

Public Works (1899) Department.

G.O., No. 2027 *W*

DATED 2nd August 1899.

[Despatch Abstract.]

Roads

Pro: Lt M. Dept, ~~pro~~ stating that
stating, with remark, that no Local Board is
competent to prohibit traffic on any —
under the Madras Local Boards Act V
of 1884, Comm'd to the S.E. I ^{Circle.} with
remark.

B

OTHER PAPERS.							
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

6122

From The Local Municipal Office

Order

Communicated
to the Supty. Lgr., I birchle.
2. ~~The Examinee is~~
~~authorised to admit.~~ The
charge made by the District
Board, Godavari, will be
admitted.

No. 14242

Dated 18-7-79

Received 21-7-89

Registered

Enclosures

Spare copies

SUBJECT.

Roads. Stating with
remark that no Local
Board is competent to prohibit
traffic on any— under the
Madras Local Boards
Act of 1884.

To The Supt. Engr., I Circle
The Local & Mun. Engr. Dept.
Examiner, P. W. Acutt.

025317R26/7

BACK PAPERS.

No.	Date.
25720	3-6-77

FURTHER PAPERS.

No.	Date.

LOCAL AND MUNICIPAL DEPARTMENT.



PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper:—

From the Superintending Engineer, First Circle, to the Chief Engineer, Public Works Department, No. 1108 G.E., dated 19th May 1899.

I have the honour to bring to your notice that materials for the See Cocanada water works have to be carted along a new Local Fund Road called "Brodie's Road".

2. Under ordinary circumstances, this road would carry little more than ordinary station traffic. The material carts cut it up badly, and the District Board Engineer stopped traffic on it.

3. Two courses were open to us, either to construct a new road for our carts or to come to an agreement with the Local Fund Engineer. The new road would have followed a circuitous route on a sand track, would have taken a long time to construct, and have been very expensive.

4. The Local Fund Engineer was prepared to reopen the road, provided Rs 250/ were paid to the Board to meet the expenses of repairing the road.

5. As far as the amount goes, the sum asked is reasonable enough, and I permitted the Executive Engineer Godavari Eastern Division, to accept the terms, under Public Works Code Volume I, Chapter VII, para. 20.

6. The Examiner Public Works Accounts, objects to admit the charge, as it is an unusual one, and requests sanction of Government

Government to admit it.

7. I have the honour to request that the charge may, in this case, be admitted; ^{but} ~~but~~ it, at the same time, appears to me desirable that a ruling of Government should be obtained, as to what rights a Board or Municipality possess to regulate the amount and nature of the traffic on roads within their jurisdiction.

8. In the present case, there is no doubt that the carts would have destroyed the road, and great delay and inconvenience would have been caused to the work, had traffic been stopped. I, therefore, acceded to the Local Fund Engineer's terms. Other ^{cases} ~~causes~~, however, of a similar nature are sure to arise, and it would be as well to have the position clearly defined.

Endorsement of the Public Works Department No. 2572 G dated 3rd June 1899.

Referred to the Local and Municipal Department for remarks on para. 7.

Order No. 1424 L.Mis., dated 18th July 1899.

Under the Madras Local Boards Act V of 1884 no Local Board is competent to prohibit traffic on any road. The action of the District Board's Engineer, Godavari, in the present case in prohibiting the use of "Brodie's Road" by carts conveying materials for the Godavari water works was not therefore warranted by law. In the circumstances of the case, however, the Local Board was fairly entitled to a contribution towards the additional expenditure entailed on it by the wear and tear caused to the road on account of the unusually heavy traffic passing over it.

2. Under section 255 (1) (iv) of the Madras District Municipalities Act IV of 1884 as amended by Act III of 1897, a Municipal Council is empowered to make byelaws for securing cleanliness, safety and order in the streets and a byelaw prohibiting the passage of heavily laden carts along a particular road within Municipal limits would apparently be legal. The advisability of introducing into ^{the Madras Local Boards Act} a similar clause will therefore be recommended, in the Legislative Department, for the consideration of ^{the} select committee of the Legislative Council appointed to

consider

consider and report on the Bill to amend Act V of 1884.

(True extract)

for Secretary to Government.

To

The Public Works Department.

„ Legislative Department,

with H.M's note in original.

Public Works (1899) Department.

5938

CURRENT No. 6122

From The High Engineer
Street Office

Order

No. 154892.

Dated 21/24.7.99.

Received 27.7.99.

Registered

Enclosures

Spare copies

SUBJECT.

Provis road — requesting
order on this office letter No. 110892
of 20.5.99 regarding the Com-
-pensation for damage done to
by Cartage of materials for the
Cocacuda Water Works.

$$\frac{C}{5} 200 = 15.6.1899.$$

No. 154892.

W. C. De Morgan Esq. M. I. C. E.,
THE SUPERINTENDING ENGINEER
FIRST CIRCLE,

THE CHIEF ENGINEER

PUBLIC WORKS DEPARTMENT

WALTAIR, *21st July* 1899.
Camp, *21*

Enclosures.

SIR,

$$\begin{array}{r} 25726 \\ \hline 369 \end{array}$$

I have the honor to request the favor
of orders on my letter N^o 1108 G. G. of 20-2-79
regarding the compensation for damage
done to "Brodi's road" by cartage of
materials for the Coconada Water Works.
The objection raised by the Examiners P. O.
Accounts, regarding the payment of the
compensation to the District Board,
Godavari, on my authority, is still
outstanding in the objectionable Item
Statement.

I have the honor to
 your most ^{Dear} obedt servant
 W. De Morgan
 21.7.99
 understanding Engineer

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21-2 96