give any opinion on the point.

(Sd) H. Butterworth
Secretary D.L. Board.

Submitted to Government in the local & municipal department in continuation of this office R.C. No. 210 BB. dated the 10th August 98.

Necessary Orders Made } for Perusal
Orders issued } Dft sd
30th August 98 } Mr Meagher

2082 BB

Local & Muni. (189) Department.

CURRENT No.

From The President
District Board,
Gaya.

Order.

No. 161 / 98

Dated 2nd September 1898.

Received 7 SEP 1898

Registered

Enclosures Nil.

Spare copies

SUBJECT.

Objection to the erection
of Meajor and Minor Culverts
on the Jehanabad Road
by the District Board of
Gaya on the ground that there
is no necessity for the
erection of the same
during the
year

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Extract from the Proceedings of the District Board Gaujam at a meeting held on Wednesday the 31st August 1898 at 2 P.M. in the Collectors Office at Chicacole.

Present — H. D. Taylor Esqre Ist Grade

Official

1. R.C. Graham Esqre Ist Grade Asst Collector
2. W. D'E. Ashe Esqre 2nd Grade Asst Collector
3. M.R.Ry. T.L. Narasimharao Pantulu Garu
General Deputy Collector Gumastha
4. " S. Venkata Ramanayya Pantulu Garu
Tahsildar Gumastha Taluq.
5 " A. Ramamurthi Rao Garu
Tahsildar Bobbili Taluq.
6 " P. Jaganadham Pantulu Garu
Deputy Tahsildar Srikakulam
7 " A. Chinna Rao Garu Head Clerk
Office Deputy Tahsildar Narasannapeta

Non-Official

8 " Sri Mukkamala Mukkamala Lakshmi
Naidu Garu Zamindar of
Kharagpur
9 " Chelikani Venkata Rama
Rao Garu
10 " Vizianagaram Ananda Raj

Daniel Kadanky Esqre
L.S. Vm Meldon Esqre Clerk
H. Gopaldas Esqre Public Accountant
D.J. Kondalarow Esqre Public Accountant
Ch. Hanmantharow Esqre Public Accountant
Chidambaram Pillay Esqre Public Accountant
Shanmukhachetty Esqre Public Accountant

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* * *

To Read Government Memorandum No. 709 dated 20.6.98 respecting the Precedence of Boards to report Vacancies in the Service and to appoint Boards thereto and Rules for Examinations Qualifications and Rates of Pay and Allowances of Candidates for Appointments to the Service

Also Copies from the Proceedings of Boards to report Vacancies in the Service and to appoint Boards thereto

Also Rules for Examinations Qualifications and Rates of Pay and Allowances of Candidates for Appointments to the Service

* * *

Chidambaram Pillay Esqre
Chief Draftsman
Cuddapah

Subramaniam
Extra Assistant Draftsman
Cuddapah

District Board of Kistna Gudivada
Dated Chatrapur 2 September 1898

From

LOCAL & MUNICIPAL DEPT

N. D. Taylor Esqre ICS
President, District Board,
Cuddapah.

To

The Secretary to Government,
Local and Municipal Department,
Madras.

Sir,

With reference to Government Memorandum No. 709 dated 20 June last I have the honour to state that the District Board of Kistna have no vacancies from time to time existing in the Service and Minor Service to report

2. As the District Board of Kistna have no vacancies to report

Please see the minute to Cy
for
Town Clerk's Dept.

J. Richardson
for President
Estates Board
Surveyor

Jan 18-98

Local & Munl. (189) Department.

CURRENT No. 24 4 40

From The President Dept

Yorkshire

Order

No.

Dated 10 9 98

Received 12 9 98

Registered

Enclosures

Spare copies.

SUBJECT.

Mr Lees Road Mr Lees
Road Mr Lees Road
Mr Lees Road Mr Lees
Road Mr Lees Road

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

LOCAL & MUNICIPAL D...
CURRENT No. 24402

Class. [illegible] Monthly Local No.

To [illegible] From [illegible]

Clothing [illegible] Station [illegible]

Warrant [illegible] Date [illegible] Expiry [illegible] Months [illegible] Special Instructions [illegible]

Equipment [illegible] Supplied from [illegible]

1 [illegible]

2 [illegible]

3 [illegible]

4 [illegible]

5 [illegible]

6 [illegible]

7 [illegible]

8 [illegible]

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Proof for approval

LOCAL AND MUNICIPAL DEPARTMENT.

No. 709.

MEMORANDUM.

The Presidents of District Boards will be requested to report, at a very early date, whether, in the opinion of the Boards, there is any use in maintaining distinction between major and minor unions.

H. TREMENHEERE,
Secretary to Government.

20*th June* 1898.

To all Presidents of District Boards.

LOCAL AND MUNICIPAL DEPARTMENT.

No. 709.

MEMORANDUM.

The Presidents of District Boards will be requested to report, at a very early date, whether, in the opinion of the Boards, there is any use in maintaining distinction between major and minor unions.

H. TREMENHEERE,
Secretary to Government.

20*th June* 1898.

To all Presidents of District Boards

Local Govt

Memorandum No 70952

The Presidents of District B
will be requested to report at
a very early date, whether, in the
opinion of the Board there is an
case in maintaining the X District
between major and minor unions

Rec'd 28.6.98

I

All Presidents of District Boards
Dublin

Note As the matter is very urgent
Board hopes to hear from you
early

28/6/98

Dno
Mean strength
450 cases
No
20/6/98

Local & Munl. (189) Depart.

CURRENT No.

Office No. 12

From The Secretary to Govt
Legislative Dept

Order

No. 1360

Dated 17th June 1898

Received 24th June 1898

Registered

Enclosures

Spare copies.

SUBJECT.

Regarding that
District Boards may be
called upon to report in
any case on the
proposed Amendment of the
Local Boards Act 1883

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

[illegible]
G
78
000—25-11-96.

OFFICE NOTE No. 1360

Dated 17th June 1898.

From

THE [redacted] SECRETARY, Legislative Dept.

To

THE SECRETARY, Local & Municipal DEPARTMENT.

The undersigned has the honour to request that the several District Boards may be called upon to report at a very early date whether there is any use in maintaining distinction between Major and Minor Unions.

H. Jacobs
Secretary to Govt.

17/6/98

No. 709.

Memorandum.

The Presidents of District Boards will be requested to report, at a very early date, whether, in the opinion of the Boards, there is any use in maintaining distinction between major and minor unions.

H. TREMENHEERE,
Secretary to Government.

20*th June* 1898.

To all Presidents of District Boards

NOTE FOR THE Leg Clerk

Cov No 2666 L received from the President Dk Bd for Comm is forwarded Dyn for the seal with the ~~letter~~ Petn the papers be forth Memorandum No 749 Dated 2nd June 1898 sent up th Yn a few months ago with a note

26
8/10/98

Local & Munl. (1898) Department.

CURRENT No.

From The President
District Board
Chittagong

Order

Dio No. 1376 J/P
dt. 03.

Dated 26.9.98

Received 30 OCT. 1898

Registered

Enclosures Four.

Spare copies

SUBJECT.

Election
of Board Resolution re
proceedings of the 7th ult
of Lucajee & Feni

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Extract from the Proceedings of the Rajahmundry Taluk *Board*

Godavari passed at its meeting held at COCANADA. / RAJAHMUNDRY *on* Amalapur on

27th July *189*8.

Present

1. M.R.Ry. C. Rangayya Pantulu garu, Vice President, Taluk Board
2. ,, D.V. Krishnarao Pantulu garu, Tahsildar, Amalapur Taluk.
3. ,, Rajah G. China Seetayya garu.
4. ,, P.V.S. Gopalam garu.
5. ,, M.V. Subbarayudu garu.
6. ,, I. Iyyanna garu.
7. ,, N. Reddi Naidu garu.
8. ,, Sri D. Venkata Krishnamraju garu.
9. ,, Sri D. Narasimharaju garu.

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123. Read endorsement Ref.on Cir.No.1290/D.B.of 98, dated 15- 7- 98 from the Vice President, District Board on Government Memorandum No.709, dated 20th June 1898, requesting to report whether there is any use in maintaining distinction between major and minor unions.

In the opinion of the Board there is no use of maintaining a distinction between major and minor unions.

-- -- -- --

(Sd) C. Rangayya

Vice President, Taluk

(True Extract)

Vice President, Tal

Extract from the Proceedings of the Ellore Taluk *Board*

Godavari passed at its meeting held at ~~Cocanada~~ Rajahmundry *on* Ellore on

the 3rd September *189*8.

Present

M.R.Ry. Rao Bahadur K. Rustumsing Avergal, President and Divisional officer.

Members.

1. M.R.Ry. G. Subrahmanyem garu, Tahsildar of Ellore Taluk.
2. Syed Vaziruddin Saheb, Tahsildar of Tanuku Taluk.
3. M.R.Ry. B. Lakshmanarao Pantulu garu, Deputy Tahsildar of Pentapadu Division.
4. ,, C. Seetaramayya garu.
5. ,, G. Venkatrao Pantulu garu.
6. ,, G. V. Sivarao garu.
7. ,, K. Krishnamurty Pantulu garu.
8. ,, S. Seetaramayya garu.
9. ,, M. Rangacharlu garu.
10. ,, P. Venkayya garu.
11. ,, K. Venkatrayudu garu.
12. ,, P. Venkatapatiraju garu.
13. ,, R. Papayya garu.
14. ,, S. V. Venkatapatiraju garu.
15. ,, Rajah Mantripragada Bhujangarao garu.
16. Munshi Mahomed Yacoob Saheb.

19. Read ref.on Suc.No.1290/D.B.,dated 1 from President, District Board, Godavari Commun for opinion Taluk board, Government Memo.No.709,dated 20-6-1898 requ report whether there is any ne in maintaining distinctio tween Major and Minor unions.

There is no practical use in the distinction. It may b away with.

(Sd) K. Rustumsing
President, Taluk

(True Extract)

Extract from the Proceedings of the Narsapur Taluk *Board*

Godavari passed at its meeting held at ~~COCANADA~~ / RAJAHMUNDRY *on* Narsapur on

8th August *189*8.

Present

M.R.Ry. P. Sitaramayya Pantulu garu, M.A., President, Taluk Board.

Members

1. M.R.Ry. Y. Venkatrao garu, Tahsildar of Narsapur.
2. ,, T. Ramarao Naidu garu, Tahsildar of Bhimavaram.
3. ,, S. Swaminadha Iyer Avergal, Sub-Assistant Inspector of Schools, Narsapur Range.
4. ,, Y. Venkataratnam garu, Vice President, Taluk Board.
5. ,, A. Triambakam garu.
6. ,, D. Venkataratnam garu.
7. ,, R. Krishnarao garu.
8. ,, D. Soorayya garu.
9. ,, Y. Subbarao Naidu garu.
10. ,, S. Venkata Ramacharlu garu.
11. ,, Ch. Narayanaswamy Naidu garu.
12. ,, K. Bapiraju garu.
13. ,, P. Venkatraju garu.
14. ,, M. Sriramulu garu.
15. ,, M. Ranganayaculu Naidu garu.
16. ,, Ch. Venkatapatiraju garu.
17. ,, B. Subbaraju garu.
18. ,, B. Krishnarao garu.
19. Charles Been Esquire.
20. Khazi Munshi Abdul Mazid Saheb

-- -- --

48. Read endorsement Ref.on Our.No.1290/D.B., dated 15-

of the Vice President, District Board communicating a copy

No.709, dated 20-6-1898 asking whether there is any use in

taining distinction between major and minor unions.

Votes 3 against, rest for abolishing the distinction.

(Sd) P. Sitaramayya.
President, Taluk Board.

(True Extract)

Vice President, District Board.

Fee 2/9/98

Dis. No. 477/D.L. of 98. Board Office

From V. A. Brodie Esquire,
President,
District Board, Godaveri.

To The ~~Chief~~ Secretary to Government,
Local and Municipal Departme

Sir,

In confirming my telegram of the tenth I) noted in the margin, have the honor to enclose of the Resolutions of Iran, Local Boards in this district.

I have the honor to be Sir, your most obedient se

V. A. Brodie
for President, Dist.

Rec'd 23/7/98

cal & Munl. (1898) Department.

CURRENT No. 2444 L.

Telegram.
From

The President Dt. Bd.
Godavari
Madras.

No.

Dated 10. 9. 98
Received 12. 9. 98
Registered
Enclosures
Spare copies

SUBJECT

Stating that Mr Locab
is of opinion that there
is practicable area of diminution
Rajas and Proper Shun

LOCAL AND MUNICIPAL DEPARTMENT.

No. 709.

MEMORANDUM.

The Presidents of District Boards will be requested to report, at a very early date, whether, in the opinion of the Boards, there is any use in maintaining distinction between major and minor unions.

H. TREMENHEERE,
Secretary to Government.

20th June 1898.

To all Presidents of District Boards

Hawke Thos. draft to Sr. [illegible] who he has
all upon ... not dated the copies as often ... 21.10.98.
ss 73, 65 etc Sr. H. B. to write to Sir [illegible] done 27/11/98
to have ... draft again as to ... from "intermediates", & omitting
board.

Distriction be Co: Junior & minor ... sections
sections cl. 6 of def. 28 & strike out
2 S. 141

Byelaws of vacc. approved 1.737

S. 90 (3) & S. 93. Right?

In S. 6 line 5, after "calculated" insert "from
time to time."

... elections of V. P.
accepted.

S. 17 "together with the Sr. off members" ... [illegible]
approved. S to stand as drafted

S. 40. omit "in"

118 A for and. In 117 J read
of S 117 E or S 117 S.
may appeal
S 155 (2) stands

B. is to be seen from Hon.
Draftsm office and Parliament (Byrne
Members voting to be confirmed by Sgn
after two ... Increase 1 to 19 (after Ends)
to ...

95. alt. 8 Sheets

H.I.

21 10 98.

Copy Sec. Mun. Judicial proposals re Offices.

SECRETARY TO GOVERNMENT

WELLINGTON HOUSE,
ROYAPETTAH.

MUNICIPAL

Law Commissioners

Draft Bill

Law Commissioners

Draft Bill

Law Commissioners

Draft Bill

[L. & M. 3401—17-6-07.]

C. 22-11-98.

NOTE FOR THE

Mem
I think I
like to have over
the draft at the
Cabinet, before the
Sat meeting is called.
H 21 11 98

Does the Hon.
wish to make an
note from Adv. Co
S. 74 A taken to
Provides 6 S. 73
H
16 11 9

I do not see ho
it to apply to
mediate land
nor do I under
how the new cl
to come into
Perhaps we
talk it over
J.G.

C. 15-11-98.

[11/35]

800—9/0. L.&S.

C. No

HIS EXCELLENCY THE GOVERNOR.
THE HON'BLE SIR HENRY BLISS, K.C.I.E.
THE HON'BLE MR. CROSE, C.I.E.

SUBJECT.

Land Revenue Bill

FOR ORDERS.

[8 Copies—3rd No

Scaled

Note for Secy.

The following alterations have been agreed to by Messrs. Acworth White, Waghorn & Bryson & may be embodied in the Bill.

Sec 2 (3) Omit with ref. to Sec 15 of the Madras Land Claims Act. 1891

Sec 3 (XXVII) Read "Tenant" includes all persons who whether personally or by an agent occupy land under a land holder or an intermediate land holder and whether or not they pay rent to such land holders or intermediate land holders as the case may be.

(Madras Act I of 1894)

Sec 64 (III) Line 5, after land holder add "or intermediate land holders as the case may be."

Sec 73. Line 20, omit "or occupier."

(Madras Act IV of 1898)

Line 23, 25, omit the words in brackets.

Line 28. For "but only" read "Sec."

line 29. In the place
word "on" read "accessible
on the account of."

lines 31 & 32. Omit the
words "in respect of lands
held by the intermediate landholder."

An illustration to the following
effect should shall be
inserted in the Report to the
Select Committee.

An intermediate landholder
receives Rs 500 as rent from
his tenants in respect of 100 acres
of land.

He pays Rs 50 as kattubadi
to the landholder.

[illegible] corrects / amends the figures
in the Rs 500 (from the landholder)
the landholder receives from
the intermediate landholder /
annas per rupee on Rs 500 - 50
= Rs 450, and 6 pies per rupee
on Rs 50.

The intermediate landholder
receives from the tenants
6 pies per rupee on Rs 500,
and he has thus to pay
out of this sum received a
net charge of 6 pies per
rupee on Rs 500 - 50 = Rs 450.

SM 19.12.98

[8 Copies—3rd November 1898.]

No. 2 of 1898.

A

BILL

FURTHER TO

Amend Madras Act V of 1884 (The Madras Local Boards Act, 1884).

(As amended by the Select Committee.)

a fresh scheduled

WHEREAS it is expedient further to amend the Madras Local Boards Act V of 1884; It is hereby enacted as follows:—

1. This Act may be called the Madras Local Boards Act Amendment Act, 1897; and it shall come into force on such date as the Governor in Council may by notification direct.

2. Unless there is something repugnant in the subject or context, the sections declared to be amended by this Act are those of the Madras Local Boards Act V of 1884 (M.).

3. In section 2, sub-section (1),

(*a*) The figures "1884" shall be substituted for the figures "1878."

(*b*) The words "or in any scheduled district, as defined under the scheduled districts Act, 1874, or other law in force for the time being" shall be omitted.

(*c*) *After sub-section (2) the following shall be inserted as sub-section (3)* —

"(3) *Whereas under this Act a power is conferred to issue a notification or to make any rules, bye-laws or orders, the power shall be construed as including a power exercisable in the like manner and subject to the like consent and conditions, if any, to rescind, revoke, amend, or vary the notification, rules, bye-laws or orders.*

(Madras Act I of 1891, section 15.)

4. For the words "official year" wherever they occur shall be substituted the words "financial year".

(Madras Act IV of 1884, section 3.)

5. For section 3 shall be substituted the following section:—

"3. In this Act unless there is something repugnant in the subject or context—

"Building."

(1) "Building" includes walls, and also houses, huts, sheds, roofed enclosures and constructions appurtenant thereto, whether used for the purpose of human habitation or otherwise.

(ii) "Company" means a company registered under the Indian Companies Act, 1882, or under the Acts of Parliament known under the collective title of the Companies Acts, 1862 to 1890, or incorporated by an Act of Parliament or of the Governor-General in Council or by royal charter or letters patent.

"Company."

(iii) "District" means any local area, which, for the purposes of the collection of land revenue, shall have been placed, for the time being, under the charge of a Collector of a district, or which for the purposes of this Act the Governor in Council may by notification from time to time declare to be a district or to be attached to and to form part of a district.

"District."

(iv) Words importing the masculine gender shall be taken to include females.

"Gender."

(v) "Guardian" means any person to whom the care, nurture, or custody of any child falls by law, or by natural right or recognised usage, or who has accepted or assumed the care, nurture or custody of any child, or to whom the care or custody of any child has been entrusted by any lawful authority.

"Guardian."

(vi) "Horse" includes pony and mule.

"Horse."

(vii) "House" includes any shop or warehouse.

"House."

(viii) "Inoculation" means any operation performed with the object of producing the disease of small-pox by means of variolous matter.

"Inoculation."

(viiii) "Inhabitant" means any person who has been ordinarily residing in any local area for a period of six months or upwards.

"Inhabitant."

(x) "Landholder" includes all persons holding under a Sanad-i-Milkiat Istemrar, all other Zamindars, Poligars, Shrotriemdars, Inamdars, and Inamdars, and all persons farming the land revenue under Government; all holders of land in Malabar under whatever tenure; and all holders of land under ryotwar settlement, or in any way subject to the payment of land revenue direct to Government, and all registered holders of land in proprietary right.

"Landholder."

(xi) "Latrine" includes privy.

"Latrine."

(xii) "Local Board" means and includes any District Board or Taluk Board constituted under this Act.

"Local Board."

(xiii) "Local fund" means and includes a District fund, a Taluk fund and a *Union* fund.

"Local fund."

(xiv) "Magistrate" means a Magistrate appointed under the Code of Criminal Procedure, 1882.

"Magistrate."

(xv) (*a*) "Market" means any place which is a market at the passing of this Act or which may have been declared under section 117-A to be a market.

"Market."

(*b*) "Public market" means any market belonging to a Local Board or constructed, repaired or maintained out of Local funds.

"Public market."

(*c*) "Private market" means any market not being a public market.

"Private market."

(xvi) "Notice" means a notice *in writing, and writing with its grammatical variations and cognate expressions, shall include 'Printing,' 'Lithography,' 'Photography,' with their grammatical variations and cognate expressions and other modes of representing or reproducing words in a visible form.*

"Notice."

(xvii) "Nuisance" means any act, omission or thing causing or likely to cause any common injury, annoyance, offence, harm, danger, or damage to the sense of sight, smell or hearing of, or which is or is likely to be dangerous or injurious to the health or property of the public or the people in general who dwell or occupy property in the vicinity or persons who may have occasion to use any public right.

"Nuisance."

(xviii) "Owner" includes the person for the time being receiving or entitled to receive the rent or profits of the property, or in charge of the manual or thing in connection with which the word is used, whether on his own account or as agent or trustee for another person.

"Owner."

(xix) "Palanquin" includes tonjons, manchils and chairs carried by men by means of poles, but not slings or cots used for the conveyance of children or aged or sick people.

"Palanquin."

(xx) "Panchayat" means the body of persons constituted for an Union under this Act.

"Panchayat."

(xxi) "Parent" means the father of a legitimate child and the mother of an illegitimate child.

"Parent."

(xxii) "Person" includes any company or association or body of individuals, whether incorporated or not.

"Person."

(xxiii) (*a*) "Road" includes any road, street, square, court, alley, or passage, whether a thoroughfare or not, over which the public has a right of way, together with the drains on either side and with the land, whether covered or not by any pavement, verandah, or other erection, which lies on either side of the roadway up to the boundaries of the adjacent property, whether that property be private property or property reserved by Government for other purposes; and also includes the roadway over any public bridge or causeway.

"Road."

(*b*) "Public road" means any road which is now vested in the Local Board or which may hereafter be made at the cost of Local funds or which may hereafter be declared under section 59 to be a public road.

"Public road."

(xxiv) "Service office" does not include the office of a Village Headman, Karnam, or other village officer mentioned in the Madras Village Cess Act IV of 1864.

"Service office."

(xxv) "Schedule" means a schedule to this Act. The schedules shall be read as part of this Act.

"Schedule."

(xxvi) "Taluk" means any part of a district which may be declared to be a taluk in the manner hereinafter provided.

"Taluk."

(xxvii) "Tenant" includes all persons who occupy land under a landholder whether personally or by an agent, and who, as they pay rent to such landholder or another, are entitled to the benefit of the tenancy.

"Tenant."

(xxviii) "Union" means any revenue village or villages or any portion or portions thereof which may be declared to be a Union in the manner hereinafter provided.

"Union."

(xxix) "Unprotected child" means a child who has not been protected from small-pox by having had that disease either naturally or by inoculation or by having been successfully vaccinated, *or* who has not been certified in the manner hereinafter provided to be insusceptible of vaccination.

"Unprotected child."

(xxx) (*a*) "Vaccinator" means a public or private vaccinator.

"Vaccinator."

(*b*) "Public vaccinator" means any vaccinator employed under this Act by any Local Board, and includes a Deputy Inspector of Vaccination.

"Public vaccinator."

(*c*) "Private vaccinator" means any person *duly* licensed to perform the operation of vaccination.

"Private vaccinator."

(xxxi) Words in the singular shall include the plural and *vice versâ*.

"Number."

6. In section 5, the words "by an order in writing published together with a statement of his reasons for making the same" shall be inserted between "may" and "in like manner"; and at the end of the section shall be added the words "But no order dissolving a Taluk Board shall be passed without previously intimating to the District Board to which the Taluk Board is subordinate the grounds upon which the proposal is based and considering the explanation and objections, if any, of the District Board."

7. In sub-section (1) of section 6, the words "any village or villages or any portion or portions thereof" shall be substituted for the words "a village or group of villages", and the words "by an order in writing published together with a statement of his reasons for making the same" shall be inserted between the word "may" and the words "at any time".

8. *(a) In sub-section (1) of section 9, the words "member and" shall be inserted between the words "a" and "President".*

(b) In sub-section (2) of the same section after the word "Council" where it first occurs the words "to appoint one of the members of any District Board to be the President of such Board or" shall be inserted; and the following shall be added at the end of the sub-section, viz.: "But no such appointment shall be issued without previously intimating to the District Board the grounds upon which the proposal is based and considering the explanation and objections, if any, of the District Board.

9. In section 12, the words "by name or in virtue of his office" shall be inserted between the word "appointed" and the words "to be a member".

10. In section 15,

(*a*) after sub-section (1), the following sub-section shall be inserted and the present sub-section (2) shall be read as sub-section (*ii*):—

"(2) In the event of a taluk constituted under section 5 containing areas belonging to more than one Revenue division, the Governor in Council shall declare which of the Revenue Divisional officers concerned shall *ex-officio* be President of the Taluk Board, and the other or others shall be members";

(*b*) *In sub-section* (3) *as now re-numbered after the word* "Council" *where it first occurs the following words shall be inserted*, "*to appoint one of the members of any Taluk Board to be the President of such Board, or*"; *and the following shall be added at the end*: "*But no such notification shall be issued without previously intimating to the Taluk Board the grounds upon which the proposal is based and considering the explanation and objections, if any, of the Taluk Board.*"

(*c*) the following sub-section shall be inserted after sub-section (3) as now renumbered:—

"(4) Whenever the President of a Taluk Board is appointed or *elected* as provided in sub-section (3), the Revenue officer in charge of every division or portion of a division included in the taluk constituted under section 5 shall *ex-officio* be a member of the Taluk Board of such taluk, and when one of such Revenue officers is elected as President, the others shall *ex-officio* be members of the Taluk Board."

11. In the first line of section 16, the word "other" shall be inserted between the word "the" and the word "members".

12. In section 17, the words "by name or in virtue of his office" shall be inserted between the word "appointed" and the words "to be a member".

13. To the proviso to section 19 shall be added the words "*but no such notification under the words "shall forthwith intimating the grounds shall be issued without previously to the District or Taluk Board upon which the proposal is based and considering the explanations and objections, if any, of the District or Taluk Board as the case may be*, and such notification shall not

come into force until one month after the same shall have been published in the *Fort St. George Gazette*."

14. *In sub-section* (1) *of section 21 for the words "by election" the words "or elected" shall be substituted.*

[Madras Act IV of 1884, section 17 (1).]

15. In section 22,

(*a*) for the first clause of sub-section (1), the following clause shall be substituted:—

"(1) Subject to the provisions of section 24, every person elected as aforesaid to be a member of a Local Board shall continue in office for three years from the date of the *Fort St. George Gazette* wherein his appointment was notified and he shall then cease to be a member of such Board;"

(*b*) in the proviso to sub-section (1), *for* the word "appointed" shall be *substituted* the word "elected";

(*c*) for sub-section (2) shall be substituted the following sub-section:—

"(2) Any member of a Local Board appointed or elected to be President or Vice-President shall be deemed to have vacated such office on the expiry of the term for which he was originally appointed or elected member or on his otherwise ceasing to be a member or upon the *withdrawal of the authority given* under sub-section (2) of section 9 or sub-section (3) of section 15 or section 20.

(Madras Act IV of 1884, section 18.)

16. In section 23, the following shall be substituted for sub-section (2):—

"Any person holding a salaried office under Government who is a member of a Local Board shall, on being permanently transferred from the local area over which such Board has authority or on quitting such local area with the intention of remaining absent therefrom for more than three months, or on his resignation, *suspension, removal*, or retirement from his office under Government, be deemed to have vacated his office of member of such Board."

(Madras Act IV of 1884, section 19.)

17. In section 24,

(*a*) in sub-section (1), for the words "at any time remove any President, Vice-President or member of a Local Board," shall be substituted the words "by resolution remove any President, Vice-President or member of a Local Board other than an *ex-officio* President or member".

(*b*) in clause (i) of sub-section (1), before the word "refuses" shall be inserted the words "is absent for more than three months from the local area over which such Board has authority or,"

(*c*) in clause (iii) of the same sub-section, after the words "public peace or order" shall be added the words "or likely to bring the administration of the Local Board into contempt";

(*d*) to the same sub-section there shall be added as clause (*iv*) the following, namely:—

"(iv) In the case of a President, if he, without an excuse sufficient in the opinion of the Governor in Council, omits or refuses to carry out any resolution of the Board."

(*e*) *sub-section* (2) *shall be renumbered as sub-section* (3) *and the following inserted as sub-section* (2):—

(2) "When the Governor in Council proposes to take action under clause (iii) of sub-section (1) he shall not pass orders without giving an opportunity of explanation to the President, Vice-President or member concerned."

(Madras Act IV of 1884, section 29 (4).)

18. In section 25, in sub-section (1), after the words "otherwise directs" shall be inserted the words "in the exercise of the powers vested in him under section 19".

(Madras Act IV of 1884, section 30 (5) and (3).)

19. *For section 26 of the Act the following shall be substituted*:—

"26. No member of a Local Board or Panchayat *other than the President, Vice-President or Chairman*, shall receive any salary or other remuneration from the funds at the disposal of or under the control of such Board *or Panchayat*, and no President, Vice-President *or* Chairman shall receive any *such* salary or remuneration unless the payment *thereof* shall have been *sanctioned by the Local* Board *or Panchayat*, with the approval of the Governor in Council."

(Madras Act IV of 1884, section 31.)

20. After section 27, the following section shall be inserted:—

(Madras Act IV of 1884, section 31-A.)

"27-A. The election or appointment *after the first constitution* of every President, Vice-President and member of a Local Board shall be notified in the *Fort St. George Gazette*."

21. *In section 28 the word "it" shall be substituted for the word "they".*

[Madras Act IV of 1884, section 29 (4).]

22. *In section 29, sub-section* (1) *for the words "members of any Local Board" the words "members then on any Local Board" shall be substituted.*

23. *After* section 29 the following shall be inserted as section *29-A*:—

"*29-A.* All meetings of the Local Board shall be open to the public. Provided that the presiding member may, in any particular case, direct that the public generally or any particular person shall withdraw."

[Madras Act IV of 1884, section 30 (5) and (3).]

24. In section 31,

(*a*) in sub-section (1), after the words "number of members" there shall be inserted the words "then on the Board, not being less than three"; and at the end of the sub-section shall be added the following clause, namely:—

"If at the time appointed for a meeting under this sub-section or within half-an-hour thereafter a quorum is not present, the President, Vice-President or presiding member may adjourn the meeting to some future day;"

(*b*) the following shall be inserted as sub-section (3), the present sub-section (3) being numbered as sub-section (4):—

"(3) No member of a Local Board shall vote on any question coming before the Board for consideration in which (otherwise than in its general application to all persons and properties within the local area) he has any pecuniary interest";

(*c*) in sub-section (4), the words "then on such board" shall be substituted for the words "of such board" in the last line.

(Madras Act IV of 1884, section 31.)

25. In section 32,

(*a*) to sub-section (2), the following proviso shall be added:—"Provided that the President shall immediately submit to the said Collector, or the Revenue Officer as the case may be, any minute of dissent that may be forwarded to him within 48 hours of the meeting by any member." and,

(*b*) the following shall be inserted as sub-section (3):—

"(3) The President and in his absence the Vice-President, shall have the custody of the proceedings and records of the Local Board and may grant copies of any such proceedings and records on payment of such fees as the Local Board may, by general or special order, prescribe. Copies granted under this sub-section shall be certified by the President or the Vice-President as provided in section 76 of the Indian Evidence Act, 1872, and copies so

certified may be used to prove the records of the Local Board in the same manner as they may, under sub-section 5 of section 78 of the said Act, be used to prove the proceedings of that body."

[Madras Act IV of 1884, section 32 (3).]

26. In section 33,

(*a*) *The words* "*at a meeting*" *in sub-section* (*2*) *shall be omitted*,

(*b*) for sub-section (3) the following shall be substituted, namely :—

"(3) The President may from time to time authorise the Vice-President by an order in writing to exercise any of the powers conferred or to perform any of the duties imposed on the President by this Act and may at any time in like manner modify or cancel such order.

Provided that the delegation of powers or duties under this sub-section shall not relieve the President of any responsibility imposed upon him by this Act."

(Madras Act IV of 1884, section 32-A.)

27. After section 33, the following section shall be inserted, namely—

"33-A. Notwithstanding anything contained in sub-section (2) of section 32, it shall be lawful for the President in cases of emergency to direct the execution of any work or the doing of any act which the Local Board is empowered to execute or do and the immediate execution or doing of which is in his opinion necessary for the service or safety of the public and to direct that the expense of executing such work or doing such act, incurred as the emergency may require, shall be paid from the Local fund.

Provided that every direction given under this section shall be reported at the next following meeting of the Local Board."

(Madras Act IV of 1884, section 38.)

28. In section 34, the words "at a meeting" shall be omitted; *the word* "*its*" *shall be substituted for the word* "*their*" *in clause* (*a*) and the following shall be added as sub-section (2) :—

"(2) No rule made under this section shall take effect until it has been published in the manner prescribed by the Governor in Council."

29. In section 35,

(*a*) in sub-section (1), after the words "President of a Local Board" shall be inserted the words "or Chairman of a Panchayat"; after the words "such Local Board" shall be inserted the words "President or"; and after the word "President" wherever it subsequently occurs shall be inserted the words "or Chairman";

[Madras Act IV of 1884, section 33 (1).]

(*b*) in the same sub-section, the words "after obtaining and considering the explanation of the President or Chairman" shall be inserted between the words "the Collector" and the words "may by notice";

(*c*) in sub-section (2), after the words "Local Board" shall be inserted the words "or Panchayat".

[Madras Act IV of 1884, section 34 (2).]

30. In section 36, *the word* "*its*" *shall be substituted for the word* "*their*" *in clauses* (*a*) *and* (*d*) *of sub-section* (1), *the following shall be inserted as* sub-section (2) *and the present sub-section* (*2*) *renumbered as sub-section* (*3*) :—

"(2) The Collector also may by a special order in writing in each case direct the Revenue Officer in charge of the division to exercise any of the powers referred to in clauses (*a*), (*b*) and (*c*) of sub-section (1)."

(Madras Act IV of 1884, section 35.)

31. In section 37,

(*a*) in sub-section (1), for the words "or order of a Local Board", there shall be substituted the words "of any Local Board, or of any order issued by any Local Board or President"; after the words "cancel such resolution or order" shall be inserted the words "or suspend or cancel any license granted by any Local Board or President"; before the words "such resolution, order or act", shall be inserted the words "such resolution has not been legally carried, or"; after the same words, the words "or the issue of such license"; and after the words "the doing of such act" shall be inserted the words "or the continuance in force of such license".

(*b*) In sub-section (*c*) before the words "rescind the order, or" there shall be inserted the word "thereupon", and after the same words, the words "after giving the Local Board a reasonable opportunity of explanation".

[Madras Act IV of 1884, sections 36 and 37 (3).]

32. In section 38,

(*a*) in sub-section (1), the words "or the President" shall be inserted before the words "is empowered";

(*b*) in sub-section (2), the words "or all" shall be omitted, and the words "except charges for the service of authorized loans" shall be inserted after the words "against such fund"; and

(*c*) the following shall be substituted for sub-section (3) :—

"Every case in which the powers conferred by this section are exercised shall be forthwith reported to the Governor in Council by the Collector with the reasons in full for the exercise of such powers and

a copy of the report shall, at the same time, be sent to the Local Board for information."

33. In section 40,

(*a*) in sub-section (1), the words "a Local Board or a President" shall be substituted for the words "any Local Board" and the words "on it" shall be omitted; and,

(*b*) in sub-section (3), the word "in" after the word "person" and the words "or all" before the words "other charges" shall be omitted, and the words "except charges for the service of authorized loans" shall be added after the words "against such fund".

(Madras Act IV of 1884, section 37.)

34. In section 41, the words "at a meeting" shall be omitted, *and the word "its" substituted for the word "their" wherever it occurs and the word "it" for the word "they".*

(Madras Act IV of 1884, section 39.)

35. In section 42,

(*a*) *in sub-section (1) the word "its" shall be substituted for the word "their" and* in sub-section (2) the words "or to any public or private body" shall be inserted after the word "Government", and the words "or the public or private body concerned *as the case may be*" shall be inserted before the words "shall contribute";

(*b*) in sub-section (4), the words "or unless some other Government servant has been deputed to replace the one withdrawn" shall be added at the end; and

(*c*) the following sub-section shall be inserted after sub-section (4):—

"(5) Government servants employed under Local Boards shall be entitled to leave and other privileges in accordance with the regulations applicable to the department of general administration to which they belong."

[Madras Act IV of 1884, section 40 (5).]

36. For section 44 shall be substituted the following section:—

"44. (1) The President shall, subject to such rules as the Governor in Council may prescribe, appoint such permanent servants as shall have been provided for in the manner aforesaid and shall pay such permanent servants from the Local fund the salaries that may be so fixed.

(2) The President may also in cases of emergency appoint such temporary servants as in his opinion may be required for the purposes of this Act and may direct that the salaries of such temporary servants fixed as the emergency may require shall be paid from the Local fund.

[Madras Act IV of 1884, section 42 (1) and (2).]

Provided that every appointment made under this sub-section shall be reported at the next following meeting of the Local Board.

(Madras Act IV of 1884, section 43.)

37. In section 46,

(*a*) in sub-section (1), the words "at a meeting" shall be omitted, and in sub-sections (1) and (2), the words "and Panchayats" shall be inserted after the words "Local Boards"; and

(*b*) in sub-section (1), the following proviso shall be inserted after clause (viii):—

"Provided that no rules as to the matters mentioned in clauses (iii), (v), (vi), (vii) and (viii) shall be valid until they have been confirmed by the Governor in Council."

38. Section 48 is hereby repealed.

(Madras Act IV of 1884, section 23.)

39. In section 49, the words "or streets" and "or street" wherever they occur shall be omitted; the words "existing at the time this Act comes into force, or which shall afterwards be made" shall be omitted; and for the proviso shall be substituted the following clause: "But it shall be competent to the Governor in Council by notification to exclude any road from the operation of this Act and to modify or cancel such notification."

(Madras Act IV of 1884, section 28.)

40. *In section 50,*

(*a*) *For the word "streets" in sub-section (1) the words "public roads" shall be substituted.*

(*b*) In sub-section (2), the words "Local Board or Panchayat at whose cost they are collected" shall be substituted for the words "District Board".

(*c*) *In sub-section (3), for the words "and culvert" the words "or culvert" shall be substituted.*

41. In sub-section (2) of section 51, the word "concerned" shall be substituted for the words "within whose jurisdiction such endowment is situated".

42. In clause (1) of section 52, the words "any Taluk Board in the same district" shall be substituted for the words "the Taluk Board of the taluk wherein such property is situated".

43. *In section 53, the words "or street" shall be omitted wherever they occur and the word "its" substituted for the word "their".*

44. In sect. 54,

(*a*) from sub-section (1), clause (i) shall be omitted and the clauses (ii) to (vi) shall be numbered as (i) to (v); and

(*b*) the following proviso shall be added at the end of sub-section (2).

"Provided that if the District Board shall have given previous authority in writing, such bank or treasury may at once pay out of such fund, without the issue of such orders or cheques, any expense which the Governor in Council has incurred on behalf of the District Board."

45. In section 56, the following proviso shall be added at the end of sub-section (2):—

"Provided that if the Taluk Board shall have given previous authority in writing, such bank or treasury may at once pay out of such fund, without the issue of such orders or cheques, any expense which the Governor in Council has incurred on behalf of the Taluk Board."

46. In section 57,

(*a*) the following shall be inserted as clause (iii) and the present clauses (iii), (iv) and (v) renumbered as clauses (iv), (v), (vi) and (vi), respectively:—

"(*iii*) *A tax not exceeding six pies in the rupee on the annual rent-value of all occupied lands to be utilized solely in the construction of tramways or rail roads.*";

(*b*) in clause (*v*) *as so renumbered*, the words "under any of the classes and at rates not exceeding those" shall be substituted for the words "not exceeding the rates"; the words "or upon foot-passengers going over *such* bridges *and* at such rates as the Governor in Council *on the request of the District Board* may *by notification* approve" shall be inserted after the words "Schedule B"; and the words "clause (1) of section 55" shall be substituted for the words "clause 1, section 56";

(*c*) in clause (*vi*) *as so renumbered*, the word "roads" shall be substituted for the word "streets" and the words "approved by the Governor in Council" shall be inserted after the word "rate";

(*d*) in clause (*vi*) *as so renumbered*, the words "use of *shroffs, travellers'* rest-houses, cart-stands, markets and slaughter-houses constructed or maintained from [*sic*] Local fund and fees for the temporary use of" shall be substituted for the words "temporary use of cattle-stalls and of markets"; the words "on the occasion of fairs and festivals" shall be omitted; and the words "with the approval of the Governor in Council" shall be added at the end of the clause.

47. From section 63, the words "at a meeting" shall be omitted *and the following proviso inserted at the end of the section*:—

"Provided that the tax mentioned in clause (*a*) of the aforesaid section shall be levied unless the levy thereof is

(Madras Act IV of 1884, section 28.)

(Madras Act IV of 1884, section 48.)

determined by a resolution of the District Board supported by not less than ~~two-thirds~~ *three-fourths of the members then on the Board, such resolution being confirmed after a period of* ~~two~~ *months by a like majority.*

48. *In section 59, after the words "mentioned in" the words "clause (i) and clauses (ii) to (xi) of" shall be inserted and for the word "fail" shall be substituted the word "fails".*

49. The proviso at the end of section 60 shall be omitted.

50. In section 61, the words "at a meeting" shall be omitted, the words "with the approval of the Governor in Council" shall be inserted after the word "determine" *and the word "it" substituted for the word "they".*

51. In section 62, sub-section (1), the words "with the approval of the Governor in Council" shall be inserted after the word "determined" *and the word "it" substituted for the word "they".*

52. In section 63, *the words "in whole or in part" shall be inserted after the word "exempt"* the words "carriages, carts or animals" shall be inserted after the word "persons", and the word "tolls" shall be inserted after the word "taxes".

53. *In section 64, the word "notice" shall be substituted for the word "notify" in the first line and after the word "calculated" where it first occurs shall be inserted the words "from time to time".*

The Honourable the Advocate-General suggests the following additional sections:—

54. *In section 65 the word "landholder" shall be substituted for the words "holder of land" where these words first occur.*

55. (*a*) *In section 73 before the words "Provided that" insert the following:—*

"*Provided that in all cases where a person holds or occupies lands as an intermediate landholder on an undertenure created, continued, or recognised by a landholder [*illegible*] and also on the sale of such lands it shall be lawful for the landholder to recover from the intermediate landholder [*illegible*] the whole of the tax* [*illegible*] *by the landholder in respect of lands held by the intermediate landholder hereon, one half the tax due by kathabadi, jodi, pay-roy or quit-rent payable by the intermediate landholder to the landholder in respect of lands held by the ryots under the landholder.*

(*b*) *In the same section after the word "Provided" the word "also" shall be inserted.*

(*c*) *In the same section after the word "landholder," where it secondly occurs, the words "or the intermediate landholder, as the case may be," shall be inserted.*

56. *In section 74 after the word "landholder" where it first occurs, the words "or the intermediate landholder, as the case may be," shall be inserted.*

In the same section the word "provisos" shall be substituted for the word "proviso."

57. *In section 76 before the word "proviso" the word "second" shall be inserted.*

58. In section 77,

(*a*) *in sub-section (1), for the word "notify" shall be substituted the word "notifies"*; *and*

(*b*) in sub-section (2), the word "and" shall be substituted for the word "or" between the words "owners" and "occupiers."

59. In section 78,

(*a*) in sub-section (1), the words "names of the owner and of the occupier" shall be substituted for the words "name of the owner and occupier"; and

(*b*) for sub-section (2), the following shall be substituted:—

"(2) Lighthouses, and buildings exclusively used for charitable purposes, or set apart for public worship and other actually so used or used for no other purpose, and buildings exclusively used as public choultries, hospitals or dispensaries, and buildings which are the property of Local Boards or Panchayats, shall not be liable to such tax."

60. In section 79, insert the following as sub-section (3):—

(3) The President of the Taluk Board may, at any time on his own motion or on the motion of any person interested, exercise any or all of the powers of the Chairman of the Panchayat under the last preceding sub-section, subject to notice being given as therein provided; and no order so passed by the President of the Taluk Board shall be varied or cancelled save by appeal under section 80.

61. After section 79, the following section shall be inserted:—

"79-A. (1) The tax imposed under section 77 shall be payable by the owner or the occupier of the *house* in two equal instalments.

"(2) Subject to the provisions of sub-section (1) of section 80-A, the instalment for one half-year shall be payable within thirty days after the commencement of such half-year."

62. In section 80,

(*a*) in sub-section (1), the word "half-year" shall be substituted for the word "year"; and

(*b*) the following shall be inserted at the beginning of sub-section (2) after the figure (2):

[Madras Act IV of 1884, section 63 (1).]

(Madras Act IV of 1884, section 64.)

[Madras Act IV of 1884, section 72 (2).]

"Every demand for a remission under this section shall be made during the half-year in respect of which the remission is sought or in the following half-year and not afterwards."

(Madras Act IV of 1884, section 73.)

63. After section 80, the following section shall be inserted:—

"80-A. (1) When any *house in a union* is constructed, reconstructed, or enlarged, the owner shall give notice thereof to the Chairman within fifteen days from the date of completion of such *house*, rebuilding or enlargement, or from the date of occupation of the said *house*, whichever date happens first. The Chairman shall on receipt of such notice assess the tax leviable in respect of the *house*, and the instalment for the half-year in which the assessment is made shall be payable within thirty days after the date of the service of notice issued under sub-section (1) of section 81, provided that if such date of completion or occupation falls within the last two months of a half-year, no tax or enhanced tax, as the case may be, shall be levied in respect of the *house* for that half-year.

"(2) When any *house* is completely demolished or destroyed, the owner thereof may give notice to the Chairman of such demolition or destruction; and until such notice is given, such owner shall be liable at the discretion of the Chairman to payment of the tax which would have been leviable had such *house* not been demolished or destroyed. If the said notice is given within the first two months of a half-year, no tax shall thereafter be levied in respect of the *house* and any tax which may have been levied for that half-year shall be refunded."

64. In section 81,

(*a*) in sub-section (1), the words "all of them" shall be substituted for the word "both";

(*b*) in sub-sections (1) and (2), the words "or owner's agent" shall be inserted after the word "owner";

(*c*) in sub-section (2), the words "upon him" shall be inserted after "demand", the words "to the satisfaction of the Chairman" shall be inserted between the words "show cause" and "why"; and for the clause beginning with the words "by distress" and ending with the word "union" shall be substituted the following words and clauses:—

"in any of the following ways:—

(1) by distraint and sale of the moveable property of the defaulter or if the defaulter be the occupier of any building

in respect of which such tax is due, by distraint and sale of any property found in or on such building, provided that no property of the occupier shall be distrained unless he has been served with a notice as aforesaid;

(iii) if for any reason the distraint or a sufficient distraint of the defaulter's property is impracticable, by prosecuting him before a Magistrate."

(*d*) after sub-section (2), the following shall be inserted as sub-section (3):—

"(3) Any person bound to pay any tax who shall be prosecuted under this section before a Magistrate shall be liable, *on proof to the satisfaction of the Magistrate that he wilfully or negligently omitted to pay the amount due by him or that he wilfully prevented distraint or a sufficient distraint*, to pay a fine not exceeding twice the amount of the tax found to be due and shall also pay such tax and the costs of the prosecution."

(Madras Act IV of 1884, section 111)

65. *After section 84, the following shall be inserted as section 84-A:—*

"84-A. *In order to the distraint and sale of property under sub-section (2) of section 84, the Chairman of the Panchayat shall issue a warrant in the form prescribed in Schedule D, or in some similar form; and for each such warrant a warrant fee of two annas shall be leviable.*"

66. In section 82, substitute the word "distrained" for the word "seized," and *the word "distraint" for the word "seizure."*

67. In section 84, sub-section (1), there shall be added at the end the words "provided that a fresh general assessment shall be made not less than once in *four* years."

(Madras Act IV of 1884, section 51.)

68. In section 85,

(*a*) *in sub-section (1), for the words "they deem" shall be substituted the words "it deems" and the word "its" for the word "their"*;

(*b*) in sub-section (1) and in clause (ii) of sub-section (2), the words "of President of the Taluk Board" shall be inserted after the words "Chairman of the Panchayat";

(*c*) *in clause (i) of sub-section (2) the word "arrears" shall be substituted for the word "arrear".*

69. In section 86, for the words "exempt from payment of the tax on the ground of poverty" shall be substituted the words "on the ground of poverty, exempt from payment of the whole or any portion of the tax"; and at the end of the section shall be added the words "*it may in*

like manner, with the approval of the Governor in Council, exempt any classes of houses."

70. In section 87,

(*a*) in sub-section (1), *the word "notifies" shall be substituted for the word "notify" and* the words "or, with the sanction of Government and for reasons connected with its construction and maintenance which shall be recorded, upon foot-passengers going over a bridge" shall be inserted after the words "along any road";

(*b*) for sub-section (3), the following sub-section shall be substituted:—

"(3) No tolls shall be levied for the passage of carriages, carts or animals,

(*a*) belonging to the Local Boards;

(*b*) conveying troops, military stores and baggage, military and police officers in uniform, Local fund servants on duty, or persons or property in the custody of such officers or servants; or

(*c*) licensed by the District Board during the period for which they have been so licensed;

nor shall tolls be levied for the passage over bridges of foot-passengers, if they are military or police officers in uniform or Local fund servants on duty;"

(*c*) the following shall be inserted as sub-section (4):—

"(4) With the sanction of the Governor in Council, it may be declared that payment of tolls on carriages, carts, animals or foot-passengers at any gate or bridge shall clear such carriages, carts, animals or foot-passengers at any other gate or *bridge* specified."

[Madras Act IV of 1894, section 91 (3).]

71. *In sub-section (1) of section 89, the word "it" shall be substituted for the word "them."*

72. In section 90,

(*a*) in sub-section (1), the words "animal or foot-passenger" shall be substituted for the words "or animal"; and

(*b*) *At the end of sub-section (3) the words "or in the case of a foot-passenger may prevent his passage" shall be inserted.*

(*c*) for clause (5) the following shall be substituted:—

(Madras Act IV of 1884, sections 90 (2) and 90.)

"(5) Such officer shall forthwith give notice to the owner of the property seized or, if the owner is not known or is not resident in the neigh[illegible]ood, to the person who was in charge of the said property at the time when it was seized and if he is not found, publish by beat of drum that, after the expiration of two days, exclusive of Sunday, from the date of

service or after the said publication of such notice, he will sell the said property by auction at a place to be specified in the notice; provided that if, at any time before the sale has begun, the person to whom notice has been given or the owner of the property seized tenders to the said officer the amount due on account of the toll, and *of all the expenses occasioned by the non-payment thereof and by* the seizure and detention *of the property*, the property seized shall be forthwith released."

73. In section 92, the words "within a quarter of a mile of it" shall be substituted for the words "adjoining thereto".

74. In section 93,

(*a*) in *sub-section* (1), *the word "proclaims" shall be substituted for the word "proclaim"* and the word "slaughter-houses" shall be inserted after the word "cart-stands";

(*b*) in *sub-section* (3), the words "clauses (iv) and (v)" shall be substituted for "clause (iv)".

75. The following shall be inserted as section 93-A:—

Collection of taxes.

(Madras Act IV of 1884, section 52-B.)

"93-A. The President of the Taluk Board or the Chairman of the Panchayat shall give to every person making payment of a tax or fee, a receipt therefor signed by him or by some person duly authorized by him in that behalf. Such receipt shall specify:—

(i) The date of the grant thereof;

(ii) the name of the person to whom it is granted;

(iii) the tax or fee in respect of which the payment has been made;

(iv) the period for which the payment has been made; and

(v) the amount in respect of which it is granted.

76. In section 94,

(Madras Act IV of 1884, section 106.)

(*a*) The words "to the provisions of section 271 of the Code of Civil Procedure and" shall be inserted between the word "subject" and the words "to the conditions";

(*b*) in clause (*a*) of exception (i), the words "and bedding" shall be inserted between the word "apparel" and the words "of the daughter";

(*c*) in clause (*b*) of exception (i), the words "and seed grain" shall be inserted between the word "cattle" and the words "as may"; and the word "Local" shall be substituted for the word "Taluk";

(*d*) in exception (ii), the words "on account of the tax, toll or fee and distraint fee and the probable expenses incidental to the detention and sale of the said property" shall be inserted at the end of the clause;

(*e*) in exception (iv), the word "Local" shall be substituted for "District".

77. The following shall be inserted as section 94-A:—

[Madras Act IV of 1884, section 103 (3).]

"94-A. Nothing herein contained shall preclude the *institution of a suit* for any amount due under this Act."

78. In section 95,

(Madras Act IV of 1884, section 113.)

(*a*) *the word "its" shall be substituted for the word "their" and the word "roads" for the word "streets" wherever those words occur*; the words "for the following matters" shall be omitted; and after the words "their authority" shall be inserted the words "or with the special sanction in each case of the Governor in Council without the said areas, for the following purposes:—"

(*b*) in clause (iii), the word "maintenance" shall be inserted between the word "construction" and the words "and repair"; the words "slaughter-houses, cart-stands" after the word "markets"; the word "latrines" after the word "sewers"; the words "drains, sewers, latrines" shall be inserted after the words "cleansing of the streets";

(*c*) the following shall be inserted as clause (viii) and the present clause (viii) shall be numbered as clause (ix):—

"(viii) Payment of any amounts falling due on any loans legally contracted by the Local Board";

(*d*) in clause (ix) as renumbered, the words "or specially sanctioned by the Local Board with the approval of the Governor in Council" shall be inserted after the word "Act", and the words "and the payment of refunds sanctioned by the Local Board" after the word "section."

79. Section 96 is hereby repealed.

80. In section 98,

(*a*) *for the words "Taluk Board" wherever they occur, the words "Local Board concerned" shall be substituted.*

(*b*) in sub-section (1), the words "whether permanent or temporary" shall be inserted after the word "encroachment"; the words "or made" shall be inserted after the word "erected"; the

word "road" shall be substituted for the word "street" *and the words "road sweepings" for the words "street sweepings."*

(*c*) in the proviso at the end of sub-section (2), *the words "street or" shall be omitted and* the word "fairs" shall be inserted between the word "of" and the word "festivals".

(Madras Act IV of 1884, section 170.)

81. The following sections shall be inserted after section 98, namely :—

(Madras Act IV of 1884, section 168.)

"98-A. (1) The *Local* Board *concerned* may cause any projection, encroachment or obstruction made against or in front of any building or land in any public road to be removed or altered as *it* thinks fit.

(2) The *Local* Board *concerned* shall give notice of such intended removal or alteration to the owner or occupier of the building or land against or in front of which such projection, encroachment or obstruction has been made, thirty days before such alterations or removal is begun.

(3) If such projection, encroachment or obstruction *is not unlawful* the *Local* Board *concerned* shall make reasonable compensation to every person who suffers damage by such removal or alteration.

(Madras Act IV of 1884, section 178.)

98-B. No person shall make any hole or cause any other obstruction in *any* public road without the written permission of the President of the *Local* Board *or any person authorised by him.* If such permission is granted, the person making such hole or obstruction shall at his own expense cause the same to be sufficiently fenced or otherwise enclosed until the hole is filled up or otherwise made secure or until the obstruction is removed as the case may be and shall carefully cause the same to be sufficiently lighted at night. If any person contravenes the provisions of this section, the President may fill up the hole or remove the obstruction or cause the same to be lighted, as the case may be, and may recover the cost of so doing from such person.

(Madras Act IV of 1884, section 268.)

98-C. (1) If any person, without the previous sanction of the Local Board, occupies any land set apart for a public purpose, vested in or belonging to such Board, he shall *be bound to* pay in respect of such occupation such sums as may be demanded *by way of penalty* from time to time by the said Board.

(2) In case of default of payment of any such sum, the amount thereof may be

recovered *on the order of* a Magistrate *after such inquiry as he shall think fit* upon complaint made by or on behalf of the Local Board.

(Madras Act I of 1884, section 449.)

(3) In default of payment of such sum, together with such costs as may be awarded, the same may be levied under the warrant of a Magistrate, with all such powers of distress or sale as are vested in him by any law in force.

(Madras Act I of 1884, section 447.)

(4) If any damage to the property of the Local Board has been caused by the person incurring the said penalty, he shall be liable to compensate the Local Board for such damage as well as to pay the said penalty. And the amount of such compensation may, in case of dispute, be recovered before the Magistrate in the same manner as is provided *in this Act* for the recovery of *a* penalty.

98-D. The *Local* Board may by notice require the owner or occupier of any land adjoining a public road to clear away all prickly-pear, wattle, lantana or noxious vegetation wherever it encroaches on such road *and so far as it has spread from such land on to such road."*

82. In section 99, the words "to provide parapet walls for the same and also to protect any such well from pollution by surface drainage in such manner as he may think fit" shall be inserted after the words "in good repair" *and the following proviso shall be added at the end :—*

Provided that in the case of private streams, channels, tanks, wells or other places mentioned in this section, the water of which is used for drinking, by the public or any section of the public by right, the expenses incurred in the closing or the fencing of such well, tank or reservoir, shall be paid by the Taluk Board from the Taluk fund.

(Madras Act IV of 1884, section 228.)

83. The following section shall be substituted for section 100, namely :—

"100. (1) The Taluk Board may, by notice, require the owner of any tank or well to cleanse, fence, repair or fill it up, if, on inspection, it appears likely to be dangerous, or prove injurious to the health of the neighbourhood ;

(2) or *it* may, by notice, require the owner or occupier of any land or premises to drain off or otherwise remove any stagnant water from such land or premises or from any tank or well attached thereto, if *it* considers that such stagnant water is injurious to health or offensive to the neighbourhood.

(3) Such notice may specify the mode in which such cleansing, filling up,

repairing, fencing or drainage is to be effected and the time within which specified portions thereof must be done."

84. The following sections shall be inserted after section 100, namely :—

(Madras Act IV of 1884, section 154.)

"100-A. (1) The Taluk Board may set apart public springs, tanks, wells and other places and parts of public watercourses for drinking purposes or for bathing or for washing clothes or animals or for any other purpose calculated to promote the health, cleanliness, comfort or convenience of the inhabitants, and with the consent of the owners, may also set aside any private springs, tanks, wells or other places for any of the aforesaid purposes.

(2) The Taluk Board may during epidemics, on receipt of a certificate from any medical officer in the employ of such Taluk Board or of Government stating that such action is desirable, summarily by notice prohibit the use of water from *any source to which the public have access*. Such notice shall be served by placing a notification near the source of water supply or by *beat of drum*, stating the number of days during which such *prohibition* shall last. The Taluk Board may extend or modify the notice from time to time without the production of a further certificate.

(Madras Act IV of 1884, section 155.)

100-B. Whoever—

(i) bathes in or defiles the water in any place set apart for drinking purposes either by the Taluk Board, or in the case of private property by the owner thereof ;

(ii) deposits any offensive or deleterious matter in the dry bed of any place set apart as aforesaid for drinking purposes, or

(iii) washes clothing in any place set apart as aforesaid for drinking or bathing, or

(iv) washes any animal or any cooking utensil or wool, skins, or other foul or offensive substance or deposits any offensive or deleterious matter in any place set apart as aforesaid for drinking purposes or bathing or washing clothes, or

(v) allows the water from a sink, sewer, drain, engine or boiler, or any other offensive matter belonging to him or flowing from any building or land belonging to or occupied by him to pass

into any place set apart as aforesaid for drinking purposes, or for bathing, or for washing clothes,

shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs. 50, and if the offence be a continuing one to a further fine not exceeding Rs. 10 for every day during which the said offence is continued after conviction.

Prevention of Infectious Diseases.

(Madras Act IV of 1884, section 231.)

100-C. (1) The President of a Local Board, or any person duly appointed by him in writing in this behalf, may enter at any time, after two hours' notice, into any building or premises in which any dangerous infectious disease is reputed or suspected to exist, for the purpose of inspecting such building or premises.

(2) No such inspection shall be made except in the hours between sunrise and sunset.

(3) If the President or such person is of opinion that the cleansing or disinfecting of a building or premises or of a part thereof, or of any articles therein likely to retain infection, would tend to prevent or check the spread of any dangerous infectious disease, he may by notice require the owner or occupier to cleanse or disinfect the same within a time to be specified in such notice. Provided that if the President or such person considers that immediate action is necessary or that the owner or occupier is, by reason of poverty or otherwise, unable effectually to comply with his requisition, the said President or such person may himself cause such building, premises, or articles to be cleansed or disinfected and for this purpose may cause such articles to be removed from such building or premises ; and the expenses incurred by the President or such person under this sub-section shall be recoverable from the said owner or occupier, unless he was, by reason of poverty, unable effectually to comply with the said requisition.

(Madras Act IV of 1884, section 232.)

100-D. (1) The President shall, from time to time, notify places at which articles of clothing or bedding or other articles which have been exposed to infection from any dangerous infectious disease may be washed or disinfected.

(2) The President may direct the destruction of bedding, clothing, or other articles likely to retain such infection, and shall on demand give compensation for the articles destroyed.

(3) Whoever washes such clothing or bedding, or other articles, at any place other than those set apart for such purposes under sub-section (1) of this section, shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs. 50.

Disposal of Corpses.

100-E. The Taluk Board shall provide a sufficient number of convenient and fitting places for burial and burning grounds.

(Madras Act IV of 1884, section 234.)

100-F. (1) Every owner or person having the control of any place used at the date of the coming into operation of this Act as a burial-ground or burning-ground shall, if such place be not already registered, apply to the Taluk Board to have such place registered.

(2) If it appears to the Taluk Board that there is no owner or person having the control of any such place, the Taluk Board shall assume such control and direct it to be registered or may, with the sanction of the Governor in Council, cause it to be closed.

(Madras Act IV of 1884, section 235.)

100-G. No new burial ground or burning ground, whether public or private, shall be opened or used after the coming into operation of this Act, unless a license has been granted by the Taluk Board.

(Madras Act IV of 1884, section 236.)

100-H. A book shall be kept at the office of the Taluk Board in which places registered under section 100-F, or licensed under the last preceding section, shall be recorded.

(Madras Act IV of 1884, section 237.)

100-I. Whoever buries or burns or causes or suffers to be buried or burnt any corpse in any place within 100 yards of a dwelling-house or serves to distinguished worship unless it be registered or licensed burial or burning ground shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs. 100, *provided that no prosecution shall be instituted without the sanction in writing of the President, Taluk Board.*

(Madras Act IV of 1884, section 238.)

100-J. The person having control of a burial-ground or burning-ground shall give information to any person appointed by the Taluk Board in that behalf of all burials and burnings which take place in or on such ground.

(Madras Act IV of 1884, section 239.)

100-K. (1) If the *District* Board is satisfied that any registered or licensed burial or burning-ground is in such a state as to be or to be likely to become, dangerous to the health of persons living in the neighbourhood thereof, or that any such place is overcrowded with graves,

and, in the case of a public burial or burning ground, that another convenient place duly authorized for burial or burning, as the case may be, has been provided for the persons who would ordinarily make use of such place, they may, with the previous sanction of the Governor in Council, issue a notice that it shall not be lawful, after a period of not less than two months to be named in such notice, to bury or burn any corpse in or on such first-mentioned burial or burning ground.

(2) Every such notice shall be published in the village concerned by beat of drum and in the District Gazette.

(3) Whoever after the expiration of such period, buries or burns, or causes or permits to be buried or burnt, any corpse contrary to the terms of the notice, shall on conviction before a Magistrate be liable to a fine not exceeding Rs. 100.

(Madras Act IV of 1884, section 185.)

Miscellaneous.

100-L. If any building, tank, well or hole or other place, whether on public or private ground, is, for want of sufficient repair, protection or enclosure, dangerous to the public health or safety, the Taluk Board may, by notice, require the owner or occupier of such place or of the land on which such building, tank, well or hole is situated, to cause the same to be repaired, protected or enclosed so as to prevent danger therefrom, within a time to be specified in such notice."

[Madras Act IV of 1884, section 274 (1).]

85. In section 101,

(*a*) in sub-section (1) *the word "the" shall be inserted between the words "opinion of" and "Taluk Board" and* the words "within the time specified in the notice" between the word "land" and the words "the President";

(*b*) sub-sections (2) and (3) shall be omitted, and the following shall be inserted as section *101-A*,

"*101-A.* The *President of the* Taluk Board, *or any person duly authorized by him in this behalf* may, with the consent of the occupier of any building or land, or after giving six hours' notice to such occupier, between sunrise and sunset, enter into and upon any building or land either for the purpose of making any survey or inspection or for doing any other act necessary for carrying out the purpose of this Act, without being liable to any legal proceedings or molestation whatsoever on account of such entry or of anything done in any part of such building or land in pursuance of this Act."

86. In section 104, the following shall be inserted at the end of the section, namely :—

"Provided that the President of the District Board or some person or persons authorized by him in that behalf may, upon application by any person and upon the payment by him of such fee as the District Board may have prescribed, direct a public vaccinator to perform vaccination or to make an inspection as hereinafter provided at the private residence of such person.

"(2) If the application mentioned in the proviso to sub-section (1) is made in respect of a female who, according to the customs of the country, does not appear in public, the *application* shall be complied with and no fee shall be charged in respect of such compliance."

(Madras Act IV of 1884, section 131.)

87. In section 106, sub-section (1), the words "or any portion of a district" shall be inserted after the words "any district"; and in sub-section (2), the words "in the said area" shall be substituted for the words "in the district".

88. In section 107, the words "more than" shall be omitted, and the word "area" shall be substituted for the word "district"; and the following shall be inserted as sub-section (2) :—

(Madras Act IV of 1884, section 134.)

"(2) The President of the District Board or some person or persons authorized by him in that behalf may direct the vaccination of any child under six months of age, when it is exposed to infection in consequence of residence in a house infected by small-pox."

89. In section 112,

(*a*) the following sub-section shall be substituted for sub-section (1), namely :—

(Madras Act IV of 1884, section 138.)

"(1) The President of the District Board or some person or persons authorized by him in that behalf shall ascertain which children under the age of ten years within the district or portion of a district vaccinated under sub-section (2) of section 106 are unprotected; and for the said purpose he may require any parent or guardian to forward to him, within a specified time, a list in writing signed by him of the number and ages of the children under his guardianship; and if he has reason to believe that the parent or guardian of any unprotected child is bound by the provisions hereinbefore contained to procure the vaccination or inspection of such child and has omitted so to do, he

shall make inquiry and shall, if the fact is proved to his satisfaction, forthwith deliver to such parent or guardian or cause to be affixed to his house, a notice requiring that the child be vaccinated or inspected, as the case may be, at a time and place to be specified in the notice";

(*b*) In sub-section (2), for the words "make an order in writing directing such parent or guardian to comply with the notice before a date specified in the order" shall be substituted the words "sentence such parent or guardian to pay a fine not exceeding rupees *twenty*."

(*c*) For sub-section (3) shall be substituted the following sub-sections, namely :—

"(3) If the Magistrate finds the explanation given by the parent or guardian of the child to be satisfactory, he shall make an order in writing directing such parent or guardian to comply with the notice given under *clause* (1) before a date specified in the order, and if, on such date, the said order has not been obeyed, the Magistrate shall again summon the parent or guardian to appear before him and shall proceed as before.

"(4) No penalty shall be imposed under this section, if it is proved that the parent or guardian has demanded the use of animal vaccine lymph and that such lymph has not been available."

90. Section 113 is hereby repealed.

91. The following shall be inserted as section 115-A :—

(Madras Act IV of 1884, section 140.)

"Whoever being a public vaccinator furnishes as true, any statement or return to any public servant as such, which he knows or has reason to believe to be false, shall be deemed to have committed an offence punishable under section 177 of the Indian Penal Code."

92. For section 116, the following section shall be substituted, namely :—

(Madras Act IV of 1884, section 142.)

"116. Inoculation is hereby prohibited; and no person who has undergone the operation of inoculation shall leave the village or town in which he is before the lapse of forty days from the date of inoculation without a certificate from a medical practitioner of such class as the Local Government may from time to time by written order authorise to grant such certificates, stating that such person is no longer likely to produce small-pox by contact or near approach.

Whoever contravenes the provisions of this section shall, on conviction before a Magistrate, be liable to simple imprisonment for a term not exceeding three months, or to a fine not exceeding Rupees 200, or to both."

93. In section 117, sub-section (1), the words "or other rubbish" shall be added after the word "night-soil."

94. The following sections shall be inserted after section 117, namely:—

Markets.

"117-A. The Taluk Board may declare any place ordinarily or periodically used or intended to be used for the sale of meat, fish, fruit, grain, vegetables or other perishable articles of food, or for the sale of live-stock or poultry, to be a market; provided that no such declaration shall be made in respect of any single shop or of any group of shops not being more than three in number and that any such declaration may, at any time, but subject to the provisions of sub-section (2) of section 117-B, be cancelled by the Taluk Board.

(a) *Public Markets.*

117-B. (1) *Subject to the sanction of the Governor in Council* the Taluk Board may charge such rents and fees as *it* may deem fit for the use of, or right to expose goods for sale in, public markets, and for the use of stalls, sheds, pens and standings therein.

(2) The Taluk Board may, with the sanction of the Governor in Council, close any such market or any part thereof.

(3) The President may *exclude* from any such market any person who, or whose servant, *has been* convicted of disobeying any bye-law made for the regulation and control of such market, and may prevent such person by himself or his servants from further carrying on, any trade or business in such market or occupying any stall, shop or other place therein, and may determine any lease or tenure which such person may have in any such stall, shop or other place.

(4) Any person aggrieved by an order of the President issued under sub-section (3) may appeal against such order to the Taluk Board within thirty days from the date of receipt of such order and the Taluk Board may either confirm, modify or cancel the order appealed against.

117-C. Whoever, *in contravention of this Act or any bye-law made thereunder*, sells or exposes for sale any article within a public market, shall be liable to a fine not exceeding Rs. 20 for each offence.

(b) *Private Markets.*

117-D. With the approval of the Governor in Council, the Taluk Board may *notify villages* in which the control over private markets shall be vested in it, *and thereafter in such villages the provisions of sections 117-E—117-I shall be applicable from and after the expiry of six months from the date of such notification.*

117-E. (1) Every person intending to open a new private market *or to continue to use a private market* for the sale, or exposure for sale, of animals or articles of food for human consumption, shall obtain from the Taluk Board a license to do so. *In respect of a* license *for a new private market such* fee shall be payable as may be fixed by the Taluk Board, not exceeding Rs. 100 per annum.

(2) Applications for licenses to open newly, or to continue to use, private markets shall be made by the owners thereof not less than thirty days before they *propose to* open them or *not less than sixty days* before the commencement of the financial year during which they intend to continue to use them, as the case may be.

(3) The Taluk Board *as regards private markets lawfully established at the coming into operation of this Act shall, and as regards all other private markets* may, at *its* discretion, grant any license applied for under this section subject to such rules as to supervision and inspection and to such conditions as to conservancy and other matters as *it* thinks proper. *The Taluk Board* may refuse to grant *a* license *to any new private market. It* may also at any time *for breach of the conditions thereof* suspend *or* cancel any license which has been granted under this section. *The Taluk Board may also modify the conditions of the license to take effect from the beginning of the following financial year.*

(4) When a license to open a market is granted, or when a license is refused, suspended, cancelled or modified under this section, the Taluk Board shall cause a notice of such grant, refusal, suspension, cancellation or modification, in English and a vernacular language of the district,

to be posted in some conspicuous place at or near the entrance to the place in respect of which the license was sought.

(5) Every license granted under this section shall expire at the end of the financial year for which it has been granted.

(6) If the Taluk Board neglects to pass orders upon an application for a license under this section and to communicate the same to the applicant within two months after the receipt of the application, the applicant may open the place in respect of which the application was made or, as the case may be, may continue to use such place during the financial year for which the license was sought; and the said place shall be held to be duly licensed for the financial year during which it was opened or for which the license was sought, as the case may be.

117-F. Whoever sells or exposes for sale any animal or article in an unlicensed private market and any owner of such market directly or indirectly permitting the sale of such animal or article therein, shall on conviction before a Magistrate be liable to a fine not exceeding Rs. 20.

Explanation.—A market is unlicensed within the meaning of this section if the license for the use thereof has expired or has been cancelled or suspended.

117-G. Every owner, farmer, or occupier of any private market shall—

(i) construct such approaches, entrances, passages, gates, drains and conveniences therein as the Taluk Board directs;

(ii) cause such market to be roofed and paved with such materials and in such manner, and to be provided with such lattices and urinals of such description and in such position and number, as the Taluk Board directs;

(iii) provide for such supply of water to such market as the Taluk Board directs; and

(iv) make such alterations in the stalls, passages, shops, doors or other parts of the said market or place as the Taluk Board directs.

117-H. (1) If such owner, farmer, or occupier, after notice given to him by the Taluk Board, directing him to carry out within a period to be specified in the notice any of the measures provided in the last preceding section, fails to comply

with such notice, the Taluk Board may suspend, withhold, cancel or refuse the license until the notice shall have been complied with; and any person opening or keeping open any such market after such withholding, suspension, cancellation or refusal shall, *on conviction before a Magistrate*, be liable to a fine not exceeding Rs. 20 for every day during which such market or place is so opened or kept open.

(2) Any owner, farmer, occupier, agent, or manager in charge of any such market or of any shop, stall, shed, or other place therein, who keeps the same so that it is a nuisance, or who does not cause anything that is a nuisance to be at once removed to a place to be notified by the Taluk Board, shall, *on conviction before a Magistrate*, be liable to a fine not exceeding Rs. 20 for each offence.

117-I. The Taluk Board, or any officer duly authorized by it in that behalf, may *summarily* close any private market *which is held or kept open contrary to the provisions of this Act.*

117-J. Any person aggrieved by an order of the Taluk Board under Sub-Section (3) of Section 117-E, or Section 117-G, or Section 117-I, may appeal against such order to the District Board, within thirty days from the date of receipt of such order, and the District Board may either confirm, modify or cancel the order appealed against; and pending such appeal the President, District Board, may, if he thinks fit, suspend the execution of the order appealed against.

(*c*) *General.*

117-K. (1) The *Local* Board may, from time to time, by notification, by beat of drum and by publication in the District Gazette, prohibit the sale, or exposure for sale, of any articles in or upon any specified public road *or place* or part *thereof*, and may in like manner, cancel, suspend or modify such prohibition.

(2) Whoever, after such notification, sells or exposes for sale any articles in any such road *or place* against the terms of such notification, shall, *on conviction before a Magistrate*, be liable to a fine not exceeding Rs. 10.

Public Slaughter-houses.

117-L. The Taluk Board may provide a sufficient number of places for the purpose of being used as public slaughter-houses, and may levy a fee on each animal slaughtered therein at rates not exceeding Re. 1 for every head of cattle and As. 2 for every sheep, goat or pig.

117-*M*. The Taluk Board may, with the previous sanction of the Governor in Council, *notify* that no person shall slaughter or permit to be slaughtered, or cut up or skin or permit to be cut up or skinned, any cattle, sheep, goat or pig at any place in any town or village to be notified by name in the District Gazette other than at a public slaughter-house provided by the Taluk Board, except with the written permission of the President. Any person acting in contravention to such *notification* shall on conviction before a Magistrate be liable to a fine not exceeding Rs. 20 for each animal *so slaughtered, cut up* or *skinned*. Provided that nothing in this section shall be held to prohibit the slaughter of animals in the performance of religious rites in the places where it is usual to perform such rites, or for private use, but not for sale.

117-*N*. The provisions of sections 117-*L* and 117-*M* shall not apply to places used by Government for the purposes mentioned in the said sections.

Cart-stands, &c.

117-*O*. (1) The Taluk Board may, from time to time, provide places for the purpose of being used as cart-stands, public landing-places, or public halting-places, and may levy fees for the use thereof.

(2) If upon demand by the person authorized to collect on behalf of the Taluk Board fees for the use of any such cart-stand, landing-place or halting-place, any person refuses or neglects to pay the prescribed fee, the provisions of section 90 shall *mutatis mutandis* apply.

(3) A statement, in English and a Vernacular language of the district, of the fees prescribed by the Taluk Board for the use of cart-stands, public landing-places and public halting-places shall be *posted* and *kept posted* in every place where such fees are leviable. *Unless such statement is so posted no such fees shall be leviable.*

The Hon'ble the Advocate-General suggests the following sections:—

Private cart-stands.

117-*P*. (1) *No person shall open or keep open a private cart-stand who has not first obtained from the Taluk Board a license so to do.*

(2) *The fee payable in respect of such license shall not exceed Rs. 50 per annum.*

(3) *Any person who is in contravention of this section or of any bye-law made under this Act, opens or keeps open a private cart-stand without a license shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs. 20.*

(4) *The Taluk Board may at any time for breach of the conditions thereof suspend or cancel any license which has been granted under this section.*

(5) *In all cases where the owner of a private cart-stand open and in use at the commencement of this Act, duly applies for a license in respect of his cart-stand, the Taluk Board shall grant such license. In any other case the Taluk Board may, in its discretion, grant or refuse a license. Any license granted under this section shall be subject to such rules as to supervision and inspection and to such conditions as to conservancy as the Taluk Board may think proper.*

(6) *The provisions of this section shall not come into operation until bye-laws for the regulations and control of private cart-stands, to be made under section 152-A of this Act, have come into force.*

117-*P*. The provisions of sections 98-B, 100-B, 100-C, 100-D, 100-*E*, 100-*F*, 100-*G*, 100-*H*, 100-*I*, 100-*J*, 100-*K*, 117-*L* and 117-*M* shall, unless and until the Governor in Council shall otherwise direct *as to any particular area*, apply only to areas included in unions."

(Madras Act IV of 1884, section 114.)

95. For section 118, the following section shall be substituted, namely:—

"118. If the expenditure incurred for any of the purposes described in section 95 by any authority constituted under the Madras District Municipalities Act, 1884, or the City of Madras Municipal Act, 1884, or other similar laws for the time being in force, is calculated to benefit the inhabitants of any local area or if the expenditure incurred by the Local Board in any one local area is calculated to benefit the inhabitants of any other local area, the Local Board of the local area so benefited may, with the sanction of the Governor in Council, contribute towards such expenditure; or the Governor in Council may direct such Local Board to show cause, within a month after the receipt of the order containing the direction, why such contribution should not be paid. If the Local Board fail to show such cause within the said period to the satisfaction of the Governor in Council, he may direct the said Local Board to pay such contribution as he shall name and it shall be paid accordingly."

96. In section 120, sub-sections (1) and (2), the words "or portion of such village" shall be inserted after, and the word "revenue" before, the word "village" wherever it occurs.

97. To section 122, the following proviso shall be added :—

"Provided that the Governor in Council may, by notification from time to time, cancel or modify such declaration. But such notification shall not come into force until one month after the same shall have been published in the *Fort St. George Gazette* and in the local Gazette of the district."

98. In section 125, the following shall be inserted as sub-section (2) :—

"(2) Any person holding a salaried office under Government or a Local Board, who is a member of the Panchayat shall, on being permanently or temporarily transferred from the local area over which such Panchayat has authority or on quitting such local area with the intention of being absent therefrom for more than *three* months, be deemed to have vacated his office of member of such Panchayat."

99. In section 126,

(*a*) in sub-section (1), after the words "remove any Chairman or Member of a Panchayat," shall be inserted the words "other than an *ex-officio* member";

(*b*) in clause (1) of the same sub-section, after the words "if he" shall be inserted the words "is absent for more than four months from the local area over which such Panchayat has authority or" ;

(Madras Act IV of 1884, section 19.)

(*c*) in clause (iii) of the same sub-section, after the words "peace or order" shall be inserted the words "or likely to bring the administration *of the Panchayat* into contempt";

(*d*) in sub-section (3), for the words "any person" shall be substituted the words "such Chairman or member".

100. After section 127, the following section shall be inserted, namely —

"127-A. When the place of a Chairman falls vacant before another is permanently appointed, *the President of the Taluk Board concerned* shall appoint any member of *the* Panchayat *to* perform the duties of a Chairman until one is permanently appointed. Such member shall, for

the period during which he exercises the powers of the Chairman under this section, be styled the temporary Chairman."

101. At the end of section 128, the following proviso shall be added, namely :—

"Provided that in cases where it may seem desirable, it shall be lawful for the Governor in Council to declare that the powers as regards panchayats and their Chairmen, conferred by this Act on Taluk Boards and their Presidents, shall not be exercised by them, but by the District Board and its President."

[Madras Act IV of 1884, section 30 (5) and (3).]

102. In section 130, sub-section (3), the words "then on the Panchayat" shall be inserted after the word "Panchayatdars" *and after the word "present" "the words" "not being less than three in number" shall be added.*

103. In section 132, sub-section (2), the words "from time to time" and the words "at any time in like manner" shall be omitted; and the words "for a period not exceeding *four* months *during any one financial year*" shall be inserted after the word "exercise".

104. In section 134, sub-section (2), the words "subject to the approval of the President of the Taluk Board" shall be inserted *at the beginning; the word "shall"* *shall be inserted between the words "and"* *and "pay" and* the words "Such servants may be transferred by the President of the Taluk Board from one union to another under the same Taluk Board, whenever he considers such a course necessary" shall be added at the end; and in sub-section (3), the word "fine" shall be inserted before the word "suspend".

(Madras Act IV of 1884, section 37.)

105. In section 135,

(*a*) *in sub-section (1) for the words "have passed" shall be substituted the words "has passed", and for the word "their" the word "its".*

(*b*) *in sub-section (2) the word "fails" shall be substituted for the word "fail" and the word "it" for the word "they".*

106. In section 137, sub-section (2), and in section 138, sub-section (3), the words "except charges for the service of authorized loans" shall be added after the words "against such fund".

107. In section 139 the words "district or" shall be omitted *and the word "roads" substituted for the word "streets."*

108. In section 140, sub-section (1), the words "in any union" shall be inserted after the word "house-tax"; the words "any fees" shall be substituted for the words "the fees"; the words "such union" shall be substituted for the words "any union"; and the word and figures

"(iv) and (v)" shall be substituted for the word and figures "(ii) and (iv)".

109. In section 141,

(*a*) *the word "its" shall be substituted for the word "their" wherever it occurs, after the numbering of the clauses under "I. In all unions" into (b) and (f) and those under "II. In a major union" into (d) and (e), and omit the words and figures "I. In all unions" and "II. In a major union".*

(*b*) Insert the following as clauses (*a*) and (*c*) to the section:—

"(*a*) The lighting of the *public roads*;"

"(*c*) With the sanction of the Governor in Council, the establishment and maintenance of hospitals, dispensaries and schools, and"

(*c*) In clauses (*b*) *and* (*d*) as so renumbered, the words "public roads" shall be substituted for the words "village streets."

110. *In section 143, for the word "their" wherever it occurs the word "its" shall be substituted.*

111. After section 143, the following sections shall be inserted, namely:—

(Madras Act IV of 1884, section 180.)

"143-A. (1) The Panchayat may, by notice, require the owner or occupier of any building which in *its* opinion is in a filthy or unwholesome state, *or of any land which is in such state*, or which is overgrown with wild croton, prickly-pear, wattle, lantana or noxious vegetation, to cleanse, clear or otherwise put *such building or land* in a proper state, within a time to be specified in such notice.

(2) The Panchayat, or any person generally or specially authorized by *it* in writing in this behalf, may, by notice addressed to the occupier of any such building, direct all or any part thereof to be internally and externally lime-washed or otherwise cleansed in the manner and within a time to be specified in such notice.

(Madras Act IV of 1884, section 227.)

143-B. The Panchayat shall maintain in a cleanly condition all wells, tanks and reservoirs, which are not private property, and may fill them up or drain them when it appears necessary so to do, provided that no such well, tank or reservoir shall be filled up with any material except building debris or clean soil, gravel or sand.

(Madras Act IV of 1884, section 228.)

143-C. (1) The Panchayat may, by notice, require the owner of any tank or well to cleanse, fence, repair or fill it up, if on inspection it appears likely to be dangerous or to prove injurious to the public health.

(2) Or *it* may, by notice, require the owner or occupier of any land or premises to drain off, or otherwise remove, any stagnant water from such land or premises or from any tank or well attached thereto, if *it* considers that such stagnant water is injurious to health or offensive to the neighbourhood.

(3) Such notice may specify the mode in which such cleansing, filling up, repairing, fencing or drainage, or each of such works is to be effected and the time within which specified portions thereof must be done.

112. In section 144

(*a*) The following words shall be inserted at the end of clause (iii) of sub-section (1):—

"and as to the matters in regard to which and to what extent *the orders of a Taluk Board or Panchayat shall be subject to appeal to or to revision by the District Board or Taluk Board as the case may be.*"

(*b*) *After clause (vi) insert the following as clause (vii) and alter the numbering of the succeeding clauses:—*

'(vii) *as to the licensing of private vaccinators*'.

113. In section 146, the words "unless the Governor in Council shall otherwise for any special reason direct" shall be inserted between the word "operation" and the word "until".

114. The proviso to section 147 is hereby repealed.

(Madras Act IV of 1884, section 251.)

115. In section 150, sub-section (1), the words "a statement" shall be omitted.

116. In section 151, sub-section (2), the words "of the Local Board" shall be inserted after the words "such annual report".

117. In section 152, sub-section (2), the words "or of any particular Local Board or Boards and Panchayat or Panchayats" shall be inserted after the word "Panchayats", and the word "concerned" shall be added at the end.

118. After section 152, the following section shall be inserted, namely:—

[Madras Act IV of 1884, section 255 (1).]

"152-A. (1) The District Board may, from time to time with the sanction of the Governor in Council, make bye-laws and cancel or alter the same—

(i) for the general or special regulation and control of markets, slaughter-houses, cart-stands, burial and burning grounds and offensive trades and all matters connected with conservancy;

(ii) *for regulating the use of public roads and* for securing cleanliness, safety and order in the *same*; and

(iii) for carrying out all the purposes of this Act, and may affix fines and penalties for the infringement of such bye-laws.

(2) No bye-law shall be repugnant to any law in force and no fine for any one infringement of a bye-law shall exceed Rs. 50 and in case of a continuing infringement no fine shall exceed Rs. 10 for every day after notice from the Taluk Board of such infringement.

(3) No bye-law or cancelment or alteration of a bye-law shall have effect until the same has been approved and confirmed by the Governor in Council.

(4) All bye-laws when they have been duly confirmed shall have the force of law."

119. In section 153, the year "1870" shall be altered into "1894."

120. Section 154 is hereby repealed.

121. In section 155,

(*a*) the following shall be substituted for sub-sections (1) and (2) :—

(Madras Act IV of 1884, section 262.)

"(1) No assessment or demand made, and no charge imposed, under the authority of this Act, shall be impeached or affected by reason of any clerical error or of any mistake (*a*) in respect of the name, residence, place of business or occupation of any person, or (*b*) in the description of any property or thing, or (*c*) in respect of the amount assessed, demanded or charged; provided that the provisions of this Act have been, in substance and effect complied with. And no proceedings under this Act shall, for defect in form, be quashed or set aside in any court of justice.

(2) No suit shall be brought in any court to recover any sum of money collected under the authority of this Act or to recover damages on account of any assessment or collection of money made under the said authority; provided that the provisions of this Act have been, in substance and effect, complied with.

(*b*) in sub-section (3), the word "distraint" shall be substituted for the word "distress" wherever it occurs; and the words "bill, notice, schedule, form, summons" shall be inserted between the word "the" and the word "notice";

(Madras Act IV of 1884, section 262.)

(*c*) the following shall be inserted as sub-section (4) :—

"(4) Whoever obstructs any person in the performance of his duties as a distrainer under this Act shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs. 50."

(Madras Act IV of 1884, section 261).

122. For section 156, the following section shall be substituted :—

"156. (1) No action shall be brought against any Local Board, or against any member or servant of such board *or Panchayat* or against any person acting under the directions of such Local Board *or Panchayat* or of a member or servant of such board *or Panchayat*, on account of any act done, or purporting to be done, in pursuance or execution or intended execution of this Act, or in respect of any alleged neglect or default in the execution of this Act, until the expiration of one month next after notice in writing shall have been delivered or left either at the office of the Local Board *or Panchayat* or at the place of abode of such member or servant or of such person, explicitly stating the cause of action, the nature of the relief sought, the amount of compensation claimed and the name and place of abode of the intended plaintiff; and, unless such notice be proved to have been so delivered or left, the court shall find for the defendant.

(2) If the Local Board (member or servant or other person to whom notice is given as provided in sub-section (1) shall, before action is commenced, tender sufficient amends to the plaintiff, such plaintiff shall not recover more than the amount so tendered. The plaintiff shall also pay all costs incurred by the defendant after such tender.

(3) No action such as is described in sub-section (1) shall, unless it is an action for the recovery of immoveable property or for a declaration of title thereto, be commenced otherwise than within six months next after the accrual of the cause of action.

(4) No action shall be brought against the President of a Local Board on account of any act done in pursuance or execution or intended execution of this Act, or in respect of any alleged default on his part in the execution of this Act, if such act was done or if such default was made in good faith; but any such action shall, so far as it is maintainable in a court, be brought against the Local Board, except when brought by the Local Board or the

Secretary of State for India in Council under section 157 on account of anything done by the President himself."

123. In section 153, sub-section (2), the words "incorporated or registered" shall be omitted before the word "company"; for the word "a" before the words "Local Board" shall be substituted the word "the"; and at the end of the sub-section shall be added the words "unless he is a director of such company."

124. After section 162, the following sections shall be inserted, namely:—

"162-A. If under this Act the license or written permission of *a Local* Board or *the* President is necessary for the doing of any act in respect of any property, movable or immovable, public or private, and if such act is done (*a*) without such license or permission, or (*b*) in a manner inconsistent with the terms of such license or permission; then

(i) the *Local* Board may, by notice, require the person doing such act to alter, remove, or, as far as practicable, restore to its original state the whole, or any part, of such property within a time to be specified in such notice; and, further,

(ii) if no penalty has been specially provided in this Act for doing such act, the person so doing it shall be liable, on conviction before a Magistrate, to a fine not exceeding fifty rupees for every such offence.

(Madras Act IV of 1884, section 260).

(Madras Act IV of 1884, section 263).

(Madras Act IV of 1884, section 264).

162-B. (1) If a notice has been given under the provisions of this Act to any person requiring him to execute any work in respect of any property, moveable or immoveable, public or private, or to provide or do or refrain from doing anything, within a time specified in the notice, and if such person fails to comply with such notice, then

(i) the *Local* Board or the Panchayat, as the case may be, may cause such work to be executed or such thing to be provided or done, and may recover all reasonable expenses incurred by it on such account from the said person; and, further,

(ii) if no penalty has been specially provided in this Act for failure to comply with such notice, the said person shall be liable, on conviction before a Magistrate, to a fine not exceeding twenty rupees for every such offence.

(2) The Taluk Board or Panchayat, as the case may be, in causing, under sub-section (1), any work to be executed or anything to be provided or done, may utilize any materials found on the property concerned or may sell them and apply the sale-proceeds towards the payment of the expenses incurred by *it* on this account.

(Madras Act IV of 1884, section 264-A).

162-C. Where by this Act or by any order or notice issued thereunder, the public or any person is required to do or to refrain from doing anything, any person who fails to comply with such requisition shall, if no penalty has been specially provided in this Act for such failure, be liable, on conviction *before* a Magistrate, to a fine not exceeding *fifty* rupees for every such failure.

The Hon'ble the Advocate-General suggests the following:—

(Madras Act I of 1884, sections 438 and 439).

162-D. (1) *In all cases where any costs, damages, charges or expenses are by this Act directed to be paid, or a Local Board or Panchayat is by this Act empowered to recover any costs, damages, charges or expenses, the amount or apportionment thereof shall, in case of dispute, be ascertained and determined by a* [*first or second class*] *Magistrate.*

(2) *In any case referred to a Magistrate under this section, the Magistrate shall, on the application of either party, summon the other party to appear before him at a time and place to be named in the summons.*

(3) *Upon the appearance of the parties, or, in the absence of any of them, upon proof of due service of the summons, the Magistrate may hear and determine the question, and, for that purpose, may examine such parties or any of them and their witnesses on oath or affirmation.*

(4) *In every such inquiry the Magistrate shall determine the amount of the costs thereof and shall direct by which of the parties they shall be paid.*

125. In section 168, the words "bill, form or notice" shall be substituted for the words "notice" wherever it occurs; and the words "adult male member" and

"adult male occupier" shall be substituted for the words "adult member" and "adult occupier," respectively.

126. In section 166,

(*a*) in sub-section (1), the words "in case any fine, compensation, penalty or costs imposed or assessed by a Magistrate under or by virtue of this Act or of any bye-law made in pursuance thereof" shall be substituted for the words "whenever any fine imposed under or by virtue of this Act";

(Madras Act IV of 1884, section 286).

(*b*) in sub-section (2), the words "or sum of money" shall be inserted after the words "levy such fine" and after the words "amount of fine"; *and this sub-section as so amended be inserted as section 166-A.*

(Madras Act IV of 1884, section 286).

(*c*) sub-section (3) shall be omitted.

127. The following shall be substituted for Schedule A:—

SCHEDULE A.—(SECTION 57).

Maximum Rates of the Tax on Buildings.

	Per annum. Rs.	A.	P.
On every building classed in the 1st class	10	0	0
" " " 2nd "	7	0	0
" " " 3rd "	5	0	0
" " " 4th "	4	0	0
" " " 5th "	3	0	0
" " " 6th "	2	0	0
" " " 7th "	1	0	0
" " " 8th "	0	8	0
" " " 9th "	0	4	0

128. The following shall be substituted for Schedule B:—

SCHEDULE B.—(SECTION 57).

Maximum Rates of Tolls payable on Carriages, Carts and Animals passing along roads within the district.

(Madras Act IV of 1884, schedule D).

	Rs.	A.	P.
On every four-wheeled vehicle with springs	0	8	0
On every jutka, hackery or cart, laden	0	4	0
On every jutka, hackery or cart, not laden *and every bullock or trap*	0	2	0
On every other vehicle with springs and every palanquin	0	4	0
On every buffalo, bull, bullock, cow, or ass laden or ridden, and on every horse under thirteen hands	0	1	0
On every horse not under thirteen hands	0	2	0
On every elephant	1	0	0
On every camel	0	4	0

Explanation (1).—"Laden."—An animal is not said to be laden when it is merely accoutred for the purpose of being laden or ridden.

Explanation (2).—"Tolls" are leviable upon vehicles at the above rates irrespective of the means of traction employed and the payment of a toll in respect of any vehicle covers the animals engaged in drawing it.

129. In Schedule C, the word "fifteen" shall be substituted for the word "seven".

NOTE.—The marginal references to Act IV of 1884 are to that Act as amended by Act III of 1897 and the references to Act I of 1884 are to that Act as amended by Acts VII of 1881 and II of 1892.

SCHEDULE D (Section 81-A.)

Distraint Warrant.

To

(Here insert the name of the officer charged with the execution of the Warrant.)

Whereas of has not paid or shown sufficient cause for the non-payment of the sum of rupees due for the taxes mentioned in the margen for the *Year* , although the said sum has been duly demanded from the said and fifteen days have elapsed since such demand was made. This is to command you to distrain the goods and chattels of the said ; (or, as the case may be, any goods and chattels found on the premises referred to) to the amount of the said sum of rupees, together with for warrant fee and distraint fee, making together a sum of , and such further sum as may be sufficient to defray the charges of taking, keeping and selling such distraint; and if, within fifteen days next after such distraint, the amount due on account of the said taxes and fees shall not be paid, together with such further sum as may be sufficient to defray the charges of taking and keeping such distraint, to sell the said goods and chattels, and having paid and deducted out of the proceeds of the sale the amount due on account of the said taxes and fees rupees and the charges of taking, keeping and selling such distraint, to return the surplus, if any, on demand, to the person whom you found in possession of the said goods and chattels. If sufficient distraint cannot be found of the goods and chattels of the said you are to certify the same to me together with this Warrant.

(L.S.)

Date

(Signature or Stamp of the Chairman of the Panchayat.)

Government of Fort St. George.
LEGISLATIVE (1898) DEPARTMENT

A

BILL

FURTHER TO

Amend Madras Act V of 1884 (The Madras Local Boards Act, 1884).

(As amended by the Select Committee).

[8 Copies—3rd November 1898.]

MADRAS ACT No. V OF 1884.

The Madras Local Boards Act.

(As amended by Madras Act III of 1890, and Madras Bill 2 of 1898 as amended by the Select Committee.)

Preamble.

WHEREAS it is expedient to make better provision for the organization of Local Boards in the Presidency of Fort St. George; for the construction, repair, and maintenance of roads and communications in local areas therein, not included within the limits of any Municipality; for the diffusion of education in such local areas; and for other objects of public utility calculated to promote the health, comfort and convenience of the inhabitants of such local areas; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title.

1. This Act may be called "The Madras Local Boards Act, 1884."

Local extent.

2. (1) It extends to the territories, for the time being administered by the Governor in Council of Fort St. George, situated beyond the limits of the City of Madras, as defined under the City of Madras Municipal Act, 1884, or other law in force for the time being, and not included in any Municipality, as defined under the Madras District Municipalities Act, 1884, or other law in force for the time being.

Commencement of Act.

(2) It shall come into force in any district on such date as the Governor in Council may by notification direct.

(3) *Whenever under this Act a power is conferred to issue a notification or to make any rules, bye-laws or orders, the power shall be construed as including a power exercisable in the like manner and subject to the like consent and conditions, if any, to rescind, revoke, amend, or vary the notification, rules, bye-laws or orders.*

3. In this Act, unless there is something repugnant in the subject or context—

Interpretation clause.

(i) "*Building*" *includes walls, and also houses, huts, sheds, roofed enclosures and constructions appurtenant thereto, whether used for the purpose of human habitation or otherwise.*

"Building."

(ii) "*Company*" *means a company registered under the Indian Companies Act, 1882, or under the Acts of Parliament known under the collective title of the Companies Acts, 1862 to 1890, or incorporated by an Act of Parliament or of the Governor-General in Council or by royal charter or letters patent.*

"Company."

(iii) "District" means any local area, which, for the purposes of the collection of land revenue, shall have been placed, for the time being, under the charge of a Collector of a district, *or which for the purposes of this Act the Governor in Council may by notification from time to time declare to be a district or to be attached to and to form part of a district.*

"District."

(iv) *Words importing the masculine gender shall be taken to include females.*

"Gender."

(v) "Guardian" means any person to whom the care, nurture or custody of any child falls by law, or by natural right or recognised usage, or who has accepted or assumed the care, nurture or custody of any child, or to whom the care or custody of any child has been entrusted by any lawful authority.

"Guardian."

(vi) "*Horse*" *includes pony and mule.*

"Horse."

(vii) "House" includes any shop or warehouse.

"House."

(viii) "Inoculation" means any operation performed with the object of producing the disease of small-pox by means of variolous matter.

"Inoculation."

(ix) "*Inhabitant*" *means any person who has been ordinarily residing in any local area for a period of six months or upwards.*

"Inhabitant."

(x) "Landholder" includes all persons holding under a Sanad-i-Milkiat-Isthmrar, all other Zamindars, Poligars,

"Landholder."

Shrotriamdars, Jagirdars, and Inamdars, and all persons farming the land revenue under Government; all holders of land in Malabar under whatever tenure; and all holders of land under ryotwar settlement, or in any way subject to the payment of land revenue direct to Government, and all registered holders of land in proprietary right.

(xi) "*Latrine*" *includes privy.*

"Latrine."

(xii) "Local Board" means and includes any District Board or Taluk Board constituted under this Act.

"Local Board."

(xiii) "Local Fund" means and includes a District fund, a Taluk fund *and a Union fund.*

"Local Fund."

(xiv) "*Magistrate*" *means a Magistrate appointed under the Code of Criminal Procedure, 1882.*

"Magistrate."

(xv) (*a*) "*Market*" *means any place which is a market at the passing of this Act or which may have been declared under section* 117-*A to be a market.*

"Market."

(*b*) "*Public market*" *means any market belonging to a Local Board or constructed, repaired or maintained out of Local funds.*

"Public market."

(*c*) "*Private market*" *means any market not being a public market.*

"Private market."

(xvi) "Notice" means a notice *in writing, and writing with its grammatical variations and cognate expressions, shall include 'Printing,' 'Lithography,' 'Photography,' with their grammatical variations and cognate expressions and other modes of representing or reproducing words in a visible form.*

"Notice."

(xvii) "*Nuisance*" *means any act, omission or thing causing or likely to cause any common injury, annoyance, offence, harm, danger, or damage to the sense of sight, smell or hearing of, or which is or is likely to be dangerous or injurious to the health or property of, the public or the people in general who dwell or occupy property in the vicinity or persons who may have occasion to use any public right.*

"Nuisance."

(xviii) "*Owner*" *includes the person for the time being receiving or entitled to receive the rent or profits of the property,*

"Owner."

or in charge of the animal or thing in connection with which the word is used, whether on his own account or as agent or trustee for another person.

(xix) "*Palanquin*" *includes tonjons, manchils and chairs carried by men by means of poles, but not slings or cots used for the conveyance of children or aged or sick people.*

"Palanquin"

(xx) "Panchayat" means the body of persons constituted for an Union under this Act.

"Panchayat."

(xxi) "Parent" means the father of a legitimate child and the mother of an illegitimate child.

"Parent."

(xxii) "Person" includes any company or association or body of individuals, whether incorporated or not.

"Person."

(xxiii) (*a*) "*Road*" *includes* any road, street, square, court, alley, or passage, whether a thoroughfare or not, over which the public has a right of way, together with the *drains on either side and with the* land, whether covered or not by any pavement, verandah, or other erection, which lies *on either side of the roadway up to the boundaries of the adjacent property, whether that property be private property or property reserved by Government for other purposes*; and also *includes* the roadway over any public bridge or causeway.

"Road."

(*b*) "Public *road*" means any street which is now *vested in the Local Board or which may hereafter be made at the cost of Local Funds or which* may hereafter be declared *under section* 53 to be a public *road*.

"Public road."

(xxiv) "Salaried office" does not include the office of a Village Headman, Kannam, or other Village Officer mentioned in the Madras Village Cess Act IV of 1865.

"Salaried office."

(xxv) "Schedule" means a schedule to this Act. The schedules shall be read as part of this Act.

"Schedule."

(xxvi) "Taluk" means any part of a district which may be declared to be a taluk in the manner hereinafter provided.

"Taluk."

(xxvii) "Tenant" includes all persons who occupy land under a landholder, whether personally or by an agent, and whether they pay rent to such landholder or otherwise.

"Tenant."

(xxviii) "Union" means any *revenue* village or villages *or any portion or portions thereof* which may be declared to be an Union in the manner hereinafter provided.

"Union."

(xxix) "Unprotected child" means a child who has not been protected from small-pox by having had that disease either naturally or by inoculation or by having been successfully vaccinated, *or* who has not been certified in the manner hereinafter provided to be insusceptible of vaccination.

"Unprotected child."

(xxx) (*a*) "Vaccinator" means a public or private vaccinator.

"Vaccinator."

(*b*) "Public vaccinator" means any vaccinator employed *under this Act* by any Local Board, *and includes a Deputy Inspector of Vaccination.*

"Public vaccinator."

(*c*) "Private vaccinator" means any person *duly* licensed to perform the operation of vaccination.

"Private vaccinator."

(xxxi) Words in the singular shall include the plural and *vice versâ*.

"Number."

4. On this Act coming into force, as provided in section 2, in any district, the following consequences shall ensue:—

Consequences of Act coming into force.

(i) The Madras Local Funds Act, 1871, shall cease to apply to such district;

(ii) the Local Fund Circle or Circles and the Local Fund Board or Boards established under the said Act in such district shall cease to exist, provided that the members of the Local Fund Board or Boards of the Circle or Circles in such district, appointed under the said Act and holding office at the time this Act comes into force, shall be deemed to have been

appointed members of the District Board under this Act, but shall go out of office on the expiry of the term for which they shall have been originally appointed;

(iii) all property vested in the said Local Fund Board or Boards shall vest in the District Board for the purposes of this Act, subject to all rights (if any) existing over, and all debts, liabilities and obligations (if any) affecting, such property;

(iv) every contract entered into by the said Local Fund Board or Boards may be enforced by and against the District Board in like manner as it might have been enforced by and against the Local Fund Board or Boards if this Act had not been passed;

(v) The District Board shall be substituted for the said Local Fund Board or Boards in all suits or other proceedings pending by or against the said Local Fund Board or Boards at the time this Act comes into force.

Establishment of Taluk Board.

5. The Governor in Council may, by notification from time to time, declare any part of a district to be a taluk for the purposes of this Act; and the provisions of this Act regarding taluk Boards shall come into force in any taluk on such date as may be specified in the said notification. Provided that the Governor in Council may *by an order in writing published together with a statement of his reasons for making the same* in like manner at any time modify or cancel such declaration, dissolve any taluk Board and pass such orders as to the disposal of the property theretofore vested in such Board as he may deem fit. *But no order dissolving a Taluk Board shall be passed, without previously intimating to the District Board to which the Taluk Board is subordinate the grounds upon which the proposal is based and considering the explanation and objections, if any, of the District Board.*

Unions.

6. (1) The Governor in Council may, by notification from time to time, declare any village or villages *or any portion or*

portions thereof to be an Union for the purposes of this Act, and may, *by an order in writing published together with a statement of his reasons for making the same*, at any time in like manner modify or cancel such declaration, and dissolve the Panchayat of the Union concerned.

(2) The provisions of this Act regarding Panchayats shall come into force in any Union on such date as may be specified in the notification declaring it to be an Union.

Reference in prior Acts, &c.

7. Where, in any Act, Regulation, or Notification passed or issued prior to the day on which this Act comes into force, reference is made to the Madras Local Funds Act, 1871, such reference shall, so far as may be practicable, be read as applying to this Act or the corresponding part thereof.

CHAPTER II.

Local Boards and their Constitution.

1. *District Boards.*

Establishment of a District Board.

8. There shall be constituted for each district a District Board, having authority over such district, and consisting of a President, and of not less than twenty-four persons, who shall be called the members of the District Board.

The Collector of the District to be *ex-officio* member and President.

9. (1) The Collector of the District shall *ex-officio* be member and President of the District Board.

Governor in Council may authorize the members to elect President.

(2) But it shall be competent to the Governor in Council *to appoint one of the members of any District Board to be the President of such Board, or* by notification, from time to time, to authorize the members of any District Board to appoint their President by election from among themselves and subject to the approval of the Governor in Council and in accordance with such rules and conditions as may from time to time be prescribed by him; provided that the Governor in Council may, at any time by notification, withdraw such authority;

and may withdraw such authority.

but no such notification shall be issued without

previously intimating to the District Board the grounds upon which the proposal is based and considering the explanation and objections, if any, of the District Board.

Revenue officers in charge or divisions to be *ex-officio* members.

10. Every Revenue Officer in charge of a division of the district shall *ex-officio* be a member of the District Board.

Appointment of other members.

11. The other members of the District Board may be—

(*a*) either wholly appointed by the Governor in Council, or

(*b*) partly so appointed and partly appointed by election by the members of the Taluk Boards in the district from among their own number, or in any part of the district over which there is no Taluk Board having authority, by the panchayats, and by the tax-payers and inhabitants of such part of the district, subject to such rules and conditions as may from time to time be prescribed by the Governor in Council.

Proportion of official and non-official members.

12. Any person holding a salaried office under Government in the district may be appointed *by name or in virtue of his office* to be a member of the District Board, provided that the number of such persons appointed by the Governor in Council to be members of any District Board together with the *ex-officio* members shall not exceed one-fourth of the whole number of members of such Board.

Proportion to be elected.

13. In any district where the members of the District Board are partly appointed by election, the number of persons so appointed shall, unless the Governor in Council otherwise directs, be three-fourths of the whole number of the members of such District Board.

2. *Taluk Boards.*

Establishment of Taluk Boards.

14. There shall be constituted for each taluk a taluk Board, having authority over such taluk and consisting of a President and of not less than twelve persons who shall be called the members of the Taluk Board.

The Revenue officer in charge of the division of the district to be *ex-officio* President;

15. (1) The Revenue officer in charge of the division of the district, wherein any taluk is situated, shall *ex-officio* be President of the Taluk Board of such taluk.

(2) *In the event of a taluk constituted under section 5 containing areas belonging to more than one Revenue division, the Governor in Council shall declare which of the Revenue Divisional officers concerned shall ex-officio be President of the Taluk Board, and the other or others shall be members.*

but the Governor in Council may authorize the election of President;

(3) But it shall be competent to the Governor in Council *to appoint one of the members of any Taluk Board to be the President of such Board, or* by notification from time to time, to authorize the members of any Taluk Board to appoint their President by election from among their own number, subject to the approval of the Governor in Council and in accordance with such rules and conditions as may from time to time be prescribed by him. Provided that

and may withdraw such authority;

the Governor in Council may, at any time by notification, withdraw such authority. *But no such notification shall be issued without previously intimating to the Taluk Board the grounds upon which the proposal is based and considering the explanation and objections, if any, of the Taluk Board.*

(4) *Whenever the President of a Taluk Board is appointed or elected as provided in sub-section (3), the Revenue officer in charge of every division or portion of a division included in the taluk constituted under section 5, shall ex-officio be a member of the Taluk Board of such taluk, and when one of such Revenue Officers is elected as President, the others shall ex-officio be members of the Taluk Board.*

Appointment of members.

16. The *other* members of the Taluk Board may be—

(*a*) either wholly appointed by the Governor in Council, or

(*b*) partly so appointed and partly appointed by election by the members of the Panchayats in the taluk from among their own number or by the tax-payers and inhabitants of the taluk,

subject to such rules and conditions as may from time to time be prescribed by the Governor in Council.

3.

17. Any person holding a salaried office under Government in the taluk may be appointed *by name or in virtue of his office* to be a member of the Taluk Board, provided that the number of such persons appointed by the Governor in Council to be members of any Taluk Board shall not exceed one-third of the whole number of members of such Board.

Proportion of officials and non-officials.

18. In any taluk where the members of the Taluk Board are partly appointed by election, the number of persons so appointed shall, unless the Governor in Council otherwise directs, be two-thirds of the whole number of the members of such Taluk Board.

Proportion to be elected.

General Sections in regard to the constitution of District and Taluk Boards.

19. Upon this Act coming into force in any district or taluk the Governor in Council shall, by notification, declare—

The Governor in Council shall declare the number of members, &c.

(i) what shall be the maximum number of persons to be appointed, for the time being, members of any District or Taluk Board,

(ii) what shall be the number or proportion, if any, of such members to be appointed by election.

Provided that the Governor in Council may, by notification from time to time, cancel or modify such declaration; *but no such notification shall be issued without previously intimating to the District or Taluk Board the grounds upon which the proposal is based and considering the explanation and objections, if any, of the District or Taluk Board and such notification shall not come into force until one month after the same shall have been published in the Fort St. George Gazette.*

20. The Governor in Council may appoint one of the members of each Local Board to be the Vice-President of such Board, or he may, by notification from time to time, authorize the members of any Local Board to appoint their Vice-President by election from among their own number, subject to the approval of the Governor in Council and in accordance with such rules and conditions as may from time to time be prescribed by him.

Appointment of Vice-President by Governor in Council.

Election of Vice-President.

Provided that the Governor in Council may, by notification at any time, withdraw such authority.

21. (1) In any Local Board where there is a President duly appointed *or elected*, the Collector of the district or the Revenue Officer in charge of the division of the district, as the case may be, wherein such Local Board is situated, shall at once vacate the office of President.

Consequence of appointment or election of President.

(2) In any Local Board where there is a Vice-President, duly appointed by election, the Vice-President holding office at the time of such appointment shall at once vacate the office of Vice-President.

and of Vice-President.

22. (1) *Subject to the provisions of section 24 every* person *elected as aforesaid* to be a member of a Local Board shall *continue in* office for three years, *from the date of the "Fort St. George Gazette" wherein his appointment was notified and he* shall then cease to be a member of such Board.

Term of office.

Provided that any member of a Taluk Board or of a Panchayat *elected* to be a member of a District Board or of a Taluk Board shall vacate his office of member of such District Board or Taluk Board on his ceasing to be a member of the Taluk Board or Panchayat.

(2) Any member of a Local Board appointed *or elected* to be President or Vice-President shall be deemed to have vacated *such* office on *the expiry of the term for which he was originally appointed or elected* member or on *his otherwise ceasing to be a member, or, upon the withdrawal of the authority given under sub-section (2) of section 9 or sub-section (3) of section 15 or section 20*

President or Vice-President vacating office on ceasing to be member of Board, &c.

(3) But any outgoing President, Vice-President, or member of any Local Board, shall, if otherwise qualified, be eligible for re-appointment.

Outgoing member eligible for re-appointment.

23. (1) Any person appointed to be President, Vice-President, or a member of a Local Board, may tender his resignation to the Governor in Council, and on the acceptance of such resignation, such person shall be deemed to have vacated his office.

Resignation of office.

(2) Any person holding a salaried office under Government, who is a member of a Local Board, shall, on being *permanently* transferred from the local area over which such Board has authority, *or on quitting such local area with the intention of remaining absent therefrom for more than three months or on his resignation, suspension, removal or retirement from his office under Government*, be deemed to have vacated his office of member of such Board.

Government servant who is member.

24. (1) The Governor in Council may *by notification* remove any President, Vice-President or member of a Local Board *other than an ex-officio President or member*—

Removal of Members of Local Board.

(i) if he *is absent for more than three months from the local area over which such Board has authority, or* refuses to act or becomes incapable of acting or is declared insolvent, or is convicted of any such offence, or subjected by a criminal court to any such order, as implies, in the opinion of the Governor in Council, a defect of character, which unfits him to be President, Vice-President or member of a Local Board;

(ii) if he, without excuse sufficient, in the opinion of the Governor in Council, neglects for more than three consecutive months to be present at the meetings of the Local Board;

(iii) if his continuance in office is, in the opinion of the Governor in Council, dangerous to the public peace or order *or likely to bring the administration of the Local Board into contempt*;

(iv) *In the case of a President, if he, without an excuse sufficient in the opinion of the Governor in Council, omits or refuses to carry out any resolution of the Board.*

(2) *When the Governor in Council proposes to take action under clause (iii) of sub-section* (1) *he shall not pass orders without giving an opportunity of explanation to the President, Vice-President or member concerned.*

(3) The Governor in Council may prescribe a period during which any person so removed shall not be eligible for re-appointment or re-election.

Re-appointment or re-election.

25. (1) When the office of President, Vice-President, or member of any Local Board, becomes vacant, a new President, Vice-President, or member shall, unless the Governor in Council otherwise directs *in the exercise of the powers vested in him under section 19*, be appointed in the same manner as his predecessor was appointed.

Filling of casual vacancies.

(2) In any Local Board where the office of President becomes vacant the Collector of the District in the case of a District Board, and in the case of a Taluk Board the Revenue Officer in charge of the Division of the District, wherein the office of such Board is situated, shall assume the style and functions of the office of President.

Vacancy in the office of President.

26. No member of *a* Local Board or Panchayat *other than the President, Vice-President or Chairman*, shall receive any salary or other remuneration from the funds at the disposal of or under the control of such Board *or Panchayat, and* no President, Vice-President *or* Chairman shall receive any *such* salary or remuneration unless the payment *thereof* shall have been *sanctioned* by *the Local* Board or Panchayat, with the approval of the Governor in Council.

27. Every Local Board shall be a body corporate by the name of the Local Board of the local area for which it shall have been established and over which it has authority, shall have perpetual succession and a common seal, with power to acquire and hold property, both moveable and immoveable, and, subject to such rules as may from time to time be prescribed by the Governor in Council, to transfer any property held by it, and to contract all other things necessary for the purposes of its constitution, and may sue and be sued in its corporate name.

Incorporation of Local Boards.

27-A. *The election or appointment otherwise than ex-officio of every President, Vice-President and member of a Local Board shall be notified in the Fort St. George Gazette.*

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4. Mode of transacting Business.

28. Every Local Board shall provide an office, and shall meet for the transaction of business upon such days and at such times as it may arrange, and also at other times as often as a meeting shall be called by the President or, in his absence, by the Vice-President. Provided that every Taluk Board shall meet at least once in every month.

Local Board to keep an office.

29. The President or, in his absence, the Vice-President shall, at any time, on the requisition in writing of not less than one-third of the members *then on* any Local Board, call a meeting of such Board, provided that no such meeting shall be held unless a notice of the meeting specifying the time and place at which and the purpose for which it is to be held has at least six days previous to the day of such meeting been addressed and sent by the President or Vice-President to each of the members.

President or Vice-President to call a meeting on requisition.

29-A. *All meetings of the Local Board shall be open to the public, Provided that the presiding member may, in any particular case, direct that the public generally or any particular person shall withdraw.*

30. At every meeting of a Local Board the President or, in his absence, the Vice-President shall preside. In the absence from any meeting of the President and Vice-President, the members of the Local Board present at the meeting shall choose some one of their number to preside thereat.

Who to preside at meetings.

31. (1) No business shall be transacted at a meeting unless at least one-fourth of the whole number of members *then on the Board, not being less than three*, be present.

Quorum.

If at the time appointed for a meeting under this sub-section or within half-an-hour thereafter a quorum is not present, the President, Vice-President or presiding member may adjourn the meeting to some future day.

(2) All questions which may come before a Local Board at any meeting shall be decided by a majority, and in every case of equality of votes, the President or the presiding member shall have a second or casting vote.

Decision by majority. Casting vote.

(3) *No member of a Local Board shall vote on any question coming before the Board for consideration in which (otherwise than in its general application to all persons and properties within the local area) he has any pecuniary interest.*

(4) No resolution of any Local Board shall be modified or cancelled within three months by such Board, except at a meeting specially convened in that behalf and by a resolution of such Local Board supported by not less than one-half of the whole number of the members *then on* such Board.

Modification or cancellation of resolutions.

32. (1) Minutes of the resolutions of the Local Board passed at each meeting shall be drawn up and entered in a book to be kept for that purpose, and shall be signed by the President or the member who presided at such meeting, and shall, at all reasonable times and without charge, be open at the office of the Local Board to the inspection of any person who pays a tax under this Act in respect of any property situated within the local area of such Board.

Minutes of Proceedings.

(2) A copy of the minutes of the resolutions of each meeting shall, within three days from the date thereof, be transmitted to the Collector of the district in the case of a District Board, and, in the case of a Taluk Board, to the Revenue officer in charge of the division of the district, wherein the office of such Taluk Board is situated, for publication in the District Gazette in English and a Vernacular language of the district at the cost of such Local Board.

Copies of Minutes to be sent to Divisional officer for publication.

Provided that the President shall immediately submit to the said Collector, or the Revenue Officer as the case may be, any minute of dissent that may be forwarded to him within 48 hours of the meeting by any member.

(3) *The President and in his absence, the Vice-President shall have the custody of the proceedings and records of the Local Board and may grant copies of any such proceedings and records on payment of such fees as the Local Board may, by general or special order, prescribe. Copies granted under this sub-section shall be certified by the President or the Vice-President as provided in section 76 of the Indian Evidence Act, 1872, and copies so certified may be used to prove the records of the Local Board*

in the same manner as they may, under sub-section 5 of section 78 of the said Act, be used to prove the proceedings of that body.

33. (1) The resolutions of the Local Board shall be carried into effect by the President, in whom the entire executive power of the Board shall be vested, and who shall be directly responsible for the due fulfilment of the purposes of this Act.

Executive power vested in the President.

(2) It shall not be lawful for the President to exercise any power which by this Act it is expressly declared shall be exercised by the Local Board

Exception.

(3) *The* President may, from time to time, authorize the Vice-President, by an order in writing, to exercise any of the powers conferred *or to perform any of the duties imposed* on *the* President by this Act, and may at any time in like manner modify or cancel such *order*.

Delegation of powers to Vice-President.

Provided that the delegation of powers or duties under this sub-section shall not relieve the President of any responsibility imposed upon him by this Act.

33-A. *Notwithstanding anything contained in sub-section (2) of section 33, it shall be lawful for the President in cases of emergency to direct the execution of any work or the doing of any act which the Local Board is empowered to execute or do and the immediate execution or doing of which is in his opinion necessary for the service or safety of the public and to direct that the expenses of executing such work or doing such act incurred as the emergency may require, shall be paid from Local Funds,*

Provided that every direction given under this section shall be reported at the next following meeting of the Local Board.

34. (1) Every Local Board may, from time to time, make rules consistent with this Act, and with any rules framed by the Governor in Council, in regard to the following matters:—

Rules as to conduct of business.

(i) the time and place of *its* meetings;

(ii) the manner in which notice thereof shall be given;

(iii) the conduct of proceedings at meetings;

(iv) the division of duties among the members of the Board;

(v) the appointment and procedure of Committees consisting wholly of a certain number of members of the Board, or partly of such members and partly of other inhabitants of the local area for the superintendence and management of educational institutions, hospitals, dispensaries, choultries or other institutions maintained by the Board;

(vi) the persons by whom receipts may be granted for money paid to the Board; and

(vii) all other similar matters.

(2) *No rule made under this section shall take effect until it has been published in the manner prescribed by the Governor in Council.*

35. (1) If at any time it appears to the Collector of the District that the President of a Local Board *or Chairman of a Panchayat* has made default in carrying out any resolution of such Local Board *or Panchayat*, the Collector *after obtaining and considering the explanation of the President or Chairman* may by notice in writing require such President *or Chairman* to carry out such resolution within a reasonable time to be specified in such notice and if such President *or Chairman* omits to comply with such notice the Collector may assume the execution of such resolution and pass all necessary orders accordingly.

Execution of resolutions if President is negligent.

(2) Any Collector taking action under this section shall in a memorandum record his reasons for such action, and shall forthwith forward such memorandum to the Local Board *or Panchayat* for information, and shall also forthwith forward a copy thereof to the Governor in Council, who may pass such orders thereon as he may deem fit.

Report to Local Board and Government.

36. (1) When the Collector of the District is not the President of a Local Board, he may—

Control of Collector over Local Boards.

(*a*) enter on and inspect, or cause to be entered on and inspected, any immoveable property or any work in progress under the control of such Board;

(*b*) call for and inspect any document in the possession or under the control of such Board;

(*c*) require such Board to furnish such statements, accounts, reports, and copies of documents relating to *its* proceedings or duties as he may think fit; and

(*d*) record in writing, for the consideration of such Board, any observations he may think proper in regard to *its* proceedings or duties.

(2) *The Collector also may by a special order in writing in each case direct the Revenue officer in charge of the Division to exercise any of the powers referred to in clauses (a), (b) and (c) of sub-section* (1).

(3) The Governor in Council may, by notification from time to time, authorise any public officer to exercise any of the powers of a Collector under this section, and may, in like manner, at any time modify or withdraw such authority.

37. (1) The Governor in Council or the Collector of the District may, by order in writing, suspend the execution of any resolution of *any* Local Board, or *of any* order *issued by any Local Board or President* or cancel such resolution or order, *or suspend or cancel any license granted by any Local Board or President*, and may prohibit the doing of any act which is about to be done, or is being done, in pursuance of, or under colour of, this Act, if, in his opinion, *such resolution has not been legally carried*, or such resolution, order or act *or the issue of such license* is in excess of the powers conferred by law, or the execution of such resolution or order, or the doing of such act *or the continuance in force of such license* is likely to cause obstruction, injury or annoyance to any persons lawfully employed or danger to human life, health or safety, or is likely to lead to a riot or an affray.

Power of Government and Collector to suspend action under this Act.

(2) When the Collector makes any order under this section, he shall forthwith forward a copy thereof, with a statement of his reasons for making it, to the Local Board concerned and to the Government in Council.

Submission of order to Government.

(3) The Government in Council may *thereupon* rescind the order, or *after giving the Local Board a reasonable opportunity of explanation* direct that it continue in force with or without modification, permanently or for such period, as he thinks fit.

38. (1) In cases of emergency the Collector of the District may provide for the execution of any work, or the doing of any act, which a Local Board *or the President* is empowered to execute or do, and the immediate execution or doing of which is, in his opinion, necessary for the service or safety of the public, and may direct that the expense of executing the work or doing the act shall be paid by the Local Board.

Extraordinary powers of Collector in case of emergency.

(2) If the expense is not so paid, such Collector may make an order directing the person having the custody of the Local Fund to pay the same in priority to any other charges against such fund, *except charges for the service of authorized loans*. Such person shall, so far as the funds to the credit of the Local Board admit, be bound to comply with such order.

Recovery of expenses.

(3) Every case in which the powers conferred by this section *are exercised shall be* forthwith reported to the Governor in Council *by the Collector with the reasons in full for the exercise of such powers and a copy of the report shall, at the same time, be sent to the Local Board for information.*

Submission of report to Government.

39. When the Revenue Officer in charge of the Division of the District, in which there is a Taluk Board, is not the President of such Board, he may, subject to the control of the Collector of the District, exercise in respect of such Board any of the powers conferred on the Collector of the District by Sections 35 to 38, and shall furnish the report prescribed in Sections 35, 37, and 38 to the Governor in Council through the Collector of the District.

Powers of Divisional Officer.

40. (1) If at any time it appears to the Governor in Council that a Local Board *or a President* has made default in performing any duty imposed by or under this or any other Act, the Governor in Council may, by order in writing, fix a period for the performance of such duty.

Powers of Governor in Council in cases of default of Local Board.

(2) If such duty is not performed within the period so fixed, the Governor in Council may appoint some person to perform it, and may direct that the expense of performing it shall be paid within such time as he may fix to such person by the Local Board.

Appointment of some person to perform duty.

(3) If the expense is not so paid, the Collector of the District, with the previous sanction of the Governor in Council, may make an order directing the person having the custody of the Local Fund to pay the same in priority to any other charges against such fund *except charges for the service of authorized loans*. Such person shall, so far as the funds to the credit of the Local Board admit, be bound to comply with such order.

Recovery of expense.

5. Servants of District and Taluk Boards.

41. Every Local Board shall at its first meeting, and may from time to time thereafter, fix the number and salaries of all such permanent servants as it may think necessary and proper to assist in carrying out the purposes of this Act, and shall submit a statement of its proposals for the sanction of the Governor in Council in such form as he may, from time to time, prescribe, and the Governor in Council shall pass such orders thereon as he may deem fit: Provided that such servants holding office under the Madras Local Funds Act, 1871, at the time this Act comes into force shall be deemed to have been appointed under this Act.

The Local Board to fix the number and salaries of their servants.

42. (1) The Governor in Council may, on the application of any Local Board, place at its disposal the services of any Government servant to be employed for the purposes of this Act. The Local Board shall pay to any Government servant so employed the salary he may be entitled to receive under the rules of the branch of the Government service to which he belongs, and shall also pay to the Governor in Council such contribution towards the pension of such servant as may be payable under the rules in that behalf in force for the time being.

Government servants employed by Local Board.

(2) If such servant, while employed under the Local Board, or if any other servant of the Local Board does any work for Government *or for any public or private body*, the Governor

Contribution towards pay of such servants.

in Council *or the public or private body concerned as the case may be* shall contribute to the Local Board so much of the salary of such servant as the Governor in Council may consider to be an equivalent for such work.

(3) No Government servant employed by the Local Board shall be dismissed or removed from such employment without the consent of the Governor in Council or until three months' notice in writing to that effect shall have been given to the Governor in Council.

Dismissal of such servants.

(4) No Government servant employed under the Local Board shall, except in cases of emergency, be withdrawn from the service of the Local Board, without their consent, unless and until the Governor in Council shall have given three months' notice in writing to that effect to the Local Board, *or unless some other Government servant has been deputed to replace the one withdrawn.*

Withdrawal of such servants.

(5) *Government servants employed under Local Boards shall be entitled to leave and other privileges in accordance with the regulations applicable to the department of general administration to which they belong.*

43. Every member or servant of a Local Board, or of a Panchayat, every contractor or agent, to whom the collection of any tax, toll, fee, or other sum, due to a Local Board or Panchayat, is entrusted, and every person engaged in the collection of such tax, toll, fee or sum, shall be deemed to be a public servant within the meaning of the Indian Penal Code.

Local Boards' servants are public servants.

44. (1) The President shall, subject to such rules as the Governor in Council may prescribe, appoint such permanent servants as shall have been provided for *in the manner aforesaid and shall pay such permanent servants from the Local Fund the salaries that may be so fixed.*

The President to appoint servants.

(2) *The President* may also, in cases of emergency, appoint such temporary servants as *in his opinion* may be required for the purposes of this Act, and *may direct that the salaries of* such temporary servants fixed as the emergency may require *shall be paid from the Local Fund.*

Provided that every appointment made under this sub-section shall be reported at the next following meeting of the Local Board.

The President to fine, suspend or dismiss servants.

45. The President may, subject to the provision in Section 42, sub-section (3), and to such control as the Governor in Council may from time to time prescribe, fine, suspend or dismiss any of such servants and appoint others in their stead.

Rules as to securities, pensions, &c.

46. (1) The District Board may, from time to time, make rules consistent with this Act and with any rules framed by the Governor in Council as to the following matters in respect of the servants of all Local Boards *and Panchayats* in the district :—

(i) the servants who shall furnish security for the due performance of their duties ;

(ii) the amount of such security ;

(iii) the grant of leave to servants and the allowances to be paid to persons acting for such servants ;

(iv) the period of service of all servants ;

(v) the conditions under which such servants, or any of them, shall, on retirement, receive pensions, gratuities or compassionate allowances ;

(vi) the amount of such pensions, gratuities or compassionate allowances (if any) ;

(vii) the establishment of a Pension or Provident Fund by such servants ; and

(viii) the rates at which and the conditions under which contributions shall be paid from the Local Fund towards such Pension or Provident Fund, and the Local Board or Boards by whom they are to be so paid.

Provided that no rules as to the matters mentioned in clauses (iii), (v), (vi), (vii) *and* (viii) *shall be valid until they have been confirmed by the Governor in Council.*

(2) Such rules shall be binding on all the Local Boards *and Panchayats* in the district.

Officers already employed by Government for similar purposes to be continued in office.

47. All persons in the employ of Government, who, at the time this Act comes into force in any district, shall be performing any executive or ministerial duties in carrying out the purposes specified in this Act, shall continue to discharge such duties under the orders of the Governor in Council, unless and until the Governor in Council shall otherwise direct.

48. (*Power to vest property in Local Board and to withdraw it.*) (Repealed.)

6. *Property of District and Taluk Boards.*

Public streets, &c., vested in the District Board.

49. All public roads in any district and the pavements, stones, and other materials thereof, and also all erections, materials, implements, and other things provided for such roads shall vest in the District Board. *But it shall be competent to* the Governor in Council by notification *to* exclude any road from the operation of this Act, and *to modify or* cancel such notification.

Sewers, drains, &c., vested in the Local Board.

50. (1) All sewers, drains, drainage works, tunnels, and culverts in, alongside or under the *public roads*, in any district, whether made at the cost of the District Board or otherwise, and all works, materials, and things appertaining thereto, shall vest in, and belong to, the District Board.

Rubbish, &c., to belong to Local Board.

(2) All rubbish, sewage, filth, and other matters collected under this Act shall vest in, and belong to, the *Local* Board *or Panchayat at whose cost they are collected.*

(3) But it shall be competent to the Governor in Council to exclude from time to time by notification any sewer, drain, drainage work, tunnel *or* culvert from the operation of this Act, and to cancel such notification wholly or in part.

Saving of Revenue Board's powers in regard to charitable endowments.

51. (1) Nothing in this Act contained shall be deemed to affect the duties and powers vested in the Board of Revenue in respect of charitable endowments by Regulation VII of 1817.

Power to transfer them to Local Boards.

(2) But it shall be competent to the Board of Revenue, with the written consent of the Governor

in Council and of the Local Board *concerned*, to make over to such Local Board the management and superintendence of any such endowment; and thereupon all powers and duties which attach to the Board of Revenue in respect thereof shall attach to such Local Board as if such Board had been specifically named in the said Regulation.

Transfer of immoveable property by District Board to Taluk Board.

52. (1) The District Board may, with the approval of the Governor in Council, or shall upon his direction from time to time, by notification declare that any immoveable property vested in such District Board shall vest in *any* Taluk Board *in the same district*.

Such property to vest in the Taluk Board.

(2) Such property shall, from the date specified in the said notification, vest in such Taluk Board, and thereupon all powers and duties which attach to the District Board in respect of such property shall attach to such Taluk Board.

Local Board may take over and repair certain roads.

53. Any Local Board may agree with the person or persons, in whom the property in any road in *its* local area is vested, to take over the property therein, and, after such agreement, may declare, by notice in writing put up in any part of such road, that the same has become a public road. Thereupon such road shall vest in such Local Board.

7. *District and Taluk Funds.*

What shall constitute the District Fund.

54. (1) In each district there shall be constituted a fund, which shall be called the District Fund, and its shall be placed to the credit thereof, unless otherwise appropriated under this Act—

(i) the proceeds of the taxes, tolls, and fees hereinafter authorized, to be levied by the District Board;

(ii) the sale-proceeds of all property vested in the District Board which may be sold under their orders;

(iii) all fines and penalties levied under the provisions of this Act;

(iv) all contributions received from other Local Boards or Municipal Councils; and

(v) all other sums of money which may be received by the District Board in trust for the purposes of this Act.

District Fund where to be lodged and how to be drawn against.

(2) The District Fund shall be lodged in such Bank or Government Treasury as the President, under the orders of the Governor in Council, may direct. All expenses incurred by the District Board shall be paid out of such funds; and all orders or cheques upon the said fund shall be signed by the President, or, in his absence, by any person authorized by him in that behalf, and the Treasury or Bank in which such fund is lodged shall, so far as the funds to the credit of the District Board admit, pay all such orders and cheques which are so signed.

Provided that if the District Board shall have given previous authority in writing, such bank or treasury may at once pay out of such fund, without the issue of such orders or cheques, any expense which the Governor in Council has incurred on behalf of the District Board.

Transfer of funds from District to Taluk Board.

55. The District Board shall, at such times as the Governor in Council may, from time to time, prescribe in that behalf, transfer to each Taluk Board within the district a sum not being less than one-half of the proceeds of the taxes levied by the District Board in such taluk and may, from time to time, with the approval of the Governor in Council or shall upon his direction, transfer to such Taluk Board any other sums forming part of the District Fund.

Taluk Fund.

56. (1) In every taluk there shall be constituted a fund, which shall be called the Taluk Fund, and there shall be placed to the credit thereof, unless otherwise appropriated under this Act—

(i) the sums transferred to the Taluk Board of such taluk under Section 55;

(ii) the sale-proceeds of all property vested in such Taluk Board, which may be sold under their orders;

(iii) all contributions received from other Local Boards or Municipal Councils;

(iv) the proceeds of all fees hereinafter authorized to be levied *in respect of which it is granted, and*

(iii) *the tax or fee in respect of which the payment has been made;*

(iv) *the period for which the payment has been made; and*

(v) *the amount in respect of which it is granted.*

(v) all other sums of money which may be received by such Taluk Board, in trust for the purposes of this Act.

Taluk Fund where to be lodged and how to be drawn against.

(2) The Taluk Fund shall be lodged in such Bank or Government Treasury as the President, under the orders of the Governor in Council, may direct. All expenses incurred by any Taluk Board shall be paid out of such funds; and all orders or cheques upon the said fund shall be signed by the President, or, in his absence, by any person authorized by him in that behalf, and the Treasury or Bank in which such fund is lodged shall, so far as the funds to the credit of the Taluk Board admit, pay all such orders and cheques which are so signed,

Provided that if the Taluk Board shall have given previous authority in writing, such bank or treasury may at once pay out of such fund, without the issue of such orders or cheques, any expense which the Governor in Council has incurred on behalf of the Taluk Board.

CHAPTER III.

Taxes, Tolls, and Fees.

Taxes and tolls.

57. The following are the taxes, tolls, and fees, which may be levied under this Act:—

(i) A tax not exceeding two annas in the rupee on the annual rent value of all occupied lands, on whatever tenure held, in the Districts of Malabar, South Canara, and the Nilgiris, and not exceeding one anna in the rupee on the annual rent value of such land elsewhere.

(ii) *A tax not exceeding one pies in the rupee on the annual rent value of all occupied lands to be utilized solely on the construction of tramways or railroads.*

(iii) A tax on houses situated within any union at rates not exceeding those laid down in Schedule A.

(iv) Tolls upon carriages, carts or animals passing along roads within the district *under any of the classes and at* rates not exceeding *those laid down in* Schedule [illegible] tolls; and

bridges and at such rates, as the Governor in Council on the request of the District Board may by notification approve. Provided that the net proceeds of the said tolls shall be applied to the purposes specified in clause (i) *of* Section 95.

(v) Fees for licenses granted for the temporary erection of paudals and other structures in *roads* and other public places in an union at a rate *approved by the Governor in Council* not exceeding three pies a day for every square yard or part thereof covered by such structures; and

(vi) Fees for the use of cart-stands, markets, *and slaughter-houses constructed or maintained from the local fund, and fees for the temporary use of choultries, travellers' rest-houses,* market-sites, village-sites, and other similar public places at such rates as may be fixed by the Taluk Board *with the approval of the Governor in Council.*

District Board may, with the approval of the Governor in Council, determine to levy taxes.

58. The District Board may, subject to the provisions contained in the last preceding section from time to time determine, with the approval of the Governor in Council, that any one or more of the said taxes and tolls shall be levied at rates not exceeding those specified in the last preceding section; *Provided that the tax mentioned in clause (ii) of the aforesaid section shall not be levied unless the levy thereof is determined by a resolution of the District Board supported by not less than two-thirds of the members then on the Board, such resolution being confirmed after a period of [illegible] months by a like majority.*

Governor in Council may direct the levy of taxes.

59. If at any time it seems advisable to the Governor in Council [illegible] the funds [illegible]d for the purposes of this Act shall [illegible]ased in any district, taluk or union from all or any one or more of the taxes and tolls mentioned in *clause (i) and clauses (iii) to (vi) of* Section 57, the Governor in Council may direct the District Board to levy such taxes or tolls at any rate or rates not exceeding those authorized by this Act as he may [illegible] necessary.

(i) the tax or fee in respect of which the payment has been made;

(ii) the period for which the payment has been made; and

(iii) the amount in respect of which it is granted.

within three months after the receipt of the order containing such direction. If the District Board fails to show cause within the said time to the satisfaction of the Governor in Council, the taxes or tolls so directed to be levied shall be levied in such district, taluk or union as if the levy of the same had been determined by the District Board with the approval of the Governor in Council; provided that it shall be competent to the Governor in Council, from time to time, to modify or cancel such direction.

and may cancel or modify such direction.

60. When the District Board shall have determined, with the approval of the Governor in Council, to levy any tax or toll, such Board shall at once issue a notification and make proclamation by beat of drum in the villages in which the tax or toll is to be levied, specifying the rate at which such tax or toll is to be levied, and intimating that such tax or toll will be levied from a date to be specified in such notification and such tax or toll shall be levied in the manner hereinafter provided, until such time as the said notification shall be modified or cancelled.

District Board to issue notification intimating that tax, &c., will be levied.

Tax, &c., to be levied after cancellation of notification.

61. The Taluk Board may, subject to the provisions contained in section 57, from time to time determine *with the approval of the Governor in Council* to levy the fees specified in clauses (iv) and (v) of that section, at such rates as it may deem fit.

Levy of fees.

62. (1) When the Taluk Board shall have determined *with the approval of the Governor in Council* to levy any fees, it shall at once proclaim, by an order in writing and by beat of drum, in the villages in which such fees are to be levied that such fees will be levied from the date specified in such order and at the rate fixed therein, until such time as the said order shall be modified or cancelled.

Notification thereof.

(2) Such fees shall be levied in the manner hereinafter provided.

(3) Copies of such order shall also be exhibited at the office of the Taluk Board and at some conspicuous place or places in the villages in which such fees are to be levied.

63. The Governor in Council may from time to time exempt Local Boards or Municipal Councils, and

Exemption from levy of taxes, tolls or fees.

poverty or for any other sufficient cause any local area, person or class of persons, *carriages, carts or animals*, from any one or more or all of the taxes, *tolls* or fees leviable under this Act, and may in like manner modify or cancel such exemption.

1. Tax on the Annual Rent Value of Land.

64. If the District Board notifies under Section 60 that a tax on the annual rent value of land shall be levied, such annual rent value shall be calculated *from time to time* in the following manner:—

Annual rent value of lands how to be fixed.

(i) In the case of lands held direct from the Government under a ryotwary settlement, and also in the case of land situated in the District of Malabar on whatever tenure held, the assessment payable to Government for the land, together with any water-rate which may be payable for its irrigation, shall be taken to be the annual rent value of such lands.

Lands held under ryotwary settlement.

(ii) In the case of inam lands, or lands held wholly or partially free from assessment, the full assessment which such lands would bear if they were not Inam; together with any water-rate which may be payable for their irrigation, shall be taken to be the annual rent value; and such full assessment and water-rate shall be determined by the Collector of the District under the general orders of the Board of Revenue.

Inam lands.

(iii) In the case of lands held on any other tenure, the annual rent payable to the landholder by his tenants [*] together with any water-rate which may be payable for their irrigation [*] shall be taken to be the annual rent value of the lands held by such tenants; [*] and where such lands are occupied by the owner himself or

Lands held on any other tenure.

(a) [illegible] inserted by subsection (4) of [illegible] for the original words
the tax or fee in respect of which the payment has been made;
the period for which the payment

by any person holding the same from him free of rent or at a favorable rent, the annual rent value shall be taken to be the rent ordinarily payable to the landholder for lands of similar quality leased out by him in the neighbourhood, together with any water-rate which may be payable for the irrigation of the lands so occupied by the owner himself, or by any person holding the same from him as aforesaid.[v]

(iv) When revenue or rent is paid in kind, the annual rent value shall be calculated according to the rates of rent established or paid for neighbouring lands of a similar description and quality, [c] to which shall be added the water-rate payable for the irrigation of the lands of which the revenue or rent is paid in kind. [c]

When revenue or rent is paid in kind.

[c] "Provided that where any landholder has been permitted by the Collector under the provisions of clause (iv), Section 11, Madras Act VIII of 1865, to increase his rent in consequence of any additional payment by way of water-rate made by him to Government, the annual rent value shall be the balance remaining after deducting such increase of rent up to the amount of the water-rate from the sum ascertained as aforesaid." [c]

65. The Collector may require every *landholder* within the district, not being an owner of land in the District of Malabar, or a holder of land under ryotwary tenure, to furnish him with an accurate list of the lands held by him, whether occupied by tenants or by himself, specifying, in each case, the annual rent value of the lands so occupied, [c] exclusive of the water-rate, if any, payable by his tenant direct to Government. [c]

Holders of land on other than ryotwary tenure to furnish lists of their lands to Collector.

66. If the Collector is satisfied with the list furnished by a landholder in compliance with a requisition made under the last preceding

Collector to assess tax according to list.

[c-c] These words were added by sub-section (3) of section 1 of Madras Act III of 1880.

[c-c] This proviso was added by sub-section (4) of section [illegible] Act III of 1880.

section, he shall assess such landholder, according to such list, for the tax due in respect of lands held by him as aforesaid.

67. If any landholder shall neglect to comply with a requisition made under Section 65, within six months after requisition made in the District Gazette or otherwise, such landholder shall be liable to a fine not exceeding Rupees fifty for each day's delay, until the list be furnished, or until the annual rent value of such landholder's lands shall have been fixed by the Collector as provided in the next following section. The amount of such fine shall be fixed by the Collector of the District and shall be recoverable as an arrear of tax.

Penalty for failing to furnish such lists.

68. If no such list be furnished by any landholder within one month from the expiration of the six months aforesaid, the Collector of the District shall himself fix the annual rent value of the lands held by such landholder as aforesaid.

If list be not furnished, Collector may fix the annual rent value.

69. The Collector of the District may take steps in the manner provided by Madras Act III of 1869 for ascertaining the correctness of any list furnished in compliance with a requisition made under Section 65, or where such lists shall not have been furnished, for fixing the annual rent value as provided in the last preceding section, anything in Regulation XXIX of 1802 to the contrary notwithstanding, and he may depute any of his officers to make such inquiries as may be necessary.

Power of Collector to summon parties, &c.

70. If, after due inquiry, the Collector is dissatisfied with any list furnished to him as aforesaid, he shall amend the same, and shall supply such landholder with a copy of such amended list, which shall be taken to contain the annual rent value of the lands held by him as aforesaid.

Collector to amend list if dissatisfied with it.

71. (1) An appeal shall lie to the Board of Revenue from the decision of the Collector under the last preceding section.

Appeal to Board of Revenue.

(2) Provided that such appeal be preferred within six months from the date of the Collector's decision.

[illegible] made on such appeal

(iii) the tax or fee in respect of which the payment has been made;

(iv) the period for which the payment has been made; and

(v) the amount in respect of which it is granted.

72. In the case of land held on ryotwary tenure, the amount of the local tax [a] payable by the landholder shall be entered in his patta [a].

Tax to be entered in pattas of ryotwary lands.

73. Every landholder shall pay to the Collector, or other officer empowered by him to receive it, the local tax due in respect of lands held by him as aforesaid, [b] exclusive of the amount of such tax, if any, payable by the tenant as hereinafter provided [b] on or before such dates and in such instalments as the Collector, under the general orders of the Board of Revenue, may by notification declare. [c] And if such lands be occupied by a tenant paying water-rate direct to Government, such tenant shall pay to the Collector together with the water-rate the local tax due on the amount of such water-rate. [c] *Provided that in all cases where a person holds or occupies lands as an intermediate landholder on an under tenure, created, continued or recognized by a landholder [d] and also in the case of tenant tenures]* [e] *it shall be lawful for the landholder to recover from the intermediate landholder [Por. amended] the whole of the tax paid by the landholder in respect of lands held by the intermediate landholder, but only one half the tax on any kattubadi, jodi, poruppu or quitrent payable by the intermediate landholder to the landholder in respect of lands held by the intermediate landholder:* Provided *also* that, in the case of lands occupied by tenants, it shall be lawful for the landholder *or the intermediate landholder as the case may be* to collect and recover from his tenant one-half of the amount payable [f] by the landholder [f] in respect of the land so occupied.

Payment of local tax by landholder.

Proviso as to liability of tenants.

74. Every landholder *or the intermediate landholder as the case may be* shall, in collecting or recovering the portion which may be due to him under the provisos to the last preceding section, be entitled to exercise the same powers as may, under any Act or Regulation which now is, or hereafter may be, in force, be exercised by

Powers of landholders.

[a-a] These words were substituted for the original words by section 3 of Madras Act III of 1890.

[b-b] These words were inserted by sub-section (1) of section 4 of Madras Act III of 1890.

[c-c] These words were inserted by sub-section (2) of section 4 of Madras Act III of 1890.

[d-d] These words were inserted by section 5 of Madras Act III of 1890, and

any landholder in the collection and recovery of rent, and shall be liable to all the penalties prescribed therein for the abuse of such powers.

75. Every landholder coming within the meaning of clause 3 of Section 64 shall be entitled to a remission of one-half of the tax payable by him on so much of the whole annual rent value of his land as is equal to the amount of the [a] permanently-settled [a] revenue payable by him to Government in respect of such land: Provided that the amount recoverable by such landholder from his tenants under the *second* proviso to Section 73 shall be calculated upon the whole amount which would have been payable [a] by him [b] to Government if no such remission had been allowed.

Remission of one-half of the local tax in case of lands held on other than ryotwary tenure.

76. When any landholder shall, on the date fixed by the Collector under Section 73, have failed to pay, either in whole or in part, the tax due by him in respect of lands held by him as aforesaid, [c] or a tenant shall have failed to pay, either in whole or in parts the tax due by him, on the water-rate payable direct by him to Government in respect of lands occupied by him, [c] the said tax or such part of it as remains unpaid shall be recoverable in the same manner as if it were an arrear of revenue under Act II of 1864.

Arrears of tax how to be recovered.

2. Tax on Houses.

77. (1) If the District Board notifies under Section 60 that a tax on houses shall be levied, such tax shall at the rate, and from the date, specified in such notification be levied on all houses situated within any union.

Tax on buildings.

(2) The Kurnam of every village situated within the union shall, on the requisition of the Chairman of the Panchayat of such union, prepare and furnish to the Chairman lists of all houses within the village or villages of which he is Kurnam, and shall enter in the same the names of the owners *and* occupiers of such houses.

Kurnams of each village to furnish list of houses and their owners.

[a-a] These words were inserted by section 6 of Madras Act III of 1890.

[b-b] These words were inserted by section 6 of Madras Act III of 1890.

(*c*) [illegible] inserted by section 6 of Madras Act III of 1890, *it is given*

(*iii*) *the tax or fee in respect of which the payment has been made;*

(*iv*) *the period for which the payment has been made;* and

(*v*) *the amount in respect of which it is granted.*

(3) Provided that the Kurnam shall be entitled, for the preparation of such lists, to receive such remuneration (if any) as the Panchayat at a meeting may fix subject to the approval of the Taluk Board having authority over such union.

Kurnam entitled to remuneration.

78. (1) The Chairman of the Panchayat shall on the receipt of the lists mentioned in the last preceding section cause tax-books to be prepared. Such tax-books shall show in distinct columns the names of the owner and *of the* occupier of each house, the class under which such house shall be taxed, the amount of the tax due and the date on which the tax is payable.

Tax to be entered on such lists.

(2) *Lighthouses and buildings exclusively used for charitable purposes, or set apart for public worship and either actually so used or used for no other purpose, and buildings exclusively used as public choultries, hospitals or dispensaries, and buildings which are the property of Local Boards or Panchayats shall not be liable to such tax.*

Exceptions.

(3) Every person claiming to be the owner or occupier of any house taxable under this Act, or the Agent of such person, shall be at liberty so inspect the tax-books at all reasonable hours and to make extracts therefrom without the payment of any fee.

Inspection of tax-books.

79. (1) As soon as the tax-books are prepared, the Chairman of the Panchayat shall give public notice thereof by beat of drum in the union and of the place or places where the books may be inspected.

Completion of tax-books to be notified.

(2) The Chairman of the Panchayat may, from time to time, add to or amend the tax-books, by inserting therein the name of any person liable to be taxed, or by inserting any property liable to the tax, or by altering the classification of such property; and, in the case of every such amendment, notice thereof shall be given to the person interested in such amendment.

Amendment of tax-book.

(3) The President of the Taluk Board may, at any time on his own motion or on the motion of any person interested, exercise any or all of the powers of the Chairman of the Panchayat under this section, and

sub-section, subject to notice being given as therein provided; and no order so passed by the President of the Taluk Board shall be varied or cancelled save by appeal under section 85.

79-A. (1) *The tax imposed under Section 77 shall be payable by the owner or the occupier of the house in two equal instalments.*

(2) *Subject to the provisions of Sub-section (1) of Section 80-A, the instalment for each half-year shall be payable within thirty days after the commencement of such half-year.*

80. (1) When any house shall have been vacant for sixty or more consecutive days during any *half*-year, the Chairman shall remit so much not exceeding one-half of the amount of the tax for the *half*-year as is proportionate to the number of days the said house may have remained vacant.

Remission of tax on account of vacant buildings.

(2) *Every demand for a remission under this section shall be made during the half-year in respect of which the remission is sought or in the following half-year and not afterwards.* No person shall be entitled to such remission unless the owner of the house or his agent shall, at or about the time that the house becomes vacant, have given notice of such vacancy to the Chairman, and the amount of tax to be remitted shall be calculated from the date of the delivery of such notice.

Proviso as to notice of vacancy.

80-A. (1) *When any house is constructed, reconstructed or enlarged, the owner shall give notice thereof to the Chairman within fifteen days from the date of completion of such house, re-building or enlargement, or from the date of occupation of the said house whichever date happens first. The Chairman shall on receipt of such notice assess the tax leviable in respect of the house and the instalment for the half-year in which the assessment is made shall be payable within thirty days after the date of the service of notice issued under sub-section (1) of Section 81, provided that if such date of completion or occupation falls within the last two months of a half-year no tax or enhanced tax, as the case may be, shall be levied in respect of the house for that half-year.*

(2) *When any house is completely demolished or destroyed, the owner thereof [illegible] notice to the Chairman of such [illegible] section; and until such*

(iii) *the tax or fee in respect of which the payment has been made;*

(iv) *the period for which the payment has been made; and*

(v) *the amount in respect of which it is granted.*

notice is given, such owner shall be liable at the discretion of the Chairman to payment of the tax which would have been leviable had such house not been demolished or destroyed. If the said notice is given within the first two months of a half-year, no tax shall thereafter be levied in respect of the house and any tax which may have been levied for that half-year shall be refunded.

81. (1) Where any house-tax shall remain unpaid ten days after the same is due, the Chairman of the Panchayat, or some person duly authorized in writing by him in that behalf, may serve upon the owner *or owner's agent* or occupier of the house or upon *all of them*, a notice in writing in the form given in Schedule C, or to the like effect.

Notice of demand for house-tax.

(2) If such owner *or owner's agent* or occupier shall not, within 15 days from the service of such notice of demand *upon him*, pay the sum due, or show cause *to the satisfaction of the Chairman* why the same should not be paid, the Chairman or other person duly authorized in that behalf by him may levy such sum, with all costs, *in any of the following ways*:—

Distraint.

(i) *By distraint and sale of the moveable property of the defaulter or if the defaulter be the occupier of any building in respect of which such tax is due, by distraint and sale of any property found in or on such building, provided that no property of the occupier shall be distrained unless he has been served with a notice as aforesaid.*

(ii) *If for any reason the distraint or a sufficient distraint of the defaulter's property is impracticable by prosecuting him before a Magistrate.*

(3) *Any person bound to pay any tax who shall be prosecuted under this section before a Magistrate shall be liable, on proof to the satisfaction of the Magistrate that he wilfully or negligently omitted to pay the amount due by him or that he wilfully prevented distraint or a sufficient distraint, to pay a fine not exceeding twice the amount of the tax found to be due and shall also pay such tax, and the costs of the prosecution.*

81-A. *In order to the distraint and sale of property under sub-section (2) of section 81, the Chairman of the Panchayat may issue a warrant in the form given in Schedule D, or in some similar form; and for each such warrant, a warrant fee of two annas shall be leviable.*

82. The Chairman of the Panchayat or other person duly authorized as aforesaid shall make an inventory of the property *distrained*, and if the amount due is not paid within fifteen days after *distraint*, the property may be sold.

Inventory. Sale.

83. Whenever any house-tax shall have been paid by the occupier, or recovered from him by seizure and sale of his property, it shall be lawful for him to deduct the amount so paid or recovered from the next and following payments of rent.

Tax paid by occupier of building to be deducted from rent thereof.

84. (1) The Chairman of the Panchayat shall not be bound to cause new lists or tax-books to be prepared every year, but may adopt those of the preceding year with such alterations and amendments as he may deem necessary. *Provided that a fresh general assessment shall be made not less than once in four years.*

Tax-books, &c., need not be prepared annually.

(2) Public notice of such alterations and amendments thereof shall be given in the manner provided in Section 79 and the other provisions of that section, and Section 78 shall be applicable to such books and to the taxes mentioned therein.

85. (1) In the case of any assessment made or tax demanded by the Chairman of the Panchayat *or President of the Taluk Board* an appeal from his decision shall lie to the Taluk Board who shall hear and dispose of the same as *it* deems fit at *its* next meeting.

Appeals.

(2) No such appeal shall be entertained—

(i) unless it be made within 30 days after the tax complained of has been demanded, and

(ii) unless the tax if any demanded by the Chairman of the Panchayat *or President of the Taluk Board* shall, except when the Taluk Board otherwise directs, have been paid or deposited at the Union office on or before the day on which the appeal is made.

(3) In the event of the amount of any tax being decreased or remitted by the Board, the Chairman of the Panchayat shall—

(i) *the name of the person to whom it is granted;*

(ii) *the tax or fee in respect of which the payment has been made;*

(iii) *the period for which the payment has been made; and*

(iv) *the amount in respect of which it is granted.*

(4) The assessment or demand of any tax, when no appeal is preferred, and the adjudication of an appeal by the Taluk Board shall be final.

86. The Taluk Board having authority over the union in which any house is situated may, on the ground of poverty, exempt from payment of the *whole or any portion of the* tax the owner or occupier of such building. *It may in like manner, with the approval of the Governor in Council, exempt any classes of houses.*

Exemption on the ground of poverty.

3. *Tolls on Vehicles, Animals* AND PERSONS *passing along Roads or* BRIDGES *in the District.*

87. (1) If the District Board notifies under Section 60 that tolls on carriages, carts, and animals passing along any road *or with the sanction of Government and for reasons connected with its construction and maintenance which shall be recorded, upon foot-passengers going over a bridge,* within the district, shall be levied at the rates specified in the notification, such tolls shall be levied as provided in Sections 88 to 92.

Levy of tolls.

(2) The District Board may compound with any person for a sum to be paid annually or half-yearly in lieu of all such tolls either generally in respect of all roads in the district or specially in respect of any particular road and may issue licenses to any such person in respect of his carriages, carts, and animals; provided always that such composition shall include all the carriages, carts and animals possessed by the person compounding.

Composition for tolls and issue of licenses.

(3) No tolls shall be *levied* for the passage of *carriages, carts or animals (a) belonging to the Local Boards; (b) conveying* troops, military stores and *baggage*, military and police officers *in uniform, Local Fund servants on duty*, or persons or property in the custody *of such officers or servants; or (c)* licensed by the District Board, *during the period for which they have been so licensed. Nor shall tolls be levied for the passage over bridges of foot-passengers if they are military or police officers in uniform or Local Fund servants on duty.*

Exemptions.

(4) *With the sanction of the Governor in Council it may be d[illegible]*

tolls on carriages, carts, animals or foot-passengers at any gate shall clear such carriages, carts, animals or foot-passengers at any other gate or bridge specified.

88. The District Board shall, with the approval of the Governor in Council, declare by notification from time to time, to be published in the *Fort St. George Gazette*, the places on any such road at which such tolls shall be collected, and may, from time to time, with the approval of the Governor in Council, in like manner cancel or modify such declaration.

Places at which tolls leviable to be notified.

89. (1) The District Board shall thereupon construct toll-bars, gates, and gate-keepers' stations at the places aforesaid, and may place the collection of such tolls under the management of such persons as may appear to *it* proper, or may lease out the same, and may frame bye-laws for the guidance of toll-collectors.

Toll-gates to be erected. Bye-laws.

(2) At every toll-bar, gate or station, a table of the tolls authorized to be taken shall be put up legibly written or painted in English words and figures and in a vernacular language of the district, and when such table is not put up at any toll-bar, gate, or station, no tolls shall be leviable thereat during such time.

Table of tolls to be put up.

90. (1) No more than one payment of toll shall be demanded at any one toll-bar, gate or station in respect of any carriage, cart, animal *or foot-passenger* in any one period of twenty-four hours counted from sunrise to sunrise. Provided that when toll has been paid at any toll-bar, gate or station in respect of any carriage, cart, or animal not laden or ridden, the difference between such toll and the toll payable in respect of such carriage, cart, or animal laden or ridden, shall be payable if such carriage, cart, or animal, again passes through such toll-bar, gate or station, laden or ridden, within such period.

One payment to clear gate for one day.

Proviso.

(2) When payment of any toll is made, a receipt shall be granted by the person to whom the payment is made in (*i*) form and the District Board may, from time to time, prescribe (*ii*) *the name of the* [illegible] *it is granted*;

Receipts.

(3) In case of non-payment of any such toll on demand, the person duly authorized to collect the same may seize any carriage, cart, or animal in respect of which it is chargeable, or any part of its burden, and detain the same in his custody, *or in the case of a foot-passenger may prevent his passage.*

In case of non-payment of tolls, vehicle, &c., may be seized.

(4) If any toll, together with the expenses occasioned by such seizure and detention, remains unpaid for twelve hours, the person duly authorized as aforesaid shall forthwith send the carriage, cart, or other property seized as aforesaid to the nearest public officer empowered to sell distrained property under Act VII of 1889.

And sent for sale.

(5) Such officer shall forthwith *give notice to the owner of the property seized or if the owner is not known or is not resident in the neighbourhood to the person who was in charge of the said property at the time when it was seized and if he is not found publish by beat of drum that*, after the expiration of two days, exclusive of Sunday, *from the date of service or after the said publication of such notice*, he will sell the *said* property by auction at *a* place *to* be *specified* in the notice; provided that if, at any time before the sale has begun, the person *to whom notice has been given or the owner of the property seized* tenders to the said officer the amount *due on account* of the toll, *and of all* the expenses occasioned by the non-payment thereof and by the seizure and detention of the property, the property seized shall be forthwith released.

(6) *If no such tender is made, the said officer may sell the property seized and the proceeds of such sale shall be applied in payment of (a) the amount due on account of the toll, and (b) a sum of eight annas on account of the charges incurred in connection with the seizure, detention and sale.*

91. In all cases of resistance to the lawful authority of the toll-collectors, appointed under this Act, all Police officers shall assist the toll-collectors, when required, and, for that purpose, shall have the same power which they have in the exercise of their ordinary Police duties.

Police to assist toll-collectors.

92. If any person shall, with any carriage, cart or animal, go off or pass from any road on which a toll-bar, gate or toll-keeper's station has been *established* [illegible] *the distraint and* [illegible] *under sub-section (2) of section* [illegible] *the Chairman of the Panchayat issue a warrant in the form*

Penalty for evading tolls.

the provisions of Section 89 through or over any land *within a quarter of a mile of it*, such land not being owned or occupied by such person and not being a public road, with intent to evade the payment of any toll leviable under the provisions hereinbefore contained, such person shall be liable to a fine not exceeding Rs. 50 and shall also pay the amount of the toll and costs of prosecution.

4. *Fees.*

93. (1) If the Taluk Board proclaims in the manner provided by Section 62 that any fee shall be levied, such fee shall, at the rate mentioned in the proclamation, be paid on demand, by the person to whom licenses may have been granted under Clause iv, Section 57, or by whom the cart-stands, *slaughter-houses*, markets, market-sites, village-sites, or other public places may have been used under clause (v), Section 57, to the President of the Taluk Board, or to any person duly authorized in that behalf by such President.

To whom payable.

(2) If such fee is not so paid, the moveable property of the person by whom it is payable, shall at once be seized and sold by the President of the Taluk Board or by any person duly authorized by him in that behalf.

How recoverable in default.

(3) In the case of any fees levied under clauses (iv) *and* (v) of Section 57 in any union, such fees shall be paid on demand to the Chairman of the Panchayat of such Union, who shall have and exercise all the powers conferred by this section on the President of the Taluk Board.

Collection of Taxes.

93-A. *The President of the Taluk Board or the Chairman of the Panchayat shall give to every person, making payment of a tax or fee, a receipt therefor signed by him or by some person duly authorized by him in that behalf. Such receipt shall specify—*

(*i*) *the date of the grant thereof;*

(*ii*) *the name of the person to whom it is granted;*

(*iii*) *the tax or fee in respect of which the payment has been made;*

(*iv*) *the period for which the payment has been made; and*

(*v*) *the amount in respect of which it is granted.*

94. Whenever under the provisions of sections 81, 90 and 93 any property is distrained, seized or sold in consequence of the non-payment of any tax, toll or fee due, such distraint, seizure and sale shall be effected subject *to the provisions of section* 271 *of the Code of Civil Procedure and* to the conditions, exceptions and exemptions hereinafter provided.

Conditions of distraint and sale.

Exceptions.

(i) The following property shall not be liable to distraint:—

(*a*) the necessary wearing apparel *and bedding* of the defaulter, his wife and children,

(*b*) the tools of artisans, and

(*c*) where the defaulter is an agriculturist, his implements of husbandry and such cattle *and seed-grain* as may, in the opinion of the President of the *Local* Board or the Chairman of the Panchayat under whose authority such seizure is made, be necessary to enable the defaulter to earn his livelihood.

(ii) The distress shall not be excessive, that is to say, the property distrained shall be, as nearly as possible, proportionate to the amount due *on account of the tax, toll or fee and distraint fee and the probable expenses incidental to the detention and sale of the said property.*

Limit.

(iii) When the property seized is subject to speedy and natural decay, and when the expense of keeping it in custody and the amount of the tax due will exceed its value, the person seizing the property shall at once, after seizure of such property, give notice to the person, in whose possession it was when seized, to the effect that it will be sold at once, and shall sell it accordingly, unless the amount due be forthwith paid.

Perishable property.

(iv) Any surplus that may remain after deducting the amount of the toll, tax or fee and of the said expenses including the expenses of the sale shall be returned, on demand, if made within six months, to the owner of the property, or if no demand be made within such period, shall be credited to the *Local* Fund.

Surplus sale-proceeds.

94-A. *Nothing herein contained shall preclude the institution of a suit for any amount due under this Act.*

CHAPTER IV.

Duties, Responsibilities and Mutual Relations of Local Boards.

95. Every Local Board shall, subject to such rules as may from time to time be prescribed by the Governor in Council, and so far as the funds at *its* disposal may admit, provide within the areas under its authority, *or with the special sanction in each case of the Governor in Council without the said areas, for the following purposes:—*

Matters to be provided for by Local Boards.

(i) The construction, repair and maintenance of *roads* bridges and other means of communication.

(ii) The planting and preservation of trees on sides of roads and on other public places.

(iii) The construction, *maintenance* and repair of hospitals, dispensaries, lunatic asylums, choultries, markets, *slaughter-houses, cart-stands*, drains, sewers, *latrines*, water-works, tanks and wells, the payment of all charges connected with the objects for which such buildings have been constructed, the training and employment of medical practitioners and vaccinators, the sanitation of towns and villages, the cleansing of the *roads, drains, sewers, latrines*, tanks and wells, and other works of a similar nature.

(iv) The diffusion of education, and, with this view, the construction and repair of school-houses, the establishment and maintenance of schools, either

wholly or by means of grants-in-aid, the inspection of schools and the training of teachers.

(v) The establishment and maintenance of relief works in time of famine or scarcity.

(vi) Other measures of local public utility calculated to promote the safety, health, comfort or convenience of the people.

(vii) The payment of salaries, leave allowances, gratuities and compassionate allowances to servants employed by the Local Board.

(viii) *Payment of any amounts falling due on any loans legally contracted by the Local Board.*

(ix) The payment of all expenses specially provided for by this Act *or specially sanctioned by the Local Board with the approval of the Governor in Council*, but not included under the preceding clauses of this section, *and the payment of refunds sanctioned by the Local Board.*

96. (*Responsibility of Local Boards*). Repealed.

Limitations and works not provided for by this Act.

97. The Governor in Council may at any time, with the consent of any Local Board, transfer to such Local Board the management of any institution or the execution of any work not provided for by this Act, and it shall thereupon be lawful for such Board to undertake the management of such institution or the execution of such work. Provided that in every such case the funds necessary for such management or execution shall be placed at the disposal of the Local Board by the Governor in Council.

1. *Projections and Obstructions.*

Obstructions and encroachments.

98. (1) No wall, fence, or other obstruction or encroachment *whether permanent or temporary* shall be erected *or made* on any public *road* without the written permission of the President of the *Local* Board *concerned* or of some person duly authorized by him in that behalf; nor shall any building be erected without such permission over any sewer or drain or any part of a sewer or drain, or upon any ground

which has been covered, raised, or levelled wholly or in part by *road* sweepings or other rubbish.

may be removed.

(2) If any person erects such obstruction or building without such permission, or, where such permission shall have been granted, in a manner contrary to or inconsistent with the terms of such permission, the President of the *Local* Board *concerned*, or other person duly authorized as aforesaid, may by notice in writing require the person who shall have erected the obstruction or building to remove the same within a time to be specified in such notice.

Provided that the President of the *Local* Board *concerned*, or other person duly authorized by him in that behalf, may by a license allow any temporary erections in any road on occasions of *fairs*, festivals and ceremonies.

98-A. (1) *The Local Board concerned may cause any projection, encroachment or obstruction made against or in front of any building or land in any public road to be removed or altered as it thinks fit.*

(2) *The Local Board concerned shall give notice of such intended removal or alteration to the owner or occupier of the building or land against or in front of which such projection, encroachment or obstruction has been made, thirty days before such alteration or removal is begun.*

(3) *If such projection, encroachment or obstruction is not unlawful, the Local Board concerned shall make reasonable compensation to every person who suffers damage by such removal or alteration.*

98-B. *No person shall make any hole or cause any other obstruction in any public road without the written permission of the President of the Local Board or any person authorized by him. If such permission is granted, the person making such hole or obstruction shall, at his own expense, cause the same to be sufficiently fenced or otherwise enclosed until the hole is filled up or otherwise made secure or until the obstruction is removed as the case may be and shall similarly cause the same to be sufficiently lighted at night. If any person contravenes the provisions of this section, the President may fill up the hole or remove the obstruction or cause the same to be [illegible] the case may be, and may recover the cost of so doing from such person.*

98-C. (1) *If any person, without the previous sanction of the Local Board, occupies any land set apart for a public purpose, vested in or belonging to such Board, he shall be bound to pay in respect of such occupation, such sums as may be demanded by way of penalty from time to time by the said Board.*

(2) *In case of default of payment of any such sum, the amount thereof may be recovered on the order of a Magistrate after such inquiry as he shall think fit upon complaint made by or on behalf of the Local Board.*

(3) *In default of payment of such sum, together with such costs as may be awarded, the same may be levied under the warrant of a Magistrate, with all such powers of distress or sale as are vested in him by any law in force.*

(4) *If any damage to the property of the Local Board has been caused by the person incurring the said penalty, he shall be liable to compensate the Local Board for such damage as well as to pay the said penalty. And the amount of such compensation may, in case of dispute, be recovered before the Magistrate in the same manner as is prescribed in this Act for the recovery of a penalty.*

98-D. *The Local Board may by notice require the owner or occupier of any land adjoining a public road to clear away all prickly-pear, wattle, lantana or noxious vegetation wherever it encroaches on such road and so far as it has spread from such land on to such road.*

2. *Private and Public Tanks or Wells.*

99. The President of the Taluk Board, or any person duly authorized by him in that behalf, may require the owner of, or the person having control over, any private stream, channel, tank, well, or other place, the water of which is used for drinking, to cleanse and maintain the same in good repair, *to provide parapet walls for the same and also to protect any such well from pollution by surface drainage in such manner as he may think fit*, or whenever the said water is proved to the satisfaction of the Taluk Board to be unfit for drinking, to desist from so using such water or permitting others so to use it, and if, after such notice, the water of such well, tank or reservoir as used by any person

Closing and cleansing of wells, &c.

Board may require the owner or person having control thereof to close such well, tank or reservoir either temporarily or permanently, or to enclose or fence such well, tank or reservoir, in such manner as he may direct, so that the water thereof may not be used for drinking.

Provided that in the case of private streams, channels, tanks, wells or other places mentioned in this section, the water of which is used for drinking, by the public or any section of the public by right, the expenses incurred in the closing or the fencing of such well, tank or reservoir, shall be paid by the Taluk Board from the Taluk fund.

100. (1) *The Taluk Board may, by notice, require the owner of any tank or well to cleanse, fence, repair or fill it up, if, on inspection it appears likely to be dangerous, or prove injurious to the health of the neighbourhood;*

(2) *or it may, by notice, require the owner or occupier of any land or premises to drain off or otherwise remove any stagnant water from such land or premises or from any tank or well attached thereto, if it considers that such stagnant water is injurious to health or offensive to the neighbourhood.*

(3) *Such notice may specify the mode in which such cleansing, filling up, repairing, fencing or drainage is to be effected and the time within which specified portions thereof must be done.*

100-A. (1) *The Taluk Board may set apart public springs, tanks, wells and other places and parts of public water-courses for drinking purposes or for bathing or for washing clothes or animals or for any other purpose calculated to promote the health, cleanliness, comfort or convenience of the inhabitants; and with the consent of the owners may also set aside any private springs, tanks, wells or other places for any of the aforesaid purposes.*

(2) *The Taluk Board may during epidemics, on receipt of a certificate from any medical officer in the employ of such Taluk Board or of Government stating that such action is desirable, summarily by notice close or prohibit the use of water from any source to which the public have access. Such notice shall be served by placing a notification near the source of water-supply or by beat of drum stating the number of days during which such prohibition shall last. The Taluk Board may extend or modify the notice from time to time without the production of a further certificate.*

100-B. *Whoever—*

(i) *bathes in or defiles the water in any place set apart for drinking purposes, either by the Taluk Board, or in the case of private property by the owner thereof,*

(ii) *deposits any offensive or deleterious matter in the dry bed of any place set apart as aforesaid for drinking purposes, or*

(iii) *washes clothing in any place set apart as aforesaid for drinking or bathing, or*

(iv) *washes any animal or any cooking utensil or wool, skins, or other foul or offensive substance or deposits any offensive or deleterious matter in any place set apart as aforesaid for drinking purposes or bathing or washing clothes, or*

(v) *allows the water from a sink, sewer, drain, engine or boiler, or any other offensive matter belonging to him or flowing from any building or land belonging to or occupied by him to pass into any place set apart as aforesaid for drinking purposes, or for bathing or for washing clothes*

shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs. 50, and if the offence be a continuing one to a further fine not exceeding Rs. 10 for every day during which the said offence is continued after conviction.

Prevention of Infectious Diseases.

100-C. (1) *The President of a Local Board, or any person duly appointed by him in writing in this behalf, may enter at any time, after two hours notice, into any building or premises in which any dangerous infectious disease is reputed or suspected to exist, for the purpose of inspecting such building or premises.*

(2) *No such inspection shall be made except in the hours between sunrise and sunset.*

(3) *If the President or such person is of opinion that the cleansing or disinfecting of a building or premises or of a part thereof, or of any articles therein likely to retain infection, would tend to prevent or check the spread of any dangerous infectious disease, he may by notice require the owner or occupier to cleanse or disinfect the same within a time to be specified in such*

notice provided that if the President or such person considers that immediate action is necessary or that the owner or occupier is, by reason of poverty or otherwise, unable effectually to comply with his requisition, the said President or such person may himself cause such building, premises, or articles to be cleansed or disinfected and for this purpose may cause such articles to be removed from such building or premises; and the expenses incurred by the President or such person under this sub-section shall be recoverable from the said owner or occupier unless he was, by reason of poverty, unable effectually to comply with the said requisition.

100-D. (1) *The President shall, from time to time, notify places at which articles of clothing or bedding or other articles which have been exposed to infection from any dangerous infectious disease may be washed or disinfected.*

(2) *The President may direct the destruction of bedding, clothing, or other articles likely to retain such infection, and shall on demand give compensation for the articles destroyed.*

(3) *Whoever washes such clothing or bedding or other articles at any place other than those set apart for such purposes under sub-section (1) of this section, shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs. 50.*

Disposal of Corpses.

100-E. *The Taluk Board shall provide a sufficient number of convenient and fitting places for burial and burning grounds.*

100-F. (1) *Every owner or person having the control of any place used at the date of the coming into operation of this Act as a burial ground or burning ground shall, if such place be not already registered, apply to the Taluk Board to have such place registered.*

(2) *If it appears to the Taluk Board that there is no owner or person having the control of any such place, the Taluk Board shall assume such control and direct it to be registered or may, with the sanction of the Governor in Council, cause it to be closed.*

100-G. *No new burial ground or burning ground, whether public or private, shall be opened, or used after the coming into operation of this Act, unless a license has been granted by the Taluk Board.*

100-H. *A book shall be kept at the office of the Taluk Board in which*

registered under section 100-F, or licensed under the last preceding section, shall be recorded.

100-I. *Whoever buries or burns or causes or suffers to be buried or burnt any corpse in any place within 100 yards of a dwelling place or source of drinking water-supply other than a registered or licensed vault, grave, burial or burning ground or other place private or public shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs.* 100; *provided that no prosecution shall be instituted without the written sanction of the President, District Board.*

100-J. *The person having control of a burial ground or burning ground shall give information to any person appointed by the Taluk Board in that behalf of all burials and burnings which take place in or on such ground.*

100-K. (1) *If the District Board is satisfied that any registered or licensed burial or burning ground is in such a state as to be, or to be likely to become, dangerous to the health of persons living in the neighbourhood thereof, or that any such place is over-crowded with graves, and, in the case of a public burial or burning ground, that another convenient place duly authorized for burial or burning, as the case may be, has been provided for the persons who would ordinarily make use of such place, they may, with the previous sanction of the Governor in Council, issue a notice that it shall not be lawful, after a period of not less than two months to be named in such notice to bury or burn any corpse in or on such first-mentioned burial or burning ground.*

(2) Every such notice shall be published in the village concerned by beat of drum and in the District Gazette.

(3) Whoever after the expiration of such period, buries or burns, or causes or permits to be buried or burnt, any corpse contrary to the terms of the notice, shall on conviction before a Magistrate be liable to a fine not exceeding Rs. 100.

Miscellaneous.

100-L. *If any building, tank, well or hole or other place, whether on public or private ground, is, for want of sufficient repair, protection or enclosure, dangerous to the public health or safety, the Taluk Board may, by notice, require the owner or occupier of such place or of the land on which such building, tank, well or hole is situated,*

to cause the same to be repaired, protected or enclosed so as to prevent danger therefrom, within a time to be specified in such notice.

3. *Unwholesome Buildings and Lands.*

101. Whenever any building or land shall, in the opinion of the Taluk Board, be in a state injurious to health or offensive to the neighbourhood, the President of the Taluk Board, or any person duly authorized by him in that behalf, may, by notice in writing, inform the owner or occupier of such building or land that, unless such owner or occupier cleanse or drain such building or land *within the time specified in the notice*, the President of the Taluk Board, or any person authorized by him in that behalf, will cause the same to be cleansed or drained.

Cleansing and draining of buildings.

101-A. *The President of the Taluk Board or any person duly authorized by him in this behalf, may, with the consent of the occupier of any building or land, or after giving six hours' notice to such occupier, between sunrise and sunset, enter into and upon any building or land either for the purpose of making any survey or inspection or for doing any other act necessary for carrying out the purpose of this Act, without being liable to any legal proceedings or molestation whatsoever on account of such entry or of anything done in any part of such building or land in pursuance of this Act.*

4. *Vaccination.*

102. Every District Board shall make provision for the gratuitous vaccination of all persons residing within the district,

Provision for vaccination.

(i) by employing an adequate staff of duly qualified vaccinators, and

(ii) by making suitable provision for, and defraying the charges of, maintaining a supply of vaccine lymph, and such public vaccinating stations as may be necessary.

103. The Governor in Council may, by a written license, authorize any medical practitioner or other person to perform the operation of vaccination and may at any time suspend or cancel any such license.

Licensed vaccinator.

No fee to be charged for vaccination by any public vaccinator or for certificates.

104. (1) No fee or remuneration shall be charged by any public vaccinator for any vaccination performed, inspection made, certificate given, or other thing done under this Act.

Provided that the President of the District Board or some person or persons authorized by him in that behalf may, upon application by any person and upon the payment by him of such fee as the District Board may have prescribed, direct a public vaccinator to perform vaccination or to make an inspection as hereinafter provided at the private residence of such person.

(2) If the application mentioned in the proviso to sub-section (1) is made in respect of a female who according to the customs of the country does not appear in public, the application shall be complied with and no fee shall be charged in respect of such compliance.

Certificate of vaccination.

105. (1) The parent or guardian of any child successfully vaccinated may require from the vaccinator a certificate to the effect that the child has been successfully vaccinated, and the vaccinator shall furnish such certificate.

Certificate when child is insusceptible of vaccination.

(2) If the vaccinator is of opinion that a child which has been three times unsuccessfully vaccinated is insusceptible of successful vaccination, he shall deliver to the parent or guardian of such child a certificate to that effect.

Compulsory Vaccination.

Governor in Council may declare vaccination compulsory.

106. (1) The Governor in Council may, by notification, declare that vaccination shall be compulsory in any district *or any portion of a district* from a date to be specified in such notification, and may from time to time, in like manner, cancel or modify such declaration.

District Board to proclaim that vaccination is compulsory.

(2) On the publication of the said notification, the Board shall cause to be proclaimed by beat of drum and by publication in the District Gazette, that vaccination is compulsory in the *said area*.

Unprotected child to be vaccinated.

107. (1) The parent or guardian of any unprotected child who is six months old but is under ten years of age, and who has resided within the limits of such *area* for a period of six months after such proclamation, shall take or cause it to be taken to a vaccinator or shall procure its vaccination by a vaccinator.

Provided that no parent or guardian shall be bound to take or cause to be taken any child in order to procure its vaccination or inspection beyond the limits of the village in which such parent or guardian resides.

(2) The President of the District Board or some person or persons authorized by him in that behalf may direct the vaccination of any child under six months of age when it is exposed to infection in consequence of residence in a house infected by small-pox.

Vaccinator to deliver certificate of postponement.

108. (1) Such vaccinator shall, if he finds such child in a state unfit for vaccination, deliver to its parent or guardian a certificate to the effect that the child is in a state unfit for vaccination.

Procedure when child is unfit for vaccination. Renewal of postponement certificate.

(2) A certificate granted under this section showing the unfitness of a child for vaccination shall remain in force for such period not exceeding three months as shall have been stated therein; and on the termination of that period the parent or guardian of such child shall, subject to the proviso contained in the last preceding section, take the child, or cause it to be taken to such vaccinator as aforesaid to be vaccinated, or procure its vaccination at his own house by such vaccinator, and shall subsequently cause it to be inspected in the manner hereinafter provided.

Provided that, if the child is still found to be in a state unfit for vaccination, the certificate shall be renewed.

Vaccinator to vaccinate child.

109. Such vaccinator shall, if he finds the child to be in a state fit for vaccination, vaccinate the child and deliver to its parent or guardian a memorandum stating the date on which the vaccination has been performed and the date on which the child is to be inspected in order to ascertain the result of the operation.

110. (1) The parent or guardian of every child which has been vaccinated under the last preceding section shall, subject to the proviso contained in Section 107, on the date of inspection stated in the memorandum, take the child, or cause it to be taken, to such vaccinator for inspection, or shall procure its inspection by such vaccinator; and such vaccinator shall then append to the memorandum a certificate stating that the child has been inspected and the result of such inspection.

Inspection after vaccination.

(2) When it is ascertained, at the time of inspection under this section, that the vaccination has been successful, a certificate shall be delivered by the vaccinator to the parent or guardian of such child to that effect; and such child shall thereafter be deemed to be protected.

Procedure when vaccination is successful.

(3) When it is ascertained that the vaccination has been unsuccessful, the parent or guardian shall, if the vaccinator so direct, cause the child to be forthwith again vaccinated, and shall subsequently cause it to be inspected in the manner provided in Sub-section (1) of this section.

Procedure when vaccination is unsuccessful.

(4) If the vaccinator is of opinion that a child which has been three times unsuccessfully vaccinated is insusceptible of vaccination, he shall deliver to the parent or guardian of such child a certificate to that effect; and the parent or guardian shall thereafter not be required to cause the child to be vaccinated.

Certificate of insusceptibility.

111. No private vaccinator shall be bound to vaccinate any child or make any inspection under sections 107, 108, 109 and 110, but if such vaccinator perform the operation of vaccination or make any inspection under the aforesaid sections, such vaccinator shall grant the certificates mentioned in the said sections.

Private vaccinator.

112. (1) The President of the District Board, or some person or persons authorized by him in that behalf, shall ascertain *which* children under the age of ten years within the district *or portion of a district proclaimed*

Notice to parent or guardian of unprotected child, &c.

under sub-section (2) *of section* 106 are unprotected; *and for the said purpose he may require any parent or guardian to forward to him within a specified time a list in writing signed by him of the number and ages of the children under his guardianship*; and if *he* has reason to believe that the parent or guardian of any unprotected child is bound by the provisions hereinbefore contained to procure the vaccination *or inspection* of such child and has omitted so to do, he shall make inquiry, and shall, if the fact is proved to his satisfaction, forthwith deliver to such parent or guardian, or cause to be affixed to his house, a notice requiring that the child be vaccinated, or *inspected* (as the case may be) at a time and place to be specified in the notice.

(2) If such notice is not complied with, the President of the District Board or such person shall send a report on the matter to the Magistrate, who shall summon the parent or guardian of the child and demand his explanation, and shall, if such explanation is not satisfactory, *sentence* such parent or guardian to *pay a fine not exceeding Rs. 20.*

If notice is disobeyed, Magistrate to direct obedience.

(3) *If the Magistrate finds the explanation given by the parent or guardian of the child to be satisfactory, he shall make an order in writing directing such parent or guardian to comply with the notice given under clause* (1) *before a date specified in the order, and if, on such date, the said order has not been obeyed, the Magistrate shall again summon the parent or guardian to appear before him and shall proceed as before.*

(4) *No penalty shall be imposed under this section, if it is proved that the parent or guardian has demanded the use of animal vaccine lymph and that such lymph has not been available.*

113. (*Provision as to person who does not appear in public*). Repealed.

114. Whoever, after the publication of the notification mentioned in section 106 not being a vaccinator under this Act, wilfully signs or makes a certificate purporting to be a certificate granted under this Act, shall be liable to a fine not exceeding Rs. 500.

Penalty for signing a certificate by unlicensed vaccinator.

115. Whoever, being a vaccinator, wilfully signs, or makes, or procures the signing or making of a false certificate, or being

Penalty [illegible] signing a false certificate.

bound to grant a certificate under this Act, refuses or neglects to grant the same, shall be liable to a fine not exceeding Rs. 100.

115-A. *Whoever being a public vaccinator furnishes as true any statement or return to any public servant as such, which he knows or has reason to believe to be false, shall be deemed to have committed an offence punishable under Section 177 of the Indian Penal Code.*

116. Inoculation is *hereby* prohibited; *and no person who has undergone the operation of inoculation shall leave the village or town in which he is before the lapse of forty days from the date of inoculation without a certificate from a medical practitioner of such class as the local Government may from time to time by written order authorize to grant such certificates, stating that such person is no longer likely to produce small-pox by contact or near approach.*

Prohibition of inoculation.

Whoever contravenes the provisions of this section shall on conviction before a Magistrate be liable to simple imprisonment for a term not exceeding three months, or to a fine not exceeding Rs. 200, or to both.

5. Private Latrines.

117. (1) The President of the Taluk Board, or any person authorized by him in that behalf, may contract with the owner or occupier of any building or land to supply him on payment with a scavenger for the removal of night-soil *or other rubbish* from the building or land belonging to, or occupied by, such owner or occupier, on such terms and subject to such conditions as such President, or person authorized by him as aforesaid, may think fit.

Private scavenging.

(2) The amount due under such contract shall be payable on demand, and in default shall be recoverable in the manner provided for the recovery of fees under Section 93 (2).

Recovery of fees.

Markets.

117-A. *The Taluk Board may declare any place ordinarily or periodically used or intended to be used for the sale of meat, fish, fruit, grain, vegetables or other perishable articles of food, or for the sale of livestock or poultry, to be a market; provided*

that no such declaration shall be made in respect of any single shop or of any group of shops not being more than three in number and that any such declaration may, at any time, but subject to the provisions of sub-section 2 of section 117-B, be cancelled by the Taluk Board.

(a) Public Markets.

117-B. (1) *Subject to the sanction of the Governor in Council the Taluk Board may charge such rents and fees as it may deem fit for the use of, or right to expose goods for sale in, public markets, and for the use of shops, stalls, sheds, pens and standings therein.*

(2) *The Taluk Board may, with the sanction of the Governor in Council, close any such market or any part thereof.*

(3) *The President may exclude from any such market any person who, or whose servant, has been convicted of disobeying any bye-law made for the regulation and control of such market, and may prevent such person by himself or his servants from further carrying on any trade or business in such market or occupying any stall, shop or other place therein, and may determine any lease or tenure which such person may have in any such stall, shop or other place.*

(4) *Any person aggrieved by an order of the President issued under sub-section (3) may appeal against such order to the Taluk Board within thirty days from the date of receipt of such order, and the Taluk Board may either confirm, modify or cancel the order appealed against.*

117-C. *Whoever, in contravention of this Act or any bye-law made thereunder, sells or exposes for sale any article within a public market, shall be liable to a fine not exceeding Rs. 20 for each offence.*

(b) Private Markets.

117-D. *With the approval of the Governor in Council, the Taluk Board may notify villages in which the control over private markets shall be vested in it, and thereafter in such villages the provisions of sections 117-E to 117-I shall be applicable from and after the expiry of six months from the date of such notification.*

117-E. (1) *Every person intending to open a new private market or to continue to use a private market for the sale, or exposure for sale, of animals or articles of food for human consumption, shall obtain from the*

Taluk Board a license to do so. In respect of a license for a new private market such fee shall be payable as may be fixed by the Taluk Board, not exceeding Rs. 100 per annum.

(2) *Applications for licenses to open newly, or to continue to use, private markets shall be made by the owners thereof not less than thirty days before they propose to open them or not less than sixty days before the commencement of the financial year during which they intend to continue to use them, as the case may be.*

(3) *The Taluk Board as regards private markets lawfully established at the coming into operation of this Act shall, and as regards all other private markets may, at its discretion, grant any license applied for under this section either unconditionally or subject to such rules as to supervision and inspection and to such conditions as to conservancy and other matters as it thinks proper. The Taluk Board may refuse to grant a license to any new private market. It may also at any time for breach of the conditions thereof suspend, or cancel any license which has been granted under this section. The Taluk Board may also modify the conditions of the license to take effect from the beginning of the following financial year.*

(4) *When a license to open a market is granted, or when a license is refused, suspended, canceled or modified under this section, the Taluk Board shall cause a notice of such grant, refusal, suspension, cancellation or modification, in English and a vernacular language of the district, to be posted in some conspicuous place at or near the entrance to the place in respect of which the license was sought.*

(5) *Every license granted under this section shall expire at the end of the financial year for which it has been granted.*

(6) *If the Taluk Board neglects to pass orders upon the application for a license under this section and to communicate the same to the applicant within two months after the receipt of the application, the applicant may open the place in respect of which the application was made or, as the case may be, may continue to use such place during the financial year for which the license was sought; and the said place shall be held to be duly licensed for the financial year during which it was opened or for which the license was sought, as the case may be.*

117-F. *Whoever sells or exposes for sale any animal or article in an unlicensed private market and any owner of such market directly or indirectly permitting the sale of such animal or article therein, shall on conviction before a Magistrate be liable to a fine not exceeding Rs. 20.*

EXPLANATION.—*A market is unlicensed within the meaning of this section if the license for the use thereof has expired or has been cancelled or suspended.*

117-G. *Every owner, farmer, or occupier of any private market shall—*

(*i*) *construct such approaches, entrances, passages, gates, drains and cesspits therein as the Taluk Board directs;*

(*ii*) *cause such market to be roofed and paved with such materials and in such manner, and to be provided with such latrines and urinals of such description and in such position and number, as the Taluk Board directs;*

(*iii*) *provide for such supply of water to such market as the Taluk Board directs; and*

(*iv*) *make such alterations in the stalls, passages, shops, doors or other parts of the said market or place as the Taluk Board directs.*

117-H. (1) *If such owner, farmer, or occupier, after notice given to him by the Taluk Board directing him to carry out within a period to be specified in the notice any of the measures provided in the last preceding section, fails to comply with such notice, the Taluk Board may suspend, withhold, cancel or refuse the license until the notice shall have been complied with; and any person opening or keeping open any such market after such withholding, suspension, cancellation or refusal shall on conviction before a Magistrate be liable to a fine not exceeding Rs. 20 for every day during which such market or place is so opened or kept open.*

(2) *Any owner, farmer, occupier, agent, or manager in charge of any such market or of any shop, stall, shed, or other place therein, who keeps the same so that it is a nuisance, or who does not cause anything that is a nuisance to be at once removed to a place to be notified by the Taluk Board, shall on conviction before a Magistrate be liable to a fine not exceeding Rs. 20 for each offence.*

117-I. *The Taluk Board, or any officer duly authorized by it in that behalf, may summarily close any private market which is held or kept open contrary to the provisions of this Act.*

117-J. *Any person aggrieved by an order of the Taluk Board under sub-section (3) of section 117-E, or section 117-G or section 117-I, may appeal against such order to the District Board, within thirty days from the date of receipt of such order, and the District Board may either confirm, modify or cancel the order appealed against: And pending such appeal the President, District Board, may, if he thinks fit, suspend the execution of the order appealed against.*

(c) General.

117-K. (1) *The Local Board may, from time to time, by notification, by beat of drum and by publication in the District Gazette, prohibit the sale, or exposure for sale, of any articles in or upon any specified public road or place or part thereof and may in like manner cancel, suspend or modify such prohibition.*

(2) *Whoever, after such notification, sells or exposes for sale any articles in any such road or place against the terms of such notification, shall on conviction before a Magistrate be liable to a fine not exceeding Rs.* 10.

Public Slaughter-houses.

117-L. *The Taluk Board may provide a sufficient number of places for the purpose of being used as public slaughter-houses, and may levy a fee on each animal slaughtered thereat at rates not exceeding Re.* 1 *for every head of cattle, and As.* 2 *for every sheep, goat or pig.*

117-M. *The Taluk Board may, with the previous sanction of the Governor in Council, notify that no person shall slaughter or permit to be slaughtered, or cut up or skin or permit to be cut up or skinned any cattle, sheep, goat or pig at any place in any town or village to be notified by name in the District Gazette other than at a public slaughter-house provided by the Taluk Board, except with the written permission of the President. Any person acting in contravention to such notification shall on conviction before a Magistrate be liable to a fine not exceeding Rs.* 20 *for each animal so slaughtered, cut up or skinned. Provided that nothing in this section shall be held to prohibit the slaughter of animals in the*

performance of religious rites in the places where it is usual to perform such rites, or for private use, but not for sale.

117-N. *The provisions of sections 117-L and 117-M shall not apply to places used by Government for the purposes mentioned in the said sections.*

Cart-stands, &c.

117-O. (1) *The Taluk Board may, from time to time, provide places for the purpose of being used as cart-stands, public landing-places, or public halting-places, and may levy fees for the use thereof.*

(2) *If, upon demand by the person authorized to collect on behalf of the Taluk Board fees for the use of any such cart-stand, landing-place or halting-place, any person refuses or neglects to pay the prescribed fee, the provisions of section* 90 *shall* mutatis mutandis *apply.*

(3) *A statement, in English and a vernacular language of the district, of the fees prescribed by the Taluk Board for the use of cart-stands, public landing-places and public halting-places shall be posted conspicuously in every place where such fees are leviable. Unless such statement is so posted, no such fees shall be leviable.*

Private cart-stands.

117-P. (1) *No person shall open or keep open a private cart-stand who has not obtained from the Taluk Board a license to do so.*

(2) *The fee payable in respect of such license shall not exceed Rs.* 50 *per annum.*

(3) *Any person who in contravention of this section or of any bye-law made under this Act, opens or keeps open a private cart-stand without a license shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs.* 20.

(4) *The Taluk Board may at any time for breach of the conditions thereof suspend or cancel any license which has been granted under this section.*

(5) *In all cases where the owner of a private cart-stand open and in use at the commencement of this Act, duly applies for a license in respect of his cart-stand, the Taluk Board shall grant such license. In any other case the Taluk Board may, in its discretion, grant or refuse a license. Any license granted under this section shall be*

subject to such rules as to supervision and inspection and to such conditions as to conservancy as the Taluk Board may think proper.

(6) *The provisions of this section shall not come into operation until bye-laws for the regulations and control of private cart-stands, to be made under section 152-A of this Act, have come into force.*

117-Q. *The provisions of sections 98-B, 100-B, 100-C, 100-D, 100-E, 100-F, 100-G, 100-H, 100-I, 100-J, 100-K 117-L and 117-M shall, unless and until the Governor in Council shall otherwise direct, as to any particular area apply only to areas included in unions.*

118. If the expenditure incurred for any of the purposes described in section 95 by any *authority* constituted under the Madras District Municipalities Act, 1884, or *the City of Madras Municipal Act, 1884, or* other similar laws for the time being in force *is calculated to benefit the inhabitants of any local area, or if the expenditure incurred by the Local Board in any one local area* is calculated to benefit the inhabitants of any other local area, the Local Board of the local area *so benefited* may, with the sanction of the Governor in Council, contribute towards such expenditure; or the Governor in Council may direct *such* Local Board to show cause, within a month after the receipt of the order containing the direction, why such *contribution should* not be paid. If the Local Board fail to show such cause within the said period to the satisfaction of the Governor in Council, he may direct the said Local Board to pay such *contribution as he shall name*, and it shall be paid accordingly.

Contribution to other local authorities.

CHAPTER V.

Unions and Panchayats, their Constitution, Powers, and Duties.

119. There shall be established for each Union a Panchayat, having authority over that Union, and consisting of not less than five persons, who shall be called members of the Panchayat.

Establishment in each Union of a Panchayat consisting of not less than five Panchayatdars.

120. (1) The headman of each *revenue* village *or portion of such village* comprised in the Union shall *ex-officio* be a member of the Panchayat.

Village headman to be *ex-officio* member.

(2) If any doubt shall arise as to who is the headman of a *revenue* village *or portion of such village*, it shall be competent to the Revenue officer in charge of the division of the district wherein such *revenue* village *or portion of such village* is situated to declare by an order in writing who is such headman for the purposes of this Act.

Decision as to who is village headman.

121. The other members of the Panchayat may be—

(i) Either wholly appointed by the Governor in Council, or

(ii) Partly so appointed and partly appointed by election by the tax-payers and inhabitants of the Union or of a part thereof, subject to such rules and conditions as may, from time to time, be prescribed by the Governor in Council.

Appointment of other Panchayatdars.

122. The Governor in Council shall, on the provisions of this Act regarding Panchayats coming into force in any Union, declare—

(i) What shall be the maximum number of members of the Panchayat for the time being to be appointed for such Union, and

(ii) The number of members of the Panchayat, if any, to be appointed by election in such Union or in a part thereof.

The Governor in Council to declare the maximum number of Panchayatdars, and how many are to be elected.

Provided that the Governor in Council may, by notification from time to time, cancel or modify such declaration. But such notification shall not come into force until one month after the same shall have been published in the Fort St. George Gazette *and in the local Gazette of the district.*

123. The Governor in Council may appoint one of the members of the Panchayat to be the Chairman of the Panchayat or may, by notification from time to time, authorize the members of the Panchayat to appoint their Chairman by election from among their own number, in accordance with such rules and conditions as may from time to time be prescribed by him, and may, at any time by notification, cancel such authority.

The Governor in Council may appoint a Chairman, or may authorize his appointment by election, and may withdraw such authority.

124. (1) Any person appointed to be a member of the Panchayat shall hold office for three years and shall then cease to be a member of such Panchayat, and any member of a Panchayat appointed to be Chairman shall be deemed to have vacated his office on his ceasing to be a member of such Panchayat or on the cancellation of the authority under which such Chairman shall have been appointed.

Term of office.

(2) Any outgoing member of a Panchayat shall, if otherwise qualified, be eligible for re-appointment.

125. (1) Any person appointed to be Chairman or member of a Panchayat may tender his resignation to the Governor in Council, and, on such resignation being accepted, shall be deemed to have vacated his office.

Resignation of Panchayatdars.

(2) *Any person holding a salaried office under Government or a Local Board who is a member of the Panchayat shall, on being permanently or temporarily transferred from the local area over which such Panchayat has authority, or on quitting such local area with the intention of being absent therefrom for more than three months, be deemed to have vacated his office of member of such Panchayat.*

126. (1) The Governor in Council may, at any time by notification, remove any Chairman or member of a Panchayat *other than an ex-officio member*—

Removal of Panchayatdars.

(i) If he *is absent for more than four months from the local area over which such Panchayat has authority, or* refuses to act or becomes incapable of acting, or is declared an insolvent, or is convicted of any such offence, or subjected by a criminal court to any such order, as implies,

in the opinion of the Governor in Council, a defect of character which unfits him to be a Chairman or member of a Panchayat.

(ii) If he, without excuse sufficient in the opinion of the Governor in Council, neglects for more than three consecutive months to be present at the meetings of the Panchayat.

(iii) If his continuance in office is, in the opinion of the Governor in Council, dangerous to the public peace or order, *or likely to bring the administration of the Panchayat into contempt.*

(2) The Governor in Council may prescribe a period during which *such Chairman or Member* so removed shall not be eligible for re-appointment or re-election.

Re-appointment.

127. When the office of Chairman or member of Panchayat becomes vacant another person shall, unless the Governor in Council otherwise direct, be appointed to be Chairman or member of such Panchayat in the same manner in which his predecessor has been appointed.

Filling of casual vacancies.

127 A. *When the place of a Chairman falls vacant before another is permanently appointed, the President of the Taluk Board concerned, shall appoint any member of the Panchayat to perform the duties of a Chairman until one is permanently appointed. Such member shall, for the period during which he exercises the powers of the Chairman under this section, be styled the temporary Chairman.*

128. (1) Every Panchayat shall, subject to the provisions of this Act, be the agent and under the control of the Taluk Board;

Panchayat to be under the control of Taluk Board.

(2) and the Taluk Board and not the Panchayat, may sue and be sued in respect of any act or omission of the Panchayat, giving rise to a cause of action.

Taluk Board to sue and be sued.

Provided that, in cases where it may seem desirable, it shall be lawful for the Governor in Council to declare that the powers as regards panchayats and their Chairmen

conferred by this Act on Taluk Boards and their Presidents shall not be exercised by them but by the District Board and its President.

Mode of transacting Business.

129. The Panchayat shall provide an office, and shall meet for the transaction of business at least once a month.

Panchayat Office and meetings.

130. (1) The Chairman shall preside at each meeting, and in his absence the members of the Panchayat shall elect one of their number, present at the meeting, to preside thereat.

Who to preside at meetings.

(2) All questions coming before a meeting shall be decided by a majority, and in the case of equality of votes the Chairman or presiding member of Panchayat shall have a second or casting vote.

Majority to decide questions and casting vote.

(3) No business shall be transacted at a meeting unless at least one-third of the Panchayatdars *then on the Panchayat* be present, *not being less than three in number.*

Quorum.

131. (1) Minutes of the resolutions passed at each meeting shall be recorded in a book kept for the purpose, and shall be signed by the Chairman or the member of the Panchayat who presided at the meeting, and shall be open to the inspection of the tax-payers and inhabitants of the Union.

Minutes how to be recorded.

(2) Copies of the resolutions of the Panchayat shall be prepared and sent by the Chairman within three days after the passing thereof to the President of the Taluk Board.

Copies to be sent to President of Taluk Board.

132. (1) The resolutions of the Panchayat shall be carried out by the Chairman in whom the entire executive power of the Panchayat shall be vested, and who shall be directly responsible for the due fulfilment of the purposes of this Act.

Chairman to carry out resolutions.

(2) Any Chairman, with the previous consent of the Panchayat, may, on his own responsibility, authorize any member of the Panchayat, by an order in writing, to exercise *for a period not exceeding four months during any one financial year* any of the powers conferred on such Chairman by this Act and may cancel or modify such authority.

133. (1) The Chairman may, with the approval of the Revenue officer in charge of the division of the district wherein the Union is situated, at any time, by an order in writing, require the Karnam of any village comprised in the Union to furnish within a reasonable time any statement, account or return in respect of such village required for the purposes of this Act.

Other Karnams to do certain duties on the requisition of the Chairman.

(2) Every Karnam who, without reasonable excuse, omits to obey such order, shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs. 20.

Penalty for neglect or disobedience of such requisition.

Appointments, &c., of Servants.

134. (1) The Panchayat may at a meeting subject to the approval of the President of the Taluk Board, from time to time, fix the number and salaries of the servants necessary for carrying out the purposes of this Act.

Servants and salaries.

(2) *Subject to the approval of the President of the Taluk Board* the Chairman shall from time to time appoint proper persons to be such servants and *shall* pay them such salaries from the funds at the disposal of the Panchayat; and he may also in cases of emergency employ temporary servants. *Such servants may be transferred by the President of the Taluk Board from one Union to another under the same Taluk Board whenever he considers such a course necessary.*

Chairman to appoint servants.

(3) The Chairman may from time to time *fine*, suspend or dismiss any servant appointed by him, and appoint another person in his place.

Chairman may fine, suspend, &c.

(4) Any servant aggrieved by any order passed by the Chairman under this section may, within one month from the date of such order, appeal to the President of the Taluk Board, and the order passed thereon by such President shall be final.

Appeals.

135. (1) If on complaint made or by other means the President of the Taluk Board has reason to consider that any Panchayat *has* passed any resolutions, orders or proceedings in excess of *its* authority, he may by notice in writing, call upon the Panchayat to

Revision of proceedings of Taluk Board.

show cause to the satisfaction of the Taluk Board, within such time as shall be specified in the notice, why such resolution, order or proceeding shall not be set aside.

(2) If the Panchayat fails to show such cause, within the time specified, to the satisfaction of the Taluk Board, the Taluk Board may, by a resolution passed to that effect at a meeting and supported by not less than one-half of the members for the time being of such Board, set aside the resolution, order or proceeding of such Panchayat, and may pass such other orders as it may deem fit.

Inspectors, &c.

136. (1) The Taluk Board may, from time to time, employ such officers as may be required for the purpose of superintending and inspecting the working of Unions within the taluk, or may authorize any officer of Government in that behalf.

Powers of Inspectors.

(2) Any officer so employed or authorized may at any time inspect any property, accounts, books and other documents under the control of the Panchayat, and may record such remarks as he may deem necessary for the information of the Panchayat, and shall submit a copy of such remarks for the consideration of the Taluk Board.

Emergency cases.

137. (1) In cases of emergency the Revenue officer in charge of the division of the district wherein any Union is situated, or any person duly authorized in that behalf by the Governor in Council, may provide for the execution of any work or the doing of any act which the Panchayat is empowered to execute or to do, and the immediate execution or the doing of which is, in his opinion, necessary for the service or safety of the public, and may direct that the expense of executing or doing that act shall be paid by the Panchayat.

(2) If the expense be not so paid, the Revenue officer may make an order in writing directing the person having custody of the fund at the disposal of the Panchayat to pay the same in priority to any other charges against such fund *except charges for the service of authorized loans*. Such person shall, so far as the funds to the credit of the Panchayat admit, be bound to comply with such order.

(3) A report of any action taken under this section shall at once be forwarded by such Revenue officer or other person to the Taluk Board and to the Panchayat.

Cases of default.

138. (1) If at any time it appears to the President of the Taluk Board that a Panchayat has made default in performing any duty imposed on them by this Act, he may by an order in writing fix a period for the performance of such duty.

(2) If the duty is not performed within the period so fixed, such President may appoint some person to perform it and may direct that the expense of performing it shall be paid within such time as he may fix to such person by the Panchayat.

(3) If the expense be not so paid, the President of the Taluk Board may make an order in writing directing the person having custody of the fund at the disposal of the Panchayat to pay the same in priority to any other charges against such fund *except charges for the service of authorized loans*. Such person shall, so far as the funds to the credit of the Panchayat admit, be bound to comply with such order.

Property under the control of the Panchayat.

Streets, &c., under control of Panchayat.

139. To enable the Panchayat to carry out the purposes of this Act all public *roads*, drains, tanks, wells, and other public places in the Union, unless specially excepted by the Taluk Board, shall be under the control and direction of the Panchayat, and the Taluk Board may place under the control and direction of the Panchayat any other property or any institution which is under the control of such Taluk Board.

Funds at the disposal of the Panchayat.

Funds at the disposal of the Panchayat.

140. (1) The proceeds of the house-tax *in any Union* and *of any* fees levied by the Chairman in *such* Union under Section 67, Clauses (iv) *and* (v), shall, subject to the control of the Taluk Board, be at the disposal of the Panchayat of such Union.

How lodged and drawn.

(2) Such proceeds together with any other sums placed at the disposal of the Panchayat by the Taluk Board or otherwise received by the Panchayat shall be lodged in the nearest Government Treasury, or with the approval of the Taluk Board, with some private Bank or Banker; all orders

for payments from such fund shall be signed by the Chairman, and when so signed shall be paid by such Treasury, Bank, or Banker.

Duties and Responsibilities of Panchayat.

141. The Panchayat shall, in the Union under *its* authority, subject to such rules as may from time to time be prescribed by the Governor in Council, and so far as the funds at *its* disposal will permit, have the control and administration of, and provide for the following matters except such matters as the Taluk Board may from time to time think fit to retain or take under *its* direct control and administration:—

Matters to be provided for by Panchayat.

(a) *The lighting of the public roads*;

(b) Cleansing the village streets, drains, tanks, wells, and other public places in the Union;

(c) *With the sanction of the Governor in Council the establishment and maintenance of hospitals, dispensaries and schools; and*

(d) Making and repairing the *public roads* and drains in the Union;

(e) Constructing and repairing such tanks and wells and other works as will supply the inhabitants of the Union with a sufficient supply of water for domestic use.

(f) Generally doing such things as may be necessary for the preservation of public health.

142. The Taluk Board may at any time, with the consent of any Panchayat, transfer to such Panchayat the management of any institution or the execution of any work not provided for in the preceding section, and it shall thereupon be lawful for such Panchayat to undertake the management of such institution or the execution of such work. Provided that in every such case the funds necessary for such management

Provisions and rules to be observed by Panchayat.

or execution shall be placed at the disposal of the Panchayat by the Taluk Board.

143. The Panchayat and *its* Chairman shall, subject to the control of the Taluk Board and of *its* President respectively have and exercise in the Union all the powers conferred on the Taluk Board and *its* President respectively by Sections 99 to 101 and 117. Provided that all contracts under Section 117 shall be made subject to the approval of the Panchayat.

Powers of Chairman.

143-A. (1) *The Panchayat may, by notice, require the owner or occupier of any building, which in its opinion is in a filthy or unwholesome state, or of any land which is in such state, or which is overgrown with wild croton, prickly-pear, wattle, lantana or noxious vegetation, to cleanse, clear or otherwise put such building or land in a proper state, within a time to be specified in such notice.*

(2) *The Panchayat, or any person generally or specially authorized by it in writing in this behalf, may, by notice addressed to the occupier of any such building, direct all or any part thereof to be internally and externally lime-washed or otherwise cleansed in the manner and within a time to be specified in such notice.*

143-B. *The Panchayat shall maintain in a cleanly condition all wells, tanks and reservoirs, which are not private property, and may fill them up or drain them when it appears necessary so to do, provided that no such well, tank or reservoir shall be filled up with any material except building debris or clean soil, gravel or sand.*

143-C. (1) *The Panchayat may, by notice, require the owner of any tank or well to cleanse, fence, repair or fill it up, if on inspection it appears likely to be dangerous or to prove injurious to the public health.*

(2) *It may, by notice, require the owner or occupier of any land or premises to drain off or otherwise remove any stagnant water from such land or premises or from any tank or well attached thereto if it considers that such stagnant water is injurious to health or offensive to the neighbourhood.*

(3) *Such notice may specify the manner in which such cleansing, filling up, repairing, fencing or draining or each of such works is to be effected and the time within which the required portions thereof must be done.*

CHAPTER VI.

Miscellaneous.

Power of Governor in Council to frame forms and make rules.

144. The Governor in Council may, from time to time, frame forms for any proceeding for which he considers that a form should be provided, and make rules not inconsistent with this Act—

(i) as to the qualifications of electors and of candidates for appointment by election and as to the method and time of election of elective Presidents, Vice-Presidents, and Members of Local Boards;

(i-*a*) as to the qualifications of electors and of candidates for appointment as members of a Panchayat by election, and the method and time of appointment of members of a Panchayat by election in regard to the following matters:—

(*a*) the division of the Union or a part thereof into wards;

(*b*) the number of representatives proper for each ward;

(*c*) the provision, if any, to be made for the special representation of any classes of the community;

(*d*) the registration of electors;

(*e*) the nomination of candidates, the time of election, and the mode of recording votes; and

(*f*) any other matters regarding the system of representation and of election;

(i-*b*) as to the qualifications of members of a Panchayat to be appointed Chairmen by election and the method and time of appointment of such Chairmen;

(ii) as to the transfer of property moveable and immoveable by District Boards to Taluk Boards;

(iii) as to the respective duties and responsibilities and mutual relations of District Boards, Taluk Boards and Panchayats, *and as to the matters in regard to which and to what extent*

the orders of a Taluk Board or Panchayat shall be subject to appeal or to revision by the District Board or Taluk Board as the case may be.

(iv) as to the matters mentioned in Sections 95, 122, and 141;

(v) as to the formation of Committees and the delegation of powers to such Committees;

(vi) as to the mode of making contracts and transfers of property by or on behalf of Local Boards;

(vii) *as to the licensing of private vaccinators;*

(viii) as to the qualifications of the servants of Local Boards, and the pensions, gratuities and compassionate allowances, if any, payable to such servants;

(ix) as to the preparation of plans and estimates for works which are to be partly or wholly constructed at the expense of Local Boards, and as to the authority by which, and the conditions subject to which, such plans and estimates may be sanctioned;

(x) as to the office or offices through which correspondence of, and with, Local Boards shall pass;

(xi) as to the accounts to be kept, and as to the manner in which such accounts shall be audited and published;

(xii) as to the preparation of estimates of receipts and expenditure, and the authority by whom, and the conditions subject to which, such estimates may be sanctioned;

(xiii) as to the returns, statements and reports to be submitted and the authorities, if any, through whom they are to be submitted;

(xiv) as to the mode in which Government officers are to advise and assist Local Boards in carrying out the purposes of this Act; and

(xv) generally for the guidance of Local Boards, their officers and servants and officers and the servants of Government in all matters connected with the carrying out of this Act.

145. The Governor in Council shall before making or altering any rules under Section 144 publish, in such manner as may, in his opinion, be sufficient for giving information to persons interested, a draft of the proposed rules or alterations, together with a notice specifying a date at or after which such draft will be taken into consideration; and shall, before making the rules, receive and consider any objection or suggestion which may be made in respect of such draft by any person interested before the date so specified.

Rules to be published.

146. Such rules and all alterations thereof made by the Governor in Council under Section 144 shall be published in the local Gazette of the district to which the rules apply in a vernacular language of the district, and shall not come into operation, *unless the Governor in Council shall otherwise for any special reason direct,* until three months after they have been so published.

Not to come into force for three months from publication.

147. Such rules and forms shall, until they are cancelled or altered, have the force of law.

Rules to have force of law.

148. (1) The Collector of the District shall annually, at such times as the Governor in Council may fix, render to the District Board an estimate of the probable gross receipts and charges of collection of the tax to be collected by him under this Act.

Collector to submit annual estimate of receipts and charges.

(2) The District Board shall render to every Taluk Board within such district an estimate of the sums to be transferred to such Taluk Board.

149. The Collector of the district shall from time to time cause to be paid to the District Fund the net proceeds of the tax collected under the authority conferred on him by this Act.

Taxes collected payable to District Board.

150. (1) Every Local Board and every Panchayat shall furnish, to such authority as the Governor in Council may direct, an estimate of their probable receipts during the next ensuing *financial* year and of the probable expenditure proposed to be incurred during such year, and of the items in respect of which it is proposed to incur such expenditure, and may also furnish a supplemental

Estimate of annual receipts.

statement providing for any modifications which they may deem it advisable to make in the distribution of the amount to be raised and expended in the *financial* year then current for the purposes of this Act.

(2) The Governor in Council or any person authorized by him in that behalf may pass such orders as he may think fit upon any such estimate and statement.

Governor in Council to pass orders on estimate.

(3) Such orders shall be binding upon the Local Board and the Panchayat and shall be carried out by them so far as the means at their disposal may permit.

151. (1) Every Local Board and every Panchayat shall furnish to such authority as the Governor in Council may direct an annual report of their proceedings and statements in detail of all the works executed and measures carried out by them, and of all sums received and expended by them.

Submission of annual reports.

(2) Such annual report *of the Local Board* shall be published, in English and in a Vernacular language of the district, in the District Gazette at the cost of the Local Board concerned.

152. (1) All schools and other institutions of an educational character, all hospitals, dispensaries, and other institutions maintained by the Local Board, and all accounts, books, registers, returns, reports, statements, and other documents appertaining thereto, shall at all times be open to the inspection of such officers of Government as the Governor in Council may from time to time appoint in that behalf.

Government officers to inspect books &c.

(2) The Governor in Council may from time to time appoint such officers as may be required for the purpose of inspecting and superintending the operations of Local Boards and Panchayats *or of any particular Local Board or Boards and Panchayat or Panchayats* and also such Secretaries, Clerks, and other servants, as may be necessary for the exercise of the powers vested in him by this Act, and may assign to them such salaries, if any, as he shall think reasonable; and the expense incurred by reason of such appointment shall be defrayed in ratable proportions out of the Local Funds *concerned*.

Appointment of persons to superintend operations of Local Boards.

152-A. (1) *The District Board may, from time to time with the sanction of the Governor in Council, make bye-laws and cancel or alter the same—*

(i) *for the general or special regulation and control of markets, slaughter-houses, cart-stands, burial and burning grounds and offensive trades and all matters connected with conservancy;*

(ii) *for regulating the use of public roads and for securing cleanliness, safety and order in the same; and*

(iii) *for carrying out all the purposes of this Act, and may affix fines and penalties for the infringement of such bye-laws.*

(2) *No bye-law shall be repugnant to any law in force and no fine for any one infringement of a bye-law shall exceed Rs. 50 and in case of a continuing infringement no fine shall exceed Rs. 10 for every day after notice from the Taluka Board of such infringement.*

(3) *No bye-law or cancelment or alteration of a bye-law shall have effect until the same has been approved and confirmed by the Governor in Council.*

(4) *All bye-laws when they have been duly confirmed shall have the force of law.*

153. Whenever any land is required for the purposes of this Act, the Government in Council may, at the request of the Local Board, proceed to acquire it under the provisions of the Land Acquisition Act, 1894; and, on payment by such Board of the compensation to be awarded under that Act, the land shall vest in such Board.

Acquisition of land.

155. (1) No assessment, or demand made *and no charge imposed* under the authority of this Act shall be impeached or affected by reason of any *informality, error or of any* mistake (*a*) in *respect of* the name, residence, place of business or occupation of any person or thing, or (*b*) *in respect of* the description of any property or (*c*) *in respect of* the amount *assessed, demanded or charged*; provided that the *provisions* of this Act have been substantially and effectually complied with; and no proceedings under this Act shall for *defect in* form be quashed or set aside in any court of justice.

Assessment, &c., not to be impeached if substantially complied with.

(2) No *suit* shall be *brought* in any Court to recover any sum *of money* collected under *the authority of* this Act, or to

recover damages *on account* of any assessment *or collection of money made under the said authority*; provided that the provisions of this Act have been in substance *and effect* complied with.

(3) No *distraint* or sale under this Act shall be deemed unlawful, nor shall any person making the same be deemed a trespasser on account of any error or defect or want of form in the *bill, notice, schedule, form, summons*, notice of demand, warrant of *distraint*, inventory or other proceeding relating thereto; nor shall such person be deemed a trespasser *ab initio* on account of any irregularity afterwards committed by him.

Distress notices lawful for want of form.

Provided that every person aggrieved by such irregularity may recover satisfaction for any special damage sustained by him.

Special damage actionable.

(4) Whoever obstructs any person in the performance of his duties as a distrainer under this Act shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs. 50.

156. (1) No action shall be brought against any Local Board, *or Panchayat*, or *against any member or servant of such Board or Panchayat or against* any person acting under the direction *of such Local Board or Panchayat, or of a member or servant of such Board or Panchayat on account of any act* done or purporting to be done *in pursuance or execution or intended execution of* this Act *or in respect of any alleged neglect or default in the execution of this Act*, until the expiration of one month next after notice in writing shall have been delivered or left *either* at the office of the Local Board *or Panchayat* or at the place of abode of *such member or servant or of* such person, explicitly stating the cause of action, *the nature of the relief sought, the amount of compensation claimed* and the name and place of abode of the intended plaintiff; and, unless such notice be proved *to have been so delivered or left*, the Court shall find for the defendant.

No action to be brought against the Local Board or their officers, until after one month's notice of cause of action.

(2) *If the Local Board, or Panchayat, member or servant or other* person to whom notice is given *as provided in sub-section (1)* shall, before action is *commenced, tender* sufficient amends to the plaintiff, such plaintiff shall not recover more than the

amount so tendered. *The plaintiff* shall *also* pay all costs incurred by the defendant after such tender.

(3) *No action such as is described in sub-section* (1) *shall, unless it is an action for the recovery of immoveable property or for a declaration of title thereto, be commenced otherwise than within six months next after the accrual of the cause of action.*

(4) *No action shall be brought against the President of a Local Board on account of any act done in pursuance or execution or intended execution of this Act, or in respect of any alleged default on his part in the execution of this Act, if such act was done or if such default was made in good faith, but any such action shall, so far as it is maintainable in a Court, be brought against the Local Board, except when brought by the Local Board or the Secretary of State for India in Council under Section 157 on account of anything done by the President himself.*

Liability of members for loss, waste or misapplication.

157. Every member of a Local Board and every Panchayatdar shall be liable for the loss, waste or misapplication of any money or other property belonging to the Local Board or Panchayat, if such loss, waste or misapplication is a direct consequence of his neglect or misconduct; and a suit for compensation may be instituted against him in any Court of competent jurisdiction by the Local Board or by the Secretary of State for India in Council.

Penalty on member or servant being interested in contracts made with Board.

158. (1) If any member, or servant of a Local Board, or of a Panchayat, is, otherwise than with the permission in writing of the Collector of the District, directly or indirectly interested in any contract made with such Board, he shall be deemed to have committed an offence under Section 168 of the Indian Penal Code.

(2) No person shall by reason of being a shareholder in or a member of any Company be held to be interested in any contract entered into between such Company and the Local Board *unless he is a Director of such Company.*

Delegation of powers of Collector.

159. The Governor in Council may, by notification, from time to time, authorize any person to exercise any of the powers conferred on the Collector by this Act, and may at any time in like manner modify or cancel such authority.

Delegation of powers of Governor in Council.

160. The Governor in Council may, by notification, from time to time, authorize any person to exercise any of the powers vested in him by this Act save and except those mentioned in Chapter I of this Act, and may at any time in like manner modify or cancel such authority.

Publication of Notifications in the District Gazette.

161. Every notification under this Act shall be published in the Official Gazette of the district to which such notification applies, both in English and in a Vernacular language of the district.

Provided that every notification issued by the Governor in Council shall be published in English in the *Fort St. George Gazette.*

Acts of Local Board, &c., not to be invalidated by informalities.

162. No act of a Local Board, or of any Committee, or of any Panchayat, or of any person acting as a President, Vice-President, Chairman or member shall be deemed to be invalid by reason only of some defect in the establishment of such Local Board, Committee, or Panchayat, or on the ground that any member of such Board, Committee or Panchayat was disqualified for such office, or by reason of such act having been done during the period of any vacancy in the office of President, Chairman, Vice-President, or member of such Board or Panchayat.

162-A. *If, under this Act, the license or written permission of a Local Board or its President is necessary for the doing of any act in respect of any property, moveable or immoveable, public or private, and if such act is done (a) without such license or permission, or (b) in a manner inconsistent with the terms of such license or permission:—then*

(i) *the Local Board may, by notice, require the person doing such act to alter, remove, or, as far as practicable, restore to its original state the whole or any part of such property within a time to be specified in such notice; and, further,*

(ii) *if no penalty has been specially provided in this Act for doing such act, the person so doing it shall be liable,*

on conviction before a Magistrate, to a fine, not exceeding fifty rupees, for every such offence.

162-B. (1) *If a notice has been given under the provisions of this Act to any person requiring him to execute any work in respect of any property, moveable or immoveable, public or private, or to provide or do or refrain from doing anything, within a time specified in the notice, and if such person fails to comply with such notice; then,*

(i) *the Local Board or the Panchayat, as the case may be, may cause such work to be executed or such thing to be provided or done, and may recover all reasonable expenses incurred by it on such account from the said person; and, further,*

(ii) *if no penalty has been specially provided in this Act for failure to comply with such notice, the said person shall be liable, on conviction before a Magistrate, to a fine, not exceeding twenty rupees, for every such offence.*

(2) *The Taluk Board or Panchayat, as the case may be, in causing, under sub-section* (1), *any work to be executed or anything to be provided or done, may utilize any materials found on the property concerned or may sell them, and apply the sale-proceeds towards the payment of the expenses incurred by it on this account.*

162-C. *Where by this Act or by any order or notice issued thereunder, the public or any person is required to do or to refrain from doing anything, any person who fails to comply with such requisition shall, if no penalty has been specially provided in this Act for such failure, be liable on conviction before a Magistrate to a fine not exceeding fifty rupees for every such failure.*

162-D. (1) *In all cases where any costs, damages, charges or expenses are by this Act directed to be paid, or a Local Board or Panchayat is by this Act empowered to recover any costs, damages, charges or expenses, the amount or apportionment thereof shall, in case of dispute, be ascertained and determined by a* [*first or second class*] *Magistrate.*

(2) *In any case referred to a Magistrate under this section, the Magistrate shall, on the application of either party, summon the other party to appear before him at a time and place to be named in the summons.*

(3) *Upon the appearance of the parties, or, in the absence of any of them, upon proof of due service of the summons, the Magistrate may hear and determine the question, and, for that purpose, may examine such parties or any of them and their witnesses on oath or affirmation.*

(4) *In every such inquiry the Magistrate shall determine the amount of the costs thereof, and shall direct by which of the parties they shall be paid.*

163. (1) Every *bill, form or* notice regarding any valuation, measurement, assessment, tax or any money due in respect of the same or under this Act shall, if practicable, be presented to, or served personally upon, the person to whom the same is addressed, or, if he cannot be found, may be left at his usual or last known place of abode or business with some adult *male* member of his family, servant or agent, or may be sent by registered letter, or may be put upon some conspicuous part of his usual or last known place of abode or business, and shall thereby be deemed to have been duly presented or served.

Service of notices.

(2) If the place of abode or business of the owner of any building or land in respect of which a tax is assessed or due, or in respect of which any work has to be executed, is unknown, or if the owner of any building is not resident within the limits of the district, every such *bill, form or* notice shall be deemed to be duly presented or served if delivered to any adult *male* occupier or put upon some conspicuous part of the building or land in respect of which the tax is assessed or due, or in respect of which such work has to be executed.

(3) Every such *bill, form or* notice sent to a person by registered post shall be addressed to his usual or last known place of abode or business, and when so sent shall, unless and until the contrary be proved, be held to have been duly served.

164. If any woman, who, according to the customs of the country, does not appear in public, is in the actual occupation of any building or part thereof into which any person, duly authorized in that behalf, has to enter for the purposes of this Act, such person shall inform such woman that she is at liberty to withdraw, and shall, after allowing reasonable time for such woman to withdraw, and giving her every reasonable facility to withdraw,

Entry into Zenana.

enter such building or part thereof, using at the same time every precaution, consistent with these provisions, to prevent, when necessary, the clandestine removal of property.

165. Whoever—

Illegal collection of taxes or tolls.

(i) not being a person appointed or duly authorized to collect any tax, toll, fee or other sum payable under this Act shall levy or demand any such tax, toll, fee, or other sum, or

(ii) shall unlawfully demand or take any other or higher tax, toll, fee, or other sum than the lawful tax, toll, fee, or other sum, or

(iii) under colour of this Act, shall seize or sell any property knowing such seizure and sale to be unlawful, or

(iv) being entitled to recover from any person any portion of the tax paid by himself under this Act, shall demand or claim any higher portion than he is entitled to recover, or

(v) shall in any manner unlawfully extort money or any valuable thing from any person under colour of this Act,

shall be deemed to have committed the offence of cheating or extortion, as the case may be, within the meaning of the Indian Penal Code.

166. *In case any fine, compensation* Offender may be detained in custody, or compelled to give security, if fine &c., be not forthwith paid. *penalty or costs imposed or assessed by a Magistrate* under or by virtue of this Act *or of any by-law made in pursuance thereof* shall not be forthwith paid, the Magistrate may order the offender to be apprehended and detained in safe custody until the return can be conveniently made to the warrant of distress, unless the offender shall give security to the satisfaction of the Magistrate for his appearance at such place and time as shall be appointed for the return of the warrant of distress.

166-A. If, upon the return of such warrant, it shall appear that no sufficient distress can be had whereon to levy such fine *or sum of money* and the same shall not be forthwith

To be sufficient distress can be had the offender may be apprehended.

levied under this Act, or to

paid, or in case it shall appear to the satisfaction of the Magistrate by the admission of the offender, or otherwise, that he has not sufficient property whereupon such fine or sum of money could be levied if a warrant of distress were issued, the Magistrate may, by warrant under his hand, commit the offender to prison, there to be simply imprisoned, according to the discretion of the Magistrate, for any term not exceeding one calendar month when the amount of fine *or sum of money* shall not exceed fifty rupees, and for any term not exceeding two calendar months when the amount shall not exceed one hundred rupees, and for any term not exceeding six calendar months in any other case; the commitment to be determinable in each of the cases aforesaid on payment of the amount.

167. Notwithstanding anything herein- District Board's powers in the absence of Taluk Board. before contained, the District Board of any district having authority over any part of such district where there is no Taluk Board and the President of such District Board shall have the rights and exercise the powers and perform the duties of a Taluk Board and of the President thereof respectively in such part of the district.

SCHEDULE A.—(Section 57.)

MAXIMUM RATES OF THE TAX ON BUILDINGS.

		Per annum. Rs.	A.	P.
On every house classed in the 1st class		10	0	0
Do. 2nd do.		7	0	0
Do. 3rd do.		5	0	0
Do. 4th do.		4	0	0
Do. 5th do.		3	0	0
Do. 6th do.		2	0	0
Do. 7th do.		1	0	0
Do. 8th do.		0	8	0
Do. 9th do.		0	4	0

SCHEDULE B.—(Section 57.)

MAXIMUM RATES OF TOLLS PAYABLE ON CARRIAGES, CARTS AND ANIMALS PASSING ALONG ROADS WITHIN THE DISTRICT.

	Rs.	A.	P.
On every four-wheeled vehicle with springs	0	8	0
On every ditto, hackery or cart laden	0	4	0
On every ditto, hackery or cart not laden *and every tikeyle or trikyle*	0	2	0
On every other vehicle with springs and every palanquin	0	4	0
On every buffalo, bull, bullock, cow, or ass, laden or ridden *and on every horse under thirteen hands*	0	1	0
On every horse not under thirteen hands	0	2	0
On every elephant	1	0	0
On every camel	0	4	0

EXPLANATION (1).—"Laden." An animal is not said to be laden when it is merely accoutred for the purpose of being laden or ridden.

EXCEPTION (2).—"Tolls" are leviable upon vehicles at the above rates irrespective of the means of traction employed and the payment of a toll in respect of any animals drawing it.

SCHEDULE C.—(Section 81.)

NOTICE OF DEMAND.

Take notice that the Chairman of the Union Panchayat demands from you the sum of due from you to the Panchayat of for your house in at for the year 18 , and that if the sum due is not paid into the office of or to within fifteen days from the service of this notice, a Warrant of Distress will be issued for the recovery of the same with costs.

(Signature of the Assessor.)

Date

SCHEDULE D (Section 81-A.)

Distraint Warrant.

To

(Here insert the name of the officer charged with the execution of the Warrant.)

Whereas of has not paid or shown sufficient cause for the non-payment of the sum of rupees due for the taxes mentioned in the margin for the year 18 , although the said sum has been duly demanded from the said and fifteen days have elapsed since such demand was made. This is to command you to distrain the goods and chattels found on the premises (or, as the case may be, any goods and chattels found in the possession of the said wherever they may be found within the limits of the said union) for the amount of the said sum of rupees, together with a further sum of for warrant fee and distraint-fee, making together a sum of rupees, and such further sum, as may be sufficient to defray the charges of taking, keeping and selling such distraint, and referred to, to the amount of the said sum of rupees, together with

If, within fifteen days next after such distraint, the amount due on account of the said taxes and fees shall not be paid, together with such further sum as may be sufficient to defray the charges of taking and keeping such distraint, to sell the said goods and chattels; and having paid and deducted out of the proceeds of the sale the amount due on account of the said taxes and fees rupees and the charges of taking, keeping and selling such distraint, to return the surplus, if any, on demand, to the person whom you found in possession of the said goods and chattels. If sufficient distraint cannot be found of the goods and chattels of the said you are to certify the same to me together with this Warrant.

(L.S.)

Date

(Signature or Stamp of the Chairman of the Panchayat.)

2. The only [illegible]
which may [illegible]
within [illegible]
ref. , No. , dated 189 .
, " , " 189 .
, " , " 189 .
, " , " 189 .

ORDER:- [illegible]

P.S.

The following labour will be despatched to the Government of India.

[illegible]

No

The Secretary to the Govt. of India, Executive Dept.

Sir,

In continuation of my letter No. [illegible] dated [illegible] I have directed the engine for the [illegible] of the Government of India, that the [illegible] construction of the [illegible] manner to [illegible] the [illegible] [illegible] [illegible]

...for consideration:-

1) The abolition of the distinction between ...jor and minor ...ions by striking out the ...initions of such unions in Section 5 of ...he Act, and by combining and imposing on ...unions generally, in Section 11, the duties ...now assigned to the two classes of unions.

2) The insertion of a provision in ...Section 75 of the Act with a view to relief ...being afforded to landholders in the matter ...of collecting land cess from intermediate ...land-holders, if any;

3) The insertion of a new Section (Section ...47-A) for the issue of distraint warrants in ...cases in proper form and signed by the Chair-...man of the Union Panchayat.

4) The insertion of a provision in Section ...47-B, making it compulsory on Talik Boards to ...issue licenses for existing mill-cus:

5) The insertion of a new section ...(Section 147-J) providing for an appeal to ...the District Board from certain orders of ...the Talik Board affecting private markets;

6) The insertion of a new section (Section ...47-K) imposing a penalty not exceeding ...Rs. 50 on stall-holders in markets who refuse ...to pay the rents lawfully demanded of them ...by the Talik Board;

7) The insertion of a new section (Section ...47-L) empowering a Magistrate of the First ...Class to decide, in case of dispute, ...as to the proper charges or encroachments ...to be levied under the Act.

8) The insertion of a new section (Section ...47-M) providing for the issue of distraint ...warrants by the Collector in Council by the ...Chairman of the Union Panchayat.

9) The insertion of a provision in Section ...47-N, making it compulsory on Talik Boards to ...issue licenses for existing mill-cus:

10) The insertion of a new section ...(Section 147-J) providing for an appeal to ...the District Board from certain orders of ...the Talik Board affecting private markets;

11) The insertion of a new section (Section ...47-K) imposing a penalty not exceeding ...Rs. 50 on stall-holders in markets who refuse ...to pay the rents lawfully demanded of them ...by the Talik Board;

12) The insertion of a new section (Section ...47-L) empowering a Magistrate of the First ...Class to decide, in case of dispute, ...as to the proper charges or encroachments ...to be levied under the Act.

13) The insertion of a new section (Section ...47-M) providing for the issue of distraint ...warrants by the Collector in Council by the ...Chairman of the Union Panchayat.

14) The insertion of a provision in Section ...47-N, making it compulsory on Talik Boards to ...issue licenses for existing mill-cus:

2. The only one of these amendments which may be regarded as possibly falling within the scope of para. 7 (1) of the revised instructions regarding legislation is that numbered (2) above. In regard to this I am to explain that ordinarily the Zamindar pays half the land cess, and the ryot holding immediately under him pays half. Here & there however, there are persons holding on under-tenure from the Zamindar one or more villages the [rents] of which they enjoy either free of payment or paying some less sum to the Zamindar as Jodi. Equity requires that such an intermediate holder should pay a share of the land-cess proportionate to the share of the [rent] which he retains. But at present, according to a ruling of the High Court, the Zamindar can collect from him no portion of the land-cess except that payable from the [rent] hence the intermediate holder escapes land-cess on one moiety of the Zamindar's. It has, therefore, been represented to the Petitioner that Government in Council [by the Governor in Council] should in case of [rent] in kind be commuted, the Zamindar's [rent] of the ryot may be ignored, and the latter be compelled to pay the Zamindar's share of the land-cess. Before this suggestion was communicated to them the Board were requested to express their opinion on the proposal.

3. The remaining amendments [illegible]

y who were consulted as to
nd maintenance of any lighting
ween major and minor unions and
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dvanced in favour of the petition
se numbered (3) and (6) were
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) were proposed with reference to
ons in clauses (5) (c) (or para-
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ourthorp (1 opal pictures dated
ole Inn and Mutt Thurthorp (2
rvations 45) & 43) of the Order
ndustrial Act I of 1947,
for the [three] circumstances I
and proposed amendments for the
of the Governments of India. The
Commission has not the duty con-
the evidence or the particular
the Bill as originally amended
to prepare for submission a recom-
y of the Bill as amended by the
ommittee, together with a memo-
e of the evidence and the reasons
n in coming to their decisions on
ints on which they are unable
ree and in which they do not
ude from any decision arrived at
ion (3) of section 117 of the
Act, 1947.

The amendments
[illegible]
para 2 of
have been agreed
by Government
White, Bland,
Duncan Thomas
Amy to be inserted
in draft file.
MK
10.12.52