(1) Number of pages 284

(2) Date of repair 6.6.98

(3) Initials of the Referencer

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

P.W. DEPARTMENT

G.O. No. / B.P. No:	219 W	Press. / Mis.
Dated	19.1.1888	198

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Archives I—10,006 | 80.

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2

3. Lord Inch having failed to communicate with this office in accordance with the understanding arrived at with him on the 21st of March, a letter was addressed to him on the 17th of June on the subject and a copy of the same was also sent to the patwar, with up to date they have taken no notice of the communications.

4. I was under the impression from the personal interview which I have had with Ewel Sait that the matter of compensation was thereby settled, and I can only regard his present conduct and that of his patwar as amounting to a breach of faith. No doubt these object to to obtain exorbitant compensation by taking the matter into the District Court of Coimbatore.

5. As there appears no prospect of my being able to come to an amicable settlement with Ewel Sait, I have the honor to request that I may be authorized to proceed under the Act for acquiring the land which the Executive Engineer appears to require, viz., the portion of C. 126 which is covered by the dwel and all that shown Thus dwel and below the road in the same number) A. as last stipulated that it would be reasonable to attempt to take a survey only through the middle of the number, thus cutting it into two unequal portions.)

6. I annex a draft notification for submission to Government if the Board see fit.

Enclosure No. 1.—Draft notification.

Enclosure No. 2.—Sketch.

Read the record dated 6th December 1895, No. 3[illegible].

Resolved to recommend with the request that the draft notification may be approved and ordered to be published in the *Fort St. George Gazette*.

(A true Copy and Extract.)

(Signed) A. S. PINHOW,
Acting Secretary.

No. 3[illegible], Revenue.

Transmitted to the Public Works Department.

(By Order.)

(Signed) H. A. STUART,
Under-Secretary.

Fort St. George,
9th January 1896.

Order.—Dated 16th January 1896, No. 210 W., Public Works.

Ordered that the notification be published in the *Fort St. George Gazette*.

(True Extract.)

Captain, R.E.,
Under-Secy. to Govt., P.W.D.

To the Revenue Department, with reading
Superintending Engineer, IV Circle.

Encl. 1 Mem.
Spare Copies

BUILDINGS AND ROADS.
CIVIL WORKS.

Govt. of Madras.

1888

PUBLIC WORKS.

Read January, 1888.

Read. Read.

G.O., 19th Jan. 1888, No. 219 W.

JANUARY.

Acquisition of Land

Directing the publication in the *Fort St. George Gazette* of the notification for the — required for the construction of the masonry duct from Marlimund reservoir to Snowdon in the Nilgiri district.

PROCEEDINGS OF THE BOARD OF REVENUE
(Land Revenue).

H. S. Thomas, Esq., C.I.E., I.C.S.

Read—the following letter from L. R. BURROWS, Esq., Collector of Nilgiris, to the Secretary to the Commissioners of Land Revenue, dated Ootacamund, 14th November 1887, No. 598 :—

In a letter, dated 22nd February 1887, the Executive Engineer forwarded to this office statement for the land required to be taken up by Government for the purpose of constructing the masonry duct from Marlimund reservoir to Snowdon.

2. Amongst other items contained in the statement was the following :—5,850 square feet or 0·135 acre out of C-125, the property of Esuf Sait and others. Notice was thereupon sent to Esuf Sait to attend the office for the purpose of settling the compensation. He attended accordingly on the 16th of March, and I extract the following from the note made by me regarding the interview :—

"The shape of C-128 is roughly as oblong with length to breadth in the proportion of 6 to 1 and the area is 3·36 acres. The area actually required for the duct is 135 of an acre, and it will divide C-128 into two long strips of land each containing about 1½ acres with the length about ten times the breadth. It is also further required by the Executive Engineer that an engagement should be entered into by the proprietor not to plant trees within 15 feet on either side of the duct. This requirement will further tend to exaggerate the disproportion of the shape of the two remaining pieces and to diminish their usefulness for planting cultivation, building or any purpose. The plot C-128 is registered in the name of Mr. Freed, but Esuf Sait states that the land actually belongs at present to himself and V. Tiruvengadaswamy Mudaliar. He says that he is not competent to ask a price authoritatively binding on his partner, but his own idea is that the land is worth Rs. 1,000 per acre. He is informed that the price asked seems excessive, and is requested to confer with his partner and communicate the result as early as possible."

3. On the 21st of March I inspected this and the other lands with the Executive Engineer and made the following note at the time :—

"The Executive Engineer agreed to take all that portion of C-128 which is covered by the duct, and to shave the duct as far as the road reserve. He also agreed that the land now taken up for the supply channel C-127 measuring 70 cents should be surrendered to the owners of C-128 as a set-off against an equal area of the land taken up. Esuf Sait appeared at the Collector's office afterwards and stated that he would write to his partner and ask him to accept the terms proposed above, the balance of the land not covered by C-127 being paid for at the rate of Rs. 900 per acre."

4. To enable the Board to understand the above, I enclose a tracing showing C-128 with the line of the duct marked thereon ; the present supply channel C-127, which it is proposed to give up in exchange, C-128 which is land belonging to the same proprietors as C-125 and the road.

5. Esuf Sait having failed to communicate with this office in accordance with the understanding arrived at with him on the 21st of March, a letter was addressed to him on the 17th of June on the subject and a copy of the same was also sent to his partner, but up to date they have taken no notice of the communication.

6. I was under the impression from the personal interview which I have had with Esuf Sait that the matter of compensation was virtually settled, and I can only regard his present conduct and that of his partner as amounting to a breach of faith. No doubt their object is to obtain exorbitant compensation by taking the matter into the District Court of Coimbatore.

7. As there appears no prospect of my being able to come to an amicable settlement with Esuf Sait, I have the honor to request that I may be authorized to proceed under the Act for acquiring the land which the Executive Engineer agrees to take up, viz., the portion of C-128 which is covered by the duct and all that above the duct and below the road in the same number: I do not consider that it would be reasonable to attempt to take a narrow strip through the middle of the number, thus cutting it into two useless portions.

8. I annex a draft notification for submission to Government if the Board see fit.

ENCLOSURE No. 1.—Draft notification.

ENCLOSURE No. 2.—Sketch.

RESOLUTION—dated 6th December 1887, No. 828.

Submitted to Government with the request that the draft notification may be approved and ordered to be published in the *Fort St. George Gazette*.

(A true Copy and Extract.)

Acting Secretary.

To the Secretary to Government, Revenue Department,
with draft notification and sketch.
Copy to the Collector of Nilgiris.

Exd. J. Henriens.

Endorsement by Regd.

Transferred to the Public Works Department.

(By order)

Assistant Secretary to Government

Public Works Dept.

Geographical Assistant

Ordered that the notification be published in the Fort St. George Gazette

13.1.85 13.1.85

To the Revenue Board with Records

S.S. VI Cons. 31/1

Boards of Revenue
(Land Revenue)
MADRAS.

No. 61.

Printed Dunlop 4th Aug 1885

Proceedings, 4th Aug 1885, No. 1115.

Requesting Government to approve the draft notification for acquisition of land required for the construction of the masonry duct from Marlimund reservoir to Snowden in the district of Nilgiris, and to order its publication in the *Fort St. George Gazette*.

MADRAS ACT No. IV OF 1884.

PASSED BY THE GOVERNOR OF FORT ST. GEORGE IN COUNCIL.

[*Received the assent of the Governor on the 7th May and of the Governor-General on the 2nd July* 1884.]

THE MADRAS DISTRICT MUNICIPALITIES ACT, 1884.

ARRANGEMENT OF SECTIONS.

PREAMBLE.

CHAPTER I

PRELIMINARY.

SECTIONS.

1. (1) Short title.
(2) Local extent.
2. Repeal.
3. Interpretation clause.
4. (1) Extension of Act.
(2) Withdrawal of Act.
(3) Commencement of Act.
5. Effects of Municipal Council coming into existence in any town as defined in Act III of 1871.
6. Reference in prior Acts, &c.

CHAPTER

CHAPTER II.

1. Municipal Councils and their Composition.

Sections.

8. Establishment of a Municipal Council.
9. Revenue Officer in charge of the Division to be ex officio Municipal Councillor.
10. Other Municipal Councillors may all be appointed by the Governor in Council or partly by him and partly by the tax-payers and inhabitants.
11. Proportion of Officials and non-Officials.
12. Proportion of Municipal Councillors appointed by electors.
13. Governor in Council to declare what the maximum number of Municipal Councillors is to be, &c.
He may cancel or modify such declaration.
14. Governor in Council to appoint Chairman or may authorize his election.
15. The Revenue Officer incharge of the Division to exercise charge of the office of Chairman in case of removal, resignation, or death of Chairman.
16. Remuneration of Municipal Councillor.
17. (1) Term of office of Municipal Councillor.
(2) Out-going Municipal Councillor eligible for re-appointment.
18. (1) Resignation of Municipal Councillor.
(2) Government servant who is Municipal Councillor.
19. Removal of Municipal Councillor.
20. Filling of casual vacancy.
21. Incorporation of Municipal Councils.

2. Municipal Property and Municipal Fund.

22. Power to vest property in Municipal Council.
23. Public streets, &c., vested in the Municipal Council.
24. (1) Sewers, drains, &c., vested in the Municipal Council.
(2) Rubbish, &c., to belong to Municipal Council.
(3) Governor in Council may exclude any sewer, &c.
25. Existing Hospitals, Schools, Choultries, &c., may be vested in the Municipal Council.
26. (1) Saving of Revenue Board's powers in regard to charitable endowments.
(2) Power to transfer them to Municipal Council.
27. What shall constitute the Municipal Fund.
28. (1) Custody of Municipal Fund.
(2) Mode of drawing on Municipal Fund.

3. Mode of transacting Business.

29. (1) Municipal Council to keep an office.
(2) Chairman to convene a meeting on requisition.
Notice to be given.
30. (1) Who to preside at meetings.
(2) Decision by majority. Casting vote.
(3) Certain officers to attend meetings.
(4) Quorum.
(5) Modification, &c., of resolutions.

Sections.

31. (1) Minutes of Proceedings to be kept, and to be open for inspection.
(2) Minutes to be sent to Personal Officer for publication.
32. (1) The Chairman to carry out the resolutions of the Municipal Council.
(2) The Chairman may authorize any Municipal Councillor to exercise any of his powers.
(3) Exception.
33. Execution of resolution on neglect of Chairman.
34. (1) Control by Collector.
(2) Delegation of powers of Collector to any public officer.
35. (1) Power to suspend certain orders &c.
(2) Collector shall forward copy of order to Government or Council and Board as the case may be.
36. (1) Extraordinary powers of the Revenue Officer in charge of a Division of a District in case of emergency.
(2) Reports to be made.
(3) Report to be made to Government in Council.
37. (1) Powers of Government in Council in case of default of Municipal Council.
(2) Government in Council may appoint officer.
(3) Expenses to be recovered.
38. Duties as to conduct of business.

4. Municipal Servants.

39. The Municipal Council to fix the number and salaries of their permanent servants with the sanction of the Government in Council.
40. (1) Government servants employed by Municipal Council.
(2) Contribution towards pay of such servants.
(3) Removal of such servants.
(4) Withdrawal of such servants.
41. Municipal servants, &c., are public servants under Indian Penal Code.
42. (1) The Chairman to appoint servants subject to rules prescribed by the Governor in Council.
(2) The Chairman may fine, suspend, or dismiss servants.
43. Rules as to securities, pensions, &c.

5. Municipal Contracts.

44. (1) Authority to contract.
(2) Certain contracts to be sanctioned at a meeting.
45. (1) Mode of executing contracts.
(2) Contracts made otherwise not binding.
46. No Municipal Councillor to be personally liable for contracts.

CHAPTER III.

Taxes and Fees and Rents or analogous dues.

47. Levy of taxes and tolls.
Persons not to be taxed twice.
48. Municipal Council may raise Funds from any of above sources for purposes

Sections.
[illegible]
[illegible]
[illegible]

Sections.
99. (1) Limitation as to appeal.
(2) Tax, &c., should be paid on or before presentation of appeal.
100. If amount decreased refund to be made.
101. Assessment by Municipal Council when to be final.

3. Collection of Taxes.

102. Bills to be presented.
103. Further proceedings.
104. Form of warrant.
105. Inventory and notice of sale.
106. Conditions of distraint and sale—exceptions—limit.
107. (1) Sale of property seized.
(2) Perishable property.
108. Fees on distraints.
109. Property of defaulter, wherever found, may be distrained.
110. Tax due from owner may be recovered from occupier.
111. Proceedings before Magistrate.
112. Recovery of arrears of taxes, &c., due at coming into operation of this Act.

CHAPTER IV.

Purposes to which the Funds raised under this Act shall be applied.

113. Purposes to which the funds raised under this Act shall be applied.
Application of taxes and moneys received for supply of water.
114. Contribution to other local authorities.
115. Objects not provided for by this Act.
116. Exemption from this chapter.

1. Education.

117. The Municipal Council to make provision for the public instruction of children.
118—
(i) by maintaining schools.
(ii) or by grants-in-aid.
(iii) or by contributions.
119. And may maintain or aid schools where admission is free to a class or classes.
120. The Governor in Council may direct that aid be given to a school intended for a particular class.
121. The standard of public instruction to be provided by the Municipal Council.
122. (1) The Municipal Council shall levy fees in such schools, and may pay the fee for any child;
but shall not name the school to which the child shall go.
(2) The proceeds of fees shall be spent on schools.
123. The Municipal Council may aid the construction of buildings for other schools.
124. And may provide for other educational matters.

2. Medical

2. Medical Relief.

Sections.
125. (1) Provision of hospitals and dispensaries.
(2) Municipal Council not bound to provide if sufficient provision already made.
126. Such hospital or dispensary to be supplied with medicines, &c.
127. (1) Persons other than paupers may obtain treatment.
(2) Employment of medical officer.
128. Treatment of strangers.

3. Vaccination.

129. Provision for vaccination.
130. Licensed vaccinators.
131. No fee to be charged for vaccination by any public vaccinator or for certificate.
132. (1) Certificate of vaccination.
(2) Certificate when child is insusceptible of vaccination.

Compulsory Vaccination.

133. (1) Obligation on Council every district vaccination area to make.
(2) Municipal Council to publish Act and declare it compulsory.
134. Unprotected child to be vaccinated.
135. (1) Vaccination to declare successful or unsuccessful.
(2) Procedure when child is unfit for vaccination.
Renewal of postponement certificate.
136. Vaccinator to vaccinate child.
137. (1) Inspection after vaccination.
(2) Procedure when vaccination is successful.
(3) Procedure when vaccination is unsuccessful.
(4) Certificate of insusceptibility.
138. (1) Notice to parent or guardian of unprotected child, &c.
(2) If notice is disobeyed, Magistrate to direct obedience.
(3) Person disobeying order, liable to penalty.
139. Provision as to person who does not appear in public.
140. Penalty for signing a certificate by unlicensed vaccinator.
141. Penalty for signing a false certificate.
142. Prohibition of inoculation.
Inoculated persons not allowed to enter any town or local area subject to this Act.

4. Water-supply.

143. (1) The Municipal Council to provide water-supply.
(2) Public tanks, &c., to be under the control of the Municipal Council.
(3) Governor in Council may limit such control.
144. (1) Construction of new works.
(2) Maintenance of existing works for supply of water.
Works may be closed and others substituted.
145. Powers of the Municipal Council when constructing drains, aqueducts, &c., without the Municipality.
146. (1) Powers

Sections.

146. (1) Powers of Municipal Council in laying down pipes.
(2) Notice to owner of private property and compensation for damage with it.
147. (1) Municipal Council may arrange for supply of water for domestic purposes,
(2) and may limit the same.
(3) Chairman may contract to supply water for other than domestic purposes.
(4) Cost of supply works to be borne by owner or occupier.
(5) What are not domestic purposes.
148. (1) Power to enter premises.
(2) If obstructed, Chairman may stop water.
149. Penalty for waste or misuse of water.
150. (1) Penalty for trespassing on channel land, &c.
(2) Penalty for refusing to leave land, &c., trespassed upon.
151. (1) Damaging works.
(2) Diverting water.
Penalty.

(*a*) *Fouling of Water.*

152. Water fouled by offensive trades.
Penalty.
153. (1) Municipal Council may examine pipes.
(2) If water fouled, expenses of examination to fall on owners.
(3) If water not fouled, expenses to be paid by Municipal Council.
154. (1) Municipal Council may set apart water for drinking.
(2) and for bathing, for washing animals or clothes, &c.
155. (1) Penalty for fouling drinking water.
(ii) Washing animals or offensive things, &c.
(iii) Throwing in rubbish, &c.
(iv) Allowing drain-water or offensive liquid matter to flow.

(*b*) *Private Wells.*

156. (1) Power to require private wells, &c., to be cleansed,
(2) or closed if unfit for drinking.

3. Streets.

157. (1) Maintenance and repair of streets.
(2) Foot-ways.
158. (1) Power to make and improve streets and close them, &c.
(2) Power to take land adjoining new streets for building purposes.
159. Municipal Council may permanently close any street, &c.
160. Interference with public streets, &c.

New Streets.

161. (1) Private persons laying out new streets to give notice.
(2) Notice to be accompanied by plan.
(3) Subject to approval of the Municipal Council.
162. Paving, &c., of private streets.

Sections.

163. (1) Such private streets may, on the requisition of the owners, be declared to be public streets.
(2) other private streets may be declared to be public streets.
164. Buildings may be set forward for improving line of streets.
165. (1) Buildings projecting beyond line of street to be set back.
(2) Compensation to owners of such buildings.
166. (1) Owners and occupiers to construct culverts.
(2) Troughs and pipes to be fixed to buildings.
(3) External walls to be kept in proper repair.

Projections and Obstructions.

167. (1) Obstructions not to be made without permission.
(2) Certain projections to allow doors, &c., opening outwards.
168. (1) Removal of existing projections, &c.
(2) Notice of removal.
(3) Compensation when to be made.
169. (1) Owner and occupier to apply for license to put up verandah, &c.
(2) Municipal Council may grant licenses.
170. Permissibility of temporary erections on occasions of festivals, &c.
171. Licenses to be obtained and hoarding to be set up during repairs.
To cease to be lighted during night.
172. (1) Precaution against accidents.
Pipes to be erected across streets during repairs.
(2) To be lighted and guarded at night.
(3) Penalty for removing bar or light.
173. Refuse likely to be deposited in streets, not hole made.

Names of Streets.

174. (1) Names of streets.
(2) Penalty for defacing, &c.

Watering and Lighting Streets.

175. (1) Streets may be watered,
(2) and lighted.

Fences and Hedges.

176. Power to call on owner to maintain fences, or trim hedges and trees.

6. Buildings.

177. Power to erect buildings on vacant ground.
178. Power to erect or affix to buildings, brackets, &c.
179. Roofs and external walls of buildings not to be made of inflammable materials.
180. (1) Application to be made if new building is to be erected.
(2)—
(i) Statement of dimensions and level of foundation of floor.
(ii) Statement of means of ventilation, drainage, and privies.

Section.
(3) Approval or disapproval to be signified within one month.
(4) In case of disapproval, Municipal Council to state their views.
(5) If no approval or disapproval in one month, building to proceed.
181. Municipal Council to interfere if building dangerous to human life.

Numbers on Houses.

182. (1) Numbers on buildings.
(2) Penalty for defacing.

Repairs or Dangerous Buildings and Dangerous Places.

183. (1) Buildings, &c., in a ruinous and dangerous state to be fenced.
(2) Notice to owner or occupier to take down or secure.
184. Power to secure, enclose, &c., dangerous buildings and lands.
185. Dangerous places to be regulated or enclosed.

Unwholesome Burrows or Earth.

186. (1) Penalty for filthy building or land.
(2) Power to enter and order cleansing of buildings.

Removal of Nuisances.

187. (1) Power of Municipal Council in case of over-crowded buildings, &c.
Notice to be affixed requiring owner to execute works or take action.
(2) Municipal Council to cause works to be performed at expense of owners, or buildings to be pulled down.
(3) Compensation in respect of buildings pulled down.

7. Offensive and Dangerous Trades.

188. (1)—
(i) License for offensive or dangerous trades.
(ii) License to keep stables, cart-stand, yard for cattle, &c.
(iii) For timber, firewood, and hay depots.
(iv) To be applied for on the direction of the Municipal Council.
Proviso.
(2) Chairman may grant or withhold licenses.
(3) Appeal.
189. Penalty for using place without license.
190. Cart-stands.

8. Slaughter-houses.

191. (1) Municipal Council to provide slaughter-houses.
(2) Slaughter-houses and butchers' shops to be licensed.
(3) License to be issued for slaughter and fees charged.
(4) Festivals.
192. Penalty for slaughtering except at a slaughter-house or drying skins so as to cause nuisance.
193. Government places exempted.

9. Public

9. Public Markets.

Section.
194. (1) Municipal Council may provide markets and charge rents and fees.
(2) Municipal Council may close markets.
(3) Power to expel persons breaking regulations, and determine lease.
195. Penalty for selling in market without permission.

Private Markets.

196. (1) Application for opening a new private market.
(2) Municipal Council may refuse license.
(3) Notice of license to be affixed, &c.
197. Penalty for selling in unauthorized market.
198. (1) Owner to apply for license yearly.
(2) Municipal Council may grant or refuse license.
Notice of refusal.
199. Penalty where license has been refused.
200. Markets to be properly drained, &c.
201. (1) Penalty for default.
(2) Penalty for not keeping market properly, or for not abating nuisance, or for obstructing.
202. Power to close market.
203. (1) Municipal Council may prohibit sale in street.
204. (1) Municipal Council may enter and inspect places of sale or store and examine articles of food or drink.
(2) Such articles if unwholesome may be detained.
(3) Magistrate may order the same to be destroyed.
(4) Magistrate may return articles if in good condition, and order compensation for loss, &c.
205. Inspection of weights and measures.

10. Public Latrines.

206. (1) Latrines and urinals to be provided.
(2) Licensing of public latrines.

Private Latrines.

207. (1) Latrines for private houses.
(2) To be enclosed.
208. Latrines, &c., for labourers.
209. Private scavengering.

11. Drains.

210. (1) Drainage works to be constructed under the direction of the Municipal Council.
(2) Powers of Municipal Council in making public sewers.
(3) Notice to owner of private property, and compensation for injury thereto.
(4) Municipal Council may maintain, repair, alter, or close sewers.
211. Making drains.

SECTIONS.
212. Buildings over sewers, &c., not to be erected without consent of the Municipal Council.
213. Construction of drains.
214. (1) Branch drains, privies, &c., to be under control of Municipal Council and to be kept in order at cost of owners.
(2) Municipal Council may require owners to repair, &c., any drain or privy.
215. (1) When expense of inspection to be borne by owner.
(2) When such expense to be borne by Municipal Council.

12. GENERAL SANITARY REGULATIONS.

216. Cleansing of streets.
217. (1) Providing places for the deposit of dirt, &c.
(2) Penalty for deposit elsewhere.
218. (1) Providing covered vehicles for removal of night-soil, &c.
(ii) Depôt for deposit of the above.
(2) Penalty for deposit elsewhere.
(3) Penalty for deposit of matter other than those referred to.
(3) No penalty for mixing dry earth.
219. Provision of receptacles for temporary deposit of filth in houses.
220. (1) Notification of time when such receptacles should be in readiness for removal of contents.
(2) Penalty for default.
(3) No penalty for mixing dry earth.
221. (1) Penalty for keeping filth for more than twenty-four hours, &c.
222. Penalty for allowing sewage to flow in streets.
223. Penalty for using any cart without cover in the removal of night-soil, &c.
224. Penalty for throwing rubbish, &c., into sewers or drains.
225. Nuisance by child.

13. MISCELLANEOUS.

226. (1) Municipal Council may take steps to abate over-crowding of buildings.
(2) Penalty for neglect of Magistrate's order.
227. Power to cleanse or fill up stagnant pools, &c.
Proviso.
228. (1) Cleansing or filling up of tanks and wells.
(2) Draining off of stagnant water.
(3) Order may specify mode in which work to be done.
229. Person removing sand, &c., from public river, &c., without authority, liable to penalty.
230. (1) Stray pigs and dogs
(2) may be destroyed.

14. PREVENTION OF INFECTIOUS DISEASES.

231. (1) Chairman to have power of entry for purpose of preventing spread of disease.
(3) Disinfection of houses, &c.

232. (1) Places

SECTIONS.
232. (1) Places for washing.
(2) Infected articles may be destroyed.
(3) Penalty.
233. President may order removal of patients to hospitals.

15. BURIAL AND BURNING GROUNDS.

234. (1) Municipal Council to provide burial or burning grounds.
(2) Burial grounds, &c., outside Municipality to be governed by Act and bye-laws.
235. (1) Burial and burning grounds to be registered.
(2) If no owners, Municipal Council may register or close.
236. No burial or burning ground to be opened without license.
237. A book to be kept of places registered.
238. Penalty for contravening section.
239. Notice to be given to Municipal Council of burials, &c.
240. (1) If any burial or burning grounds are dangerous to health, and another convenient place is provided,
notice may issue not to bury or burn.
(2) Notice to be published.
(3) Penalty for burying, &c., contrary to notice.
241. (1) Depth of graves.
(2) Distance between graves.
(3) Re-opening graves.
(4) Exceptions.
(5) Cremation to be complete.
(6) Corpse, &c., to be buried.
(7) Corpse to be decently covered.
(8) Graves not to be on highway.
(9) Removal of corpse kept for dissection.
(10) Cremation to be licensed.

16. REGISTRATION OF BIRTHS AND DEATHS.

242. Municipal Council to keep register of births and deaths and appoint Registrars.
243. (1) Registrars to live in their districts.
(2) List of Registrars and their residences to be published.
244. Municipal Council to have Register books prepared and paged.
245. Registrar to inform himself of and register every birth and death.
246. (1) Information of birth to be given within three weeks.
(2) Information of death to be given.
247. (1) Where persons die in hospitals, Medical Officer in charge to send notice to Registrar.
(2) Persons performing funeral to give information.
248. (1) Persons giving information bound to mark the register.
(2) Fee may be given.
(3) Fees in case of persons born or dying in hospital, register complete on entry of Medical Officer's notice.
(4) Search of birth and death registers.

CHAPTER

CHAPTER V.

MISCELLANEOUS.

SECTIONS.
250. (1) Power of Governor in Council to frame forms and make rules.
(2) Rules, &c., until cancelled or altered to have the force of law.
251. (1) Annual estimate of expenditure to be submitted to the Governor in Council.
(2) Governor in Council to pass orders on estimate.
252. An annual report of Proceedings, &c., to be submitted.
253. Inspection of schools, &c., by Government officers.
254. Appointment of officers to superintend operations of Municipalities.
255. (1) Municipal Council empowered to make bye-laws.
(2) Infringement of bye-law.
(3) Confirmation of bye-laws.
(4) Bye-laws, until cancelled or altered to have the force of law.
(5) Bye-laws under Act III of 1871 to continue in force until abrogated.
256. (1) Publication of rules or bye-laws.
(2) Rules not to have effect until after three months.
257. Copies of Act, Rules, and Bye-laws to be sold at the Municipal office at cost price.
258. Acts of Municipal Council, &c., not to be invalidated by informalities.
259. Liability of Members for loss, waste or misapplication.
260. Penalty on Municipal Councillor, or servant, being interested in contracts made with Municipal Council.
261. No action to be brought against the Council or their officers until after one month's notice of cause of action.
262. (1) Assessment, &c., not to be impeached if Act substantially complied with.
(3) Distress not unlawful for want of form; special damage actionable.
263. Penalty for illegally doing any act without a license, &c.
264. (1) Penalty for omission to comply with notice.
(2) Municipal Council may execute the work.
(3) Expenses by whom to be paid.
(4) Materials found on property may be used.
265. (1) Power to demand payment of expenses from the occupier.
(2) Occupier not to be liable for more than the amount of rent due.
266. Occupier, in default of owner, may execute works, and deduct expenses from his rent.
267. (1) Fees for certain licenses.
(2) Rate to be fixed at a meeting.
268. Payments for unauthorized occupation of lands.
269. Recovery of fees, &c.
270. Surplus sale-proceeds.
271. (1) Service of bills, notices, &c.
(2) If place of abode be unknown, such notice shall be affixed on land, &c.
(3) Bill, &c., sent by post duly served.
(4) Period mentioned in notice to date from service of such notice.
272. (1) Owner to be proceeded against first, and in his absence the occupier.
(2) If occupier pays, entitled to recover from owner.

SECTIONS.
273. (1) Proceedings in case of occupier opposing execution of Act.
(2) Penalty.
(3) Owner absolved.
274. (1) Power to enter upon lands for the purposes of Act.
(2) Entry into zenana.
275. (1) Power of Municipal Council to enter on lands adjacent to works.
(2) Compensation for temporary occupation of land, or for injury thereto.
(3) Previous notice to owner or occupier.
276. Notice for setting apart public places.
277. (1) Penalty for obstructing persons employed by the Municipal Council in their duty.
(2) Penalty for removing or destroying notice.
278. Power to make compensation out of the Municipal Fund.
279. Acquisition of land under Act X of 1870.
280. Municipal Council may direct prosecutions for nuisance, or for enforcing penalties.
281. Powers to inspect of Municipal Council to be made good in addition to penalties.
282. Duty of officers to report offences to Municipal Council.
283. (1) Power to Police to arrest persons committing offences in their view.
(2) Penalty.
284. Penalty for omission to give information.
285. Illegal collection of taxes and tolls.
286. Prosecutions before Magistrate.
287. (1) Offender may be detained in custody, or compelled to give security, if fine, &c., be not forthwith paid.
(2) If no sufficient distress can be had, or there be not sufficient property whereupon the fine, &c., can be levied, the offender may be imprisoned.
(3) How fines and penalties are to be applied.
288. Prosecutions.
289. Delegation of powers by the Governor in Council.
290. Notifications to be published in District Gazettes.

SCHEDULES.

SCHEDULE A.—Tax on arts, professions, trades, and callings.
" B.—Vehicles with springs, palanquins, and animals liable to taxation, with the rates of taxation.
" C.—Form of application for License for Vehicles and Animals.
" D.—Maximum rates of Tolls payable on entering the Municipal limits.
" E.—Distress warrant.
" F.—Form of inventory and notice.
" G.—Table of fees payable on distraints under this Act.

MADRAS ACT No. IV OF 1884.

The Madras District Municipalities Act.

Whereas it is expedient to make better provision for the organization and administration of District Municipalities in the Presidency of Fort St. George, for the maintenance and improvement thereof, for the diffusion of education therein, and for other objects of public utility calculated to promote the health, comfort and convenience of the inhabitants of the said Municipalities; It is hereby enacted as follows:—

CHAPTER I.

Preliminary.

1. (1) This Act may be called the Madras District Municipalities Act, 1884.

(2) It extends to the territories for the time being administered by the Governor in Council of Fort St. George, and situated beyond the limits of the City of Madras, as defined by the said Governor in Council under the City of Madras Municipal Act, 1878, or other law in force for the time being.

2. Section 5 of the Madras Towns Improvement Act, 1871, is hereby repealed.

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

(i) "Municipality" means any town, village, hamlet, suburb, harbour, station or other local area, or any number of the same, which may be declared to be a Municipality in the manner hereinafter provided.

"Municipality."

(ii) "The Municipal Council" means the body of persons constituted under this Act for each Municipality.

"The Municipal Council."

(iii) "Inhabitant" means any person who shall have been ordinarily residing in any Municipality for a period of six months or upwards.

"Inhabitant."

(iv) "Section" means a section of this Act.

"Section."

(v) "Notice" means a written, printed or lithographed notice.

"Notice."

(vi) "Writing" includes print and "written" includes printing.

"Writing."

(vii) "Street" means any road, street, square, court, alley or passage, whether a thoroughfare or not, over which the public have a right of way, together with the land (not being private property), whether covered or not by any pavement, verandah or other erection which lies between the roadway and the main wall of any house adjacent thereto, and also the roadway over any public bridge or causeway.

"Street."

(viii) "Public

(viii) "Public street" means any street which now is a public street or may hereafter be declared to be a public street in manner hereinafter provided.

"Public street."

(ix) "Building" means any house, hut, shed, or roofed enclosure, whether used for the purpose of a human habitation or otherwise, and also any wall.

"Building."

(x) "Salary" means pay and acting pay, or payment by way of commission, but not allowances for house-rent, carriage hire, or travelling expenses.

"Salary."

(xi) "Official year" means the year beginning on the first day of April, or such other date as may hereafter be fixed by the Governor in Council by Notification.

"Official year."

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

"Schedule."

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

"Owner."

(xiv) "Hack-stable" means any place where a horse is ordinarily kept for hire.

"Hack-stable."

(xv) "Horse" includes pony and mule.

"Horse."

(xvi) "Magistrate" means a Magistrate appointed under "Act X of 1882," or any law for the time being in force relating to the Courts of Magistracy.

"Magistrate."

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

"Parent."

(xviii) "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."

(xix) "Vaccinator" means a public or private vaccinator.

"Public Vaccinator."

(1) "Public Vaccinator" means any vaccinator employed, under this Act, by a Municipal Council.

"Private Vaccinator."

(2) "Private Vaccinator" means any person licensed by the Governor in Council to perform the operation of vaccination.

(xx) "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, and who has not been certified in the manner hereinafter provided to be insusceptible of vaccination.

"Unprotected child."

(xxi) "Inoculation"

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

(xxii) "Nuisance" means any act, omission or thing causing or likely to cause injury, annoyance, offence, harm, danger, or damage to the sense of sight, smell, or hearing, or which is, or is likely to be, dangerous or injurious to health or property. "Nuisance."

(xxiii) "Bake-house" means any place used for baking bread, biscuits or confectionery, from the baking or selling of which profit is sought. "Bake-house."

(xxiv) "Latrine" includes privy. "Latrine."

(xxv) "Market" means any place ordinarily used for the sale of meat, fish, fruit, vegetables or other perishable articles of food for human consumption, which is, at the passing of this Act, a licensed market, or which may hereafter be declared by the Municipal Council to be a market. "Market."

(xxvi) "Public market" means any market constructed, repaired or maintained out of the Municipal fund. "Public market."

(xxvii) Words importing the masculine gender shall be taken to include females. "Gender."

(xxviii) Words in the singular shall include the plural and *vice versâ*. "Number."

(xxix) "Person" shall include any company or association, or body of individuals, whether incorporated or not. "Person."

Extension of Act.

4. (1) For the purposes of this Act the Governor in Council may, by Notification from time to time, declare any town, village, hamlet, suburb, bazaar, station or other local area, or any number of the same, to be a Municipality.

Withdrawal of Act.

(2) The Governor in Council may, at any time, in like manner cancel such declaration and dissolve the Municipal Council and pass such orders, as he may deem fit as to the disposal of the property therefore vested in such Municipal Council.

Commencement of Act.

5. This Act shall come into force in any Municipality on such date as may be specified in the Notification mentioned in Section 4, Sub-section (1).

Effects of Municipal Council coming into existence in any town as defined in Act III of 1871.

6. On this Act coming into force in any Municipality which comprises within its limits any town as defined in the Towns Improvement Act, 1871, the following consequences shall ensue:—

(i) The provisions of this Act shall become applicable to such Municipality, and the Towns Improvement Act, 1871, shall cease to apply;

(ii) The Commissioners appointed under the said Towns Improvement Act, and holding office at the time, shall be deemed to have been appointed Municipal Councillors under this Act, but shall vacate their office on the expiry of the term for which they were originally appointed;

(iii) All property vested in the said Town Commissioners shall vest in the Municipal Council established for such Municipality to be held 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; and

(iv) Every contract entered into by the said Commissioners may be enforced by and against the said Municipal Council in like manner as it might have been enforced by and against the said Commissioners if this Act had not been in force.

(v) The Municipal Council shall be substituted for the said Commissioners in all suits or other proceedings pending by or against them at the time this Act comes into force.

Reference to prior Acts.

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 Towns Improvement Acts, 1865, or the Towns Improvement 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.

I. Municipal Councils and their Constitution.

Establishment of a Municipal Council.

8. There shall be constituted for each Municipality a Municipal Council, having authority over such Municipality and consisting of not less than twelve persons, who shall be called Municipal Councillors.

Revenue Officer in charge of the Division to be an ex-officio Municipal Councillor.

9. The Revenue Officer in charge of the Division of the District wherein any Municipality is situated shall *ex-officio* be a Municipal Councillor of such Municipality.

Other Municipal Councillors how appointed.

10. The other Municipal Councillors may be

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

(*b*) partly so appointed, and partly appointed by election by the tax-payers and inhabitants of the Municipality or of a part thereof subject to such rules and conditions as may from time to time be prescribed by the Governor in Council.

Proportion of officials and non-officials.

11. Any person holding a salaried office under Government in the district in which any Municipality is situated may be appointed to be a Municipal Councillor of such Municipality.

Provided that the number of such persons appointed by the Governor in Council to be Municipal Councillors of any Municipality shall together with the *ex-officio* Municipal Councillor not exceed one-fourth of the number of Municipal Councillors for such Municipality.

Proportion of Municipal Councillors appointed by election.

12. In any Municipality, where the Municipal Councillors are partly appointed by election, the number of the persons so appointed shall, unless the Governor in Council otherwise directs, be three-fourths of the whole number of the Municipal Councillors.

13. Upon

Governor in Council to declare what the maximum number of Municipal Councillors is to be, &c.

13. Upon this Act coming into force in any Municipality the Governor in Council shall, by Notification, declare—

(i) what shall be the maximum number of Municipal Councillors to be appointed for the time being for such Municipality;

(ii) what shall be the number or proportion, if any, of Municipal Councillors to be appointed by election in such Municipality or in a part thereof;

(iii) and whether the Chairman shall be appointed by the Governor in Council or by election.

He may cancel or modify such declaration.

Provided that the Governor in Council may, by Notification from time to time, cancel or modify such declaration.

Governor in Council shall appoint Chairman,

or may authorize his election.

14. Unless the Governor in Council appoints one of the Municipal Councillors to be the Chairman of the Municipal Council, the Municipal Councillors shall appoint their Chairman 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 the Governor in Council.

The Revenue Officer in charge of the Division to assume charge of the office of Chairman in case of removal, resignation, or death of Chairman.

15. In any Municipality where the office of Chairman becomes vacant, by the removal, resignation or death of a Chairman, the Revenue Officer in charge of the Division of the District, wherein such Municipality is situated, shall assume charge of the office of Chairman, and shall discharge the duties of the same until a Chairman is duly appointed in the place of the removed, resigning, or deceased Chairman.

Remuneration of Municipal Councillor.

16. No Chairman or Municipal Councillor shall receive any salary or other remuneration from the Municipal Fund unless the payment of such salary or other remuneration shall have been sanctioned by the Municipal Council with the approval of the Governor in Council.

Term of office of Municipal Councillor.

17. (1) Any person appointed, as aforesaid, to be a Municipal Councillor shall continue in office for three years, and shall then cease to be a Municipal Councillor; and any Municipal Councillor appointed to be Chairman shall be deemed to have vacated such office on his ceasing to be a Municipal Councillor or upon the cancellation of the authority under which such Chairman shall have been appointed.

Outgoing "[illegible]" Municipal Councillor eligible for re-appointment.

(2) But any outgoing Chairman or Municipal Councillor shall, if otherwise qualified, be eligible for re-appointment.

Resignation of Municipal Councillor.

18. (1) Any person appointed, as aforesaid, to be Chairman or Municipal Councillor may tender his resignation to the Governor in Council, and on such resignation being accepted he shall be deemed to have vacated his office.

Government servant who is Municipal Councillor.

(2) Any person holding a salaried office under Government who is a Municipal Councillor of any Municipality shall, on being transferred from the District or Division wherein such Municipality is situated, be deemed to have vacated his office of Municipal Councillor.

Removal of Municipal Councillor.

19. (1) The Governor in Council may at any time remove any Chairman or Municipal Councillor—

(i) if he 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

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 Municipal Councillor;

(ii) if he, without an 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 Municipal Council;

(iii) if his continuance in office is, in the opinion of the Governor in Council, dangerous to the public peace or order.

(2) The Governor in Council may prescribe a period during which such Chairman or Municipal Councillor so removed shall not be eligible for re-appointment or re-election.

20. When the office of Chairman or Municipal Councillor, appointed under this Act, becomes vacant by resignation, removal or death, a new Chairman or Municipal Councillor shall, unless the Governor in Council otherwise directs, be appointed in the same manner in which his predecessor was appointed.

21. Every Municipal Council shall be a body corporate by the name of the Municipal Council of its Municipality, shall have perpetual succession and a common seal, with power to hold and acquire property, both movable and immovable, and, subject to the restrictions hereinafter contained, to transfer any property held by it, and to contract and, to do all other things necessary for the purposes of its constitution, and may sue and be sued in its corporate name.

2. Municipal Property and Municipal Fund.

22. (1) The Governor in Council may, from time to time, by Notification direct that any property, movable or immovable, which is vested in Her Majesty and is situate in the territories administered by the Governor in Council, shall vest in any Municipal Council; and thereupon such property shall vest in that Municipal Council 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.

(2) The Governor in Council may in like manner at any time cancel such notification and pass such orders as to the disposal of such property as he may deem fit.

23. All public streets in any Municipality, and the pavements, stones, and other materials thereof, and also all erections, materials, implements, and other things provided for such streets, shall vest in, and belong to, the Municipal Council. But it shall be competent to the Governor in Council from time to time, by Notification, to exclude any street from the operation of this Act, and to modify or cancel such notification.

24. (1) All sewers, drains, drainage works, tunnels, and culverts in, alongside or under the streets, in any Municipality, whether made at the cost of the Municipal Council or otherwise, and all works, materials, and things appertaining thereto, shall vest in, and belong to, the Municipal Council.

(2) All rubbish, sewage, filth, and other matters collected under this Act shall vest in, and belong to, the Municipal Council.

(3) But

2. MODE OF TRANSACTING BUSINESS.

Municipal Council to have an office.

29. (1) The Municipal Council shall provide an office and shall meet for the transaction of business at least once in every month, upon such days and at such times as they may arrange, and also at other times as often as a Meeting shall be called by the Chairman.

Chairman to convene a Meeting on requisition.

Matters to be stated.

(2) The Chairman shall, at any time on the requisition in writing, of not less than one-third of the whole number of Municipal Councillors, convene a Meeting of the Municipal Council, provided that no such Meeting shall be held unless a notice of the Meeting specifying the day and time when, and the purpose for which it is to be held, has been given at least six days previous to the day of such Meeting.

Who to preside at Meetings.

30. (1) At every Meeting of the Municipal Council the Chairman shall preside, in the absence from any Meeting of the Chairman, the Municipal Councillors present at the Meeting shall choose some one of their number to preside thereat.

Decision by majority. Casting vote.

(2) All questions which may come before the Municipal Council at any Meeting shall be decided by a majority, and in every case of equality of votes, the Chairman or the presiding Municipal Councillor shall have a second or casting vote.

Certain officers to attend meetings.

(3) The Civil Surgeon of the District, the Executive Engineer of the Division and the Inspector of Schools of the Circle, when such officer is not a Municipal Councillor, may, with the previous sanction of the Chairman, attend any Meeting of the Municipal Council and address the Council on any matter affecting respectively sanitation, public works and public instruction.

Quorum.

(4) No business shall be transacted at a Meeting unless at least one-third of the whole number of the Municipal Councillors be present.

Resolutions not to be modified within three months.

(5) No resolution of the Municipal Council shall be modified or cancelled within three months after the passing thereof except by a resolution of the Municipal Council supported by not less than one-half of the whole number of such Municipal Councillors.

Minutes of proceedings to be kept.

31. (1) Minutes of the resolutions of the Municipal Council 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 Chairman or the Municipal Councillor who presided at such Meeting, or, in his absence, by some one of the Municipal Councillors present thereat; and the said Minutes shall, at all reasonable times and without charge, be open at the Municipal Office to the inspection of any person who pays any fee under this Act in the Municipality.

Copies of Minutes to be forwarded to Collector.

(2) Within three days of the date of the Meeting, a copy of the Minutes or the resolutions of each Meeting shall be forwarded by the Municipal Council to the Revenue Officer in charge of the Division of the District wherein the Municipality is situated, for publication, at the cost of the Municipal Fund, in the District Gazette, in English and in a Vernacular language of the district.

32. (1) The

32. (1) The resolutions of the Municipal Council shall be carried into effect by the Chairman, to whom the entire executive power of the Municipal Council shall be entrusted, and who shall be directly responsible for the due fulfilment of the purposes of this Act.

(2) Any Chairman with the previous consent of the Municipal Council may, on his own responsibility, from time to time authorize any Municipal Councillor by an order in writing to exercise any of the powers conferred on such Chairman by this Act, and such Councillor shall exercise such powers accordingly.

(3) It shall not be lawful for the Chairman to exercise any power which, according to these Acts and rules, is required to be exercised by the Municipal Council at a meeting.

33. (1) If at any time it appears to the Collector of the District that any Chairman has made default in carrying out any resolution of the Municipal Council, the Collector may by notice in writing require such Chairman to carry out such resolution within a reasonable time to be specified in such notice and because of such Chairman's failure to comply with such notice, assume the execution of such resolution and pass all necessary orders accordingly.

(2) Any Collector taking action under sub-section (1) shall report his proceedings for the orders of the Governor in Council, and the Municipal Council for their information, and the Governor in Council may thereupon do such things as he may think fit.

34. (1) The Collector of the District shall be entitled at all reasonable times—

(i) to enter on and inspect, or cause to be entered on and inspected, any immoveable property or any work in progress under the control of any Municipal Council;

(ii) call for and inspect any document in the possession or under the control of any Municipal Council;

(iii) require such Municipal Council to furnish such statements, returns, reports and copies of documents relating to their proceedings as the Collector may think fit to call for; and

(iv) record in writing, for the consideration of any Municipal Council, observations he may think proper in regard to their proceedings or duties.

(2) The Governor in Council may by notification cancel, modify or withdraw any power of any public officer to control any act of a Municipal Council or of a Collector under this section, and may in like manner modify or withdraw such notification.

35. (1) The Governor in Council or the Collector of the District may, by order in writing, suspend the execution of any resolution or order of a Municipal Council or cancel such resolution or order, 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, order or act is in excess of the powers conferred by this Act, or the execution of the resolution or order, or the doing of such act, is likely to cause injury

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.

(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 Governor in Council, and the Municipal Council. The Governor in Council may thereupon rescind the order or direct that it continues in force with or without modification, permanently or for such period, as he thinks fit.

36. (1) In cases of emergency, the Revenue Officer in charge of the Division of a District in which any Municipality is situated may provide for the execution of any work, or the doing of any act, which the Municipal Council 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 Municipal Council.

(2) If the expense is not so paid, such Revenue Officer may make an order directing the person having the custody of the Municipal Fund to pay the same in priority to any other charges against such fund. Such person shall, as far as the funds to the credit of the Municipality admit, be bound to comply with such order.

(3) Such Revenue Officer shall forthwith report to the Governor in Council through the Collector of the District every case in which he uses the powers conferred upon him by this section.

37. (1) If at any time it appears to the Governor in Council that a Municipal Council has made default in performing any duty imposed on it 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.

(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 Municipal Council.

(3) If the expense be 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 Municipal Fund to pay the same in priority to any other charges against such fund. Such person shall, so far as the funds to the credit of the Municipality admit, be bound to comply with such order.

38. Every Municipal Council at a Meeting 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:—

(i) the time and place of their 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 Municipal Council;

(v) the appointment and procedure of Committees consisting wholly of a certain number of Municipal Councillors, or partly of such Municipal Councillors and partly of other inhabitants of the Municipality for the superintendence and management of educational institutions, hospitals, dispensaries, choultries or other institutions maintained by the Municipal Council;

(vi) the persons by whom receipts may be granted for money paid to the Municipal Council; and

(vii) all other similar matters.

4. MUNICIPAL SERVANTS.

39. The Municipal Council shall at their first Meeting, and may from time to time thereafter at a Meeting, fix the number and salaries of all such permanent servants, as they may think necessary and proper to assist in carrying out the purposes of this Act, and shall submit a statement of their proposals for the sanction of the Governor in Council in such form as he may from time to time prescribe, and he shall pass such orders thereon as he may deem fit; provided that in any Municipality where the Towns Improvement Act, 1871, shall have been in force at the time of the coming into operation of this Act, the servants holding office under the said Act shall be deemed to have been appointed under this Act.

40. (1) The Governor in Council may, on the application of any Municipal Council, place the services of any Government servant at their disposal to be employed by them for the purposes of this Act. The Municipal Council shall pay any Government servant so employed the salary he may be entitled to receive under the rules in that behalf in force for the time being.

(2) If such servants obtain employment under the Municipal Council on the abolition of their appointments, the Governor in Council shall recommend for the grant of such pension as may be payable under the rules in force for the time being.

(3) No Government servant employed by the Municipal Council shall be dismissed from such employment without the sanction of the Governor in Council or until three months' notice in writing to that effect shall have been given to the chief controlling authority of the branch of the Government service to which such servant belongs.

(4) No Government servant employed under the Municipal Council shall, except in cases of emergency, be withdrawn from the service of the Municipal Council, without their consent, unless and until the Governor in Council shall have given three months' notice in writing to that effect to the Municipal Council.

41. Every Municipal servant, every contractor or agent, to whom the collection of any tax, toll, or other sum due to the Municipal Council is entrusted, and every person employed in the collection of such tax, toll, or sum shall be deemed to be a public servant within the meaning of the Indian Penal Code.

42. (1) The

42. (1) The Chairman 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 may also appoint such temporary servants as may be required for the purposes of this Act in cases of emergency, and shall pay such permanent and temporary servants from the Municipal Fund the salaries that may be fixed for them in the manner aforesaid or as the emergency may require.

(2) The Chairman may, subject to the provision in Section 40, Sub-section (3), and to such control as may from time to time be prescribed by the Governor in Council, fine, suspend, or dismiss any of such persons, and appoint others in their stead.

43. The Municipal Council at a Meeting 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 their servants:—

(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 Municipal Fund towards such Pension or Provident Fund.

5. MUNICIPAL CONTRACTS.

44. (1) A Municipal Council may delegate to one or more of its members the power of making, on its behalf, any contract whereof the value or amount does not exceed Rs. 200.

(2) In respect of a contract whereof the value or amount exceeds Rs. 200, the sanction of the Municipal Council for the making thereof shall be obtained at a Meeting before the same is made.

45. (1) Every contract made by or on behalf of a Municipal Council, whereof the value or amount exceeds Rs. 200, shall be in writing, and shall be signed by two Municipal Councillors, one of whom shall be the Chairman.

(2) A contract executed or made otherwise than in conformity with the provisions of this and the last preceding section shall not be binding on the Municipal Council.

46. No Municipal Councillor shall be personally liable in respect of any contract made, or for expense incurred, by or on behalf of the Municipal Council; but the funds from time to time in the hands of the Municipal Council shall be liable for, and chargeable with, all contracts and expenses duly made and incurred as aforesaid.

CHAPTER

CHAPTER III.

Taxes and Tolls, and rates on buildings.

Levy of taxes and tolls.

47. The taxes and tolls to be levied, for the purposes of this Act, shall be as follows :—

(i) A yearly tax on arts, professions, trades, and callings, and on offices and appointments, at the rates specified in Schedule A ;

(ii) A yearly tax on lands and buildings, not exceeding 7½ per centum on the annual value of such lands and buildings ;

(iii) A yearly water-tax on lands and buildings, not exceeding 4 per centum on the annual value of such lands and buildings ;

(iv) A half-yearly tax on vehicles with springs, palanquins and animals, at rates not exceeding those specified in Schedule B ;

(v) A half-yearly tax on carts and other vehicles without springs, at a rate not exceeding Rs. 2 for each half-year in respect of every such vehicle ; and

(vi) Tolls on vehicles and animals entering the Municipal limits, at rates not exceeding those specified in Schedule D :

Provided that the water-tax on lands and buildings shall be levied only to enable the Municipal Council to provide for the construction, maintenance, repairs, extension, improvement and other incidental expenses of water-works heretofore provided or hereafter to be provided, together with interest on any loan heretofore contracted for the construction of such works or which may hereafter be specially contracted for the said purposes.

Proviso as to water-tax.

Municipal Council may raise funds from any of above sources.

48. The Municipal Council at a Meeting may from time to time, with the approval of the Governor in Council, determine to raise the funds required for the purposes of this Act from all or any one or more of the above sources, at a rate or rates not exceeding those specified in the last preceding section.

Governor in Council may direct the levy of taxes,

49. If at any time it seems advisable to the Governor in Council that the funds required for the purposes of this Act shall be raised in any Municipality from all or any one or more of the above sources the Governor in Council may direct the Municipal Council of such Municipality to levy such taxes or tolls at any rate or rates, not exceeding the rates authorized by this Act, unless the Municipal Council shall show cause to the contrary.

unless the Municipal Council show cause to the contrary.

and may cancel or modify such direction.

fail 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 Municipality as if the levy of the same had been determined by the Municipal Council with the approval of the Governor in Council ; provided that it shall be competent to the Governor in Council from time to time to cancel or modify such direction.

Municipal Council to issue Notification intimating that tax, &c., will be levied.

50. When the Municipal Council shall have determined, with the approval of the Governor in Council, to levy any tax or tolls, they shall at once issue a Notification in the District Gazette and by beat of drum specifying the rate at which the tax or tolls are to be

levied and intimating to the inhabitants of the Municipality that such tax or tolls will be levied from a date to be specified in the Notification, and such tax or tolls shall be levied in the manner hereinafter provided until such time as the said Notification shall be modified or cancelled. Provided that the rates, taxes and tolls levied at the time this Act comes into force in any Municipality where the Towns' Improvement Act, 1871, shall theretofore have been in operation and the rates at which they are levied shall be deemed to be taxes and tolls, and the rates thereof determined and notified under Sections 48 and 50.

Tax, &c., to be levied until cancellation or Notification.

51. The Municipal Council at a Meeting may exempt, in whole or in part, from the payment of any tax under this Act, any person who has, in their opinion, become unable by reason of poverty to pay the same, and they may in like manner exempt, with the approval of the Governor in Council, any class of persons.

and may exempt persons unable to pay.

Lists of persons to be prepared and kept.

52. (1) The Chairman shall prepare and keep separate lists of the persons and property liable to the several taxes payable under this Act.

(2) Such lists shall be open at all reasonable times to the inspection of any tax-payer on payment of a fee not exceeding one anna.

Lists to be open to inspection.

1. Tax on Arts, Professions, Trades and Callings.

Payment of Profession-tax.

53. If the Municipal Council notify, under Section 50, that a tax on arts, professions, trades and callings, and on offices or appointments shall be levied, every person who within the Municipality exercises after the date specified in the said Notification, any one or more of the arts, professions, trades or callings, or holds any one or more of the offices or appointments specified in Schedule A, shall, subject to the provisions of Section 59, pay in respect thereof the sum specified in the said schedule as payable by persons of the class in which such person is placed.

Classing in proper class.

54. (1) The Chairman shall decide in which of the said classes such person ought to be placed.

Chairman may revise.

(2) The Chairman may from time to time revise such classification.

Tax to be paid half-yearly.

55. The sum payable under Section 53 shall be paid in two equal instalments, one for each half of the year ; the instalment payable in respect of each half of the year shall be payable by any person who has for sixty days reckoned consecutively or from time to time in such half-year, exercised such art, profession, trade or calling, or held any such office or appointment within the Municipality.

Notice of non-payment.

56. If in any half-year any person exercises any such art, profession, trade or calling, or holds any such office or appointment for sixty days without paying the sum due in respect of such half-year, the Chairman may serve upon such person a notice to pay such sum within fifteen days from the date of such service.

57. (1) The

Chairman to grant receipt.

Receipt to specify date, name, &c.

57. (1) The Chairman shall give every person making a payment under Section 53 a receipt for the same, signed by the Chairman or by some officer duly authorized by him in that behalf.

(2) Such receipt shall specify—

(i) the date of the grant thereof,

(ii) the name of the person to whom the receipt is granted,

(iii) the art, profession, trade, calling, office or appointment, in respect of which the payment has been made,

(iv) the period for which it has been made, and

(v) the sum paid in respect thereof.

Every member of a firm or undivided Hindu family to be separately liable.

58. Every member of a firm or partnership, or of an undivided Hindu family, shall be personally and separately liable to the tax leviable under Section 53.

Persons coming under several designations chargeable under one only.

59. A person who carries on more arts, professions, trades or callings, or holds more offices or appointments than one, or comes under more than one of the designations or classes mentioned in Schedule A, shall be chargeable under any one of such designations or classes on his aggregate income from all such sources.

No liability for half-yearly tax in other than one Municipality.

60. No person shall be liable to the payment of the tax under Section 53, who shall prove that he has paid the tax for the same half-year in any other Municipality.

Power of Chairman to call on landlords or occupiers for list of persons liable to tax on arts, &c.

61. The Chairman may, by notice from time to time, require every owner or occupier of a building or of any land to forward to him, within a specified time, a list in writing, signed by him, of the names of all persons occupying such building or land and of their respective arts, professions, trades, callings, offices or appointments.

Power to require employers to furnish similar lists.

62. The Chairman may in like manner require every employer, or head or secretary of an office, whether public or private, or of a firm or company, to forward to him, within a specified time, a list in writing, signed by such employer, head or secretary, of the names of all persons employed by him, or in such office, firm or company, together with a statement of the respective salaries or incomes of such persons; and also to furnish such particulars relative to any Joint Stock Company of which such employer, head or secretary may be the agent, as may from time to time be required by the Chairman for the purposes of this Act.

2. Tax on Buildings and Lands.

Tax on buildings and lands.

Exceptions.

63. (1) If the Municipal Council notify, under Section 60, that an annual tax shall be levied on buildings and lands in the Municipality, the Chairman shall impose such tax at the rate specified in such Notification on all buildings and lands, excepting light-houses, public piers, wharves, jetties, public choultries, hospitals, dispensaries, buildings exclusively used for charitable purposes, places set apart for public worship and either actually so used or used for no other purpose, and burial and burning grounds.

Unappropriated lands.

(2) In the case of any lands unappropriated to any building, or occupied by native huts, the Chairman may, subject to the approval of the Municipal Council, impose such tax at an annual rate, not exceeding

exceeding Annas 4 for every eighty square yards of such lands, in lieu of the rate specified in the said Notification.

Property of less value than Rs. 6 a year to be exempted.

(3) The Chairman shall exempt from tax under this section any building or land, the annual value whereof is less than Rs. 6, if it be the owner's sole property liable to tax under this Act.

Tax payable in half-yearly instalments.

Instalment when due.

64. (1) The tax imposed under Section 63 shall be payable by the owners of the said buildings and lands, respectively, in two equal instalments.

(2) The instalment for each half-year shall be payable within 30 days after the commencement of such half-year.

Annual value of buildings and lands how to be ascertained.

65. (1) The gross annual rent at which a building or land might reasonably be expected to let from month to month or from year to year shall, for the purposes of assessment under this Act, be deemed to be the annual value of such building or land.

Value not to include machinery.

(2) The value of a building or land so estimated shall not include the value of any furniture or machinery therein or thereon.

Annual value, or amount of tax to be fixed by Chairman.

(3) The annual value at which property liable to tax under Section 63 is to be assessed, or the amount to be paid in respect of property liable under Sub-section 2 of the same section shall be fixed by the Chairman.

Annual assessment to be entered in a book.

Particulars to be shown in book.

66. (1) Such annual assessment shall be entered in a book or books to be kept at the Municipal Office.

(2) Such books shall show in distinct columns—

(i) the name of the owner of the property;

(ii) the name of the occupier;

(iii) the designation of the property sufficient to identify it;

(iv) the name of the division and street, if any, in which it is situated; number of the house, if any; and

(v) the amount of the tax assessed thereon.

Present assessment to be taken as made under this Act.

67. The annual assessment of property as set forth in the books existing at the date of the coming into operation of this Act in any Municipality where the Towns Improvement Act, 1871, shall have theretofore been in force, shall be taken to have been made under this Act, until the Municipal Council have caused a new assessment to be made.

Owner or occupier to be designated as such if name unknown.

68. When the name of the owner or occupier is not known, it shall be sufficient to designate him in the said books, and in any notice or other proceeding under this Act, as the "owner" or the "occupier" of the property on which the tax is assessed, without further description.

Public notice of assessment to be given.

69. (1) When the valuation and measurement and assessment have been completed, the Chairman shall cause public notice to be given, by beat of drum and by publication in the District Gazette, that such valuation and measurement and assessment have been completed, and shall

shall fix in such Notification a day, not being less than 30 days from the publication of such notice, when he will proceed to revise the said valuation and measurement and assessment; and in all cases in which any property is for the first time assessed, or in which the assessment of any property is increased, he shall give special notice thereof to the owner or occupier of such property.

Notice of case of certain assessments.

(2) Such special notice shall, in the case of an increased assessment, state the grounds of the increase.

If assessment increased, notice to state grounds.

70. The person in whose custody the assessment books are shall permit at all reasonable times—

Persons to be allowed to inspect assessment books.

(i) every person being the owner or occupier of property included therein, or the agent of such owner or occupier, without payment of any fee; and

(ii) every person, not being such owner or occupier, or the agent of such owner or occupier, on payment of a fee of 8 annas on each visit,

to inspect the books and to make extracts therefrom.

Amendment of assessment books.

71. (1) The Chairman may, at any time, amend the said books—

(i) by inserting therein the name of any person or any property liable to tax;

(ii) by striking out the name of any person or property not liable to the tax; or

(iii) by increasing or reducing the amount of the tax.

Notice of intended insertion of name of person or property.

(2) But no person's name or property shall be inserted nor shall any increase of assessment be made under the provisions of this section, unless notice of such intended insertion or increase has been served on such person, or on the owner or occupier of the property to which the same relates, not less than 30 days previous to a day to be specified in such notice as the day upon which such assessment will be revised by the Chairman.

Remission on account of vacant buildings.

72. (1) When any building has been vacant for 60 consecutive days in any half-year, the Chairman shall remit so much, not exceeding one-half of the tax due for that half-year, as is proportionate to the number of days during which such building has been vacant.

(2) 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, give notice of such vacancy to the Chairman.

Notice to be given of building newly built or rebuilt.

73. (1) When any building is built, rebuilt or enlarged, the owner shall give notice thereof to the Chairman within fifteen days from the date of completion of such building, rebuilding or enlargement, or from the date of occupation of such building, whichever date happens first.

Notice of demolition.

(2) When any building is demolished, the owner thereof shall give notice to the Chairman of the completion of such demolition; and until such notice is given, such owner shall be liable, at the discretion of the Chairman, to payment of all taxes which would have been leviable had such building not been demolished.

74. (1) The

74. (1) The Municipal Council shall not be bound to prepare new assessment books every year, but may adopt the valuation, measurement and assessment contained in the books for the last preceding year, with such alterations and amendments as they deem necessary.

New assessment books need not be prepared every year.

(2) But public notice of such valuation, measurement and assessment shall be given annually in the manner prescribed in Section 69, and the provisions of that and the two following sections shall be applicable to the said valuation, measurement and assessment, and to the book or books in which they are contained.

But public notice to be given.

3. Water-tax on Buildings and Lands.

75. (1) If the Municipal Council notify, under Section 50, that an annual water-tax shall be levied on buildings and lands, such tax, at the rate specified in such Notification, shall be assessed and be payable in the same manner and at the same times, and shall be subject to the same conditions, exceptions, and exemptions as the tax on buildings and lands.

Water-tax on buildings and lands.

Tax to be assessed and payable like tax on buildings and lands.

(2) The Governor-in-Council may, from time to time, by Notification exempt any part of a Municipality from the payment of the water-tax or any part thereof and may also in like manner, from time to time, cancel such exemption.

Power to exempt any part of a Municipality from water-tax.

76. If any person supplied with water neglects to pay the tax leviable under Section 75 at any time when it is due, the Chairman may stop the water from flowing into the premises in respect of which such tax is payable, by cutting off the pipe to such premises or by such other means as he thinks fit.

Water may be cut off on neglect to pay tax, and no person intervened.

4. Tax on Vehicles with Springs, Palanquins, and Animals.

77. (1) If the Municipal Council notify, under Section 50, that a half-yearly tax shall be levied on the vehicles and animals kept within the Municipality or let out for hire or used in the Municipality, the Chairman shall impose such tax at the rates specified in such Notification on the vehicles and animals mentioned in the said notification.

Tax on vehicles and animals. Payable half-yearly.

Provided that the Chairman may exempt from taxation under this section, any vehicle used solely for the conveyance of children.

(2) The amount payable for each half-year shall be payable by any person in whose possession or custody or control any such vehicle or animal may be found so soon as it has been for 30 days in such half-year kept or let out for hire or used within the Municipality.

After 30 days.

(3) No person by reason of transfer of ownership shall be liable under this section in respect of any vehicle or animal for which a license relating to the half-year in which ownership was transferred has already been given in the manner hereinafter provided in any Municipality.

Exceptions.

78. The tax payable under the preceding section shall not be imposed on—

(i) Gun carriages, ordnance carts or wagons, cavalry horses or any vehicle or animal belonging to the Government;

(ii) Vehicles and animals belonging to the Municipal Council;

(iii) Animals exempt from Municipal tax under Section 126 of "The Indian Volunteers Act, 1869;"

(iv) Vehicles and animals belonging to members of the Police Force and servants of the Municipality employed on outdoor duties, and exceeding one vehicle and two animals for each such member or servant; and

(v) Vehicles and animals kept solely for sale by hawkers and dealers, or vehicles and animals which have not, during the half-year, been used.

Chairman may compound with Livery Stable-keepers and others.

79. The Chairman may, subject to the approval of the Municipal Council, compound, for any period not exceeding one year, with Livery Stable-keepers and other persons keeping vehicles and animals for sale or hire, for a certain sum to be paid in respect of such vehicles and animals in lieu of the tax as specified in Schedule B.

Each form to be sent to persons liable to tax.

80. The Chairman or any officer authorized by him in that behalf shall send to every person supposed to be liable to the payment of the tax payable under Section 77, a general table in the form contained in Schedule G or to the like effect, to be filled up with such information regarding the vehicles and animals kept by him as the Chairman considers necessary for the assessment of the tax.

Form to be filled up and returned.

81. Such form shall be filled up with such information as required, and signed and dated, and returned within one week of the receipt by the Municipal Office by the person to whom it has been sent.

Chairman may add to persons liable to tax.

82. (1) If any person to whom a form has been sent under Section 80 omits to return the same duly filled up within one week of the receipt by him at the Municipal Office, the Chairman may send to such person a like form and require him to fill up, sign and return it to the Municipal Office within one week of the receipt by him of the same; and such person shall be liable to a fine not exceeding ten rupees.

(2) The Chairman may from time to time revise such list.

Chairman may add to or reduce assessment.

83. On receiving the amount of the tax payable in respect of any vehicle or animal, the Chairman, or some person duly authorized by him in that behalf, shall give to the person paying the same a license for such vehicle or animal for the period in respect of which the money has been received.

Licensed to produce license.

84. (1) Every person who has received such license shall, at all reasonable times during the said period, produce such license when required to do so by the Chairman or any person duly authorized or working by him to demand its production.

Penalty.

(2) Every person failing to comply with such requisition shall be liable to a fine not exceeding Rs. 5.

6. Tax on Carts and other Vehicles without springs.

Tax on carts, &c.

85. (1) If the Municipal Council notify, under Section 50, that a half-yearly tax shall be levied on carts and other wheeled vehicles without springs kept within the Municipality, or let out for hire or used within the Municipality, the Chairman shall impose such tax at the rate specified in such Notification on every such cart or other vehicle.

(2) Such

Register and numbering of carts, &c.

(2) Such carts and other vehicles shall be registered in the Municipal Office with the name and residence of the owner, and shall bear the number of such registration in such manner as the Municipal Council direct.

Registration half-yearly.

(3) The registration of carts and other vehicles shall be made and the numbers assigned half-yearly upon such days as the Chairman shall notify.

Exception.

(4) This section shall not apply to gun carriages, ordnance carts or wagons, or other such property of Government, or to conservancy carts or other vehicles belonging to the Municipal Council.

Person becoming possessed of vehicle to register.

86. (1) Any person owning or becoming possessed, within the limits of the Municipality, of any such cart or vehicle which has not been registered for the then current half-year shall, within fifteen days of so owning or becoming possessed, register the same; and the Chairman shall grant a certificate of registration in every such case on payment of the tax for the current half-year.

No person bound to register unless he has possessed it for fifteen days.

(2) But no person shall be bound under this section to register any cart or other vehicle which has been owned by him or has been in his possession for less than fifteen days in any half-year.

Register to be open to inspection.

87. The register of carts and other wheeled vehicles without springs shall be open to public inspection at all reasonable times on payment of a fee of two annas for each inspection.

Effect of omitting to keep number affixed.

88. Whoever omits to affix and to keep affixed to any such cart or other vehicle the registration number prescribed in Section 85 shall be deemed to have failed to register the same.

Unregistered cart, &c., liable to seizure.

89. The Chairman, or any person duly authorized by him in that behalf, may at any time seize and detain any cart or vehicle not registered as required by Section 85 provided the same be not employed at the time of seizure in the conveyance of any passengers or goods.

When cart may be sold.

90. If the cart or vehicle seized be not claimed within ten days from the date of seizure, such cart or vehicle may be sold by auction by order of the Chairman and the proceeds applied to the payment of any fine imposed under Section 111, the registration tax, and the costs and charges incurred on account of the seizure, detention and sale.

6. Tolls on Vehicles and Animals entering Municipal Limits.

Tolls on vehicles and animals entering Municipal limits.

91. (1) If the Municipal Council notify, under Section 50, that tolls shall be levied upon the vehicles and animals entering the Municipal limits, such tolls shall be levied at the rates mentioned in the Notification.

Chairman may compound with persons living outside Municipal limits.

(2) The Chairman may, subject to the approval of the Municipal Council, compound for any period not exceeding one year with persons living outside the Municipality for a sum to be paid in lieu of all tolls payable by them under the provisions of this Act, and shall issue licenses for the vehicles or animals of such persons.

(3) No

(2) If no such tender is made, the property may be sold, and the proceeds of such sale shall be applied in payment of such toll and the expenses incidental to the seizure, detention and sale.

7. Appeals.

97. An appeal from the decision or other proceedings of the Chairman in regard to the following matters shall lie to the Municipal Council :—

(i) any classification or revision under Section 54 ;

(ii) any valuation or assessment under Section 65, and any revision thereof under Section 71 ; and

(iii) any tax on any vehicle or animal demanded on behalf of the Municipal Council.

98. The appeal shall be made in writing, and shall set forth concisely and under distinct heads the grounds of objection to the decision or other proceedings appealed against and shall be heard and disposed of by the Municipal Council.

99. No such appeal shall be heard—

(1) unless it be presented at the Municipal Office within fifteen days

(a) from the date of the service of the notice under Section 56 in the case of a decision passed under Section 54 ;

(b) from the day specified under Section 69 or 71, in the case of proceedings under Section 65 or 71 ; and

(c) from the date of demand of the tax in the case of any tax on any vehicle or animal ; and

(ii) unless the tax assessed or demanded shall, (except when the Municipal Council otherwise direct), have been deposited with the Municipal Council on or before the day on which the appeal is presented.

100. In the event of the amount of any tax being decreased or remitted by the Municipal Council, the Chairman shall grant a refund accordingly.

101. The assessment or demand of any tax, when no appeal is made as hereinbefore provided, and the adjudication of an appeal by the Municipal Council shall be final.

8. Collection of Taxes.

102. (1) When any tax is due, the Chairman shall, prior to enforcing the provisions of Section 103, cause to be presented to, or served upon, the person liable to the payment thereof a bill or notice stating the sum due.

Provided that in the case of a tax under Section 53 or 77 the notice or bill given under Section 56 or 82 respectively, shall be deemed to be the bill or notice required to be presented or served under this section.

(2) Such

(2) Such bill or notice shall contain—

(i) a statement of the period and a description of the occupation, property or thing for which the tax is charged;

(ii) a notice of the liability incurred in default of payment; and

(iii) a notice of the time within which an appeal against such tax may be preferred.

Further procedure.

103. If such tax is not paid within fifteen days from the presentation or service of such bill or notice, and if the person from whom the tax is due has not shown cause to the satisfaction of the Chairman why the same should not be paid, the Chairman may proceed to recover the amount together with all costs in any of the following ways :—

(i) by distress and sale of the movable property of the defaulter, or if the defaulter be the occupier of any building or land, in respect of which such tax is due, by distress and sale of any property found in or on such building or land.

(ii) If the amount of such tax cannot be recovered by distress and sale of the movable property of the defaulter by presenting the defaulter before a Magistrate.

Nothing in this section shall preclude the Municipal Council from suing the defaulter for the tax before a Court of competent jurisdiction.

Form of warrant.

104. The warrant for distress and sale under Section 103 may be in the form contained in Schedule H or to the like effect.

Inventory and notice of sale.

105. The officer charged with the execution of a warrant of distress under Section 103 shall make an inventory of the property seized under such warrant, and shall, at the same time, give a notice in the form contained in Schedule I or to the like effect to the person in possession thereof at the time of the seizure, informing him that the said property will be sold as therein mentioned.

Conditions of distress and sale.

106. Whenever under the provisions of this chapter 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 conditions, exceptions and exemptions hereinafter provided.

Exceptions.

(i) The following property shall not be liable to distraint :—

(a) the necessary wearing apparel 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 as may, in the opinion of the person making the distraint, be necessary to enable the defaulter to earn his livelihood.

Limit.

(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.

Sale of property seized.

107. (1) If the sum due by the defaulter together with all costs mentioned in the warrant, distress, and detention of the property is not paid within the time mentioned in the notice, and if the warrant is not suspended by the Chairman, the property seized or a sufficient portion thereof shall be sold by public auction under the orders of the Chairman, who shall apply the proceeds,

or such part thereof as may be necessary, in payment of the sum due, together with all expenses incidental to the warrant, distress, detention and sale.

Perishable property.

(2) 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 Chairman 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.

Fees on distraints.

108. (i) Fees shall be payable upon distraints under this Act at such rates not exceeding those mentioned in Schedule G as may be from time to time determined by the Municipal Council at a meeting.

(ii) Such fees shall not be held to include the cost of maintaining any live stock distrained under this Act.

Property of defaulter wherever found, may be distrained.

109. The property of a person in default under Section 103 may be distrained wherever the same may be found within the Municipality.

Tax due from owner may be recovered from occupier.

110. If the sum due on account of any tax from the owner of any building or land remains unpaid after notice of demand has been duly served, the Chairman may, provided the arrear has not been due for more than one year, demand the amount from the occupier for the time being of such building or land, and, on non-payment thereof, may recover the same by distress and sale of any property found on the premises.

Proceeding before Magistrate.

111. Any person bound to pay any tax who shall be prosecuted under Section 103 before a Magistrate, shall, on conviction, be liable to pay a fine not exceeding twice the amount of the tax found to be due, and shall also pay such tax, the fee for the notice (if any) and the costs of the prosecution.

Provided that in the case of any tax due under Section 77 where the form provided by Section 80 has not been duly returned to the Municipal Office, the amount mentioned in the notice aforesaid may be found to be the amount of the tax due by the defaulter.

Recovery of arrears of taxes, &c., due at coming into operation of this Act.

112. All arrears of taxes, or other payments due to the Municipal Council at the time this Act comes into operation in any Municipality where the Towns Improvement Act, 1871, shall have theretofore been in force, may be recovered as though they had accrued under this Act.

CHAPTER IV.

PURPOSES TO WHICH THE FUNDS RAISED UNDER THIS ACT SHALL BE APPLIED.

Purposes to which the funds raised under this Act shall be applied.

113. The funds raised under this Act shall, subject to such rules and restrictions as the Governor in Council may, from time to time, prescribe, be applicable within the Municipalities in which they are raised to the following purposes, that is to say :—

(i) The construction, repair, and maintenance of streets, bridges, and other means of communication.

(ii) The

I. EDUCATION.

117. The Municipal Council shall, so far as the funds at their disposal may admit, make provision for the instruction in schools of all children of school-going age, resident within the limits of the Municipality, for whose instruction provision shall not otherwise have been made.

The Municipal Council to make provision for the public instruction of children.

118. The Municipal Council may provide instruction—

by maintaining schools,

(i) either by schools maintained wholly from the Municipal Fund, or

or by grants-in-aid,

(ii) by means of grants-in-aid to private schools from the said fund in accordance with such rules as may from time to time be prescribed by the Governor in Council, or

or by contributions,

(iii) by contributing towards the cost of Government schools, or

(iv) by more than one of such means.

119. The Municipal Council may, with the previous sanction of the Governor in Council, maintain, either wholly from the Municipal Fund or by grants-in-aid therefrom, primary schools to which admission may be wholly or partly free for any class of the inhabitants which, in the opinion of the Municipal Council, is by reason of poverty unable to pay the fees leviable in schools maintained by the Municipal Council, whether wholly from the Municipal Fund or by grants-in-aid therefrom.

and may maintain or aid schools where admission is free to a class or classes.

120. If at any time it seems advisable to the Governor in Council that a grant-in-aid should be made to any school maintained solely for the instruction of the children of any particular class of the inhabitants of any Municipality, he may direct the Municipal Council of such Municipality to make such grant to such school; and the Municipal Council shall make it accordingly; provided that the Governor in Council shall not so direct until the Municipal Council shall have had an opportunity of submitting their views on the subject to Government.

The Governor in Council may direct that aid be given to a school intended for a particular class.

121. The instruction to be provided by the Municipal Council shall be of such standards as may from time to time be prescribed by the Governor in Council.

The standard of public instruction to be provided by the Municipal Council.

122. (1) The Municipal Council shall levy in every school maintained by them wholly from the Municipal Fund fees in accordance with such rates as may from time to time be prescribed by the Governor in Council; provided that if the Municipal Council are satisfied that the parent or guardian of any child, resident in the Municipality, is by reason of poverty unable to pay for the primary education of such child, they may pay the whole or part of the fees payable for the primary education of such child, but they shall not compel the parent or guardian of such child to send such child, in consideration of the said relief, to any particular school.

The Municipal Council shall levy fees in such schools,

and may pay the fee for any child;

but shall not name the school to which the child shall go.

(2) The proceeds of all fees levied by the Municipal Council as aforesaid shall be expended by the Municipal Council for the provision of instruction by means of schools.

The proceeds of fees shall be spent on schools.

Municipality or those unable to pay a medical attendant shall be reimbursed by such persons.

Employment of Medical Officer.

(2) The Municipal Council shall employ a Medical Officer for any hospital or dispensary, maintained by them from endowments or from the Municipal Fund.

Treatment of strangers.

128. The Municipal Council may also permit the treatment in the hospitals or dispensaries, maintained by them from endowments or from the Municipal Fund, of any person not resident in the Municipality.

3. VACCINATION.

Provision for vaccination.

129. Every Municipal Council shall make provision for the gratuitous vaccination of all persons residing within the Municipality,

(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.

Licensed vaccinators.

130. The Governor in Council may, by a written license, authorise any medical practitioner or other person to perform the operation of vaccination and may at any time suspend or cancel any such license.

No fee to be charged for vaccination by any public vaccinator or for certificates.

131. No fee or remuneration shall be charged by any public vaccinator for any vaccination performed or certificate given under this Act.

Certificate of vaccination.

132. (1) The parent or guardian of any child successfully vaccinated may require from the public vaccinator, a certificate to the effect that the child has been successfully vaccinated, and the public vaccinator shall furnish such certificate.

Certificate when child is insusceptible of vaccination.

(2) If the public 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.

133. (1) The Governor in Council may, by notification, declare that vaccination shall be compulsory in any Municipality from a date to be specified in such notification, and may from time to time, in like manner, cancel or modify such declaration.

Municipal Council to proclaim that vaccination is compulsory.

(2) On the publication of the said notification, the Municipal Council shall cause to be proclaimed by beat of drum and by notification in the District Gazette, that vaccination is compulsory in such Municipality.

Unprotected child to be vaccinated.

134. The parent or guardian of any unprotected child who is more than six months old but is under ten years of age, and who has resided within the limits of such Municipality 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.

135. (1) The

Vaccinator to deliver certificate of postponement.

135. (1) The 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.

(2) A certificate granted under this section shewing 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 take the child, or cause it to be taken to a vaccinator to be vaccinated, or procure its vaccination at his own house by a vaccinator, and shall subsequently cause it to be inspected in the manner hereinafter provided.

Renewal of postponement certificate.

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.

136. The 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.

Inspection after vaccination.

137. (1) The parent or guardian of every child which has been vaccinated under the last preceding section shall, on the date of inspection stated in the memorandum, take the child, or cause it to be taken, to a vaccinator for inspection, or shall procure its inspection by a 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.

Procedure when vaccination is successful.

(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 unsuccessful.

(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.

Certificate of insusceptibility.

(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 thenceforth not be required to cause the child to be vaccinated.

Notice to parent or guardian of unprotected child, &c.

138. (1) The Chairman, or some person or persons authorised by him in that behalf, shall ascertain whether all the children under the age of ten years within the Municipality have been vaccinated or are unprotected; and if the Chairman or any person authorised by him has reason to believe that the parent or guardian of any unprotected child is bound by the provisions hereinbefore contained to procure the vaccination of such child or present it for inspection and has omitted so to do, he shall go to the house of such parent or guardian and there 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

a notice requiring that the child be vaccinated or (as the case may be) that it be presented for inspection at a time and place to be specified in the notice.

If notice is disobeyed, Magistrate to direct vaccination.

(2) If such notice is not complied with, the Chairman 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, make an order in writing directing such parent or guardian to comply with the notice before a date specified in the order.

Person disobeying order liable to penalty.

(3) If on such date the order, passed as aforesaid, has not been obeyed, the Magistrate shall summon the parent or guardian before him, and shall, if no just cause or excuse is shewn for such disobedience, sentence such parent or guardian to a fine not exceeding Rs. 50; and such parent or guardian shall be liable to a further fine not exceeding Rs. 10 for every day during which the order under this section may not be obeyed by him.

Provision as to person who does not appear in public.

139. Notwithstanding anything hereinbefore contained, if any unprotected child or the parent or guardian of such child is a female who, according to the customs of the country, does not appear in public, the Chairman, or any person authorized by him in that behalf, shall direct a vaccinator to visit the house of such parent or guardian and there to deal with the child in accordance with Sections 134, 135, 136, or 137.

Penalty for signing a certificate by unlicensed vaccinator.

140. Whoever, after a notification has been issued under Section 133 (1) 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 false certificate.

141. Whoever, being a vaccinator, wilfully signs, or makes, or procures the signing or making of a false certificate, or being 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.

Prohibition of inoculation.

142. In every Municipality inoculation is hereby prohibited; and

Inoculated persons not allowed to enter any town or local area subject to this Act.

no person who has undergone the operation of inoculation shall enter any Municipality 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.

Whoever contravenes the provisions of this section shall be liable to simple imprisonment for a term not exceeding three months, or to a fine not exceeding Rs. 200, or to both.

4. Water-supply.

The Municipal Council to provide water-supply.

143. (1) The Municipal Council shall, so far as the funds at their disposal may admit, provide a sufficient supply of water fit for the domestic use of the inhabitants of the Municipality.

Public tanks, &c., to be under the control of the Municipal Council.

(2) All public rivers, streams, channels, water-courses, springs, tanks, reservoirs, cisterns, fountains, wells, stand-pipes, and other waterworks existing at the time of the coming into operation of this Act or afterwards made, laid or erected, and whether made, laid

or erected, at the cost of the Municipal Council or otherwise, and also any adjacent land (not being private property) appertaining to any such works, shall be under the control and direction of the Municipal Council.

Governor in Council may limit such control.

(3) The Governor in Council may from time to time by Notification limit or define such control and direction and may exclude from the provisions of this section any source of water-supply and any water-works being the property of Government, and may in like manner cancel or modify such Notification.

Construction of new works.

144. (1) The Municipal Council may at a Meeting direct, with the sanction of the Governor in Council, the construction of such works as they may deem fit for bringing water into the Municipality, and may provide channels, tanks, reservoirs, cisterns, wells, fountains, stand-pipes and other works as they may deem fit for the use of the inhabitants.

Maintenance of existing works for supply of water.

(2) The Municipal Council may cause existing public channels, tanks, reservoirs, cisterns, wells, fountains, stand-pipes and other works used for the supply of water to be maintained and supplied with water;

Works may be abandoned, others substituted.

or they may close any such works and substitute other such works, and may cause them to be maintained and supplied with water.

Powers of the Municipal Council when constructing drains, conduits, &c., without the Municipality.

145. Whenever the Governor in Council has sanctioned any works without the limits of any Municipality for bringing water into such Municipality, the Municipal Council and their servants may exercise, in the construction, maintenance and repair of such works throughout the line of country in which such works are situated, or through which they are to run, and, with the sanction of the Governor in Council, over any lake or reservoir from which a supply of water for the use of the Municipality is derived, and over all lands within 1 000 yards of the high water level of any such lake or reservoir, all the powers which, by this Act, they may exercise within the Municipality.

Powers of Municipal Council in laying down pipes.

146. (1) The Municipal Council in laying down any pipes for the water-supply of the Municipality, may, if they consider it necessary, carry such pipes through, across, or under any street or any place laid out or intended for a street, or under any building or through any cellar or vault or into, through, or under any enclosed or other land whatsoever.

Notice to owner of private property and compensation for dealing with it.

(2) The Municipal Council shall, in every case in which they deal with private property under this section, give reasonable notice of their intention so to do to the owner of such property, and shall pay to him reasonable compensation for so dealing with the property.

Municipal Council may arrange for supply of water for domestic purposes,

147. (1) The Municipal Council may, on application by the owner or occupier of any building, arrange with him for the supply of water free of cost to such building for domestic purposes in such quantities as they deem reasonable.

and may limit the same.

(2) The Municipal Council may at any time, for sufficient reason, limit the amount of water to be so supplied whenever they consider it necessary.

(3) The

Chairman may contract to supply water for other than domestic purposes.

(3) The Chairman may, subject to the approval of the Municipal Council, contract with any person to supply him, on payment, with water for other than domestic purposes in such quantities, on such terms, and subject to such conditions as to the limit of the supply as seem fit to the Chairman.

Cost of supply works to be borne by owner or occupier.

(4) The works necessary for such supplies and all future repairs, extensions and alterations of such works shall in every case be conducted by the Municipal Council, or under their orders, and the expense thereof shall be defrayed by such owner or occupier.

What are not domestic purposes.

(5) A supply of water for domestic purposes shall not include a supply of water for horses or for washing vehicles, where such horses or vehicles are kept for sale or hire, or a supply for any trade, manufacture or business, or for fountains or swimming baths, or for any ornamental or mechanical purpose, or for purposes of irrigation.

Power to enter premises.

148. (1) The Chairman, or any person authorized in that behalf by him, may enter upon any building or land and examine the condition of any pipes, works, and fittings, and ascertain if there be any waste or misuse of water supplied thereto by the Municipal Council.

If obstructed, Chairman may stop water.

(2) If the Chairman or such other person at any such time is without reasonable cause refused admittance to such building or land for the purpose aforesaid, or is prevented without reasonable cause from making such examination, or if necessary to prevent waste of water pending repair, the Chairman may stop the supply of water to such building or land.

Penalty for waste or misuse of water.

149. The owner or occupier of any building or land, in which water supplied under this Act is wasted or misused from negligence or other circumstances under the control of the said owner or occupier, or used in excess of the quantity fixed by the Chairman under Section 147, or used for any purpose other than those agreed on, or in whose building or land the pipes, works, and fittings for the supply of water are found to be out of repair to such an extent as to cause waste of water, and who, having knowledge thereof, omits to give reasonable notice thereof to the Chairman, shall be liable to a fine not exceeding Rs. 20 for every such neglect, misuse, breach or omission, and shall also pay such costs of the prosecution as shall be awarded.

Penalty for trespassing on channel land, &c.

150. (1) Whoever trespasses upon land belonging to the Municipal Council, along which the water-supply channel is conducted, or the buildings or premises connected with the water-supply, shall be liable to a fine not exceeding Rs. 20.

Penalty for refusing to leave land, &c., trespassed upon.

(2) If any such person refuses to leave such land, buildings or premises, on being requested to do so by any servant of the Municipal Council, or by any one authorized in that behalf by the Municipal Council, such person shall be liable to a further fine not exceeding Rs. 50, and may be removed from such land or buildings or premises by such servant or other person.

151. Whoever

Damaging works.

(i) unlawfully breaks, injures, or causes damage to any public channel, tank, reservoir, cistern, well, fountain, stand-pipe or other work, connected with the water-supply, or without due authority opens or removes any lock, cock, or pipe belonging to or under the management or control of the Municipal Council, or,

(ii) unlawfully

(ii) unlawfully draws off, or takes water from any water-works belonging to the Municipal Council or under their management or control,

Diverting water.

shall, for every such offence, be liable to a fine not exceeding Rs. 20, and a further fine not exceeding Rs. 10 for each day during which the offence is continued after notice in that behalf.

Penalty.

(a) Fouling of Water.

152. Whoever, being the owner or occupier of any place where any offensive trade or manufacture is carried on, does any act whereby the water in any stream, tank, reservoir, well, cistern, aqueduct or other work belonging to or under the control of the Municipal Council is fouled, shall be liable to a fine not exceeding Rs. 500, and to a further fine not exceeding Rs. 100 for every day during which the offence is continued after twenty-four hours' notice from the Municipal Council.

Water fouled by offence or trade.

Penalty.

153. (1) The Municipal Council, or any person duly authorized by them in that behalf, may, after twenty-four hours' notice in writing, lay open and examine any pipe or work belonging to any person mentioned in the preceding section or under his management or control.

Municipal Council may examine pipes.

(2) If, upon such examination, it appears that any such water has been fouled by anything proceeding from or contained in the pipes or works examined, the expenses of such examination shall be paid by the person to whom such pipes or works belong, or under whose management or control they are.

If water fouled, expense of examination to fall on owner.

(3) If, upon such examination, it appears that such water has not been so fouled, then such expenses and all damages occasioned to any building, land, pipe or work by the examination shall be paid by the Municipal Council.

If water not found, expense to be paid by Municipal Council.

154. The Municipal Council may set apart

(i) for drinking purposes such public tanks, springs, wells or other places, or such parts of any public rivers, streams, channels or water-courses as they may deem fit, and

Municipal Council may set apart water for drinking.

(ii) for bathing purposes, public tanks or parts of public rivers, streams, channels, or water-courses, and they may also set apart such tanks or other places for the purpose of washing animals or clothes, or for any other purpose connected with the health, cleanliness, comfort or convenience of the inhabitants.

and for bathing, for washing animals or clothes, &c.

155. Whoever

(i) bathes in or in any other manner fouls the water in any part of any river, stream, channel, water-course, pipe, tank, spring, well or other place set apart by the Municipal Council, or, in the case of private property, by the owner thereof, for drinking purposes, or

Penalty for fouling drinking water.

(ii) washes

(ii) washes an animal or clothing in a place set apart for bathing, or washes any cooking utensil, or wool, skins or other foul or offensive substance in a place set apart for washing clothes or for bathing, or

Washing animals or offensive things, &c.

(iii) puts therein any rubbish, filth or other offensive matter, or

Throwing in rubbish, &c.

(iv) causes or suffers to drain, or to be brought into any such place the water of a sink, sewer, drain, engine or boiler, or other offensive matter belonging to him or flowing from any building or from any ground belonging to, or occupied by him,

Allowing drain water or offensive liquid matter to flow.

shall be liable to a fine not exceeding Rs. 20 for each offence.

Penalty.

(b) Private Wells.

156. (1) The Municipal Council may, by notice, 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 keep and maintain the same in good repair and to clean the same, from time to time, of silt, refuse or decaying vegetation, and may also require him to protect any such well from pollution by surface drainage in such manner as they may think fit.

Power to require private well, &c., to be cleansed.

(2) And whenever the water of any private well, tank or reservoir used for drinking is proved to the satisfaction of the Municipal Council to be unfit for drinking, the Municipal Council may, by notice, require the owner or person having control thereof 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 is used by any person for drinking, the Municipal Council may require the owner or person having control thereof to close such well, either temporarily or permanently, or to enclose or fence such well, tank or reservoir in such manner as they may direct, so that the water thereof may not be used for drinking.

Power to close if water for drinking.

5. Streets.

157. (1) The Municipal Council shall, from time to time, so far as the funds at their disposal may admit, repair the public streets and bridges and maintain them in good order.

Maintenance and repair of streets.

(2) The Municipal Council may make and maintain foot-ways for the use of passengers in any street, and may place on the sides of such foot-ways such fences and posts as may be needed for the protection of foot-passengers.

Foot-ways.

158. (1) The Municipal Council may by a resolution passed at a Meeting lay out and make new public streets, and may construct bridges and tunnels, and may turn, divert or close any public street, and may widen, lengthen, enlarge or otherwise improve any such street.

Power to make and improve streets and close them, &c.

Provided that the Municipal Council shall make reasonable compensation to the owners and occupiers of any land or buildings which are required for or affected by any such purposes.

(2) In

(2) In laying out or making a street, or in turning, diverting, widening, lengthening, enlarging or otherwise improving a street, the Municipal Council may, in addition to the land necessary for such street and the foot-ways thereof, purchase also the land necessary for the buildings to form or improve the said street.

Power to take land adjoining new street for building purposes.

159. The Municipal Council may, by an order in writing, temporarily close any street for repairs, or to carry out any work connected with drainage, water-supply, or lighting, or any of the purposes of this Act; provided that such work shall be completed and such street re-opened for traffic with all reasonable speed.

Municipal Council may temporarily close any street, &c.

160. No person shall take up or make any alterations in the pavement or other material, or in the fences or posts of any public street in the Municipality without the written permission of the Municipal Council or without lawful authority.

Interference with public streets, &c.

New Streets.

161. (1) Every person intending to lay out and make a new street shall make an application in writing to the Municipal Council for a license to do so.

Private persons laying out new streets to give notice.

(2) Such application shall be accompanied by plans and sections showing—

Notice to be accompanied by plan.

(i) the intended level, direction and width of such street,

(ii) the means of drainage, and

(iii) the height and dimensions of the buildings to be erected on each side.

(3) If the Municipal Council at a Meeting approve of such level, direction, width, means of drainage, height and dimensions, and if such intended new street appears to them to be expedient, they shall, within one month after the receipt of such application, give a written license to lay out such street; or if they disapprove of such level, direction, width, means of drainage, height or dimensions, or if such intended street appears to them to be inexpedient, they shall issue an order in writing to the applicant, within one month after receipt of such application, refusing to give a license for making such intended new street.

Subject to approval of the Municipal Council.

(4) When such license has been given, the applicant may proceed with the making of the intended new street in accordance with the terms of the license.

162. If any street (not being a public street) or any part thereof is not levelled, paved, metalled, flagged, channelled and drained to the satisfaction of the Municipal Council, they may, by notice to the owners or occupiers of the land or buildings fronting or abutting upon such street or part thereof, require them to carry out, within a time to be specified in such notice, any work which, in the opinion of the Municipal Council, ought to be carried out in such street or part thereof.

Paving, &c., of private streets.

163. (1) After such street has been so levelled, paved, metalled, flagged, channelled, and drained, on the requisition of the Municipal Council, or by the Municipal Council as hereinafter provided at the expense of the owners or occupiers, such street shall, on the requisition of the owners thereof, be declared by the Municipal Council to be a public street and shall thenceforth be a public street.

Such private street may, on the requisition of the owners, be declared to be public street.

(2) The

(2) The Municipal Council may agree with the person or persons in whom the property in any street is vested to take over the property therein, and may, after such agreement, declare, by notice, put up in any part of such street, that the same has become a public street. Such street shall thereupon vest in the Municipal Council, and shall thenceforth be dealt with in the manner provided for public streets.

Other private streets may by declaration to be public streets.

164. The Municipal Council may, upon such terms as they think fit, allow any building to be set forward for improving the line of any public street in which such building is situated.

Buildings may be set forward for improving line of streets.

165. (1) When any building, or any part thereof, which projects beyond the regular line of a public street or beyond the front of the buildings on either side thereof, has been taken down in order to be rebuilt or altered, the Municipal Council may require such building or part thereof to be set back to the line of the street or of the adjoining buildings.

Buildings projecting to be set back to line of street to be set back.

(2) The Municipal Council shall make reasonable compensation to the owner of any such building for any damage which he may thereby sustain.

Compensation to owners of such buildings.

166. The Municipal Council may by notice require

(i) the owners or occupiers of lands or buildings skirting public streets or roads to construct, alter, maintain and keep free from all obstruction culverts of such sufficient plan, size and material as the Municipal Council may direct, over the side channels or ditches at the entrances to such land or buildings;

Owners and occupiers to construct culverts.

(ii) the owner of every building in any public street to put up and maintain proper troughs and pipes for catching and carrying the water from the roof and other parts of such building, and for discharging the same in such manner as the Municipal Council may allow; and

Troughs and pipes to be fixed to buildings.

(iii) the owners and occupiers of all buildings or premises adjoining a public thoroughfare to keep the external walls of such buildings or premises in proper repair to the satisfaction of the Municipal Council,

External walls to be kept in proper repair.

and the Municipal Council shall fix in such notice a period for the execution of such work.

Projections and Obstructions.

167. (1) No wall, fence or other obstruction or encroachment in any public street shall be erected without the written permission of the Municipal Council, nor shall any door, gate, bar, or window be made without such permission so as to open outward on any public street.

Obstructions not to be made without permission.

(2) If any door, gate, bar, or window be made so as to open outwards on any public street, the Municipal Council may, by notice, require the owner or occupier of the premises to which the same is attached, to cause the same to be altered so as not to open outwards within a time to be specified in such notice.

Owner or occupier to alter doors, &c., opening outwards.

168. (1) The

Removal of existing projections, &c.

168. (1) The Municipal Council may cause any projection, encroachment, or obstruction made against or in front of any building or land in any public street, before the coming into operation of this Act, to be removed or altered as they think fit.

Notice of removal.

(2) The Municipal Council 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.

Compensation when to be made.

(3) If such projection, encroachment or obstruction shall have been lawfully made, the Municipal Council shall make reasonable compensation to every person who suffers damage by such removal or alteration.

Owners and occupiers to apply for licenses to put up verandahs, &c.

169. (1) The owners or occupiers of buildings or lands in public streets intending to put up any verandah, balcony, sun-shade, weather-frame, or the like, to project over the public and pavements in front of the same or over the street, shall apply in writing to the Municipal Council for a license to do so.

Municipal Council may grant license.

(2) The Municipal Council may in their discretion grant a license in writing to erect such projection provided that it does not extend over the street to a distance exceeding five feet from the line of frontages and is not of a height above the street, of less than seven feet, and provided also that no license shall be granted if the projection is likely to cause public inconvenience.

Permissibility of temporary erections on occasions of festivals, &c.

170. Notwithstanding anything hereinbefore contained, the Municipal Council may by a license allow any temporary erections in a street on occasions of festivals and ceremonies.

Licenses to be obtained and hoarding to be set up during repairs.

171. Every person intending to build or take down any building, or to alter or repair the outward part of any building where any street or footway is likely to be obstructed or rendered inconvenient by means of such work, shall, before beginning the same, obtain a license in writing from the Municipal Council so to do, and shall cause sufficient hoarding or fences to be put up, in order to separate the building where such works are being carried on from the street or footway, and shall maintain such hoarding or fences in good condition, to the satisfaction of the Municipal Council, during such time as the public safety or convenience requires, and shall cause the same to be sufficiently lighted during the night.

Precaution against accidents.

Bars to be erected across streets during repair.

172. (1) The Municipal Council shall, during the construction or repair of any street, drain or other premises vested in them, take proper precaution for guarding against accidents, by shoring up and protecting the adjoining houses, and shall cause such bars, chains or posts to be fixed across or in any street in which any such work is going on as they deem necessary in order to prevent the passage of vehicles or animals and avert danger.

To be lighted and guarded at night.

(2) The Municipal Council shall cause every such street, drain, or other work, during the construction or repair thereof, to be sufficiently lighted and guarded during the night.

(3) Whoever

Penalty for removing bar or light.

(3) Whoever takes down, alters or removes, any such bar, chain or post, or extinguishes any such light, without the authority of the Municipal Council, shall be liable to a fine not exceeding Rs. 20.

Nothing obstructive to be deposited in streets, nor hole made.

173. No person shall deposit anything so as to cause obstruction to the public, or shall make a hole in any street, without the written permission of the Municipal Council.

NAMES OF STREETS.

Names of streets.

174. (1) The Municipal Council may, from time to time, cause to be put up or painted in English and a Vernacular language of the district on a conspicuous part of some building, or place, at or near each end, corner or entrance of every street, the name by which such street is to be known.

Penalty for defacing, &c.

(2) Whoever destroys, pulls down, damages or defaces any such name, or puts up any name different from that put up by order of the Municipal Council, shall be liable to a fine not exceeding Rs. 20.

WATERING AND LIGHTING STREETS.

Streets may be watered.

175. (1) The Municipal Council may cause the streets to be watered, and for that purpose may provide such works and engines as they think necessary.

And lighted.

(2) The Municipal Council may cause the streets to be lighted, and for that purpose may provide such lamps and works as they think necessary.

FENCES AND HEDGES.

Power to call on owner to maintain fences, or trim hedges and trees.

176. The Municipal Council may by notice require the owner, if known and within the Municipality, and also the occupier of any land, to maintain and repair sufficient fences for, or trim the hedges of such land, so that they may not exceed such height from the level of the adjoining roadway, as the Municipal Councillors may from time to time determine, and to trim all trees which, by overhanging any public street, obstruct the passage or cause damage thereto, within a time to be specified in such notice.

6. BUILDINGS.

Power to erect buildings on vacant ground.

177. The Municipal Council may erect buildings on any vacant land vested in them, and may lease the same on such terms as they deem fit.

Power to erect or affix to buildings, brackets, &c.

178. The Municipal Council, or other person authorized by them in writing, may erect or fix to the outside of any building such brackets for telegraphic or telephonic wires or for lamps as they may deem necessary, provided always that they shall be erected so as not to occasion any nuisance or inconvenience to such building, or to any building in the neighbourhood.

Roofs and external walls of buildings not to be made of inflammable materials.

179. The external roofs, verandahs, pandals and walls of buildings erected or renewed after the coming into operation of this Act, shall not be made of grass, leaves, mats or other such inflammable materials except with the written permission of the Municipal Council.

180. (1) Every

(2) They shall give notice to the owner, if he be known and resident within the Municipality, and to the occupier, if any, of the premises to which such building, tree or thing belongs, requiring such owner or occupier, within a time to be specified in such notice, to take such order with such building, tree or thing, as they may think fit.

Notice to owner or occupier to take down or secure.

184. If any building or land, by reason of abandonment, disuse, disputed ownership, or other cause, remains untenanted and thereby becomes a resort of idle and disorderly persons, or, in the opinion of the Municipal Council, in any manner becomes a nuisance, the Municipal Council, after due inquiry, may give notice to the owner, or to the person claiming to be the owner, if he be known and resident within the Municipal limits, requiring the persons concerned therein, whoever they may be, to secure, enclose, clear or cleanse the same within a time to be specified in such notice, and shall also cause such notice to be put on the door or some conspicuous part of the building or land.

Power to secure, enclose, or cleanse buildings and lands.

185. 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 Municipal Council 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.

Dangerous places to be repaired or enclosed.

UNWHOLESOME BUILDINGS OR LANDS.

186. (1) The Municipal Council may, by notice, require the owner or occupier of any building or land, which is in their opinion in a filthy, or unwholesome state, or which is overgrown with prickly-pear, wattle, lantana or noxious vegetation, to cleanse, clear, or otherwise put the same in a proper state, within a time to be specified in such notice.

Penalty for filthy buildings or land.

(2) The Municipal Council, or any person generally or specially authorized by them 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 limewashed or otherwise cleansed in the manner and within a time to be specified in such notice.

Power to enter and order cleansing of buildings.

REMOVAL OF BUILDINGS.

187. (1) Whenever the Municipal Council consider that any block of buildings in the Municipality is, by reason of the manner in which such buildings are crowded together, or of the want of drainage or ventilation, and the impracticability of cleansing, attended with risk of disease to the occupiers thereof or to the inhabitants of the neighbourhood, they may cause a notice to be fixed to some conspicuous part of such block, requiring the owners or occupiers thereof, or, at the option of the Municipal Council, the owner of the land on which such buildings are erected, within a reasonable time, to be specified in such notice, to execute such works or take such action as the Municipal Council deem necessary for the prevention of such risk.

Power of Municipal Council in case of overcrowded buildings, &c.

Notice to be affixed requiring owner to execute works, or take action.

(2) If

Municipal Council to cause works to be performed at expense of owners, or buildings to be pulled down.

(2) If such owners or occupiers neglect to execute such works or take such action within the time specified, the Municipal Council may, with the sanction of the Governor in Council cause such works to be executed or such action to be taken in respect of such buildings, and may, if necessary, cause such buildings or any of them to be pulled down.

Compensation in respect of buildings pulled down.

(3) In cases where under this section a building is pulled down, the Municipal Council shall make to the owner or occupier thereof a reasonable compensation.

7. Offensive and Dangerous Trades.

188. (1) The Municipal Council at a Meeting may direct—

License for offensive or dangerous trades.

(i) the owner or occupier of every place used for any of the following purposes, viz., for depositing or washing soiled clothes, or for boiling paddy, or for melting tallow or sulphur, or for boiling or storing offal, blood, bones or rags, or for washing or drying wool or hair, or as a soap-house, dyeing-house or yard, camphor or oil-boiling-house, oil-mill or press, tannery, brick, pottery or limekiln, sago manufactory, distillery or other manufactory, or place for storing hides, fish, horns, skins, from which either offensive or unwholesome smells arise, gunpowder manufactory, manufactory of fire-works, place of storing explosive or combustible materials, or of any place which is used for any purposes which are calculated to be dangerous to life, health or property); and

License to keep stables, etc., licensed.

(ii) the owner or occupier of any of the following places, viz., livery or hackney stables, horse lines, veterinary infirmary, public hulting-place, cart-stand, cattle-shed, or yard in which twenty sheep or goats or ten head of cattle or ten pigs are kept or allowed to be together; and

Licenses for keeping wood, etc.

(iii) every occupier of every separate place or portion of any place for the sale or for the storage of wood, firewood, thatching materials, hay, grass, straw or coal; and

Licenses for bakehouses.

(iv) every owner of a bakehouse

to apply to the Chairman for a license, within the first month of every official year, or, in the case of a place about to be opened for any such purposes, thirty days prior to such opening.

Proviso.

Provided that no license shall be required for the storage of wood, firewood, thatching material, hay, grass, straw or coal for private use in such quantities and under such restrictions for safety as the Chairman may direct.

Chairman may grant or refuse licenses.

(2) The Chairman may in his discretion grant any license applied for under this section for any period not exceeding one year subject to such rules as to supervision and inspection and such conditions as to latrines and other matters as he thinks proper, or he may refuse, or at any time suspend, or cancel such license.

(3) Every

Appeal.

(3) Every order refusing, cancelling or suspending such license shall be in writing and shall state the grounds on which it proceeds, and any person aggrieved by such order may, within one month after such order, appeal to the Municipal Council who shall pass such orders thereon as they deem fit.

Penalty for using place without license.

189. Whoever, without such license, or after a license has been refused, cancelled or suspended, uses or permits to be used any place for any of the said purposes, or infringes any of the conditions under which such license is granted, shall be liable to a fine not exceeding Rs. 100, and to a further fine not exceeding Rs. 10 for every day after conviction during which the offence is continued.

Cart-stands.

190. The Municipal Council may, from time to time, provide places for the purpose of being used as cart-stands or public halting-places, and may levy fees for the use thereof.

8. Slaughter-houses.

Municipal Council to provide slaughter-houses.

191. (1) The Municipal Council shall 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 Annas 2 for every sheep, goat or pig.

Slaughter-houses and butchers' shops to be licensed.

(2) No place in any Municipality shall be used as a slaughter-house or for the slaughtering of any animal intended for food, or for selling or storing for sale the flesh thereof, unless a license for such use thereof has been previously obtained from the Chairman.

License to be issued for slaughter and fees charged.

(3) No cattle, sheep, goat or pig shall be slaughtered within the Municipality except in a public or licensed slaughter-house.

Festivals.

(4) The Chairman may permit the slaughtering of any animal in such place or places as he thinks fit on occasions of festivals and ceremonies or as a special measure.

Penalty for slaughtering except at a slaughter-house or drying skins so as to cause nuisance.

192. Whoever slaughters, or permits to be slaughtered, cuts up or skins, or permits to be cut up or skinned any cattle, sheep, goat, or pig, at any place within the Municipality other than a public or licensed slaughter-house or place, except with the written permission of the Chairman, or whoever dries or permits to be dried any skin in such a manner as to cause a nuisance, shall be liable to a fine not exceeding Rs. 20 for each animal or skin.

Government places exempted.

193. The provisions of Sections 188, 189, 191 and 192 shall not apply to places used by Government for the purposes mentioned in the said sections.

9. Public Markets.

Municipal Council may provide markets and charge rents and fees.

194. (1) The Municipal Council may, by a resolution passed at a meeting, determine to provide places within the Municipality for the purpose of being used as public markets, and the Municipal Council may charge such rents, tolls and fees as they may deem fit for the use of, or right to expose goods for sale in, such markets, and for the use of shops, stalls, sheds, pens and standings therein.

(2) The

199. If the Municipal Council by an order in writing refuse to grant, suspend, or withhold such license in the case of any market and such market is kept open during the time that the said order remains uncancelled, the owner of such market and every person who, having notice of such order, sells or exposes for sale any animal or article therein, shall be deemed to have opened a market without the license of the Municipal Council and to have sold or offered for sale animals or other articles therein.

Penalty where license has been refused.

200. Every owner, farmer, or occupier of any market for the sale of any animal or vegetable food or drink within the Municipality, shall

Markets to be properly drained, &c.

(i) construct such drains and cesspits therein as the Municipal Council direct;

(ii) cause such market to be roofed and paved with such materials and in such manner, and provided with such latrines and urinals, of such description and in such position and number, as the Municipal Council direct;

(iii) provide for such supply of water to such market as the Municipal Council direct; and

(iv) make such alterations in the stalls, passages, shops, doors, or other parts of the said market or place as the Municipal Council direct.

201. (1) If such owner, farmer, or occupier, after notice given to him by the Municipal Council 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 Municipal Council may suspend, withhold 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 or refusal, shall be liable to a fine not exceeding Rs. 20 for every day during which such market or place is so opened or kept open.

Penalty for not keeping market properly, or for not abating nuisance, or for obstructing.

(2) Any owner, farmer, occupier, agent, or manager in charge of any 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 Municipal Council shall be liable to a fine not exceeding Rs. 20 for each offence.

Power to close market.

202. The Municipal Council or any officer duly authorized by them in that behalf may close any market, the license for which has been refused, withheld, or suspended.

Municipal Council may prohibit sale in street.

203. (1) The Municipal Council 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 street or part of such street, 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 street against the terms of such notification shall be liable to a fine not exceeding Rs. 10.

Municipal Council may enter and inspect places of sale or store and examine articles of food or drink.

204. (1) The Municipal Council, or any person appointed by them in writing for that purpose, may at all reasonable times enter into and inspect any place used for the sale, either wholesale or by retail, or for the storing, of articles of human food or drink intended for sale, or wherein such articles may be detained, and may examine any such articles which are therein.

(2) If

(2) If it appears to the Municipal Council or such person that any such articles are unfit for human food or drink, they or he may obtain the same, and report the case for the orders of the Magistrate.

(3) If the Magistrate finds that such articles are unfit for human food or drink, he shall order the same to be destroyed, or so disposed of as to prevent their being exposed for sale or used for human food or drink.

(4) If the Magistrate finds that the articles so destroyed were fit for human food or drink, he may make an order upon the Municipal Council to return such articles, if such portion thereof as may be in good condition, to the owner, or to the person in whose possession such articles were found, and to pay to him such reasonable amount as the Magistrate considers will compensate such owner or person for any loss or depreciation that may have been caused by such detention.

205. The Municipal Council, or any persons appointed by them in that behalf, may examine and test the weights and measures used by traders and shops in the Municipality with a view to the prevention and punishment of offences relating to such weights and measures under Chapter XIII of the Indian Penal Code.

16. Public Latrines.

206. (1) The Municipal Council shall, so far as the funds at their disposal may admit, provide a sufficient number of public latrines and urinals, and shall cause the same to be kept in proper order and to be daily cleansed.

(2) No latrine shall be kept in the Municipality for public use without the licence of the Municipal Council.

Private Latrines.

207. (1) The Municipal Council may, by notice, require

(i) the owner or occupier of every building to provide a latrine or alter any existing latrine in accordance with the directions contained in such notice for the use of persons employed in or about or occupying such building and to keep the same in a cleansed and proper condition; and

(ii) every owner or occupier of the ground on which any block of six or more huts stands to provide and maintain such latrines as the Municipal Council may prescribe in such notice for the use of the inhabitants of such huts, within a time to be specified in such notice.

(2) Such latrines shall be sufficiently shut out and screened from the view of persons passing by or residing in the neighbourhood.

208. The Municipal Council may by notice in writing require any person employing workmen, labourers or other persons exceeding twenty in number, to provide and maintain (for them in proper order latrines and urinals, to be approved by the Municipal Council in such number as they may consider necessary).

Whoever

Whoever fails to comply with such requisition within a reasonable time to be specified in such notice shall be liable to a fine not exceeding Rs. 20, and to a further fine not exceeding Rs. 5 for every day after conviction during which such offence is continued.

209. The Chairman may, subject to the approval of the Municipal Council, 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 from the building or land belonging to, or occupied by, such owner or occupier on, such terms and subject to such conditions as the Chairman may think fit.

17. Drains.

210. (1) All public or other drainage works for the improvement of, or the conservancy hereafter required in, any Municipality shall be constructed under the direction of the Municipal Council.

(2) The Municipal Council, in making sewers or other drainage works, may, if needful, carry any sewer or drainage work through, across or under any street, garden or other place, or into or under any building, cellar or vault.

(3) Whenever it is necessary to carry a sewer or other drainage work through, across or under any private property, the Municipal Council shall give notice to the owner or occupier of such property, and the Municipal Council shall pay reasonable compensation for any injury done to such property by any such sewer or drainage work.

(4) The Municipal Council may maintain and, from time to time, repair and, as they see fit, enlarge, alter, arch over or otherwise improve all or any of the sewers and drainage works vested in them by this Act; and may discontinue, close up, or destroy such of them as they deem unnecessary.

211. No person shall, without the written permission of the Municipal Council make any drain into a public sewer or drain or stop up, divert, obstruct, or in any way interfere with any public drain or sewer, whether the same passes through public or private ground.

212. No building shall be newly erected over any sewer or drain, or any part of any sewer or drain, vested in the Municipal Council by this Act, or upon any ground which has been covered, raised or levelled, wholly or in part by street sweepings or other rubbish without the written permission of the Municipal Council.

213. No drain, privy or cesspool shall be constructed without the written permission of the Municipal Council.

214. (1) All branch drains, as well within as without the lands or buildings to which they belong, and all private latrines, privies and cesspools within the Municipality shall be under the survey and control of the Municipal Council, and shall be altered, repaired, cleansed and kept in proper order at the cost of the owners of the lands and buildings to which the same belong, or for the use of which they are constructed or continued.

(2) The

n or in any vehicle, cart or vessel not
cart not intended for that purpose, or in
Sub-section (2), Section 217, or in any
ted, or
matter other than night-soil and other
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shall be liable to such fine by reason of
nes with night-soil or other offensive
deodorizing it.

stice require all occupiers of buildings
or any part thereof to provide, within
such notice, movable private receptacles
in the notice for the temporary deposit
e matter.
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ably before which such movable private
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cation, fails to have the night-soil or
his house collected in such receptacle
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deodorizing it.

who—
than twenty-four hours, or otherwise
receptacle, any night-soil, rubbish or
tter in such building, or upon the roof
y out-building, yard, pavement or
d to or belonging to such building or

ove the filth from such receptacle and
of such filth in the manner directed

the Municipal Council as to the repair,
his building or belonging thereto,
each offence, and an additional fine
on for such offence, during which the

the water of any sink, drain or privy,
able or place, or any other offensive
him or being on his land or in his
or land occupied by him, to run down

on,

(i) any such matters in any dust-bin or in any vehicle, cart or vessel not covered, or in any Municipal cart not intended for that purpose, or in any of the places mentioned in Sub-section (2), Section 217, or in any manner otherwise than as directed, or

Penalty for deposit of matter other than those referred to.

(ii) any matter other than night-soil and other offensive matter in any vehicle, cart or vessel provided under this section for the separate removal of night-soil and other offensive matters,

shall be liable to a fine not exceeding Rs. 10 for each offence.

No penalty for mixing dry-earth.

(3) But no person shall be liable to such fine by reason of mixing dry-earth or ashes with night-soil or other offensive matter for the purpose of deodorizing it.

Provision of receptacles for temporary deposit of filth in houses.

219. The Municipal Council may by notice require all occupiers of buildings within the Municipality or any part thereof to provide, within a time to be specified in such notice, movable private receptacles of a kind to be specified in the notice for the temporary deposit in their buildings of night-soil or other offensive matter.

Notification of time when such receptacles should be in readiness for removal of contents.

220. (1) The Municipal Council may by notification appoint the time or times daily before which such movable private receptacle shall be in readiness on the premises and screened from public view for the removal of the contents thereof by the municipal servants.

Penalty for default.

(2) Every occupier who, after such notification, fails to have the night-soil or other offensive matter of his house collected in such receptacle and ready for removal, or who deposits any other matter in such receptacle, shall be liable to a fine not exceeding Rs. 10 for each offence.

No penalty for mixing dry-earth.

(3) But no person shall be liable to such fine by reason of mixing dry-earth or ashes with night-soil or other offensive matter for the purpose of deodorizing it.

221. Every occupier of a building or land, who—

Penalty for keeping filth for more than twenty-four hours, &c.

(i) keeps or allows to be kept for more than twenty-four hours, or otherwise than in a proper receptacle, any night-soil, rubbish or other offensive matter in such building, or upon the roof thereof, or in any out-building, yard, pavement or verandah attached to or belonging to such building or on such land, or

(ii) neglects to employ proper means to remove the filth from such receptacle and to cleanse the same, and to dispose of such filth in the manner directed by the Municipal Council, or

(iii) fails to comply with any requisition of the Municipal Council as to the repair, paving or cleansing of any latrine in his building or belonging thereto,

shall be liable to a fine not exceeding Rs. 20 for each offence, and an additional fine not exceeding Rs. 5 for every day, after conviction for such offence, during which the offence is continued.

222. Every owner or occupier who allows the water of any sink, drain or privy, or the drainage from any stable or place, or any other offensive liquid-matter belonging to him or being on his land or in his building or in any building or land occupied by him, to run down on,

Penalty for allowing sewage to flow in streets.

on, or to be put upon, any street, or into any drain in or alongside of any street, except in such a manner as shall prevent any sweepings, dung, rubbish or offensive matter soaking into the walls or ground at the side of the said drains, shall be liable to a fine not exceeding Rs. 10 for each offence.

Penalty for sweeping dirt without cover in the removal of night-soil, &c.

223. Whoever, in the removal of night-soil or other offensive matter, uses any cart or receptacle not having a covering proper for preventing the escape of the contents thereof or of the stench therefrom, or spills any such offensive matter in the removal thereof, or does not carefully sweep and clean every place in which any such offensive matter has been spilled, or places or sets down in any public place any night-soil or offensive matter, whether in a vessel closed or open, shall be liable to a fine not exceeding Rs. 10 for each offence.

Penalty for throwing rubbish, &c., into sewers or drains.

224. Whoever puts or causes to be put any earth, dirt, ashes, garbage, kitchen or stable refuse, broken glass, earthenware, rubbish or night-soil into any sewer or drain belonging to the Municipal Council or into any drain communicating therewith, shall be liable to a fine not exceeding Rs. 20 for each offence.

Exposure to child.

225. Whoever having the care or custody of any child under 12 years of age omits to prevent such child from committing a nuisance in or by the side of any street, shall be liable to a fine not exceeding Rs. 5.

13. Miscellaneous.

Municipal Council may take steps to abate overcrowding of buildings.

226. (1) Whenever the Municipal Council consider that any building is so overcrowded as to be, or to be likely to become, dangerous or prejudicial to the health of the inhabitants, the Municipal Council may cause proceedings to be taken before a Magistrate to abate such overcrowding, and the Magistrate shall thereupon make such order as he thinks fit.

Penalty for neglect of Magistrate's order.

(2) Any person permitting such overcrowding after the date of such order shall be liable to a fine not exceeding Rs. 10 for each day after such date during which such overcrowding continues.

Power to cleanse or fill up stagnant pools, &c.

227. The Municipal Council may cleanse, fill up or drain all wells or excavations of stagnant water (not being private property) which they may consider likely to prove injurious to the health of the neighbourhood.

Proviso.

Provided that it shall not be lawful to fill up any water except with clean soil, gravel or sand.

Cleansing or filling up of tanks and wells.

228. (1) The Municipal Council 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.

Draining off of stagnant water.

(2) Or they 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 situated therein, if they consider that such stagnant water is injurious to health or offensive to the neighbourhood.

(3) Such

Owner may specify mode in which work is to be done.

(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.

Person removing sand, &c., from pull, river, &c., without authority, liable to penalty.

229. Whoever, not being an officer of Government in the discharge of his duty, or not being provided with a license from the Chairman or from some officer of Government having authority to grant the same, removes earth, sand or other material from or deposits any matter, or makes any encroachment or obstruction in or upon any land or river, estuary, canal, back-water or water-course within the Municipality (not being private property) shall be liable to a fine not exceeding Rs. 20 for every such offence.

Power to destroy pigs and dogs.

230. (1) The Municipal Council may, and if so directed by the District Magistrate shall, from time to time cause to be notified by beat of drum or otherwise that pigs and dogs found straying within certain limits will be destroyed.

May be destroyed.

(2) Pigs and dogs found straying within such limits after such notification may be destroyed by any person in such manner as the Magistrate of the district may from time to time direct.

14. Prevention of Infectious Diseases.

Chairman to have power of entry for purpose of inspecting spread of disease.

231. (1) The Chairman, or any officer 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 epidemic, endemic, or 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.

Disinfection of houses, &c.

(3) If the Chairman 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 always that when, in the opinion of the Chairman, the owner or occupier is, from poverty or otherwise, unable effectually to carry out the said requirements, the Chairman may cleanse or disinfect such building or premises, and any articles therein likely to retain infection, at the expense of the Municipal Fund.

Places for washing.

232. (1) The Chairman may 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.

Infected articles may be destroyed.

(2) The Chairman may direct the destruction of bedding, clothing, or other articles likely to retain infection, and may in his discretion give compensation for the articles destroyed.

Penalty.

(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 be liable to a fine not exceeding Rs. 50.

233. When

President may order removal of patients to hospital.

232. When a hospital or place for the reception of persons suffering from any dangerous infectious disease is provided within the limits of any Municipality, the Chairman may, on a certificate signed by a medical practitioner, direct the removal to such hospital or place of any person suffering from a dangerous infectious disease, who is, in the opinion of such medical practitioner, without proper lodging or accommodation, or who is lodged in a room occupied by more than one family.

15. Burial- and Burning-Grounds.

Municipal Council to provide burial or burning grounds.

234. (1) The Municipal Council may by a resolution at a meeting determine to provide a sufficient number of convenient and fitting places for burial or burning grounds, either within or without the limits of the Municipality.

Burial-grounds, &c., outside Municipality to be governed by Act and bye-laws.

(2) Whenever the Municipal Council have provided any such place beyond the Municipality, all the provisions of this Act and all bye-laws framed under this Act for the management of such places within the Municipality shall apply to such place.

Burial and burning grounds to be registered.

235. (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 Municipal Council to have such place registered.

If no owner, Municipal Council may register or close.

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

No burial or burning ground to be opened without license.

236. 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 Municipal Council at a meeting.

A book to be kept of places registered.

237. A book shall be kept at the Municipal Office in which places registered under Section 235, or licensed under the last preceding section, shall be recorded.

Penalty for contravening section.

238. Whoever in any Municipality buries, or burns, or causes or suffers to be buried or burnt, any corpse in any unregistered and unlicensed vault, grave, burial or burning ground or other place, private or public, shall be liable to a fine not exceeding Rs. 100.

Notice to be given to Municipal Council of burials, &c.

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

Where burial or burning grounds are dangerous to health—

240. (1) If the Municipal Council are 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

and another convenient place is provided—

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,

Notice may forbid use to bury or burn.

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.

Notice to be published.

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

Penalty for burying &c., contrary to notice.

(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 be liable to a fine not exceeding Rs. 100.

241. Whoever

Depth of graves.

(i) buries, or causes to be buried, any corpse, or part of a corpse, in a grave whether dug, or constructed of masonry, or otherwise in such manner that the surface of the coffin, or the surface of the body where no coffin is used, is at a less depth than five feet from the surface of the ground; or

Distance between graves.

(ii) builds, or digs, or causes to be built or dug, any grave in any burial-ground at a less distance than two feet from the margin of any other existing grave; or

Re-opening graves.

(iii) without the sanction in writing of the Municipal Council, or an order in writing of a Magistrate, re-opens a grave already occupied; or

Burial and cremation.

(iv) brings, or conveys, or causes to be brought or conveyed, a corpse, or part thereof, to any burial or burning ground, and does not cause the burial or burning of the same to commence within six hours after its arrival at such burning-ground; or

Cremation to be complete.

(v) when burning, or causing to be burnt, a corpse or part of a corpse in any burning ground, permits the same or any part thereof to remain without being completely reduced to ashes; or

Cloths, &c., to be burned.

(vi) permits the cloths, or other articles connected with the burning of such corpse, to remain at or near such ground without being completely reduced to ashes; or

Corpses to be carried through streets.

(vii) carries a corpse or part of a corpse through

Leaving corpse on highway.

(viii) while carrying a corpse or part of a corpse within the Municipality, leaves the same in or near any street, for any purpose whatever; or

Removal of corpse kept for dissection.

(ix) removes otherwise than in a closed receptacle any corpse or part of a corpse kept or used for the purpose of dissection;

Penalty.

shall for each offence be liable to a fine not exceeding Rs. 50.

242. All

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242. All grave-diggers and other attendants at a public burial or burning ground shall be licensed by the Municipal Council, and any person acting as such without such license shall be liable to a fine not exceeding Rs. 5. Such license may be withdrawn or cancelled at the discretion of the Municipal Council.

Grave-diggers to be licensed.

16. Registration of Births and Deaths.

243. The Municipal Council shall keep in their office a register of all births and deaths in the Municipality, and for this purpose they may divide the Municipality into such districts as they think fit, and shall appoint a person to be Registrar of Births and Deaths within the Municipality, or, in the case of the division of the Municipality into districts, for every district they shall appoint a person to be Registrar of Births and Deaths in such district.

Municipal Council to keep register of births and deaths and appoint Registrars.

244. (1) Every Registrar shall reside within the Municipality or district of which he is Registrar, and shall cause his name, with the addition of Registrar of Births and Deaths for the Municipality or district for which he is so appointed, written in English and in the Vernacular language of the district, to be placed in some conspicuous place by or near the outer door of his dwelling-house.

Registrars to live in their districts.

(2) The Municipal Council shall cause to be printed and published a list containing the names and places of abode of every such Registrar of Births and Deaths in the Municipality.

List of Registrars and their residences to be published.

245. The Municipal Council shall cause to be prepared and printed a sufficient number of Register Books for making entries of all births and deaths which take place in the Municipality according to such forms and instructions as may, from time to time, be prescribed by the Governor in Council.

Municipal Council to cause Register Books prepared and printed.

246. Every Registrar shall inform himself carefully of every birth and of every death which happens in the Municipality or his district after the coming into operation of this Act, and shall learn and register, as soon as conveniently may be after the event, without fee or reward, the particulars required to be registered, according to the forms prescribed as aforesaid touching every such birth and death, as the case may be, which has not been already registered.

Registrar to inform himself of and register every birth and death.

All such entries shall be made consecutively from the beginning to the end of the book.

247. (1) The father or mother of every child born in the Municipality, or, in the case of the death, illness, absence or inability of the father and mother, some person who was present at, or in attendance during the child-birth, shall, within one week next after the day of every such birth, give, or cause to be given, information to the Registrar according to the best of his or her knowledge and belief, of the several particulars required to be known and registered touching the birth of such child.

Information of birth to be given within the week.

(2) Some one of the persons present at the death, or in attendance during the last illness, of every person dying in the Municipality, or in case of the death, illness, inability or default of all such persons, the occupier of the building, or, if the occupier be the person who has

Information of death to be given.

has died, some person living in the building in which such death has happened, shall within 24 hours give information to the Registrar, according to the best of his knowledge and belief, of the several particulars required to be known and registered touching the death of such person.

Where persons die in Hospital, Medical Officer in charge to send notice to Registrar.

248. (1) In the case of persons being born or dying in any hospital, it shall be the duty of the Medical Officer in charge forthwith to send a notice to the Registrar of the occurrence of any birth or death in the hospital under his charge.

Persons performing funeral to give information.

(2) Every person who conducts or performs the funeral ceremonies of any person who has died within the municipality shall, whenever required, furnish to the Registrar such information as he possesses as to the said several particulars.

Person giving information to sign or mark the Register.

249. (1) Every person who has given the information contained in any Register of Births or Deaths under this Act shall sign in the Register his name, description and place of abode, and, if he cannot write, shall put his mark in the Register to his name, description and place of abode.

Registrar to give extract.

(2) The Registrar shall forthwith give, free of all charge, to the person who gives information of the birth of a child an extract under his hand from the Register relating to such birth.

Fee, in case of persons born or dying in hospital, Registrar complete on entry of Medical Officer's notice.

(3) In the case of a person being born or dying in any hospital, the registration of the birth or death shall be deemed to be completed by the entry, in the Register, of the written notice received from the Medical Officer in charge of the said hospital, prescribed in section 248 without the signature of the Medical Officer to the entry in such Register.

Search of Birth and Death Registers.

(4) Any person may, at all reasonable times, on payment of a fee of Annas 8 for each visit, search, in the presence of the Registrar, any Register of Births and Deaths, and may require the Registrar to give him an extract under his hand from such Register relating to any birth or death registered therein. A fee of Annas 8 shall be payable by such person in respect of each birth or death regarding which he requires an extract from the Register to be given.

CHAPTER V.

Miscellaneous.

Power of Governor in Council to frame forms and make rules.

250. (1) The Governor in Council may, from time to time, frame forms for any proceeding of a Municipal Council for which he considers that a form should be provided, and make rules not inconsistent with this Act—

(*a*) with respect to the appointment of Municipal Councillors by election as to the following matters:—

(i) the qualifications of electors and of the candidates for appointment by election, and the removal and disqualification of Municipal Councillors or candidates;

2R043 Cat(11-38)
"2781 Wat(7-16-87
"4084 Cat(11-38) Tables

(ii) the division of the Municipality or of a part thereof into wards and the number of Municipal Councillors proper for each ward;

(iii) the provision, if any, to be made for the special representation of any classes of the community;

(iv) the registration of electors;

(v) the nomination of candidates, the time of election and the mode of recording votes; and

(vi) any other matters regarding the system of representation and election which it may seem expedient to provide for.

(b) with respect to the appointment by election of Chairmen;

(c) as to the appointment, fining, suspension and dismissal of the servants of the Municipal Council;

(d) as to the pensions, gratuities, and compassionate allowances of such servants;

(e) as to the matters mentioned in sections 113, 121 and 122;

(f) as to the conditions under which grants-in-aid shall be paid from the Municipal Fund for purposes of education and medical relief;

(g) as to the conditions under which property vested in the Municipal Council may be transferred by sale, mortgage, lease, exchange or otherwise;

(h) as to the intermediate office or offices, if any, through which correspondence between the Municipal Council and the Governor in Council or officers of the Government shall pass;

(i) as to the preparation of plans and estimates for works which are to be partly or wholly constructed at the expense of the Municipal Council;

(j) as to the accounts to be kept by the Municipal Council, and as to the manner in which such accounts shall be audited and published;

(k) as to the estimates of receipts and expenditure, returns, statements and reports to be submitted by the Municipal Councils;

(l) as to the mode in which the officers of Government shall advise and assist Municipal Councils in carrying out the purposes of this Act; and,

(m) generally, for the guidance of the Municipal Councils and public officers in all matters connected with the carrying out of this Act.

(2) Provided that any forms or rules framed under the Towns Improvement Act, 1871, which are in force in any Municipality at the time this Act comes into operation shall, so far as they are consistent with the provisions of this Act, be deemed to have been made under this Act.

Rules, &c., made under to continue to have the force of law.

(3) Such rules and forms framed by the Governor in Council under this section shall, until they are cancelled or altered, have the force of law.

Annual estimate of expenditure to be submitted to the Government in Council.

251. (1) The Municipal Council shall furnish, for the sanction of the Governor in Council, a statement or estimate showing the probable receipts and the expenditure which it is proposed by the Municipal Council to incur during the next official year, and the items in respect of which it is proposed to incur such expenditure, and may also furnish a supplemental estimate 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 official year then current for the purposes of this Act.

(2) The

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(2) The Governor in Council may pass such orders as he shall think fit upon the original or supplemental estimate so submitted to him, and such orders shall be binding upon the Municipal Council, and shall be carried out by them so far as the means at their disposal will permit.

Governor in Council to pass orders on estimate.

252. The Municipal Council shall furnish an Annual Report to the Governor in Council of their Proceedings and statements in detail of all the works executed by them, and of all sums received and expended by them. Such Annual Report shall be published in the District Gazette.

An Annual Report of Proceedings, &c., to be submitted.

253. All schools and other institutions of an educational character, and all hospitals, dispensaries, vaccine stations, choultries and other institutions of a charitable character, maintained by the Municipal Council, and all registers, books, accounts, and other documents relating thereto shall at all times be open to the inspection of such officers as the Governor in Council may, from time to time, appoint in that behalf.

Inspection of Schools, &c., by Government Officers.

254. The Governor in Council may, from time to time, appoint such officers as may be required for the purpose of inspecting or superintending the operations of the Municipalities established under this Act, and also such secretaries, clerks, and other servants as may be necessary for the exercise of the powers vested in him, and the duties imposed on him by this Act, and assign to them such salaries, if any, as he shall think reasonable; and the expense incurred by reason of such appointments shall be defrayed in rateable proportions out of the funds of the several Municipalities established under this Act.

Appointment of officers to superintend operations of Municipalities.

Municipal Council empowered to make Bye-Laws.

255. (1) The Municipal Council at a Meeting may, from time to time, make bye-laws, and cancel or alter the same—

(i) for regulating the time and mode of collecting the tolls and taxes mentioned in this Act;

(ii) for regulating the conduct of persons employed by them;

(iii) for the management of markets, slaughter-houses, offensive trades, and all matters connected with conservancy;

(iv) for securing cleanliness, safety, and order in the streets;

(v) for carrying out all the purposes of this Act; and

(vi) generally for securing the good government and well-being of the Municipality;

and may affix fines and penalties for the infringement of such bye-laws.

Infringement of Bye-law.

(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 Municipal Council of such infringement.

Confirmation of Bye-laws.

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

Bye-laws, until cancelled or altered to have the force of law.

(4) All bye-laws, when they shall have been duly confirmed, shall, until they are cancelled or altered, have the force of law.

(5) All

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Bye-laws made Act 10 of 1871 to continue in force until abrogated.

(3) All bye-laws made and in force under the provisions of the Towns Improvement Act, 1871, shall, so far as they are consistent with the provisions of this Act, be deemed to have been made under this Act.

Publication of notice of proposed bye-laws.

256. (1) The Governor in Council and Municipal Council shall, before making or altering any rules, or bye-laws under Section 249 or 255, publish in such manner as may in his or their opinion be sufficient for giving information to persons interested thereby a draft of the proposed rules or bye-laws and 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, or bye-laws or alterations receive and consider any such objection or suggestion which may be made in respect of such draft by any person interested thereby before the date so specified.

Rules not to have effect until after three months.

(2) Such rules or bye-laws and alterations thereof made by the Governor in Council or the Municipal Council under Sections 250 or 255, shall be published in the Local Gazette of the district in English and a Vernacular language of the district and shall not come into operation until three months after they have been so published.

Copies of Acts, Rules and Bye-laws to be sold at the Municipal Office and at cost price.

257. Complete copies, in English and in a Vernacular language of the district—

(i) of this Act, and

(ii) of all Rules framed by the Governor in Council under Clauses (a) and (b) of Section 250, Sub-section (1), and in force for the time being, and

(iii) of all bye-laws in force for the time being

shall be kept at the Municipal Office and shall be sold to the public at cost price.

Acts of Municipal Council, &c., not to be invalidated by informality.

258. No Act of a Municipal Council, or of any Committee, or of any person acting as its Chairman or Municipal Councillor shall be deemed to be invalid by reason only of some defect in the establishment of the Municipality, or in the appointment of the Chairman or Municipal Councillor; or on the ground that they or any of them were disqualified for such office or by reason of such act having been done during any vacancy in the Municipal Council.

Liability of members for loss, waste or misapplication.

259. Every Municipal Councillor shall be liable for the loss, waste or misapplication of any money or other property belonging to the Municipal Council, 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 by the Municipal Council or by the Secretary of State for India in Council.

Penalty on Municipal Councillor or servant being interested in contract made with Municipal Council.

260. If any Municipal Councillor or servant of a Municipal Council is, otherwise than with the permission in writing of the Collector of the District, directly or indirectly interested in any contract made with the Municipal Council, he shall be deemed to have committed an offence under Section 168 of the Indian Penal Code:

Provided that no person shall, by reason of being a shareholder in, or member of, any incorporated or registered company, be held to be interested in any contract entered into between such company and the Municipal Council.

261. No

No action to be brought against the Council or their Officers until after one month's notice of cause of action.

261. No action shall be brought against any Municipal Council, or any of their Officers, or any person acting under their direction, for anything done or purporting to be done under this Act, until the expiration of one month next after notice in writing shall have been delivered or left at the Office of the Municipal Council, or at the place of abode of such person, explicitly stating the cause of action and the name and place of abode of the intended plaintiff; and, unless such notice be proved, the Court shall find for the defendant; and every such action shall be commenced within six months next after the accrual of the cause of action, and not afterwards; and, if any person to whom any such notice of action is given shall, before action brought, tender sufficient amends to the plaintiff, such plaintiff shall not recover more than the amount so tendered, and shall pay all costs incurred by the defendant after such tender.

Assessment, &c., not to be impeached if Act substantially complied with.

262. (1) No assessment, charge or demand of a tax made under the authority of this Act shall be impeached or affected by reason of any mistake in the name, residence, place of business or occupation of any person liable to pay the tax, or in the description of any property or thing liable to the tax, or of any mistake in the amount of assessment or tax, or by reason of any clerical error, provided the directions of this Act shall have been in substance and effect complied with; and no proceedings under this Act shall, for want of form, be quashed or set aside in any Court of Justice.

(2) No action shall be maintained in any Court to recover money paid in respect of any tax, toll or fee assessed or levied, or any payment collected, under this Act, or to recover money or damages by reason of any assessment made, tax, or toll or fee levied, or any payment under this Act, provided that the provisions of this Act relating to the assessment and levy of taxes, tolls and fees, and to the collection of payments have been in substance and effect complied with.

Distress not unlawful for want of form.

(3) No distress 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, defect or want of form in the bill, notice, schedule, form, summons, notice of demand, warrant of distress, 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.

Special damage actionable.

Provided that every person aggrieved by such irregularity may recover satisfaction for any special damage sustained by him.

Penalty for illegally doing any act without a license, &c.

263. (1) If under this Act the license or written permission of the Chairman or the Municipal Council 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—

(i) without such license or permission, or

(ii) when such license or permission shall have been granted, in a manner inconsistent with or contrary to the terms of such license or permission,

and if no penalty has been specially provided in this Act for any act so done, the person doing such act shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs. 50 for every such offence, and to a further fine not exceeding Rs. 10 for every day during which the said offence is continued after such conviction.

(2) And

Payments for unauthorised occupation of lands.

268. If any person, without the previous sanction of the Municipal Council, occupies any land belonging to such Municipal Council, he shall pay in respect of such occupation such sums as may be demanded from time to time by the said Municipal Council.

Recovery of fees, &c.

269. All expenses incurred by the Municipal Council and payable to them, and all rents, fees, tolls and other payments due to them, under the provisions of this Act, or under any bye-law under this Act, for the recovery of which no special provision has been made in this Act, shall be recoverable by the Municipal Council, their renters, farmers, and other assigns in the same manner as if they were taxes due to the Municipal Council under this Act.

Surplus sale proceeds.

270. If any property, movable or immovable, is sold under the provisions of this Act, and if there is a surplus, after the sum due to the Municipal Council shall have been deducted from the sale proceeds, such surplus shall, if the owner of the property sold claims the same within six months from the date of the sale, be paid to him by the Municipal Council, but if no such claim is preferred within such time, the said surplus shall be forfeited to the Municipal Council.

Service of bills, notices, &c.

271. (1) Every bill, notice, or form, 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 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.

If place of abode be unknown such notice shall be affixed on land, &c.

(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, be unknown, or if the owner of any such building or land be not resident within the limits of the Municipality, every such bill, notice, or form, shall be deemed to be duly presented or served, if delivered to any adult 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.

Bill, &c., sent by post duly served.

(3) Any such bill, notice, or form sent to any person by registered post shall be addressed to his usual or last known place of abode or business, and when so sent shall be held to have been duly served, unless and until the contrary be proved.

Period mentioned in notice to date from service of such notice.

(4) Whenever in any bill, notice, or form served under this Act, a period is fixed within which any tax or other sum is to be paid, or any work executed, or anything provided, such period shall be calculated from the date of such service.

Owner to be proceeded against first, and in his absence the occupier.

272. (1) Whenever it is provided in this Act that any notice shall or may be served on, or any demand be made on, or any action be taken against, "the owner or occupier" of any building or land, such notice shall be served, or such demand made on, or action taken against, the owner in the first instance, and shall be served on, or made on, or taken against, the occupier only when the owner cannot be found or is not resident within Municipal limits.

(2) If

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" 2758 Weekly do. 87
" 4074 Cash. do. Weekly Bales

If occupier puts owner in another house.

(2) If any such, but no such lawful intruder under this Act from the owner is prevented from the occupier, such occupier may reimburse himself by deducting the same from the rent payable by him to the owner.

Proceedings in case of occupier opposing execution of Act.

273. (1) If the occupier of any building or land prevent the owner thereof from carrying into effect, in respect of such building or land, any of the provisions of this Act, after notice of his intention so to do has been given by the owner to such occupier, the Municipal Council, upon proof thereof, may give an order in writing requiring such occupier to permit the owner to execute all such works with respect to such building or land as may be necessary for carrying into effect the provisions of this Act.

Penalty.

(2) If, after the expiration of eight days from the date of the service of such order, such occupier continues to refuse to permit such owner to execute such works, such occupier shall, for every day during which he so continues to refuse, be liable to a fine not exceeding Rs. 10.

Owner exempted.

(3) Every such owner, during the continuance of such refusal, shall be discharged from any fine, or penalty to which he might otherwise have become liable by reason of default in executing such works.

Power to enter upon building or land to be repaired.

274. (1) The Municipal Council may, with the consent of the occupier of any building or land, or after giving six hours' notice to such occupier, by themselves or their servants 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 purposes 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.

Entry into women's apartments in houses.

(2) 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 purpose 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, 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.

Power of Municipal Council to enter on lands adjacent to works.

275. (1) The Municipal Council or their servants may enter upon the land of any person adjoining to, or being within the distance of twenty yards of, any works authorized by this Act, for the purpose of depositing upon such land any soil, gravel, sand, lime, brick, stone or other materials, or for any other purposes connected with the carrying on of such works, without making any previous payment, tender, or deposit.

Compensation for temporary occupation of land, or for injury thereto.

(2) The Municipal Council shall cause as little damage as may be in the exercise of the powers hereby granted to them, and shall make compensation for such temporary occupation of, or temporary damage to, the said land to the owner and occupier thereof, and shall make compensation to the owner also for the permanent injury (if any) to such land.

(3) Before

(3) Before the Municipal Council make any such temporary use of land adjoining or lying near to any such work, they shall give seven days' notice of their intention to the owner and occupier of such land, and shall, if required by any such owner or occupier to do so, mark off by sufficient fences so much of the land as is required to be used as aforesaid from the other land adjoining thereto.

Previous notice to owner or occupier.

276. Whenever the Municipal Council set apart any place, for any purpose authorized by this Act, or prohibit the doing of any act or thing in any place, they shall at once cause to be put up a notice in English and a Vernacular language of the district at or near such place. Such notice shall specify the purpose for which such place shall have been set apart, or the act or thing prohibited.

Notice for setting apart public places.

277. (1) Whoever

Penalty for obstructing persons employed by the Municipal Council in their duty.

(i) obstructs or molests the Municipal Council, or any person employed by them, or any person with whom they have contracted, under the provisions of this Act, in the performance of their or his duty, or obstructs any such person or any other person from doing anything which he is empowered or required to do by virtue of this Act, or

(ii) removes any mark set up for the purpose of indicating any level or direction incidental to the execution of any work authorized by this Act,

shall be liable to a fine not exceeding Rs. 50.

Penalty for removing or destroying notice.

(2) Whoever removes, destroys, defaces or otherwise obliterates any notice put up or exhibited by the Municipal Council, or under their orders, shall be liable to a fine not exceeding Rs. 50.

Power to make compensation out of the Municipal Fund.

278. The Municipal Council at a Meeting may make compensation, out of the Municipal Fund, to all persons sustaining any damage by reason of the exercise of any of the powers vested in the Municipal Council, or their servants under and by virtue of this Act.

Acquisition of land under Act X of 1870.

279. Where any land, whether within or without the limits of a Municipality, is required for the purposes of this Act, the Governor in Council may, at the request of the Municipal Council, proceed to acquire it under the provisions of the Land Acquisition Act, 1870, and on payment by the Municipal Council of the compensation awarded under that Act the land shall vest in the Municipal Council.

Municipal Council may direct prosecutions for nuisance, or for enforcing penalty.

280. The Municipal Council may direct prosecutions for any public nuisance, and may order proceedings to be taken for the enforcement of any fine provided by this Act.

Damage to property of Municipal Council to be made good in addition to penalty.

281. If through any act, neglect or default, whereby any person has become liable to any fine under this Act, or any damage to the property of the Municipal Council has been caused by such person, he shall also be liable to compensate the Municipal Council for such damage, and the Magistrate shall assess the amount of such compensation and award it accordingly.

282. (1) Every

REVENUE DEPART

Police officers to report offences to Municipal Council.

282. (1) Every Police officer shall give immediate information to the Chairman or the servants of the Municipal Council of any offence committed contrary to the provisions of this Act, or the bye-laws made in pursuance thereof, and shall help them in giving effect to the provisions of this Act in such manner and at such times as may be necessary.

Power to Police to arrest persons committing offence in their view.

(2) Any Police officer may arrest any person committing in his view any offence against any of the provisions of this Act, if the name and address of such person be unknown to him, and if such person decline to give his name and address, or if the Police officer shall have reason to doubt the accuracy of such name and address if given; and such person may be detained at the station-house until his name and address shall be correctly ascertained.

Penalty.

(3) Any Police officer, who omits or refuses to perform any duty imposed on him by this Act, shall be deemed to have committed an offence under Section 10, Act XXIV of 1859.

Penalty for omission to give information.

283. If any person, who is required by the provisions of this Act or by any notice or other proceeding issued thereunder to furnish any information—

(i) omits to furnish the same, or

(ii) knowingly or negligently furnishes false information,

such person shall be liable to a fine not exceeding Rs. 100.

284. (1) Every person who,

(i) not being appointed or duly authorized to collect the taxes and tolls and other sums due to the Municipal Council under this Act, shall levy or demand any tax, toll or sum, or

(ii) shall unlawfully and extortionately demand or take any other or higher tax, toll or sum than the lawful tax, toll or sum, or

Illegal collection of taxes and tolls.

(iii) under color of this Act shall seize or sell any property, knowing such seizure and sale to be unlawful, or

(iv) in cases where he shall be 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 extort any money or any valuable thing from any person under color of this Act,

shall be liable to a fine not exceeding Rs. 500.

Prosecution before Magistrate.

285. Every prosecution under this Act may be instituted before any Magistrate having jurisdiction over the offender.

Offender may be detained in custody, or compelled to give security, if fine, &c., be not forthwith paid.

286. (1) In case any fine, damage, penalty or costs imposed under or by virtue of this Act or of any bye-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 a 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.

(2) If,

If no sufficient distress can be had, or there be not sufficient property whereupon the fine, &c., may be levied, the offender may be imprisoned.

(2) If, upon the return of such warrant, it shall appear that no sufficient distress can be had wherein to levy such fine or sum of money and the same shall not be forthwith 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 such fine or sum of money shall not exceed Rs. 50, and for any term not exceeding two calendar months when the amount shall not exceed Rs. 100, and for any term not exceeding six calendar months in any other case; such commitment to be determinable in each of the cases aforesaid on payment of the amount.

How fines and penalties are to be applied.

(3) The Magistrate by whom any fine or penalty is imposed by virtue of this Act shall award the whole of such fine or penalty to the Municipal Council to be by them applied to the purposes of this Act.

Prosecutions.

287. When an act or omission is punishable under the provisions of this Act and those of any other law, the Municipal Council may in their discretion prosecute the person guilty of such act or omission under this or such other law as they may deem fit.

Delegation of powers by the Governor in Council.

288. The Governor in Council may from time to time by Notification authorize any person to exercise any one or more of the powers vested in him by this Act, save and except those mentioned in Chapter I, and may at any time in like manner withdraw such authority.

Notification to be published in District Gazette.

289. Every notification under this Act shall be published in the official gazette of the district to which the said notification applies, both in English and a Vernacular language of the district.

SCHEDULE A (Section 47).

Tax on Arts, Professions, Trades, and Callings.

Class I.

	Yearly.
Every Joint Stock Company trading with a paid-up capital of one lakh of rupees or upwards	Rupees 100

Class II.

Every Joint Stock Company trading with a paid-up capital of less than one lakh of rupees Every person holding any office or appointment, public or private, or employed in any capacity, whose pay or salary amounts to Rs. 1,500 a month or upwards Every Abkari Renter, Merchant, Banker, Sowcar, Contractor, Ship or Boat Owner, Wholesale Trader or Commission Agent or any Agent, Gumastah or Servant in charge of the business of such persons when the principals are non-resident Every Practising Barrister Every Owner of a Press for Cotton, or of a Coffee-cleaning Establishment or Saw Mills Every Hotel-keeper, Boarding-house Keeper, Shop-keeper, Manufacturer, Artisan or Trader, the gross rental of whose shop or place of business is estimated at Rs. 1,200 per annum or upwards	„ 50

Class

Class III.

	Yearly.
Every person holding any office or appointment, public or private, or employed in any capacity, whose pay or salary amounts to 500 rupees per month and is less than Rs. 1,000 per month	
Every Merchant, Banker, Sowcar, Contractor, Ship or Boat Owner, Wholesale Trader or Commission Agent, or any Agent, Gomastah or Servant in charge of the business of such persons when the principals are non-resident, not assessed under Class II	
Every Practising Barrister not assessed under Class II, and every Attorney-at-Law, Proctor, Notary Public, or Pleader practising in any Civil and Criminal Court, Subordinate Judge's Court, or Court of Small Causes	Rupees 25
Every Practising Surgeon, Physician, Dentist, Architect or Civil Engineer	
Every Owner or Assessed of a Bazar	
Every Owner of a Press for Cotton, or of a Cotton-cleaning Establishment or of Saw Mills, not assessed under Class II, and every Owner of a Printing Press, or of a Press for Oil, Jute, Hides or other materials, and every Auctioneer	
Every Hotel-keeper, Boarding-house Keeper, Shop-keeper, Manufacturer, Artisan or Trader, the gross rental of whose shop or place of business is estimated at Rs. 500 a-year or upwards	

Class IV.

	Yearly.
Every person holding any office or appointment, public or private, or employed in any capacity, whose pay or salary amounts to 300 rupees per month and is less than Rs. 500 per month	
Every Practising Lawyer not assessed under Class II, Physician, Surgeon, Dentist, Architect, Civil Engineer, Accountant, Notary Public, Proctor, Attorney-at-Law, Pleader, Mukhtiar, Revenue Agent, Mining Engineer, Land Surveyor, Valuer, Auctioneer, Estate Agent, Editor, Proprietor or Publisher of a Newspaper, Veterinary Surgeon, Professor, Teacher, Schoolmaster, Clerk in Holy Orders, Missionary, Minister of Religion, Registered Medical Practitioner, Licentiate of Medicine, Apothecary, and Veterinary Surgeon	
Every Keeper of a Liquor Shop, Retail Dealer, Hotel-keeper, Boarding-house Keeper, or Shop-keeper, or Retail Dealer, Manufacturer, Artisan or Trader, the gross rental of whose shop or place of business is estimated at more than 100 rupees but less than 500 rupees a-year	Rupees 12
Every Pleader and Practising Vakeel not included in Class III	
Every Broker or other person employed in the transfer or purchase of Imports or Exports, or in the sale of Government Securities, Shares and Bills of Exchange, or in procuring freight	

Class V.

	Yearly.
Every person holding any office or appointment, public or private, or employed in any capacity, whose pay or salary amounts to Rs. 200 a-month and is less than Rs. 300 a-month	
Every Hotel-keeper, Boarding and Lodging House Keeper, Shop-keeper, Retail Dealer, Manufacturer, Artisan or Trader, not included in Class III or Class IV	Rupees 6
Every Pawnbroker and every Trader, Artisan, or Merchant having a shop or place of business not included in Class IV	

Class VI.

	Yearly.
Every person holding any office or appointment, public or private, or employed in any capacity, whose pay or salary amounts to Rs. 100 per month and is less than Rs. 200 per month	
Every Keeper of a permanent stall at a Public Market	Rupees 3
Every Native Doctor not included in any other class	
Every Pawnbroker and every Trader, Artisan or Merchant having a shop or place of business not included in Class V	

Class VII.

	Yearly.
Every person holding any office or appointment, public or private, or employed in any capacity, whose pay or salary amounts to Rs. 50 a-month and is less than Rs. 100 a-month	Rupees 2

Class VIII.

Every Retail Dealer, Manufacturer, Artisan, Trader, or Keeper of a shop or stall not included in any other class, or Money-changer	
Every Pedlar, Hawker	
Every person holding any office or appointment, public or private, or employed in any capacity, whose pay or salary amounts to Rs. 30 a-month and is less than Rs. 50 a-month	Rupee 1

SCHEDULE B (SECTION 47).

VEHICLES WITH SPRINGS, PALANQUINS, AND ANIMALS LIABLE TO TAXATION, WITH THE RATES OF TAXATION.

	Half-yearly. Rs.	A.	P.
For every four-wheeled vehicle with springs drawn by two or more horses	9	0	0
For every four-wheeled vehicle with springs drawn by a horse, bull or bullock, or by two or more horses under thirteen hands, bulls or bullocks	4	8	0
For every two-wheeled vehicle with springs drawn by one or more horses, bulls or bullocks	3	0	0
Every other vehicle with springs and every palanquin	3	0	0
For every elephant	12	0	0
For every camel	6	0	0
For every horse over thirteen hands	4	8	0
For every horse of or under thirteen hands	1	8	0
For every horse of or under eleven hands	0	8	0
For every bullock or bull	0	8	0
For every male buffalo	0	8	0
For every ass	0	4	0
For every dog	0	4	0

SCHEDULE C (SECTION 80).

To the Chairman of the Municipal Council of

FORM OF APPLICATION FOR LICENSE FOR VEHICLES AND ANIMALS.

I hereby certify that I have in my possession the Animals and Vehicles set forth in the list given hereunder and no others liable to tax under Schedule B of Act of 188 for the half-year ending the day of 18 .

No.	(*Description of Vehicles and Animals.*)	Tax for the Half-year. Rs.	A.	P.
	Four-wheeled vehicle with springs drawn by two or more horses	9	0	0
	Four-wheeled vehicle with springs drawn by a horse, bull or bullock, or by two or more horses under thirteen hands, bulls or bullocks	4	8	0
	Two-wheeled vehicle with springs drawn by one or more horses, bulls or bullocks	3	0	0
	Other vehicle with springs or palanquin	3	0	0
	Elephant	12	0	0
	Camel	6	0	0

	Tax for the Endorsement. Rs.	A.	P.
Horse over thirteen hands	4	8	0
Horse of or under thirteen hands	1	8	0
Horse of or under eleven hands	0	8	0
Bullock or bull	0	4	0
Male buffalo	0	4	0
Ass	0	4	0
Dog	0	4	0

Date Signature.

Residence.

SCHEDULE D (Section 47).

Maximum Rates of Tolls payable on entering the Municipal Limits.

	Rs.	A.	P.
On every four-wheeled vehicle with springs	0	8	0
On every jatka, hackery or cart drawn by men, buffaloes, bullocks, horses or asses laden	0	4	0
On every jatka, hackery or cart drawn by men, buffaloes, bullocks, horses or asses not laden	0	2	0
On every other vehicle with springs and every palanquin	0	4	0
On every horse under thirteen hands, buffalo, bull, bullock, cow, or ass, laden or ridden	0	1	0
On every horse under thirteen hands, laden or ridden	0	2	0
On every horse not under thirteen hands, laden or ridden	0	1	0
On every horse not laden or ridden	1	0	0
On every elephant	0	4	0
On every camel	0	4	0

Explanation.—"*Laden.*" An animal is not said to be laden when it is merely harnessed for the purpose of being laden or ridden.

SCHEDULE E (Section 104).

Distress 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 188 , although the said sum has been duly demanded in writing from the said and seven days have elapsed since the service of the notice of demand: 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 notice fee and for warrant fee, making together , and such further sum as may be sufficient to defray the charges of taking, keeping and selling such distress; and if within seven days next after such distress, the said sum shall not be paid, together with such further sum as may be sufficient to defray the charges of taking and keeping such distress, to sell the said goods and chattels; and having paid and deducted out of the proceeds of the sale the said sum of rupees and the charges of taking, keeping, and selling such distress, to return the surplus, if any, on demand to the person whom you shall find in possession of the said goods and chattels. If sufficient distress 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 Municipal Council.)

SCHEDULE

SCHEDULE F (Section 105).

Form of Inventory and Notice.

(State particulars of goods seized.)

Take notice that I have this day seized the goods and chattels specified in the above inventory for the sum of rupees due for the taxes mentioned in the margin for the 188 ; and that, unless you pay into the office of the Municipal Council of the amount due, together with the cost of this distress, within seven days from the day of the date of this notice, the goods and chattels will be sold on the day of 188 , at the Municipal Office or at such other place as the Chairman may direct.

(Signature of the officer executing the Warrant of Distress.)

Date

SCHEDULE G (Section 108).

Table of Fees payable on Distraints under this Act.

Sums distrained for	Fees. Rs.	A.	P.
Under 1 rupee	0	4	0
1 and under 5 rupees	0	8	0
5 „ 10 „	1	0	0
10 „ 15 „	1	8	0
15 „ 20 „	2	0	0
20 „ 25 „	2	8	0
25 „ 30 „	3	0	0
30 „ 35 „	3	8	0
35 „ 40 „	4	0	0
40 „ 45 „	4	8	0
45 „ 50 „	5	0	0
50 „ 60 „	6	0	0
60 „ 80 „	7	8	0
80 „ 100 „	9	0	0
100 and above 100 „	10	0	0

The above charge includes all expenses, except when peons are kept in charge of property distrained, in which case three annas must be paid daily for each man.

MADRAS: PRINTED BY R. HILL, AT THE GOVERNMENT PRESS, FORT ST. GEORGE.

PROCEEDINGS

OF THE

OOTACAMUND IMPROVEMENT COMMITTEE,

ASSEMBLED AT THE

GOVERNMENT OFFICE, STONEHOUSE,

On the 14th June, 1881

With reference to G. O., 6th June 1881, No. 1,408 W.

PRESENT:—

Colonel R. H. Sankey, C.E., R.E., *President.*

MEMBERS.

Major-Genl H. Morgan	Surgeon-Major L. C. Nanney
Mr. N. A. Roupell	Surgeon-Major J. Smith
Lieut.-Colonel J. O. Hasted	Mr. G. T. Walch
Major R. H. Meade	Mr. J. O'Shaughnessy

Mr. W. E. Schmidt.

Resolved that two Sub-Committees be appointed as follows:—

No. 1 consisting of

Mr. N. A. Roupell	Mr. G. T. Walch
Dy. Surgeon-Genl. M. C. Furnell	Mr. J. O'Shaughnessy

to consider and report on the present conditions of the Water Supply and Drainage of Ootacamund, and the best method of improving both.

No. 2 consisting of

Mr. N. A. Roupell	Surgeon-Major L. C. Nanney
Major-General Morgan	" J. Smith

Mr. J. O'Shaughnessy

to report on the best means for removal of the existing objectionable occupation, improving the slaughter houses and markets, and planting and laying out public grounds.

The subjects chiefly calling for the attention of the first of these Sub-Committees are—

1. The adequacy or otherwise of the existing water supply for domestic purposes, for the flushing of drains, as also for such moderate use in regard to public pleasure grounds, gardens, &c., as may be considered indispensable.

(2.) The best means for economising the existing water supply by distributing the same through pipes, or of adding to it if necessary by the construction of one or more reservoirs at eligible sites.

(3.) Whether the reservoir water distributed by pipes, and if necessary filtered, can be considered sufficiently wholesome for drinking, or whether wells should be constructed with this object.

(4.) To what extent houses now insufficiently supplied, but which could be commanded under a system of pipe distribution, may fairly be called on to meet the outlay required for this special service, and whether those houses which have hitherto drawn their supplies from the existing distributing channels may be required to do more than meet the charges for proper valves, supply pipes and cisterns for their individual and special use.

(5.) Whether the scheme for sterilized drains for the Bazaar, estimated at cost Rs.5,5,400, meets all the requirements, or must be supplemented to cover the expense of house connections, drainage of back yards, &c.

(6.) What measures are needed to prevent the accumulation of filth in back yards, and the formation of rotting soil in such places.

(7.) What description of intercepting sewer, with flushing arrangements, would be best for securing the removal of sewage from the lake, and its delivery below the band.

(8.) The outlay estimated approximately for meeting the above, and such other sanitary requirements immediately connected therewith as may likewise appear to be called for.

The attention of the Second Sub-Committee will be devoted to the consideration of :—

(1.) The best means for bringing under regulation, improving, or if necessary, the entire removal of the existing objectionable occupation throughout the station, indicating, in the latter case, the most eligible sites to which to remove the habitations.

(2.) The scope of the present Act, whether it gives sufficient power to the Municipal authorities to remove objectionable habitations, and to insure in future that none of a character not approved of by them shall be erected; also whether it confers adequate means for enforcing the proper maintenance of fences and enclosure walls, and the tidy and clean appearance of all land and compounds within the limits, the removal of filth accumulations, ruined walls and objectionable vegetation.

(3.) Whether the appointment of a specially paid Sanitary Officer is advisable.

(4.) The improvements specially called for in the matter of slaughter houses, butchers' shops, markets, latrines &c.

(5.) The arrangements which should be made for laying out and planting up certain portions of Ootacamund, especially the margins of the lake; also in connection with this, the means for making the present Botanical Gardens of greater public utility than has been the case hitherto, by maintaining in it a nursery of selected trees for free distribution to the Municipality and to private persons anxious to improve the appearance of the places.

(6.) Whether the Superintendent of the Botanical Garden might not with advantage be assigned distinct duties in immediate connection with the planting and ornamentation of Ootacamund, and of extending his duties more especially to the attainment of the objects now in view, than has hitherto been feasible.

(7.) The funds the Municipality have at disposal for meeting the above and other desirable objects immediately connected therewith.

(True Extract.)

COLONEL, R. E.,
President of Committee.

OOTACAMUND,
15th June, 1881

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

6th June 1881, No. 1,408 W.

Buildings and Roads.
Civil Works.

Read the following papers :—

No. 13. Proceedings of the Government of Madras in the Financial Department, dated 17th May 1881, No. 874.

THE attention of the Right Honorable the Governor in Council has been very forcibly directed to the existing state of things in the Ootacamund station, more especially from a sanitary aspect, and with a view to very early improvement he desires that the President of the Municipality will, without delay, inspect the ground beyond Kandul carefully in order to determine, and to some extent lay out, the sites to which existing objectionable occupation of the station area may be transferred.

2. The Government further desire the President to impress on the Municipal Commissioners the very great importance which is attached to the improvement in every possible way of the sanitary condition and appearance of Ootacamund—a subject which strongly needs, and should receive, their early and careful consideration. It will be too late to apply a remedy when the station has acquired an unenviable notoriety as absolutely unhealthy.

(Signed) R. DAVIDSON,
Chief Secretary.

No. 13-A. Endorsement of the Financial Department, dated 14th May 1881, No. 851.

From N. A. ROUPELL, Esq., President, Ootacamund Municipality, to the Chief Secretary to Government, dated Ootacamund 26th April 1881, No. 58 (Current No. 1,027).

I HAVE the honor to submit herewith true copy of letter No. 266, dated 25th March 1881, from the Ootacamund Municipal Engineer giving cover to the plans and estimates noted in the margin for the drainage of the Ootacamund main bazaar. Extract from minutes of a meeting of the Ootacamund Municipal Commissioners held on the 1st April 1881 is also enclosed.

Plan of Bazaar, three sheets.
Sections of Streets and Lanes, one sheet.
Plans of Drains, four sheets.
Estimates of Drains, four sheets.

2. The scheme forwarded by Major Morant has been supplemented by providing—

1*st*,—for the backyards of 500 houses at Rs. 15 each involving a charge of Rs. 7,500 ;

2*nd*,—for metalling the streets and lanes at a cost of Rs. 4,595.

These items are common to all the estimates.

3. There are further charges (omitted by Major Morant) for tools, plant, and sundries at 5 per cent. on the estimate, contingencies at 5 per cent., and temporary superintendence at 5 per cent.

4. The estimates range from Rs. 54,000 to Rs. 86,400. In spite of the large additional cost I would strongly recommend the adoption of No. 1 estimate, the construction therein provided being of a permanent character and, in the long run, far the most economical. Under this every portion of the drain is stone faced. No other material will in the same degree resist cleaning out by mamooties, and these may

eventually be used in spite of all orders to the contrary. Were the drains to be cleaned with india-rubber brooms made to fit them, one of the cheaper estimates will suffice. But all, with the exception of No. 1, will suffer from lapse of time and other injuries, and the cost of renewal will be heavy.

4. It would probably take two years to carry out No. 1 estimate, owing to the large amount of stonework.

5. It will be observed that the work has been divided into sections which can be taken up independently of each other.

7. The efficient working of the bazaar drainage scheme must of course depend upon proper facilities for flushing the drains. To allow of such flushing, say once in twenty-four hours, a reservoir on hill hill above the bazaar, involving an outlay of at least Rs. 6,000, will be necessary. This will form part of the improved water-supply scheme which will shortly be laid before Government for favorable consideration and should precede the main bazaar drainage system now submitted for approval.

8. I would invite attention to the remarks at the close of the penultimate paragraph of Mr. J. O'Shaughnessy's letter. Allusion was made to the same subject in my letter, No. 14, dated 12th February 1881, paragraph 29 (c). The effect of carrying out any of the schemes now proposed will be to bring the drainage of the main bazaar into the lake. I venture to doubt if this will be an unqualified improvement; I will go further and express my opinion that the collection of so much impurity, for every house will contribute its quota in the shallow portion of the lake, may prove a more fruitful source of sickness and disease than the present inefficient drainage. In connection herewith I have the honor to enclose a memorandum by Surgeon-Major James Smith, one of the Medical Officers here and a Municipal Commissioner, showing clearly that in his opinion the schemes now under consideration stop short of what is really needed. Surgeon-Major L. C. Nanney's letter (copy enclosed) No. 21, dated 14th instant, is to the same effect. In these views I concur, and regard a main sewer to carry off the drainage to the western end of the lake as a necessary part of any scheme having for its object improved sanitation. If these suggestions are well founded, the construction of the main drain should take place at least concurrently with, and might precede, the main bazaar drainage.

From J. CHARLESWORTH, Esq., C.E., Local Fund Engineer of the Nilgiris, to the President, Local Fund Boards, Nilgiris, dated Ootacamund, 25th March 1881, No. 204.

I have the honor to submit herewith the plans and estimates noted in the margin for the drainage of the Ootacamund bazaar.

The history of the several schemes and proposals regarding this work that have been made during the past fifteen years or more is so well known that beyond mentioning it with a view of inducing some definite action in regard to it now, there can be no necessity to describe it to any considerable extent in this letter.

There have been three distinct schemes prepared for this work—

1st.—Major Tulloch's scheme, which would cost probably two lakhs of rupees;

2nd.—Major Farewell's scheme, if it can be called a scheme, estimated to cost Rs. 10,000; and

3rd.—Major Morant's scheme, intended to improve and complete Major Farewell's scheme, estimated to cost Rs. 32,000.

Major Tulloch's scheme was put aside on the score of being too expensive.

Major Farewell's scheme was partly carried out in 1879 at a cost of about Rs. 6,000, and Major Morant's scheme was returned to him for modification by the Honorary Secretary of the Municipal Commission about two years ago.

The estimates now submitted are based on Major Morant's scheme of open surface drains to carry sewage and storm water into the lake. They provide for the modifications required by the Honorary Secretary of the Municipal Commission in Major Morant's estimate, and for grading and metalling the lanes and byeways which were not, it is thought, sufficiently provided for in previous estimates and which will bear without injury the flow of so much of the storm water that cannot be carried by the sewage drains.

These estimates provide for four distinct descriptions of drains of which plans and sections are also submitted.

The first description provides for drains the exposed surface of which is entirely stone and the total estimate Rs. 86,400.

The second description provides for drains, the tops and sides to be of stone and the bottom cement, the cost being Rs. 65,300.

The third is Major Morant's plan in which the drains are formed of cement tiles and saddles laid on the natural ground, the cost of which would be Rs. 54,000.

The fourth is the pattern of drain now adopted in Madras of concrete and brick lined with cement and would cost Rs. 57,200.

It will be seen at once that, for efficiency and durability, the drains that are entirely faced with stone are the best and, though necessarily more expensive, I would strongly recommend their adoption.

The bottoms of the second description would be liable to injury by the reckless use of mamooties or other iron tools in the progress of cleansing; while Major Morant's tiles and the Madras brick pattern, however well constructed, would be liable to decay and constant injury by passers by as well as by scavengers and would be a constant source of trouble and expense. The stone drains would be permanent; once done they may be said to be done for ever, and, considering the length of time the execution of the work has been under consideration, it should, I think, if done at all, be done well at last.

It has, I think, been admitted, if not actually decided, that open surface drains are the best suited to this work, and I feel therefore that I am not called upon to give any opinion on the contested question of open *versus* covered drains. I wish to state however that, although any of the plans now proposed will provide for what is required in the bazaar, I do not consider any scheme complete that provides for merely moving the sewage and filth of the bazaar into the neighbouring lake only a few yards distant, and I am of opinion that so much of Major Tulloch's scheme as provided for a main sewer to catch the drainage and to convey it beyond the lower end of the lake must sooner or later be carried out.

I am of opinion also that works for the supply of water to flush the proposed drains should be executed concurrently if not before the drainage works are constructed.

Extract from Proceedings of a Meeting of the Municipal Commissioners of Ootacamund held on the 1st April 1881.

PRESENT:—

N. A. ROSPELL, Esq., President.
W. E. SCHMIDT, Esq., Vice-President.
A. S. COWDELL, Esq.
SILLAMANSAIB.

* * * * *

No. 13.

The plans and estimates of the bazaar drainage scheme were submitted by the Municipal Engineer.

To be submitted to Government for approval. The Commissioners are in favor of No. 1 plan.

* * * * *

Memorandum on the Bazaar Drainage Scheme, Ootacamund.

A good water-supply for every household in Ootacamund and proper system of drainage for the bazaar are projects the necessity for which do not admit of doubt. The two schemes ought to go hand in hand; a system of drainage which could not be efficiently flushed daily would be only useful for helping to carry off storm water and would be a waste of money. With regard to this question the late Dr. Parkes says—"If the supply of water be sufficient and sewers properly constructed, this is by far the readiest and most inexpensive way of sewage disposal, the sewage is at once diluted and washed away to a distance. On the other hand, if sewers are badly made and if the amount of water be insufficient, they are worse than useless, as they have the appearance of efficiency without the reality." The final disposal of the sewage is perhaps a more important matter than the foregoing. Whichever mode of removal is adopted—by carts, by a barge, or by a sewage channel along the north shore of the lake leading westward—I trust it will not be thought proper to deposit it in any portion of the lake, particularly in the shallow, and all but stagnant, part above the Willowbund. On this point I again quote the greatest of hygienists, Parkes—"Sewage must never be discharged into a tideless sea, unless it can be thrown

into a current which may sweep it away. Otherwise it accumulates near the shore, and being covered only by shallow water, soon becomes little better than a cesspool."

(Signed) JAMES SMITH, Surgeon-Major,
South District.

OOTACAMUND,
8th April 1881.

From Surgeon-Major L. C. NANNEY, Senior Medical Officer, Ootacamund, to the President of the Municipal Commission, Ootacamund, dated Ootacamund, 14th April 1881, No. 21.

With reference to your letter, official letter of the 11th April calling upon me for my views with reference to the proposed drainage scheme, I am of opinion that to discharge the drainage of the main bazaar into the lower portion of the lake would prove eventually most detrimental to public health and a source of disease; in fact it is in my opinion doubtful whether any portion of the lake being almost stagnant with only a small outlet is suited to receive the drainage of the bazaar.

TRANSMITTED to the Department of Public Works for disposal.

(Signed) G. S. FORBES,
Ag. Under Secy.

No. 13-B. *Note by the Chief Engineer, Public Works Department.*

On examination of the papers and plans sent up with letter from the President of the Ootacamund Municipality, No. 68 of the 26th ultimo, the Chief Engineer has no hesitation in giving his strong support to the so-called scheme, No. 1, amounting to Rs. 86,400, for providing storm-lined drains for the Pettah.

2. The reasons assigned by the Executive Engineer for adopting stone in preference to cement are probably those which were, it is feared, urged in vain on the finance to cement are probably those which were, it is feared, urged in vain on the Madras Municipality (see Chief Engineer's memorandum of 3rd November 1880, paragraphs 19 to 23, printed with G.O., 28th December 1880, No. 2,953 W.,) but the validity of which is still considered incontestable.

3. The remarks on house connections and the generally foul state of the back yards (paragraphs 6 to 10 of the same memorandum) are also considered applicable in this case.

4. The Chief Engineer's remarks might have close were it not that both the Medical Officers and the President are naturally anxious that this scheme, good in itself, should only be regarded as part of the much more general one for carrying away the whole of the filth by means of an intercepting sewer which shall deliver below the lower tank bund.

5. To effect this object a sewer (with pipes perhaps crossing one or two arms of the lake), if given only just sufficient capacity to discharge actual sewage plus a certain amount of flushing water, might be economically designed; and associated with this two other objects of great importance to Ootacamund might be estimated for, the whole to be treated as one scheme, viz.—

(1) The formation of a reservoir in the valley immediately below and west of Government house, which should afford an ample supply of water to all the lower portions of Ootacamund including the bazaar, and the daily flushing of the main sewer as above.

(2) The reclamation of the greater portion of the upper part of the lake east of the Willowbund, which is becoming a very foul receptacle for all the sewage and which ere long must become very pestiferous.

6. No money could be better laid out than in a comprehensive scheme of this character, which in the opinion of the Chief Engineer would go further to insure the salubrity of this the Queen of Hill-stations than anything else.

OOTACAMUND,
24th May 1881.

(Signed) R. H. SANKEY, Colonel, R.E.,
Chief Engineer, Public Works Department.

No. 14. ORDER THEREON, 6th June 1881, No. 1,408 W.

THE Honorable the Governor in Council is satisfied that of the schemes submitted for improving the minor drains of the Ootacamund bazaar, No. 1 amounting to Rs. 86,400 holds out the best prospects of success, but he cannot disguise from himself that taken by itself this project is merely a palliative, and that in order to effect in any adequate manner the improvements so essential to the health of this important sanitarium, it must form portion of, and be preceded by, a sufficiently comprehensive water-supply and drainage scheme with the other requirements upon which so much stress has rightly been laid by the President of the Municipality and the Medical Officers.

2. In order that the Government may be placed in a position to form an opinion both with reference to the character of the measures so urgently needed and the approximate cost of the same, the papers and plans will now be considered and reported on in the light of the above remarks by a Committee composed as follows under the presidency of the Chief Engineer, viz.—

Mr. N. A. ROUPELL, President, Municipal Commission and Commissioner of the Nilgiris.
Major-General H. MORGAN.
Major-General BAKER.
Lieutenant-Colonel J. O. HASTED, R.E., Acting Chief Engineer for Irrigation and Joint Secretary to Government.
Deputy Surgeon-General M. C. FURNELL, Sanitary Commissioner to Government.
Major H. R. MEAD, R.E., Superintending Engineer, Second Circle.
Surgeon-Major L. C. NANNEY.
Surgeon-Major J. SMITH.
Mr. G. T. WALCH, M.I.C.E., Executive Engineer, Godávari.
Mr. J. O'SHAUGHNESSY, Executive Engineer to the Municipality and Local Fund Board.
Mr. W. E. SCHMIDT, Vice-President, Ootacamund Municipality.
Mr. J. MINCHIN.

(True Extract.)

(Signed) R. H. SANKEY, Colonel, R.E.,
Secretary to Govt., P.W.D.

To the Chief Engineer, Public Works Department, with enclosures.
" Major-General H. Morgan.
" Major-General Baker.
" Lieutenant-Colonel J. O. Hasted, R.E.
" Deputy Surgeon-General M. C. Furnell.
" Major H. R. Mead, R.E.
" Surgeon-Major L. C. Nanney.
" " " J. Smith.
" G. T. Walch, Esq., M.I.C.E.
" J. O'Shaughnessy, Esq.
" W. E. Schmidt, Esq.
" J. Minchin, Esq.
" the Financial Department.

Exd. E. C. Shunkon.
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BUILDINGS AND ROADS.
CIVIL WORKS.

Govt. of 1881 Madras.

PUBLIC WORKS.

To

THE CHIEF ENGINEER, PUBLIC WORKS DEPARTMENT.

G. O. No. [illegible] 1881, No. 1436 W.

JUNE.

Rec. 1844.

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PUBLIC WORKS DEPARTMENT.

Buildings and Roads,
Civil Works.

No. 287 W.

No. 3.

From

THE SECRETARY TO THE GOVERNMENT OF MADRAS,
Public Works Department,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
Public Works Department.

SIR,—I am directed to submit, for the favorable consideration of His Excellency the Governor-General in Council, the Proceedings of this Government, with the Report and plan (to be returned) noted in the margin, having reference to the improvements of Ootacamund.

G.O., No. 286 W., dated 1st February 1882.

2. The subject of improving the drainage, water-supply, &c., of this which by general assent is considered the most important sanitarium in India, has from time to time forced itself on the attention not only of this Government, but also of that of the Government of India, as will be observed from the correspondence closing with Colonel Dickens' letter, No. 792 C., dated 2nd November 1867.

3. It is not now, I am to say, considered either desirable or necessary to enlarge on the claims which were so cogently urged by Lord Napier when Governor of this Presidency, and which from the correspondence quoted met, it will be observed, with so ready a response from the Supreme Government.

4. The Municipal Commission of Ootacamund, although charged with the creation of all the needful sanitary machinery, have hitherto found it impossible to enter upon the necessary works without imposing a burthen on the resident community which would be quite intolerable, while, on the other hand, the provincial resources at command of this Government have been inadequate for meeting any of the needful demands.

5. The Right Honorable the Governor in Council is of opinion that after years spent in fruitless reporting, the time for taking action has arrived, and on the eve of what he confidently believes will be an improved era as regards the provincial assignments for this Presidency, is very desirous of making a moderate grant-in-aid to the Municipality, stated in the Proceedings at 2 lakhs, and would now venture to solicit that a similar sum be contributed from Imperial Funds on the same account.

6. I am here to state that owing to a variety of circumstances unnecessary now to dwell on, the grant of Rs. 74,000 promised from Imperial towards the construction of the main sewer at Ootacamund in Colonel Dickens' letter, was never availed of by this Government; and looking to the large sums contributed by the Supreme Government towards similar needs elsewhere, the acknowledged requirements of Ootacamund,

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GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

2nd September 1880, No. 2,076 W.

Buildings and Roads.
Civil Works.

Read the following paper:—

No. 12. From Captain W. P. TOMKINS, R.E., Assistant Secretary to the Government of India, Public Works Department (Civil Works—Miscellaneous), to the Secretary to the Government of Madras, Public Works Department, dated Simla, 24th August 1880, No. 203 M.

Referring to the reports of the several water-works schemes in Madras, forwarded with your letter, No. 2,849 W., of the 11th November 1879, I am directed to communicate the following remarks and observations, and to request to be furnished with information bearing on the points alluded to:—

I. The report on the Madras scheme is rather a description of improvements to be made than an account of the existing condition of the project; it should be stated if the project has been carried out, and, if so, whether exactly in accordance with the design, and with what results.

II. The area of catchment supplying the Red Hills tank should also be stated, as well as the rainfall, &c.

2. Regarding the Presidency or Seven Wells scheme, the following details are required:—

I. Difference between mean sea level and surface of the water in the wells, when not being drawn on.

II. Depth to which water surface is lowered, when the supply is being drawn off, and quantity drawn daily or hourly from each well.

III. Number of people supplied, so as to arrive at the average supply per head per diem.

IV. Height of lift from wells.

3. In connection with the Ootacamund project, the following additional details should be furnished, if obtainable:—

I. Discharge from existing reservoirs.

II. Population supplied by existing reservoirs, and the quantity per head per diem.

III. Loss by evaporation in reservoirs.

IV. Proportion of rainfall running into reservoirs during each month.

V. Small map showing the reservoirs, channels, &c.

4. Lastly, the information required in connection with the Wellington scheme is as follows:—

I. Quantity of water delivered from each source of supply.

II. Number of persons using the water in each case, and the quantity used per head per diem.

III. *Measurements* of discharge (if any) as compared with the *calculated* discharges of the piping.

IV. If possible, the actual consumption per head per diem of the two district services, drinking and ablutionary, might also be stated with advantage.

2. In all cases where reports of the rainfall stored are received, the fullest information of the following points is desirable, and should be furnished :—

I. Percentage of rainfall in nullas, stored after certain recorded intervals, on particular dates, e.g., 15th August a rainfall of, say, 6·35 inches in 24 hours. Increase of water in reservoir 2·7 feet, made up by 0·25 inches on reservoir, and 6·10 inches gathered on catchment, and passed to the reservoir, and then measured as 2·7 ft inches.

II. Area of catchment (excluding tanks or reservoirs).

III. Area of reservoirs.

IV. Description of soil and geological formation of catchment area.

V. Description of catchment area, i.e., whether bare or covered with grass, bushes, low, or tree jungle, &c.

No. 13. Ootacamund, 2nd September 1889, No. 2,072 W.

The President of the Madras Municipal Commission will be requested, in the Financial Department, to desire the Executive Engineer of the Municipality to supply the information required by the Government of India in regard to the Madras Water-supply Project.

2. The details required in connection with the Sewer Wells scheme will be furnished by the Superintendent of Works, Presidency, and those regarding the Conservancy and Wellington schemes by the Superintending Engineer, Southern Circle.

3. Where the requisite records of rainfall exist, the information called for in paragraph 3 should be supplied.

(True Extract.)

(Signed) R. H. SANKEY, Colonel, R.E.,
Secretary to Govt., P.W.D.

To the Financial Department.
" Superintendent of Works, Presidency.
" Superintending Engineer, Southern Circle.

Encl. A. F. Goodall,
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GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

8th January 1878, No. 105 W.

Buildings and Roads.

Civil Works.

Read the following papers:—

No. 78. Endorsement of the Under Secretary to Government, Financial Department, dated 26th April 1877, No. 921.

From A. McC. WEBSTER, Esq., Acting President of the Ootacamund Municipal Commission, to the Chief Secretary to Government, dated Ootacamund, 19th April 1877, No. 45.

With reference to the Proceedings of Government, dated 6th February 1877, No. 431, I have the honor to forward a plan and estimate for the improvement of the northern water-supply of Ootacamund, together with a letter from the District Engineer explaining the project, and an extract from the Proceedings of the Commissioners of this date. The estimate provides for the enlargement of the Snowdon Reservoir. The subsidiary reservoirs proposed by the District Engineer and the construction of closed ducts will be estimated for hereafter.

2. Captain Morant's letter is so full that the Commissioners have nothing to add. It will be seen therefrom that in ordinary years the new reservoir at Snowdon and the existing one at Marlimund will provide for the wants of 10,000 people at 20 gallons per head per diem for five months and will leave a surplus of about 24,000,000 gallons; and that in bad years there will, supposing the same consumption, be a deficit of about 25,000,000 gallons, or say 2½ months' consumption. It is however to be observed that the rate of consumption of 20 gallons per head is perhaps more than ample; and if a supply of 15 gallons per head is provided, the supply in a bad year would last for eleven months; when, however, the drainage scheme is perfected we shall require more water, so it will be necessary hereafter to construct the subsidiary reservoirs at X and Y (Plan 1), and the supply of water will then be amply sufficient for all purposes.

3. The estimate does not provide for Public Works supervision, which will amount to Rupees 5,732. It is, however, very necessary that the work should be carried out by the District Engineer, as owing to the position of the reservoir nothing should be left undone to prevent any possible chance of the embankment giving way. The Commissioners will not be able to provide from their current year's budget the sum of Rupees 8,672 over and above the loan of Rupees 20,000, and I trust, therefore, that Government will be able to allow the work being carried out by the District Engineer free of charge, or that, if that is not possible, they will allow any sum which the Commissioners cannot pay during the year to lie over and to be adjusted when the completion of the water-supply and the drainage projects are passed and the

It is therefore not probable that in ordinary year this reservoir would fill. Major Morant states that the ground above the bund site is full of springs, but it does not follow that all this spring water would go to augment the water stored in the reservoir.

(2).—The capacity is small compared with the height of the bund, 56 feet, as a maximum, and the depth of water, 40 feet, at the sluice. This arises from the high level of a large part of the ground within the waterspread.

Area of waterspread 220,513 square feet. Mean depth 17½ feet.

(3).—The cost of storage would be high, viz., Rupees ... 5,943
For million cubic feet, even supposing the tank to fill.
The actual cost might be Rupees 8,000
the million cubic feet.

The Marlimund Reservoir cost Rupees 14,700
So the storage there was at the rate of a little under Rupees 2,000 a million cubic feet. Its capacity could be increased one-half at a cost of about 2,000 Rupees the million cubic feet.

(4).—Although it is of considerable advantage to lay 60 additional acres under contribution, this benefit would be frequently more than neutralized by the full tank level being 15 feet above the sill of the south face of the tunnel through which the Marlimund Channel runs.

The difference of aspect would be an advantage, as more water would be received from the south-west monsoon, the rainfall in which is not much less than three times that of the north-east monsoon, but spread over five months instead of two.

31·08 to 11·10.

2. OTHER SITES FOR RESERVOIRS.—There are no really good sites at a high level available. There is a site* to the west of the Marlimund Reservoir, which was inspected, and which might possibly be of use to supply Kandal and houses in that direction. The catchment basin is about 122 acres. The level of the bund site will be ascertained.

* Marked W.

Above and to the eastward of Snowdon House there are the X and Y sites mentioned in Major Morant's report; they are on extremely steep ground, and their catchment basins are 36 and 25 acres respectively. The former is on the south or Ooty side of the hills, and the latter on the north or Snowdon side. The capacity of these tanks, even with high bunds, would be very small, but a considerable portion of the yield of their catchments could be conveyed to the Snowdon House site, and in this way a reservoir constructed at this site might perhaps be adequately supplied. Another site marked Z is situated in the next valley to the south-east of that of the X site, and has a drainage basin of 54 acres. The water could be conveyed to the Snowdon House site.

There is a site below Cinchona Villa and just where a line from the stables at Lower Norwood, at right angles to the axis of the valley, would cut the stream, at which a reservoir of some considerable capacity could be formed. The area of the catchment basin is about 307 acres, and all the water of the basin of the Snowdon House site, of the X and Z sites, and of other ground would be received by it. Its adoption would entail separate filtering arrangements and distribution, but it is comparatively near the town, and the level of the stream at the bund site being 292·81,* as compared with Ooty lake surface 209·81,† the command would probably be sufficient.

* Datum 200 feet below sill of lake sluice.

† The F.T.L. of Ooty lake is nearly 10 feet above sill of sluice in west bund.

10. WATER-SUPPLY REQUIRED.—The District Engineer in paragraph 15‡ notes that the Marlimund Reservoir was designed to supply 6,000 people at 30 gallons a head

‡ Letter No. 145, 18th April 1877.

supply can be found at the required level. Below the sill level the mean depth is said to be 4 feet and the contents ... ... 324,000 cubic feet.
The mean depth of the tank when full is 13 feet, contents ... 7,761,000 "
It is probable therefore that with a depth of 9 feet out of 19½ on the sill, the contents above sill level did not exceed one-third of the quantity when the tank is full, or say ... ... 2,600,000 cubic feet
and if it be assumed that the quantity drawn off in addition was ... ... 2,600,000 "

the total receipts would be ... ... 5,200,000 "

or gallons ... 32,500,000

from an area of 260 acres.

13. CATCHMENT BASINS OF OTHER SITES AND THEIR PROBABLE YIELD.—The areas of the basins of the other sites which have been suggested are—

	ACRES.	
W	122	Vide plan.
X	25	
Y	28	
Z	54	
Snowdon House site	60	
Bolge Cuchona Villa	307	
Dedhet X and Z	90	
	217	
	say 510	

If the yield be supposed to be the same in proportion it would amount to 63·75 millions of gallons, and this quantity added to that of Marlimund would be 96·25 millions. Moreover to obtain 202·670 millions for a ten months' supply the acreage of gathering ground required would be 1,621 acres or 2·53 square miles, and this is certainly no very great area in itself for the supply of a large station, though it appears to be altogether impracticable to find it, together with sites at a suitable level at which water could be stored.

14. MAJOR MORANT'S MODIFIED PROPOSALS.—Major Morant's proposals, even as somewhat modified during the recent discussions, amount to the formation of a reservoir at the Snowdon House site, and to supplementing the supply from its own basin by conducting water to it from the X Y Z basins; but, making every allowance for more favorable aspect in the case of all but Y, which much resembles that of Marlimund, the total area of drainage would be only 175 acres, and the yield would not exceed, and would probably fall short of that of the Marlimund basin. These calculations are based on no reliable or indeed ascertained data, for such data have yet to be made available; but they will suffice to indicate that there is but little chance of making provision for the supply of water to the whole station on the scale which has been proposed. When actual data, however imperfect, are given, it will be easy to show what is likely to be feasible. The Ootacamund water-supply scheme should be based on what is demonstrably probable.

15. THE WAY IN WHICH THE YIELD OF THE SNOWDON HOUSE SITE WAS ESTIMATED.—Major Morant's calculations, from which he concluded that the proposed Snowdon House Reservoir would fill more than once from the drainage of its own basin in the event of three consecutive dry years, were based, as explained by him in a demi-official note, dated the 25th September, on English experience. From the average annual rainfall one-sixth is deducted, and the remainder is taken as the average of the three driest consecutive years, 14 inches were then deducted from this quantity for evaporation and absorption (the allowance in English mountain districts) and 20 inches were found to be the depth actually draining off, the yield being 31,630,000 gallons against 24 millions, the capacity of the Snowdon House Reservoir. The area of the basin has since been found to be 60 instead of 70 acres; and the quantity corresponding to 20 inches draining off would therefore be 27,225,000

rest. The channel is certainly not in proper order, as the depths of water and velocities were found to vary greatly, which would not be the case with a channel the fall of which was equally distributed, and the waterway uniform or varied according to the nature of the channel lining. Similarly the channel from Snowdon House to near the Church could by means of catch drains and troughs be preserved from material fouling. The cost of enclosing the channels is estimated at 21,000 Rs., the interest on which at 6 per cent. is Rupees 1,260. Probably 360 Rupees a year in inspection and work would keep open channels in good order. Closed channels would economize water and would be altogether more satisfactory. It is simply a matter of expense.

Above tunnel	14,646
Below do.	6,374
	21,020

20. PRESENT CONSTRUCTION OF SNOWDON HOUSE RESERVOIR NOT RECOMMENDED.—The present construction of the Snowdon House Reservoir is not recommended, because the cost of storage would be great; the drainage basin is small, and it would often necessitate the passing to waste of water from the Marlimund Reservoir; for no water therefrom could be supplied to the station while that in the Snowdon House Reservoir was above 15 feet below the F.T.L. This might, as suggested by Major Morant, be remedied by closing permanently any connection between this reservoir and the tunnel and continuing a closed channel from the latter through the upper part of the bed of the latter. Then water could be conveyed to the filters from Marlimund at all times, and the reservoirs could be worked independently as might seem expedient. This arrangement does not however get rid of the cost of storage which is very high. It may ultimately be necessary to utilize this site, and nothing should be done to prejudice such future use, but until it has been demonstrated that it is not practicable to store water elsewhere more cheaply this part of the scheme may properly be held in abeyance.

21. * * * * * *

22. GENERAL CONCLUSION AND DETAILS TO BE INVESTIGATED AND PLANNED.—The general conclusion arrived at by the undersigned is that storage is not likely to be available for the supply of Ootacamund with a delivered quantity of water of 20 gallons a head for 10,000 persons for ten months, and it is thought that before any complete scheme of storage and distribution is brought forward for sanction, it is desirable that it should be considered more particularly what the Municipality propose to undertake to do, and for what purposes pure water is to be supplied. The District Engineer's letter of the 1st June 1877 brings forward proposals for a certain rough division of the water-supply above St. Stephen's Church into two parts, the one* to be carried by a high level channel to above Sylk's Hotel and ultimately on to Kandal; and the other† and larger supply past the Post Office. With these proposals estimates amounting to, in the form accepted by the Commissioners, Rupees 98,054 were submitted for enclosing the water channels and filtering the water; but these estimates evidently include only a part of the expense necessary to provide for the convenient and economical use of the water-supply. The estimates relate in fact only to a part of what may be called the principal distribution, and were so much of the work done and nothing more it would happen that by far the greater part of the supply provided at a very considerable outlay would run into the lake unused. To do much good the works contemplated will require to be supplemented at once by other works, and the following remarks will serve to indicate what are the details which have still to be planned and estimated for—

* 100,000 gallons.
† 150,000 do.

1stly.—For the supply of pure water to the bazaar: there should be service tanks or reservoirs capable of containing about three hours' supply of water, and from these pipes should run to street fountains furnished with taps from which alone water should be obtainable by the population. The number and capacity of the tanks should be fixed with reference to the population to be supplied by each, and to facilities of construction. The pipes supplying these service tanks should be

2*ndly*.—The interior surface of the cement pipes should be perfectly smooth; this surface as seen in the pipes at the manufactery was far too rough. A facing of cement rubbed hard would seem to be necessary.

The undersigned is of opinion that masonry or concrete, covered, channels are preferable to pipes whether of cement or earthen ware whenever the quantities of water to be carried are considerable, and the level of the water surface can be regulated so as not to rise above the sides. In those parts of the service in which off-takes whether to branch pipes or to individual houses will be numerous, iron pipes will be alone suitable. In these pipes a head will not only be unavoidable but advantageous, and at the junction of the masonry channels, cement or earthen ware pipes, and the iron piping there should be cisterns provided with means of discharging surplus so that the head of water may be strictly regulated.

24. SUMMARY.—By way of summary to the foregoing remarks it is noted—

1*stly*.—That the character and extent of the water-supply of Ootacamund should be determined with reference to the supply likely to be available.

2*ndly*.—That all available storage sites should be examined in order to settle where water can be most economically impounded, and to what total extent, taking the probable yield of the catchment basins into account.

3*rdly*.—That an estimate for adding about 6 feet to the depth of water in the Marlimund Reservoir should be prepared, and, if moderate, that this enlargement should be carried out as soon as possible.

4*thly*.—That the scheme of distribution of the water-supply, which is, as at present drawn up, both incomplete and imperfect, should be properly matured and its cost estimated.

5*thly*.—That the supply of pure water should, unless in excess of the demand for purposes for which pure water is necessary, be limited to those purposes. For these there is every reason to suppose it will suffice, but it will probably be altogether inadequate to supersede the present other sources of supply for cleansing drains, watering gardens, &c.

6*thly*.—That all calculations of yield of water from different areas of catchment basin should be based upon the data which the Marlimund Reservoir will, it is supposed, afford rather than upon English precedents which are not reliable for application to Ootacamund, and which in the case of the Snowdon House Reservoir site would clearly lead to disappointment. That also measures be at once taken for seeing what data the registers of water at the Marlimund Reservoir will afford, and for supplementing these by a table of capacities of that reservoir, a careful register of water levels, water issued and water discharged as surplus, and the registration of rainfall at this reservoir and if possible at Snowdon House, for comparison with the registers at Ootacamund itself.

7*thly*.—Whenever good storage sites may be found capable of storing economically a greater quantity of water than the catchment basin would be likely to yield, probably the supply may be supplemented by catch-drains to conduct water from beyond the catchment basin proper to within its boundaries.

25. ACQUISITION OF LANDS OF GATHERING GROUNDS.—It is understood that proposals have been made for the acquisition of the catchment basins on which Ootacamund may hereafter have to depend for its water-supply, in order to secure the purity of the water. The subject is one which the undersigned is not called upon to consider further than to remark that—

1*st*.—If such a course be deemed imperative it is essential to concentrate storage and to make the most of each site; also to limit the pure water-supply to strictly domestic purposes.

2nd.—When valuable property occupies a part of the catchment basin, it will often be feasible and preferable to drain this so as to exclude the drainage from the reservoir, than to purchase and include the area in the basin.

26. MAJOR MORANT'S ASSISTANCE ACKNOWLEDGED.—The undersigned has to thank Major Morant for the ready assistance he has afforded. His local knowledge and acquaintance with the circumstances of the supply have enabled this report to be drawn up in a much shorter time than would otherwise have been practicable.

27. ENLARGEMENT OF DODABET RESERVOIR SUGGESTED.—It may be mentioned in conclusion that the enlargement of the Dodabet Reservoir, which is connected with the supply of the south side of Ootacamund, is certainly desirable. Its drainage basin is stated to be 184 acres, and its capacity only about 3 millions of gallons, so that it would fill with a drainage of only about 486,609 cubic feet. This of an inch. Its utmost possible enlargement will probably leave it still too small to store the average yield of the rainfall.

THOUSANDDEETAL,
22nd October 1877.

(Signed) JOHN MULLINS, Colonel, R.E.,
Chief Engineer for Irrigation.

To the Secretary to Government, Public Works Department.

No. 221 W.

MEMORANDUM.

FROM a communication just received from the District Engineer, Nilgiris, it appears that the cost of the Marlimund Reservoir, as given in the memorandum, No. 216 W, dated 22nd October 1877, does not include certain items which ought to have been added to the sum therein named, and that the cost, or expenditure stands thus:—

	Rs.
Marlimund Dam	14,680
Escape cut, &c.	2,150
Masonry drop, &c.	1,120
Total ...	17,950

It is mentioned moreover that convicts were employed in raising the dam free of all charges except Police guards, and the supply pipes under the dam were obtained cost free from the Wellington Barracks. Possibly then the cost of this reservoir should be assumed to be Rupees 20,000 when comparing it with the estimates for storing water at other sites.

MARANDAPULLY,
28th October 1877.

(Signed) JOHN MULLINS, Colonel, R.E.,
Chief Engineer for Irrigation.

To the Secretary to Government, Public Works Department.

No. 79. ORDER thereon, 8th January 1878, No. 105 W.

HIS GRACE the Governor in Council resolves to communicate the remarks of the Chief Engineer for Irrigation to the Municipal Commissioners of Ootacamund for their careful consideration.

2. The Governor in Council is of opinion that the raising of the bund of the Marlimund Reservoir would be of doubtful utility, seeing that the bund is by no means in a substantial condition. The project would moreover involve heavy compensation for land, and would entail the stoppage of the supply of water for a long period during the progress of the work.

3. The Snowdon Reservoir project presents a more hopeful aspect. It would be an addition to the existing sources of supply, and at a high level would command most if not all the houses below. The question of compensation should be investigated, and when the cost has been carefully estimated an application for a loan can be made in the usual way.

4. The extension of the Dodabet Reservoir should also receive special attention.

(True Extract.)

(Signed) E. A. FOORD, Colonel, R.E.,
Secretary to Government, P.W.D.

To the Financial Department, with plans and estimates, &c.
" District Engineer, Nilgiris.
" Chief Engineer for Irrigation.

Encl. T. D. Ryan.
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GOVERNMENT OF MADRAS.

FINANCIAL DEPARTMENT.

Read—the following paper:—

From A. P. MacDONNELL, Esq., Officiating Secretary to the Government of India, Home Department (Municipalities), to the Chief Secretary to the Government of Madras, dated Calcutta, 24th March 1886, No. 38.

I am directed to acknowledge the receipt of your letter, No. 123 M., dated the 10th ultimo, recommending sanction to an advance of Rs. 1,25,000 from Provincial revenues to the Ootacamund Municipality, to be expended on a scheme for providing that station with a supply of pure water. It is suggested that the advance should bear interest at the rate of four per cent. per annum and should be repaid by means of a sinking fund of two per cent. It is added that the amount required annually for payment of interest and sinking fund could be met by a water tax of four per cent. on the annual value of lands and buildings, to be levied as soon as the projected scheme is completed.

2. In reply, I am to say that, as it is an established principle that the lending of money does not form one of the functions which local Governments should properly undertake under the Provincial contract system, His Excellency the Governor-General in Council regrets that he is unable to sanction the proposal of the Madras Government. The Government of India is, moreover, not in a position to grant the loan from Imperial revenues; and it has been the policy of Government for some years to refuse to make loans to local bodies unless under very exceptional circumstances. There would, however, be no objection to the money being raised by the Ootacamund Municipality in the open market, subject to the fulfilment of the requirements of the rules issued under the provisions of the Local Authorities Loan Act (No. XI of 1879).

Order—dated 3rd April 1886, No. 326 M., Financial.

Communicated to the Chairman, Municipal Council, Ootacamund, who will report whether the council are prepared to raise in the open market the funds required for the execution of the work by the Public Works Department.

(True Extract)

for Chief Secretary.

To the Chairman, Municipal Council, Ootacamund,
through the Collector of Nilgiris.

„ Public Works Department.

Exd. A. Baitt.

Govt. of [1886] Madras.

FINANCIAL.

G.O., 3rd April 1886, No. 320 M.

APRIL.

Water Supply.

Communicating to the Chairman, Municipal Council, Conservancy, order of the Government of India declining to sanction the grant of an Imperial advance for the improvement of —, and requesting to report whether the council are prepared to raise the required funds in the open market.

Greece

Note addressed
to Sir. dated 3rd April
1856. [illegible]
[illegible]
[illegible]
[illegible]
object to [illegible]
of £12,500 to the
Ottoman Municipality
for the water supply
scheme, they are entirely
with respect to the
proposal that the work
should be undertaken
by the [illegible] Co.
half the cost and
from Provincial revenue
[illegible]
[illegible]
for the project and
the [illegible]

Ufford

For orders

Mr. Mr
for handing
CJ
25.8.53

Ufford
W
31.8.53

No. 357
& 710

Supg: Engineers office 4th Circle
Coimbatore 24th August 1888

From,

The Superintending Engineer,
Fourth Circle.

To,

The Chief Engineer,
Public Works Department

Sir,

The Executive Engineer, Nilgiris has proposed that, in constructing the flushing cistern in connection with the pipe sewer on Jail Hill the cistern should be deepened and a filter bed placed in the lower portion of it so as to supply pure water to the Bazaar.

2 The extra depth proposed to be given to the cistern is 3'-6", to contain beds of sand, charcoal, quarry chips and stone jelly and the additional cost about Rupees 2000 of this improvement, may be

met

from damage on the Bayou
Sauvage Estimate.

I have the honor to request
your opinion whether the way be
done, and if you approve, will
request the Executive Engineer to
furnish an Estimate showing more
exactly what the work will be.

I have the honor to be
Sir
Your most obedient Servant
Robert E. Lee
Superintending Engineer
Fourth District

CHIEF SECRETARY,
OFFICE NOTE.

From

THE CHIEF SECRETARY,

To The Secretary
S.W. Dept

Your Memorandum dated 21 April 1886 on the subject of the Botanical Water Supply Project.

No 231 Ref June 10. 1886

The Chairman of the Council was requested by R.P. 336 M of 3d April 86 to report whether the Municipality were prepared to raise, in the open market, the funds required for the execution of the work by the Public Works Dept

The Superintending Engineer
Proposals are approved

Flushing Cistern in connection with the Pipe Sewer on Jail Hill Extension.

Requesting opinion whether Executive Engineer proposed in Constructing the —— and the cost to be met for the improvements of ——

Dated 24/5
Dept 26/5

Financial Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

Letter from the Collector of Malgoa, dated 21st May 1856 No 28 —

I have the honor to acknowledge receipt of your official Memorandum No 2 of this date, and in reply to state that a letter from the Collector in charge of the Chavacherry Office, Calicut District, was despatched to the address of the Under Secretary to Government F.D. Fort St George, with this office postcute No 567, dated 17th Instant, in accordance with Notification No 52 of the 9th March last published at page 225 of the Fort St George Gazette dated 26th March last.

2. I beg to enclose herewith a copy of the Chairmen's letter noted the margin thereto.

Enclosure No 1

Letter from the Chairman, Municipal Council, Calicut, dated 15th May 1856 No 398 —

With reference to official Memo No 1056 —

[illegible] 2nd [illegible] 1888 I have the honour to submit
copy of a resolution of the Municipal Council
passed at an Extraordinary general meeting
held this day

Establishment for the above

[illegible]
P.W.D.

Submitted to Government

Original P.W.D. Correspondence

Collector

Municipality

Extract from the Proceedings of the Extra-
ordinary General meeting of the Municipal Council
of Colombo held on Saturday 12th May 1888.

Read the following proposals of the Committee
appointed on the 11th instant to consider the
supply of water to the Town of Colombo (vide
official Journal of the Meeting Resident Secretary to Govt.)

"The Committee agree to propose the following
resolution for the acceptance of the Extraordinary
meeting to be held on Saturday 12th instant in

"That considering the immense benefit
which will be secured for the Town by carrying
out the proposed Water Supply improvement
scheme, the Council are prepared to contribute to a
moiety of the funds required for the scheme by
raising a loan on the open market to an amount
not exceeding Rs 125 000.

"The scheme is estimated to cost Rs 245 152
including Rs 75 152 for the South Water Supply; the
moiety of this sum would be Rs 122 576.

"The Council have not before them the plans
for the distribution of the South Supply, and cannot
say to what extent the houses on that side of the
Valley will be served; but from the plans of the
North Supply laid before them by the Executive
Engineer, it is seen that with very few exceptions
every house on that side will be within the reach
of the water.

"The Government were pleased on a former
occasion (Gaz. 8th September 1885 No 502 Misc.) to
state that they had no objection to the levy of
the water-rate being postponed until the
completion of the work.

"The Council therefore venture to hope
that the Government will carry out the work
with Provincial Funds in the first instance and

Recorded

Letter from the Collector
Algiers } No. 663 of June 5. 1886.

Encl. in the Financial Sept. No. 366 of " 9. "
forwarding for Standing ruling a letter from the Collector of Algiers

Referred to Mr
Safety Engineer in Cork,
for Report as to the probable
period within which
the Colarmund Water
Supply Project can be
completed, and as to
what extent the existing
supply will be interrupted

Memorandum:

1-5-85. 2ª 53. M.
8-4-85. 2ª 502. M.
3-2-86. [illegible] 826 [illegible]
1-6-86. 2ª 502. A. M.

Referring to the Rev: P for
in the Financial Dept. noted
in the margin, and to
Confirmation & memorandum
dated 21-4-86. 2ª 42a D
the undersigned has the honor
to suggest for the consideration
of the Govt in the Financial Dept.,
whether the admitted claim
of the Petitioners and Municipality
to assistance from the State in
carrying out the Water Supply
Scheme must not be held
to be conclusively proved and
in a business manner, by the Govt undertaking
to carry out, by a Provincial
Grant, so much of the scheme
as deals with the water supply
for the north side of Otter common
leaving it to the Municipality
to carry out that portion of the
scheme which deals with the
supply for the south side
from the springs pointed
out by the Rev: P. C. dated
1-5-85, 2ª 53 M. Inasmuch
as until a certain scheme

is divided into two entirely
separate parts; and that
the Estimate for the works
applicable to the north of Hastings
amounts to £ 1,70,000,
as now before the Conf.;
that the estimates for the
south district should not
exceed £ 70,000 have not
yet been laid before the public.

In support of the objections
now made, it is to be
observed that although the Estimates
applicable from the northern
district; and that, in
that respect, the difference from
the southern district is
comparatively small
inconsiderable; and many of
the works, be left to be dealt
with by the Municipality.

The objections now
made, have to the effect
that

improve the Harbour
Communications of the
the town, & that the Estimates
for the Harbour for the
northern district; amounting
to £ 1,70,000/-, should be
sanctioned in the P. W.
Budget. In the final
issue of the P.W. budget,
an allotment of £ 1,00,000
has been made for the scheme
and that will enable only
the Bore being proceeded
proceeded during the
Current financial year.

10-6-70

for the Finance Dept

Queens

219
78

Write acknowledging
to endorsement from
the Sec. dept. 366
dated 9 June 1878,
the undersigned has
the honor to state,
for the information
of the Honorable
Municipal Council,
that the water supply
scheme can be
completed by 31st
March 1878, &
that the existing
supply will not be
interrupted during
the progress of the
work.

The Inspector
has now been
instructed to

2.

No 221
EW.

Superintending Engineer's Office
4th Circle
Jeraadee 21st June 1886.

From The Superintending Engineer
Fourth Circle

To The Chief Engineer
Public Works Department

Sir,

In continuation of my letter No 209 of 16th instant reporting that the works of the Coleroon and water supply scheme can be completed by 1st April 1888, and that the existing supply will not be interrupted, I have the honor to state that the Executive Engineer Nilgiris now reports that he expects to submit the estimate of South side water supply in a few days.

I have the honor to be
Sir
Your most Obt Servant

F. Beatty Colonel R.E.
Superintending Engineer 4th Circle

Sir,

The Superintending Engineer

St Kilda

The Chief Engineer

Melbourne

Dated 21st June 1886.

No 221
Encl.

Estimated value supply Coburg South Side.

I have the Executive Engineer Malvern reports that he expects to submit the estimate of—in a few days.

Sir,

I am directed to request that you will be pleased to report for the information of the Board whether the sections mentioned in the margin hereof are required for the purposes of the Act.

I have the honor to be,
Sir,
Your obedient servant,
[illegible]
Secretary.

The Chief Engineer

Melbourne

No 1891/6

Dated 22nd June 1886.

Letter from C.E. dated 21st June 1886 No 221 Encl.

29/6/86

To W.

For orders whether the sections mentioned can be approved.

Please see para 2 of the S.E.'s letter relative to an additional allotment application has already been made to the Treasurer for.

Chs
17 M

Letter

No 878 Nilgiri Division Office

Ootacamund 25th June 1886

From

The Executive Engineer

Nilgiri Division

No 29

Enclo 2

To

The Superintending Engineer

2nd Circle

Sir,

With reference to my No 444 C of

the 21st instant, on subject of Contract for

Ootacamund Water works, I have the ho-

nour to state that I do not intend giving

the laying of the pipes nor any of the re-

-sidual work on Contract as I think it will

be more satisfactory to keep this in my own

hands as during execution many alter-

-tions we will probably have to be made.

2. Under these circumstances I intend

advertizing for tenders for supply of iron work

only, and I now enclose copies of my

proposed advertisements; the one No A in

detail

* For the Water Works only. H.H.

209
90

From 54 Kil.
The Executive Engineer
Nilgiri Division
Ootacamund
To
The Superintending Engineer
Coimbatore

No 878
Dated 25th June 1886

Subject.

Water Supply
Scheme Tenders Pumping
works - Submits abstract
sheets for approval.

No 8814

Nilgiri Division Office
Ootacamund 25th June 1886.

From

The Executive Engineer
Nilgiri Division.

To

The Superintending Engineer
4th Circle
Sir,

In continuation of my No 878 dated 25th June 1886, I have the honor to state that the following arrangements regarding the starting of the Water Supply works &c. will be made.

2. Tenders for the supply of Piping &c. will be called for at once, as already advised, and if these are opened on 2nd August there will be ample time for the supply of the material by the 28th February 1887. Amount estimated for these items is Rs 85976.

3. The following items will be carried

and

put departmentally.

	Amount proposed to be expended.	
	1886/87	1887/88
Masonry Duct	26000	Nil
Compensation	7000	Nil
Diversion Drainage Channel	1000	Nil
Fencing	4500	Nil
Enlarging bye wash	2400	Nil
Service Reservoir Sherardon	8250	Nil
Catch channel Sherardon	1000	Nil
Revetting bund	1402	Nil
Small catch drain	200	Nil
Escape weir (Sherardon)	200	Nil
Gravelling	500	361
Bridge Stover Cottage Shola	500	Nil
Clearing site	40	Nil
Brick cisterns	240	Nil
Yarn packing	400	300
Pipe laying	5000	15395
Petty Supervision	3000	2000
Total Rupees	61232	18096.

14. Of the above items work will be commenced tomorrow on the service Reservoir Sherardon, and in a few days time the masonry duct will be begun and pushed on to completion very rapidly and all the other items with pile against them in the 1887/88 Column will be completed before 31st March 1887. Those items that will not be completed will be those in connection with the laying of pipes. As these will not be received much before 28th February 1887 only a commencement on the large 11-8" pipes will probably be made but as the carrying to site will be included in the laying, Rs5000 will probably be required for this item.

5. As however there may be a doubt on this point and as probably all the compensation may not be required in this year, I propose to reduce the total D.P.W. Expenditure by Rs 9232 so that this will leave 52000 required for D.P.W. Expenditure in 1886-87.

6. The Estimated cost of piping is

28
83

to [illegible] but hope this will be provided
by about Xmas so that we may get away in
plate day as Xmas will be required for
fitting Contractors finishing work by 15th
March 1887.

That Council request the
Surveyor to [illegible]
work will be completed early by 15th
1887.

That Council request the
Surveyor to [illegible]
for the ensuing year.

Have the honour to be
Sir
Your most obedient Servant

Edwin Elliott
Executive Engineer

[illegible]
would

26 572 Lab

From

The Executive Engr

Nilgiri Division

To The Supdg Engr

1st Circle

No 882.

Dated 25th June 1886.

Sir

I have the honor to forward herewith for your approval, two letters regarding the tenders required for the various works of the Ootacamund water Supply scheme; also two original letters of the Executive Engineer, Nilgiris explaining the arrangements he proposes for the immediate commencement of the works and of which I entirely approve.

2 But as regards the extra sum of Rs 34,000 which the Executive Engineer thinks will be required, I would

No 232

Supdg Engineer's office 1st Circle

Coimbatore Nilgiris 28th June 1886

From

The Superintending Engineer

1st Circle

To

The Chief Engineer

P.W.D. Department

Sir

Enclosures 4 I have the honor to forward herewith for your approval, two letters regarding the tenders required for the various works of the Ootacamund water Supply scheme; also two original letters of the Executive Engineer, Nilgiris explaining the arrangements he proposes for the immediate commencement of the works and of which I entirely approve.

2 But as regards the extra sum of Rs 34,000 which the Executive Engineer thinks will be required, I would

28
65

1886

From
The Supt Engineer,
Howrah Circle.

Dated 28th Dec 85.
Rec'd 3 Jany 86.

No. 232
Cert
Encls

Estimate and Water Supply —

Forwarding for approval & orders regarding tenders required for clean wrought Iron —

With order

The proposed rates are approved, but to the list of newspapers to which B is to be sent, the "Englishman" and the "Civil & Military Gazette" should be added.

2. The question of the current necessary establishment for the year's work is under consideration separately

2-7-86

Rs 1525 SK 4/10 6-86.
" 277 Dafs 2-6-86.
" 305 Fafs 10-6-86.
" 323 D 6/10 6-86.

S.E. IV Circle
with two letters

Ch. Sec. 16/7/86.

369 01

1

Dy No. 8.

This paper being of an urgent nature, if is submitted for orders whether you will communicate the drafts order, or whether it may be kept for W until W's return.

Ch
21/7/86

Initial

Jn
21/7/86

To W

A copy of the draft order is submitted for your information.

Ch

The proposed
are referred,
to the list of new
to which B is
sent, the "Engi
and the "Jail
should be adde

2 The questio
the
necessary
year's allotment
work is under
= exhaustion expe

2-7-86

Rs 132.5M 1-10-6-86
A
" 377 Rafsa. 6.86
" 305 Rafsa. 6.86
" 323 D do 30 6 86
S.E. IV Circle
with two ref.

Rafs 16/7/86.

Municipal Department.

Proceedings of the Madras Government.

87

219
87

Read the following
Letter from the Collr Nilgiris, No 28, dt 21st May 1886.

Order.

Forwarding copy of Extract of the Proceedings of the Municipal Council of Coonoor, in which they propose to raise a loan of an amount not exceeding for the cost, water supply scheme Rs 125000, and express a hope that Government will carry out the work with Provincial Funds in the first instance, and in its completion or from time to time as may be convenient will call upon the Council to raise the sum that may be required for repayment of half the cost of the work to an amount not exceeding Rs 125000.

The Municipal Council will be informed that the Govt are not prepared to sanction the arrangement proposed by them for the sanction of the Government of India. The municipal share of the expenditure must be provided in anticipation of requirements and not ex post facto.

2 It is understood that a sum of Rs 100000 can be expended by the P. W. Dept on the water supply scheme during the current year. If therefore, the Municipal Council are prepared to raise at once a loan of Rs 50000

No. 1056. Nilgiri Division Office.
Ootacamund, 11th July 1882.

From

A The Executive Engineer, 219 & 289
Nilgiri Division.

To

The Superintending Engineer,
11th Circle.

Sir,

I have the honor to enquire whether in constructing our flushing cistern on Jail Hill, we can deepen it and place a filter-bed in the lower portion so as to supply pure water to the Bazaar.

I have &c
(Sgd) A. C. Smith Major R.E.
Executive Engineer

(True Copy)

No. 1198. Nilgiri Division Office.
Ootacamund 28th July 85

B

29
790

From

The Executive Engineer,
Nilgiri Division.

To

The Superintending Engineer
Ist Circle.

Sir,

In reply to your No. 431/N.D. of 20th July 1885 I have the honor to state that the probable extra cost for deepening the foul well & forming and converting it into a filter will be about Rs. 2000. The extra depth will be 3'-6" and the filter bed will be

Sand 1'-6" depth
Charcoal 6" do.
Broken chips 3" do.
Stone pelby 1'-6"
3'-7"

I have &c
(Sd) A. C. Smith. Inspg. E.
Exec. Engineer.

No. 1125 Nilgiri Division Office
Ootacamund 20th Augt 95

From

The Executive Engineer,
Nilgiri Division.

To

The Superintending Engineer
4th Circle.

Sir,

With reference to your Memo
No. 805/95 dated 11th instant enquiring
how the extra cost of Rs. 2000 for
Constructing filterbeds on the Jail
Hill is to be met, I have the honor
to state that it can be charged
against the savings on the esti-
-mate for Bazaar Drainage Scheme
The favour of an early decision
is requested.

2. The state of estimates for
the whole Bazaar Drainage Scheme
as compared without delay to

-end of-

...d of July ie: are under...

Work	Estimate	Outlay upto 31st July	Balance
Open drains	4000	3997	1053
Lake Sewer	4500	3537	1776
Pipe Sewer	6500	5663	10357
Total	25000	17197	33,186

I have...
Sept 4th 1876 Asst Engr 1st Cl
Executive Engineer

...as the Chief Engineer is
...hereby requested that this work
...should go on & have given the ne-
...cessary orders to the Contractor.
Sept 4th 1876 A. L. Smith Major R.E.
Executive Engineer

[Seen (copy)]

No. 350
Dtd

Supdg Engrs Office &c &c &c
Coimbatore, 23rd September 1876

From

The Superintending Engineer,
IV Circle.

To,

The Chief Engineer &
P. W. Department.

Sir,

The Executive Engineer Nilgiris has proposed that in constructing the flushing Cistern in connection with the pipe Sewer on Jail Hill the Cistern should be deepened and a filter bed placed in the lower portion of it - so as to supply pure water to the Bazaar.

2. The extra depth proposed, to be given to the Cistern is 3'-6", to contain beds of sand, Charcoal, quarry chips and stone jelly and the additional cost (about Rs: 2000) of

the

this impertinently may be met
from savings on the Bazar drainage
estimate.

I have the honor to request
your opinion whether this may
be done; and if you approve I will
request the Executive Engineer to
furnish an estimate showing
more exactly what the extra cost
will be and meanwhile proceed
with the work.

Subscribed &c.

[Sgd] J. Beatty Col R.E.
Superintending Engr Circle.

[Illegible]

E

No. 538 E. P.W. Department.

29/8/85

Letter from the Superintending Engineer IV Circle No. 350/240 of 21st August 1885 requesting order on the proposals made by the Executive Engineer Nilgiris for constructing the flushing Cisterns in connection with the pipe sewers on Jail Hill.

The Executive Engineer's proposals are approved.

Ootacamund. 31st August 1885.

[Sgd] J. Shaw Stewart & Co
Chief Engr P.W.D.

Enclosure of 2 copies
of letter dated 20 January
1917 from the Superin-
tending Engineer
L.T. Circle.

Copies of letter from
A.G.E.

Office of Sanitary Commissioner
Madras 21st November 1916

No 1886

29/35

From

J. N. Laing Esquire M.D.

Offg Sanitary Commissioner for Madras

To

The Chairman, Municipal Council

Pallavaram

Sir.

With reference to your letter No. 993 dated 19th instant I have the honor to state that my predecessor has already pointed out the danger of contamination to the filter eistern in question owing to its proximity to the Jail Night-soil pits and suggested certain remedies to avert the evil. It turns out however that his recommendations cannot be carried out on the score of Expense and the unsuitable position of the eistern.

Under these circumstances I quite approve of the recommendation of the Executive Engineer Melpore Division that the filter be abandoned altogether.

I

If

OFFICE ENGINEER-IN-CHIEF'S OFFICE
17 DEC. 86
P. W. D.
FOURTH CIRCLE

It does not lie in my province to seek the sanction of Government for the abandonment of works with the Municipal Council to make the representations on the subject laid down in the note and forward by the Sanitary Commissioner.

I have &c
(for Chairman)
Municipal Office
(Chairman)

Ootacamund Municipal Office,
December 1886.

No.

From

The Chairman,
Ootacamund Municipality.

To

The Chief Secretary to Govt.
Fort Saint George.

Sir,

I have the honor to enclose copy of a letter from the Officiating Sanitary Commissioner regarding the Filter-system constructed on the jail hill and which I believe will form a part of the new water Scheme for this Town. In the circumstances of the case I trust the Government will be pleased to order that this Filter System be abandoned.

I have the honor to be
Sir
Your most obedt servt
(Chairman)

17 DEC. 66
P.W.D.
SOUTH CIRCLE

219/97

PUBLIC ENGINEER'S OFFICE
17 DEC 86
P.W.D.
FOURTH CIRCLE

1886.

No.

From

The Secretary,

MUNICIPAL COMMISSIONERS,

CUTTACK.

To

The CHIEF SECRETARY

To GOVERNMENT,

FORT ST. GEORGE.

No.

Dated
Despatched
Received

ENCLOSURE(S).

SUBJECT.

Revenue Department.

1109 M
17 DEC. 56
P. W. D.
FOURTH CIRCLE

FROM

THE COLLECTOR,
NILGIRIS.

TO

THE CHIEF SECRETARY
TO GOVERNMENT,
REVENUE DEPARTMENT,
FORT ST. GEORGE.

No. 83

Dated 2 December 1856.
Despatched 2 " "
Received 6 " "

ENCLOSURES &c

SUBJECT.

Forwarding Letter from Chairman Bench requesting transfer of Avalanche Cotton mee[illegible]

No 746
Transferred to the Public Works department for disposal.
By order
A[illegible] Asst Secretary

Engineer
Dec 1856
Received 16th December 56.
Referred to the
Supdg: Engineer IV Circle
for favor of report.
Coll Balfour; Capt. Ry
Secretary. to Govt P.W. Dept
The Public Works Department

Dec 1856

29/99

Endorsement of letter
No. 21 dated 20 January
1887 from the Superintend-
ing Engineer IV Circle

Chief Engineer's Endorse-
ment No. 4469 C of 15th
December 1886

No. 21
E.W.

Superintending Engr's Office, 4th Circle
Coimbatore, 20th January 87

From,

29
150

Colonel, J. Beatty. R.E.
Superintending Engineer,
IV Circle

To

The Chief Engineer,
P. W. Department.

Sir,

With reference to your endorse-
ment No. 4469 C. of 15th ultimo regard-
ing the cistern on the Jail Hill, Ootaca-
mund, I have the honor to inform
you that the cistern in question was
originally designed to be used only
as a flushing cistern for the pipe
sewer.

2. The suggestion of using it also
as a filter was made by the Exe-
cutive Engineer Nilgiris in his
letter No. 1056 of 14th July 1885, and
approved by the Chief Engineer
in his Memo No. 5386 of 31st Aug/85

vide

* herewith returned

Enclosures 2

1 Endorsement No. 4469 C of 15th Dec. 1886

1 Copies of letters marked A to E

Sir I have the honor to inform
you that I have received
your letter of the 2nd inst.
and in reply beg to state
that the Officer commanding
the Station has been
requested to afford you
every assistance in his
power in the matter
referred to in your letter.

I have the honor to be,
Sir,
Your most obedient
Servant
[illegible] Colonel R.E.
Superintendg Surgeon & Civil

213
101

From

Colonel A. Cadell, R.E.
Surveyor Engineer
1st Circle

Rec'd 22nd January 1857.

No 21
Dated

Read

Letter 2.

Recommending the finish
of the

Inform that the
work originally designed
to be used as a filtering
cistern for the Fortress
and may of course be
used only for that pur-
pose.

219
102

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the

Read the following

From the Chairman Cotacamund Municipality 8.6 fr 10 3/4 & 50 Dec 56
Endorsement thereon by the Collector of Nilgiris . . 83 & 2nd Dec 56
Endorsement by the Financial Department . . 7464 & 15 Dec 56
From the Superintending Engineer 1st Circle . . 21 6th & 20 Jany 1857

In the circumstances
stated, the proposal to
use the eastern arm of the
in connection with the
Cotacamund water supply
scheme must be abandoned

Recd
25.1.57

Supg Engineer 1st Circle
Local & Municipal Dept

Jan
3/1/57

Cobracaund
29th January 1859

No 19

Enclosures
10

From

The Senior Medical Officer
Cobracaund

To

The Chairman &c.
Cobracaund

Sir

With reference to yr letter No 24 of
15th January 1859, and enclosures herewith re-
turned.—

It seems to me a pity that a cistern
which has cost so much money — over £ 5,000
I believe, — and which is so admirably situated
for the purpose for which it is intended, should
be abandoned, as proposed by the Executive
Engineer, without giving it some such trial,
as I think may be done with perfect safety
to the public health.

I would propose, then, as suggested by
Dr Sargeaux, that the pit, not pits as he states,
and which was only in use for a little over
two months, should be dug up, and the contents
removed. These contents have now become
quite deodorised, it having been closed for about
fifteen months. A considerable portion of roof
all round, and especially on the lower side

as perfectly inodorous and cannot be
distinguished either by sight or smell from
the soil of the rest of the locality.

I have the honor to
be
Your most obedt servt
[illegible] Lieut Col
Surgeon Major
Senior Medical Officer

True Copy

[illegible]

Chairman Dmc

No. 493

Ootacamund Municipal Office,
11th February 188

From

The Chairman,
Ootacamund Municipality.

To

The Chief Secretary to Govt.
Local & Municipal Dept.
Fort Saint George

(Thro' the Collector, Nilgiris)

Sir,

With reference to my letter of 30th November 1886 No. 1013 regarding the Filteration on the Doil Hill, I have the honor to enclose a copy of a letter from Surgeon Major Smith the Senior Medical officer of Ootacamund to whom I thought it advisable to refer on the subject. I would suggest that Dr. Smith's advice be carried out and the Filteration be made serviceable.

No. 15
Submitted & forwarded
[illegible]
Collector's office
11th February 1887

I have the honor to be
Sir
Your most obedt. Servt
[illegible]
Chairman

1887.

No. 93

Read
Forwarded
Entered

ENCLOSURE one.

SUBJECT.

1887.

From Colonial
The Principality,
MUNICIPAL Council,
OOTACAMUND.

To
The CHIEF SECRETARY
To GOVERNMENT,
FORT ST. GEORGE.

No. 73

Public Department Received 21st February 1887

ENCLOSURE one.

SUBJECT.
Enclosing copy of a letter to the Collector regarding the claim of the Municipal Council to the Lake.

28/87

1887.

Revenue Department.

Local & Municipal Dept.

COLLECTION No. 2464.

The COLLECTOR

NILGIRIS.

The CHIEF SECRETARY

TO GOVERNMENT.

LOCAL & MUNICIPAL DEPARTMENT.

Public Works

1887

No 95

Transmits to the Public Works Department with reference G.O. dated 9th February 1887 No 95 Loc.

[illegible]

Asst Secretary

To

Madras

9th February 1887

Minute of 25 February 1887

Appeal to the Sanitary Commissioner for his opinion, with reference to Dr Laing's letter to the Chairman Tellicherry Municipal Council No 1536 dated 26th Nov 1886

Dy Asst Surgeon Genl

for Surgeon Genl

To Superintending Engineer

No 95

Local & Municipal

Ft St George

Dated 10th February 1887

Received 12th

Read 12th

ENCLOSURE 1.

SUBJECT.

Submitting for Government Letter No 95 dated 9th February 1887 from the Chairman Tellicherry Municipal Council requesting the filler cistern on the Jail Hill be abandoned

Office of Sanitary Commissioner

Madras 3rd March 1887

From

Surgeon Major J. A. Laing

Offg Sanitary Commissioner

for Madras.

To

The Secretary to Government

Public Works Department.

Sir,

× returned with enclosures

Adverting to your endorsement × No 654 dated 25th ultimo referring for my opinion certain correspondence regarding the filter cistern on the jail Hill Tellicherry I have the honor to state, that my approval of the abandonment of the filter cistern was based on the report of the Executive Engineer Nilgiri Division No 2490 dated 17th November 1886, which stated that to carry out the recommendations of my predecessor to avert the danger arising from its close proximity to the jail might still prove expensive and that "the position

28/09

Hospital of the Native Town and unsuitable
for a Gaol being directly under the Gaol and
in close proximity to the Slaughter houses.

2. I quite agree with and endorse the opinion
expressed by my predecessor, and if the
Municipal Council are prepared regardless
of the expense to carry out his recommenda-
tions I would allow the existing Block of
Building both male and female under the necess-
ary changes to prevent the danger of Overcrowding
than the maximum recommended by
Dr Farquhar. If his proposals are carried out
the Inmates of the Jail proposed the Jail Hos-
pital and the other premises suggested
by Dr Smith the Senior Medical Officer, be
taken away, Cookhouse also the Native
Hospital Latter to have repaired granted an
Extension of time before abandonment.

I have the honor to be Sir
Your most Obed Servant

Sd Chalmers Reed
Surgeon Major
Offg Sanitary Commissioner
for Madras

Public Works Department

From

Surgeon Major J. A. Laing
Offg. Sanitary Comr.
for Madras

To

The Secretary to Government

Dated 3rd
Rec.
Read 26 March 1887

No 199.

Excerpt from

Office opinion regarding the abandonment or retention of the filter cistern on the said Hill ordered

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the 10th March 1887

READ the following

Letter from the Collector, Nilgiris (Rr. No. 15 dy July 10. 1887)
Endorsement on the Revenue dept (" " 95 dy " 21. ")
Letter from the Offg Sanitary Commrs for Madras (" " 199 dy March 3 ")

In supersession of G.O. No. 396 W dated 9th February 1887, the Govt have no objection to the retention of the filter cistern on jail Hill ordered, provided the precautions suggested

9482-12-8-8/
1972

Tow

2A/III

For orders -

His Lordship wrote under will convey his orders for what the Budget for next Year -

Amt Rs 55,000
has been provided in the Budget for 87-88
to complete the water supply scheme, & the iron work cannot be purchased for before 31st March, we shall have to provide Rs 145000 for next year -

The Circumstances under which the Mission & the Income relating may were afforded such as could not have been foreseen -

Cer 11/2

No 107
E.W.

Asstt: Engineers office IV circle
Coimbatore, 10th March 1887.

219
113

From,

Colonel C. J. D. Beatty R.E
Superintending Engineer
IV Circle.

To,

The Chief Engineer
P.W. Department

Sir,

Enclosure 1. In forwarding the accompanying letter of the Executive Engineer Nilgiri Division for your information, I have the honor to inform you that owing to the accident to the S.S. "Sunbeam" which is bringing the pipes for Coty water works, and consequent delays, the pipes are not likely to be landed at Beypore before the close of the official year, and, if so, cannot be paid for, and the large sum of Rs 30,000 will remain unutilized.

2 If there is any prospect of the pipes being landed at Beypore before

before 31st March, a subordinate of the Department may be there to inspect them and telegraph the result so that payment could be made, but it is evident that payment cannot safely be made before the pipes are landed at Beyrout. If the 90,000 Rupees can be obliged in any other Circle, it will probably be best to transfer it at once.

I have the honor to be
Sir
Your most obt servant

R Beatty Colonel RE
Supdg Engineer W Circle

299
118

From

Col. J. Beatty. R.E.
Supg: Engr: 4th

Dated 10th
Recd. 11th March 87.

No. 117
E.W.

Encls: 1

Ooty water works

Reports the proba-
-bility that Rs 9,000
will not be required
on —

P. W. D.

No. 3574

Nilgiri Division Office,

Station Ootacamund 8th March 1887.

N.B.—Please quote the number and date of this letter in future communication on the subject.

From W. B. de Winton Esq

Enclosures.

The Executive Engineer,
Nilgiri Division,
Ootacamund,

To

The Superintending Engineer,
Fourth Circle,
Coimbatore.

Sir,

I have the honor to report that I was informed yesterday, on good authority, that the Sunbeam will not reach Beypore, in all probability until the middle of April.

2. Richardson and Cruddas of Bombay, the Contractors for the pipes have written to say that they have sent an Agent to Marmagoa where the Sunbeam has to discharge the upper portion of her Cargo, with orders to transship pipes etc at once and dispatch to Beypore. But I think it is highly improbable that the pipes can reach Beypore before the close of this month.

3. I have therefore the honor to ask

for maintenance or what shall be done with the balance of my allotment on duty Water Supply Namely Rupees 4000 which was intended for the Purchase of the pipes Will it be possible to give it to me next month of not intelligent in the Contractors a very early reply is requested.

I have the honor to be

Sir

Your most obedient Servant

(Signed)

Lieutenant

To Executive Engineer Ajmere

219
114

From

The Executive Engineer,

SUPDT. EN. 3rd Night Division,
No. 4252
9 MAR. 07
FOURTH CIRCLE

To

The Superintending Engineer,
Fourth Circle,

Dated 8
Despatched } 8 March 1907.
Received

No. 2519

Enclosures, &c.

Subject.

Only 1 water bottle on Account
received for 50 for commanded
under Collector's Circular
Reference/order received
thereon

P. 40 D.

219
116

Memo.

In reply to letter from the S.D. IV Circle No 117 Dated 8/3 March 1907, the undersigned has the honor to state that the sum of Rs 90,000, likely to lapse from the grant for the Odlacamund water works supply project cannot at this late date be utilised in another Circle. The S.D. Stores from the contractors before 31st March if it be possible to do so; but if there be no likelihood of the Stores being

handed at Bayfront by that date, the S.E. Railway Consider whether some arrangement cannot be made whereby at least two thirds of the funds required may be advanced to the Contractors under the provisions of Code para 1372. It may be possible with the assistance of the Railway Bureau at Nannapan, to have the papers inspected there during transhipment.

Superintending Engineer's Office 4th Circle.

Coimbatore 3d May 1887.

No. 186 Estt.

From,

COLONEL J. BEATTY R. E.,

Superintending Engineer,

Fourth Circle.

To,

The Chief Engineer
P.W.D

Sir,

Enclosure 1 / 1 Estimate.

With reference to G.O. No. 741 W. of 10th March 87, I have the honor to submit for sanction and allotment of funds an estimate of Rs 800 for constructing a percolating drain round the flushing cistern and filter on Jail Hill Ootacamund and for excavating and removing the night soil from pits about it, as proposed by Drs Farquhar and Smith.

I have the honor to be
Sir
Your most obt servant

J. Beatty Colonel RE
Supdg: Engineer IV Circle

BM
BC

3. No 741 ✓ 10-3-87
No 574 C. 25-2-87
3. No 3694 ✓ 2-2-87
" 2376 7-1-87
No 4496 C. 6-12-86
3. No 1846 ✓ 10-7-86
G.6. 15758 ✓ 15-6-86
3. No 1278 ✓ 2-6-85
No 261 / 262 ✓ 3-17-6-86
" 253 ✓ 3-16-6-86
" 2348 ✓ 11-6-86
No 448 ✓ 28-4-86
" 1858 C. 5-2-86
No 592 C. 16-7-82
" 1011 C. 22-1-86
3. No 2266 ✓ 23-9-85
No 722 C. 4-4-85
" 1585 C. 20-3-85
" 260 C. 9-2-85
" 1503 C. 9-11-85
G.6. 2770 ✓ 6-11-84
No 505 C. 18-8-84
G.6. 1840 ✓ 29-7-84
" 3059 ✓ 23-10-83
" 287 ✓ 1-2-82
" 738 ✓ 1-2-82
" 5386 ✓ 31-8-83
G.6. 3114 ✓ 29-1-83
" 287 ✓ 1-2-82
" 2362 ✓ 1-2-82
" 1088 ✓ 6-6-87

G. 9-5-87

Office No 3357

From
COLONEL J. BEATTY R. E.,
SUPERINTENDING ENGINEER,
FOURTH CIRCLE.

Dated. 3rd May 1887
Recd.

No. 186 E.W.

Subject

Percolating drain round the flushing cistern and filter on Jail Hill, Cotacamund.

Submitting for sanction and allotment of funds an estimate of Rs 800 for constructing a—

S.E.
5.5.87

Public Works Department.

Current No. 3357 119

Letter No. 186 E.W.

Dated the 3rd May 1887

From the S.E. IV Circle

Note of Remarks.

1. With reference to G.O. No 741 W. of 10th March 1887 the accompanying estimate of Rs 800 is submitted for constructing a percolating drain round the flushing cistern and filter on Jail Hill Cotacamund and for excavating and removing the night soil from pits above it.

2. The rates are fair.

3. Report is not furnished by the S.E.

4. Contingencies and Petty Supervision are separately charged and are within 5 percent.

The E.N. may be sanctioned

WCA
5.5.87

S.E.
5-5-87

1

G. 9-5-87

PUBLIC WORKS DEPARTMENT.

219
1887

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the

READ the following

From the Supdg. Engineer IV circle. A. E. No. 186 E. W. d/ 3rd May 1887.

The estimate amounting to Rs. 800 for constructing a percolating drain around the flushing cistern and filter on Jail Hill, Ootacamund, is sanctioned.

2. The Supdg. Engineer will apply for funds in his statement of demands for incomplete and minor new works.

3. This sanction has been registered as Provincial No. W of 1887-88, and classified as Miscellaneous Public Improvements, Original Works.

(W.B.)
9.5.87

To The Supdg. Engr. IV circle with the records.
" Examiner of P. W. Accts with the abstract estimate for note & return to A. G. & M.
" Local and Municipal Deptt.

7/5

Revd

No 1052 of 13th May 1887

21/9
12/

Answd

With reference to
letter from the S.D. IV Circle
No 186 Engr. dd 3 March 1887,
the undersigned has the
honor to remark that
the Conversion of the
flushing cistern on foul
Hill Aqueduct into a filter
probably cost Rs 2000
(vide the S.E's letter No
350 Engr. dd 11 August 1885)
and the present estimate
for constructing a
percolating drain
would be Rs 800 - The Supdg
Engr is requested to
report from what
source funds can
be provided for the
work, & whether

in

Enclosure No. 1 of a
letter No. 299 of 21/7/87
from the Engr. to Govt
Madras.

Statement showing
outlay on Bazaar
Drainage Scheme
to end of March 87.

No. 299
Engd.

Surveyor's Office, 1st Circle
Coimbatore, 14th July 1887

From,

Colonel J. Beatty, R.E.
Superintending Engr.
IV Circle.

To,

The Chief Engineer,
P. W. Department.

Enclosures
1 Statement
and
2 Tracings
3 total

Sir,

With reference to your Memorandum No. 105 D. of 13th May 1887, I have the honor to inform you that the flushing cistern on Jail Hill was originally proposed as part of the pipe sewer project, and its cost was charged to the pipe sewer estimate; the work of converting the flushing cistern into a filter house was carried out and charged to the Bazaar drainage estimate.

2. The total amount of the three drainage estimates was Rupees 20,724-7, and the expenditure against them

[illegal] up to date the [illegible] having an
[illegible] balance of Rs 540. [illegible] paying
3. This is the only source from
which I can propose to meet the
cost of constructing a percolating
drain round the filter.
4. But I must remind you
that an estimate for additional
house connections formed of
Burkon's pipes was submitted
with my letter No 298 of 8 instant
and that estimate, which it is now
proposed to charge to the balance
of the drainage estimates amounts
to Rs 1700. If that proposal
be sanctioned there would only be
a balance of Rs 906 left on the
drainage estimate to meet the
cost of the percolating drain.
5. I have made provision
in the filtration Jail Mill estimate
I consider that with the Manhuma
Reservoir fenced and a Servant
and

and settling reservoir at Snow-
don, the water is likely to be
delivered by the new iron pipes
in a sufficiently wholesome state
without any filtering, but as the
filter has been already constructed,
it may be as well to spend a few
hundred Rupees more to make
it safe for use by the inhabitants
of the Bazaar.
6. I send herewith copies of
the plans of the Cistern as first
proposed by Mr Lawrence, and
as converted into a filter by
Major Smith.

I have the honor to be,
Sir,
Your most Obt Servt
E. Beatty Colonel R.E.
Superintending Engineer
1st Circle.

Public Works Department.

Ro 2010

219/186

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the 27th July 1887

Read the following

From the S.S. Circle Rc 186 dated 3 June 1887

" " " " 299 dated 16 July 1887.

The estimate amounting Rs. 800, for constructing a percolating drain round the filth cistern on Jail Hill, Ootacamund is sanctioned with reference to G.O. No 741 W of 10 June 1887; and the amount is allotted from the Provincial reserve with the Govt.

2. His services have been reported to

Ro 299 for Rs 800

Sanctioning Cistern on Jail Hill:—

Stating the sum from which to be met.

Cost of constructing a percolating drain round the filth.

Dated 16th July 1887.

For C. No. 10674/88

MEMORANDUM.

2/9
12/7

Requested for reference the undermentioned papers:—

Please see G.O. No. 1058 (Mis.) of 5th January 1878 and send any papers to show why the work was not carried out

L. Parnell
Supdt. Rs. Section

Public Works Secretariat,
25—10— 1888.

To

The Supdt. General Accts. Dept.
Fort

No. 2729 Surgeon General's Office, Madras Fort
Military Dept. Fort St. George, 21st September 89

219
129

From

J. Innes Esqr. M.D. C.B.
Surgeon General, Madras.

To

The Secretary to Government,
Military Department,
Ootacamund.

Sir,

I have the honor to forward, for such action as you may consider necessary, letter No. 1908 dated 7th September 1889, from Deputy Surgeon General Farquhar, relative to certain remarks of the Executive Engineer, Nilgiri Division, while reporting on the Pitton Cistern Jail Hill, Ootacamund, recorded in the minutes of Proceedings of the Sanitary Commissioner for Madras for

the

the months of January, February
and March 1897.

I have the honor to be
Sir
Your most obedient Servant

[signature]

Surgeon General, Retd.

1897

The Deputy Surgeon General
Madras
Bangalore
Dated 28/9
The Deputy Surgeon General
with Mr. Ford's Report
Madras
FORT ST. GEORGE

No. 1908
Dated 7th September
Rec'd

Sir, I have the honour
to request the favour
of your laying this letter
before the Inspector General
of Hospitals for the
information of His Excellency
the Governor in Council.

2 In the Princess
of Wales's Sanitarium
Commissioner for Mad
ras for the months of
January, February &
March 1897, the Exe-
cutive Engineer, Nil
giri Division, while
reporting on the Filter
Cisterns, Jail Hill,
Ootacamund, uses
these words at page
41 of the above:— "I
presume that Deputy
Surgeon General Fole-
y further himself has
something to say
to its erection in the
position being
Sanitary, Medical

219
130

Officer of the Cistern at the time. The
Statement has no foun-
dation whatever
in fact, and I was
never consulted in
the matter nor in any
way informed about
it. It was not
till after the Complet-
ion of the Cistern
that I learnt, on
Enquiring, that it was
intended for a filter
Cistern only not more
ely for a flushing
Cistern as it is
commonly supposed.
3. The Statement
that became aware of
the real use of the
Cistern, I sent a note
to the Collector Enquir-
ing what Considera-
tion had been given
to the matter of the
Cistern being in the
vicinity of the Gaol
night-soil pit. That
note I believe, was
sent to the Engineer
Department for reply,
but several weeks
having elapsed with-
out any answer, I
sent on the 24th Septr 1886
a reminder to the Chair-
man of the Munici-
pality which drew forth
the letter that opens the
correspondence in the
following Proceedings. —

A. Fanshawe

By. Joseph Pearce
Municipal C.P.

STATE
GIFT

Ootacamund

Dated 1857

From

The Surgeon General

To Sir Denn

To Secretary to Govt.

Military Dept.

Ootacamund

No. 720

Fort St. George 21 Septr. 57

Rf 23

Forwards for orders Letter

No. 1908 of 7th Septr. 57 from

Sy. Surgeon General Burgess

relative to certain Remarks

of the Executive Engineer

Nilgiri Div. while reporting

on the Public Buildings, Jail &c.

at Ootacamund

With orders

Fort St. George

20

Dated 1857

To

The President

Ootacamund Municipal

Commission

Sir

I have the honor to forward

for the Govt. leave received

from the Supdg. Engineer N. Circle

an estimate for the water

supply of the North side of

Ootacamund, amounting to

Rs 1,70,000/- a sum not far from

the amount (Rs 1,79,185) of the

rough estimate framed by the

Improvement Committee in 1856.

I have

2. The est for the Sanitn
Scde was roughly estimated
by the Committee at Rs 75,82,
and the estimate
will probably come to nearly
that sum, giving a total
of about 2½ Lakhs for the
entire water supply scheme
for the station.

3. The improvement Committee
set down the cost of their
various proposals at nearly
Ten Lakhs, and recommended
that the municipality should
be assisted from public funds
to the extent of six Lakhs,
leaving them to provide four
Lakhs by loan

de In addressing the Govt
of India on the subject in
February 1882, this Govt expressed
a desire to make a grant or
aid to the Municipality of Six
Lakhs from Imperial funds, &
recommended that a reduced
number Seven be contributed for
Imperial funds, but as reply
the Govt of India regretted their
inability to give any grant or
aid from Imperial.

4 Since then, detailed
Estimates for several of the
works proposed by the
Committee have been sanctioned,
and considerable expenditure
has

have been moved by the
I. G. Sanitary Engineer
already provided from Imprest
funds amounts to Rs 2,02,000
while your letter No 90 of 15th
Feby 05 shows that the amount
refunded from the municipal
exchequer towards the same object
amounts to only Rs 5,000
6. The Govt have now had
under consideration the question
as to how far they will assist
the Municipality in carrying out
the proposed water supply
scheme, and they have decided
to offer that body a loan
to the extent of two lakhs,
on condition that interest

on that sum at 3 percent
per annum is paid
Govt, and that the
principal be gradually
repaid — such interest
and repayments to be met
from the water tax which
the municipality may levy
under Act IV of 1884 —
In addition, the Govt
will give the Municipality
the assistance of their
P. W. Department, by
which agency the work
will be carried out.
7. I am directed to request
that you will lay this

DB
137

proposal before the
Commissioners and from
me with their views with
the least possible delay

J 22 C April 85

We [illegible] this day, the Govt. accepted offered to the Purpose and consented to lend to the Municipality under the Contract dated 2nd Feb. last, instead of £170,000 the sum of £200,000 to be advanced to the Municipality

We [illegible] recommend that before the Govt. should be taken by the Municipality Loan the advance should be ready in that Office

J.H. 1.4.85

Estimate for the works, Comes to £170,000/, — being far from the amount of the Engineers estimate framed by the Improvement Com[ee] in 1881.

The cost, for the Londonderry, was roughly estimated at £70,157/ — and it will probably come nearly to that sum, — giving a total of some £240,000.

How is this expenditure to be provided?

The Inspector cannot [illegible] the cost of these proposed recommendations at £170,000, and recommended that the Municipality should be exempted from paying [illegible] to the extent of £70,000 [illegible] to provide for [illegible] the loans.

+ It seems to me that it would be well to have a statement drawn up, showing those of the Com[ee]'s recommendations which have been carried out up to date, — the cost that has been incurred, — & the source from which the funds were provided.

The Govt. would then be in a better position to decide whether etc. will accept the Municipality's

In the County Court of the County
Suffolk, between, and
Edward [illegible] Plaintiff
and [illegible]

Please mark [illegible] Warrant
prepared, [illegible] a Writ for the
— If the papers can then be
sent in accordingly

W.

24 Feb 1853

To Mr.

Estimate for Ooty water supply.
Rs. 1,70,000. ——

The rates are very high, but all the rates obtaining at Ooty are unavoidably so, and cannot be favorable.

The particular feature of the scheme the most expensive item of the project Rs. 650 a Ton is obtained over all (except 7 special foundation cylinders, for which Rs. 880 is allowed) which is increased with every 100 ft. of lift & carriage, &c. The actual price with the cylinders depends on the cost of pig iron Ruling in the market at home, when the orders come to be given. What this is now, there is nothing to check it about.

For settlement district round Sandynallah a sum of Rs. 1000 is estimated. Sections & field are not given. There are important points, but I fear them they have been duly considered & will be properly worked out hereafter.

The top of bund of service Reservoir at Sandynallah house is 3 ft. above maximum water level. That this is sufficient margin has probably been duly determined. What a regulating value at source of supply 3 ft. may suffice, or the ground is to be utilized.

The allowance for compensation for lands for this Sandynallah Reservoir & for a house to be evacuated is Rs. 1500. The property belongs to Sandynallah who declines to give a price; it will therefore be required under the Act.

I think the project may stand, as it stands, the general features having already received approval.

C.S.
22.1.15

Public Works
Secretariat.
No 21 - 87

Sir,

I beg to forward herewith the subject of the letter noted in the margin, with reference to the Water Supply of Nassau, for the information of Dr. J. H. Lacey, Standing Commissioner for General & Kind return.

I am Sir
Your obedient
Servant
A. Sandiford
Chief Clerk

Returned with Sanitary Commissioner's thanks.

1 Enclosure

[illegible]
for Surveyor & Executive Engineer.
Public Works Office Nassau.

19. 11. 87

L.C.W.

Please have a duplicate
file made of paper showing
all corrections that apply
including copies of Amendments
of which CC Lucky was
Petitioner.

[illegible]
10/11/87

I & W

File submitted.

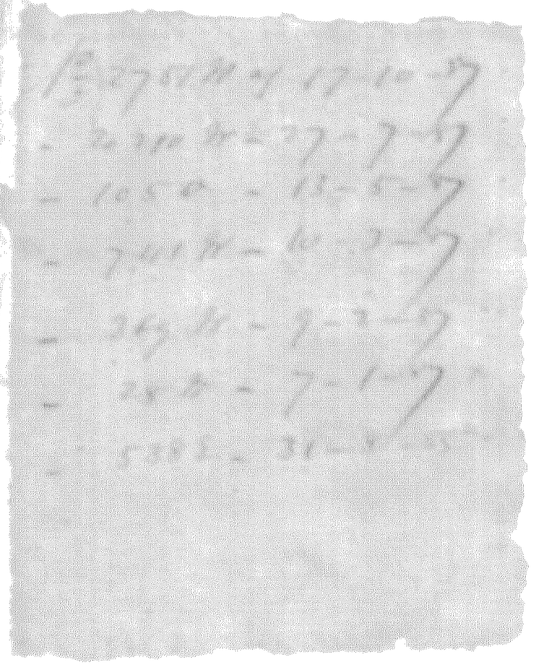
C.S.
10-XI-87

Please send to Amended
Articles of Dissolution
Secretary Board

[illegible]
10/11/87.

Returned 11 XI 87

* Average of 12 - 3 - 87 engl.
- 1535 hr - 19 - 7 - 86 engl.
- 338 B - 2 - 7 - 86
- 3058 - 25 - 6 - 86
- 277 B - 21 - 6 - 86
- 234 B - 11 - 6 - 86
- 231 B - 10 - 6 - 86
- 1525 hr - 18 - 6 - 86
- 255 B - 18 - 6 - 86
- 44 B - 21 - 4 - 86
- 2226 hr - 28 - 9 - 85 engl.
- 1279 hr - 2 - 6 - 85 engl.
- 772 C - 4 - 8 - 85
- 555 C - 20 - 3 - 85
- 269 C - 7 - 2 - 85
- 1840 hr - 24 - 7 - 84
- 3059 / 15 hr - 24 - 10 - 83
- 1536 hr - 2 - 6 - 83
- 314 hr - 25 - 1 - 83
- 287 hr - 1 - 2 - 82
- 280 hr - 1 - 2 - 82
- 1400 hr - 6 - 6 - 81



Copies of Letters
to the Lords
Commissioners

Dear Sir

I am sorry
to trouble you
with the enclosed
Letter, but I
am desirous
that the Lords
Commissioners
should be
informed of
the circumstances
stated in it
as soon as
possible.

I am Dear Sir
Your most obedient
humble Servant
Wm Pitt

Rt Hon. Henry Dundas
&c &c &c

Downing Street
19th Jan. 1793

Copy of a Letter
from Mr Pitt
to Mr Dundas
dated
Downing Street
19th January 1793

Inclosing the petition
of the Merchants
of the City of London
trading to the Baltic
praying for the
assistance of Government
in procuring
convoys for the
protection of their
trade from Harwich
to the Downs and on the
Yorkshire Coast.