(1) பக்கங்களின் எண்ணிக்கை 20
(2) புதுக்கித் திருப்பிய நாள் 11/91
(3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம்

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

PWD துறை

(49)

அரசாணை எண்.
மு. கோப்புத் தாள் எண். 1452

அச்சகம்
பலவகை

நாள் : 9-5-1852 198 .

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

10 Sheets

No. 3. Brittle Sheet

ஆவண. கா-1—18,006—15-6-87.

D.V.-

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF T

INDIAN TELEGRAPHS.

Code Class.

Monthly Number.

To (Office)	Telephonic	From (Office)	Message

Words.	Day.	Hour.	Minute.	Official Instructions.
	7	13	27	

To (Person) Chief Asst. Chief Secty	From (Person) Chief Asst P. W. D.

145/1

Please supply one copy of L & M G.O.
No. 1852 L dated 1st August 1891
(Required for communication to the
Examiner P. W. accounts

Ga
7/5/92

64 Word Form.

Recd. from I.N.
At Hrs. Mts. by

Sent to I.N.
At Hrs. Mts. by

Telegraph Master.

Caledonian Stm. Pg. Co.—No. 380 T.—1-4-91—40,00,000.

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF T

Code Class.

INDIAN TELEGRAPHS.

Monthly Number.

To (Office) Telephonic

From (Office) message

Words.	Day.	Hour.	Minute.	Official Instructions.
	7	13	27	

To (Person) Chief Asst.
Chief Secy

From (Person) Chief Asst
P. W. D.

445/1

Please supply one copy of L & M G.O.
No. 1852 L dated 1st August 1891
(Required for communication to the
Examiner P. W. accounts.

Gd.
7/5/92

64 Word Form.

Recd. from L.N.
At Hrs. Mts. by

Sent to L.N.
At Hrs. Mts. by

Telegraph Master.

Caledonian Stm. Pg. Co.—No. 380 T.—1-4-91—40,00,000.

Furnished

7th May 1892.
V. Ragava Charlu
1st Assistant,

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

1/7

the following

Govt.
Department,
August
22-4-
ed on
Local

8 W of 20 Sep: 8

to the
Accounts
Engineer

ect
ddeley
Captn R.E.
to Govt.
P.W.D.

3

~~Para. 982. *(as amplified by S.O. no. 144). Add the following to the cross references at the end of this para. :—*~~

~~and para. 1300A.~~

~~[No. 1656—9-10-91.]~~

~~*Para.* 1144 *A (S.O. no.* 1563). *Eighth and ninth lines, for the words,* "executive engineer, Madras military works division", *substitute,* examiner of accounts, military works; *and in the eleventh and twelfth lines, for the words,* "to the executive engineer through the examiner", *substitute,* to that officer, through the examiner, Madras.~~

~~[No. 1657—9-10-91.]~~

145/2

~~*Para.* 1144*B (S.O. no.* 1563). *First and second lines, for the words,* "executive engineer, Madras military works division", *substitute,* examiner of accounts, military works; *and in the third line, after the words,* "furnish him", *insert,* through the examiner, Madras.~~

~~[No. 1658—9-10-91.]~~

Insert the following as para. 1300*A* :—

1300A. The following extracts from Madras Acts IV and V of 1884, viz., "The Madras District Municipalities Act" and "The Madras Local Boards Act," respectively, exempting government stores, &c., from payment of tolls are inserted here for information:—

The Madras District Municipalities Act IV *of* 1884.

Section 91 (3).

"No tolls shall be paid for the passage of troops, government stores, government vehicles or animals or any other government property or by military, municipal or police officers on duty, or for the passage of any person or property in their custody; or for the passage of vehicles or animals licensed or registered by the municipal council during the period for which they shall have been so licensed or registered."

The Madras Local Boards Act V *of* 1884.

Section 87 (3).

"No tolls shall be paid for the passage of troops on their march, or of military and government stores and equipages, or of military and police officers on duty, or of any person or property in their custody, or for the passage of vehicles and animals licensed by the district board while such licenses are in force."

[No. 1659—9-10-91.]

[illegible]

[illegible]

9.3 [illegible]

1/1241/92

PROCEEDINGS OF THE MADRAS GOVERNMENT.

145/7

READ the following

Proceedings of Govt. Local and Municipal Department, No. 1625 L. Mis dated 31st August 1888 regarding the refund of Rs 22-4- being amount of toll levied on Government stores by the Local Fund Board, Nellore.

Order thereon No. 2968 W. dated 20th Sep: 88

Communicated to the Examiner Public Works Accounts and the Superintending Engineer II Circle.

/ True Extract /
(Sd) W. L. C. Baddeley
Captn R.E.
Under Secty to Govt.
P.W.D.

8TH JULY 1889, No. 863 M., LOCAL AND MUNICIPAL.

1452/4

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

READ—again the following paper :—

G.O., dated 22nd May 1889, Mis. No. 634 M., Local and Municipal.

Read—the following Office Note from T. SHEFFIELD, Esq., District Forest Officer, North Arcot, to the Collector of North Arcot, dated Vellore, 6th April 1889, No. 58 :—

In submitting herewith copy of an extract from the Proceedings of the Vellore Municipal Council, I request that the matter may be referred to Government. I am supplying fuel, charcoal and sleepers from Government forests to Government works, to wit, the State Railway, and the Municipal Act is clear on the point that Government property passing the tolls should be exempt from the payment of fees.

ENCLOSURE.

EXTRACT from the Proceedings of the Municipal Council of Vellore, dated 4th April 1889.

Read letter from the District Forest Officer, North Arcot, No. 3646, dated 29th March 1889.

The Council observe that the materials referred to in the letter are not for the use of Government, but are brought for sale, and tolls appear to have been paid for such materials from the time the forests were reserved. The Council therefore resolve that tolls should be paid as heretofore. In case the District Forest-officer differs from the above opinion, he can refer the matter to Government for their orders.

(True Extract.)

(Signed) V. S. COOMARASAWMY MUDALIAR,
Chairman.

Endorsement on the above.

Forwarded for the orders of Government. Whether when in Mr. Sheffield's charge or when made over to the Railway the charcoal is Government property and should be exempt from payment of tolls.

(Signed) W. J. H. LE FANU,
Collector.

8th April 1889.

Order—dated 22nd May 1889, Mis. No. 634 M., Local and Municipal.

The Government observes that tolls are not leviable on commodities, but on vehicles, animals or palanquins as specified in the schedule. The words "other Government property" must apparently be held to be *ejusdem generis* with "Government vehicles or animals," and might refer to guns, limbers, waggons, &c. If the intention of section 91 (3), Act IV of 1884, is to exempt all vehicles to whomsoever belonging and carrying Government property, it is imperfectly expressed. The Honorable the Advocate-General will be requested to advise as to the proper construction of the section.

(True Extract.)

(Signed) J. F. PRICE,
Chief Secretary.

To the Honorable the Advocate-General,
through the Government Solicitor,
with letter and enclosure in original to be returned.

Read—also the following paper :—

From the Government Solicitor, Madras, dated 7th June 1889, No. 253.

Abstract.—Forwarding the following opinion of the Advocate-General, dated 5th June 1889 :—

In the matter of the construction of Madras Act IV of 1884, Section 91 (3).

OPINION.

Tolls are only leviable on vehicles and animals and no toll is leviable on Government vehicles or animals, or on any vehicles or animals hired by Government for the transport of troops, or the conveyance of Commissariat, Medical, Ordnance, or similar "Government Stores." The words "any other Government property" used in Madras Act IV of 1884, Section 91 (3), are not to be construed as meaning *all* Government property of every description, but must be confined to property *ejusdem generis* with the "Government Stores" above mentioned. The construction put upon these words by the District Forest-officer, North Arcot, is erroneous.

(Signed) J. H. SPRING BRANSON,
Acting Advocate-General.

Order—dated 8th July 1889, No. 863 M., Local and Municipal.

The Advocate-General's opinion read above will be communicated to the District Forest-officer, North Arcot, through the Collector, for information and guidance.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the District Forest-officer, North Arcot,
through the Collector.
" all Collectors.
" all Chairmen of Municipal Councils,
through the Collectors concerned.
" all Presidents of District Boards.
" the Revenue Department.

Exd. J. Moses.

1452/5

EXAMINER
No. 8614A
10 MAR
ENCLOSURES
W. ACCOUNTS

Govt. of {1889} Madras.

LOCAL AND MUNICIPAL.

Issued

Recd.

Encl.

G.O., 8th July 1889, No. 863 M.

JULY.

Act.

Communicating to the District Forest-officer, North Arcot, the opinion of the Advocate-General regarding the proper construction of *section* 91 (3) of — IV of 1884.

1st August 1891, No. 1852 L., Local and Municipal.

1452/6

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

Read—the following paper :—

From E. C. JOHNSON, Esq., President, District Board, Ganjam, to the Chief Secretary to Government, dated Chatrapur, 27th June 1891, No. 789.

I have the honour to request that you will inform me whether the phrase "Government stores" in clause 3, section 87, of Act V of 1884 is intended to cover carts containing salt or timber, the property of Government, and being carried with a view to sale at a profit from one salt factory to another or from one timber depôt to another.

2. Large quantities of salt are, for the convenience of the Salt Department, frequently transported from Surlá factory to Humma and cause great wear and tear to the Local Fund roads. Similarly, there is at times a considerable transport of heavy logs, the property of Government, over some of our roads.

3. It does not seem to me that the clause above referred to was intended to cover such cases; nor can I see any reason why carts carrying such commodities (they are not "stores" in the sense in which that word is ordinarily used) should be exempted from tolls; at the same time the officers of the Salt and Forest Departments claim exemption, and I am consequently obliged to ask for a distinct ruling on the point.

Order—dated 1st August 1891, No. 1852 L., Local and Municipal.

In G.O., dated 8th July 1889, No. 863 M., the Advocate-General's opinion to the effect, that the words "Government property" in section 91 (3) of the District Municipalities Act must be construed strictly, so as not to include *all* Government property of every description, but only Government property *ejusdem generis* with Government stores of the description specified in that section, was communicated to all Presidents of District Boards. The wording of section 87 (3) of the Local Boards Act is even less comprehensive than that of the corresponding section in the District Municipalities Act, and, in accordance with the opinion above referred to, it must be held that vehicles, carts or animals conveying Government timber or salt are not exempt from the payment of tolls to Local Boards.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the President, District Board, Ganjam.
" all other Presidents of District Boards.
" all Collectors.
" the Revenue Department.

Exd. C. A. Munisawmy.

Govt. of {1891} Madras.

LOCAL AND MUNICIPAL.

Issued

Recd.

Encl.

G.O., 1st August 1891, No. 1852 L.

P.W. 5/4820/92

AUGUST.

Tolls.

Stating, with remarks, that vehicles, carts or animals carrying Government timber or salt are not exempt from the payment of — to Local Boards.

No. 2284

VIZAGAPATAM DIVISION OFFICE.
~~Station: Waltair~~ Camp Bobbili
Dated 1st } February 1892.
Despd. 6th }

From

J. Traill Esq
Executive Engineer,
Vizagapatam Division.

145/7

To

The Examiner P. W. accounts
Madras.

Reference.

Enclosures.

Sir, With reference to para 8 of your Mis: objectionable Item letter on the accounts of this Division for the month of August/91, I have the honor to inform you that the Collector of this District informs me in his letter No 188 dated 25-1-92, that the only stores not liable to the payment of tolls are Commissariat, Medical, Ordnance, and similar Government Stores under G.O No 863 Local and Municipal dated 8th July 1889. Lime clearly does not fall within these exceptions.

I have the honor to be
Sir
Your most Obedient servant

5.2.92
Assistant Engineer
For Executive Engineer
Vizagapatam Dn

4-2

EXAMINER
No. 3/422
11 FEB 1892
ENCLOSURES
P. W. ACCOUNTS

From

The Executive Engineer

Vizagapatam Dn.

To

The Examiner

P.W. Accounts.

No. 2284.

Dated 1st.
Despd. 6th.
Recd.
} February 1892

P.W 5.94
3097/92
6820

Subject.

Collecting tolls on Govt. Articles.

Informs Collector's opinion on —

(C. No. 1201/8)

KEEP-WITH CURRENT No.

dated 189 .

GOVT. OF MADRAS. } 1892. { P. W. DEPT.

EXAMINER, P. W. ACCOUNTS.

Madras, 30 March 1892.

OFFICE NOTE No. 467 S.A.

To

W.

145/8

Please see enclosed letter from the Executive Engineer, Vizagapatam Division, No. 2284, dated 1st February 1892. It appears necessary to have the question settled definitely as to whether animals or vehicles conveying stores, such as bricks, lime, timber, &c — the property of Government — for use on Government works should or should not be exempted from payment of tolls under Madras District Municipal Act IV of 1884, and Madras Local Boards Act V of 1884.

2. Para 1300 A of the Madras P.W. Code was drafted with reference to the orders of Government contained in G.O. No. 2968 W., dated 20 ~~April~~ September 1886, but the Collector of Vizagapatam relies on ~~quotes in~~ G.O. No. 863 Local and

Municipal

Municipal dated 8th July 1889 (herewith) that such stores are liable to the payment of tolls.

S.2

P.W. CURRENT No. 3499

C

Recd: 31-3-92

(Encl 2)

No. 1877C d/ 9. April 92

Referred to the Local and Municipal Department.

Col. R.E.
Secretary to Govt.
P.W.D.

DVB
84/92

The L & M Dept with a copy of G.O. 2968 W d/20 Sep 88 and para 1300A of the Madras P.W. Code Standing order 1659/91.

Local and Municipal Department.

CHIEF SECRETARIAT, MADRAS.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

145/9

READ the following ~~paper:~~—

Endorsement of the Public Works Department dated 9th April 1892 No. 1877C referring Office note from the Examiner of Public Works Accounts requesting to have the question settled definitely as to whether animals or Vehicles conveying stores such as bricks, lime, timber &ca the property of Government for use on Government works should or should not be exempted from payment of tolls &ca

Order 4th May 1892 No. 1021 L. Mis.

The Public Works Department will be referred to G.O. dated 1st August 1891 No. 1852 L, in which the question, raised by the Examiner of Public Works Accounts, has already been settled by Government.

(True Extract)

Ag: Under Secretary

To
The Public Works Department
with Copy of G.O. d/1-8-91 No. 1852 L
& with papers returned

1452/10

P. W. CURRENT No. 4820

No. 1032 L dt 13-4-91
" 1877 " dt 9-4-92

Govt. of 1892 Madras.

Local and Municipal Department.

To

The P. W. Department

Enclos 6

Recd: 6. 5: 92

No. 1452 W dt 9 May 1892

Communicated to the Examiner Public works accounts.

Communicated to the Examiner Public Works accounts.

Proceedings, dated 11th May 1892.
No. 1021 L (Mun)

Subject.

Referring the P. W. Deptt to the Government Order quoted in which the question raised by the Examiner of P. W. accounts regarding the exemption of vehicles or animals carrying Government timber &c. from payment of tolls has already been settled by Government

OCB
7.5.

Ex. P.W.a. with a Copy of G.O. 1852 L dt 1st August 1891.

Ex P.W.A. with a copy of G.O. 1852 L dt 1st August 1891.

11/5.

J.C. 10/5