

MADRAS RECORD OFFICE.

Government of Madras.

Rudie DEPARTMENT.

G.O. No.	1401	Press Mis.
Dated	7-11-	1967.

Not to be folded or roughly handled

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No. 59. Read the following letter from the President of the Municipal Commissions, Vizagapatam, to the Chief Secretary to Government, Fort Saint George; dated Vizagapatam, 19th October 1867, No. 437.

In conformity with Section 143 of the Madras Act X. of 1865, I have the honor to forward certain Bye-laws proposed by the Municipal Commission of Vizagapatam, and to request that the sanction of Government may be obtained for the same.

2. None of these Bye-laws have on any previous occasion received the sanction of Government.

Bye-laws for the Vizagapatam Municipality, framed under Section 143 of the Towns' Improvement Act.

CONSERVANCY.

1. All compounds and houses, occupied by any party residing in Municipal limits, are to be kept clean and in good order, no dirt or filth is to be allowed to accumulate.

2. Owners of cess-pools, within compounds, will be held responsible for their cleanliness.

3. No person shall dry bratties on the external walls of houses or yards adjoining the public streets.

4. No person shall make use of the pavement or verandah of his house, or of any place not specially intended for such purpose, in front of his house or by the side of any street, as a stable or stall for keeping horses, ponies, bulls, cows, buffaloes, or any other animals.

5. The Commissioners may, by a notice issued to the occupiers of any premises, require them to repair and white-wash, within a given time, the exterior walls of such premises facing any street or public road.

6. Every person, within whose premises any animal may die, shall, within six hours after its death, or if the animal die at night, within two hours after day-break, either remove the carcass at his own expense, without cutting it up or opening it, to such part as may be set apart by the Commissioners for the reception of carcasses, or report its death to the Conservancy Overseer of the division within which such premises may be situate, and in such latter case shall pay to the said Overseer the expense of removing the carcass at such rate as the Commissioners may from time to time determine.

7. No person shall bury, or cause to be buried, any corpse in any burial ground in the Town of Vizagapatam, and in a grave constructed of masonry in such manner that the corpse shall be at a less depth than four and a half feet from the surface of the ground. No person shall bury, or cause to be buried, in any such burial ground any corpse in a grave not constructed of masonry which shall be less than six feet deep. Every person who shall bring or convey, or cause to be brought or conveyed, any corpse, or part thereof, to any burning ground within the said town, shall burn or cause the same to be burnt within four hours after its arrival at the said burning ground.

8. No noxious trade shall be carried on, except in places sanctioned by the Commissioners.

TOLLS AND TAXES.

1. Persons who have already paid taxes under Schedule A, of the Towns' Improvement Act, in other Municipalities, shall be exempted from the payment of those taxes for the same period in the Municipality of Vizagapatam.

2. No person who shall prove that he has paid the taxes under Schedule C, or Section 67 of the Act in any other Municipality, shall be required to pay the same, for the same half-year, in the Municipality of Vizagapatam.

3. No more than one payment of toll shall be demanded for, and in respect of, any carriage, cart or animal entering the Municipal limits of the town of Vizagapatam in any one period of 24 hours, counted from midnight to midnight.

4. The owner of every carriage, cart, horse, pony, mule, ass, bullock, camel or elephant, kept within the town for more than 30 days in the aggregate in any one half-year, and who may be a non-resident, shall send to the office of the Municipal Commissioners a statement, in writing, signed by him, containing a description of the vehicles and animals liable to the law for which he

desires to take out a license, and the owner shall, at the same time, pay to the Municipal Commissioners the full amount payable for the then current half-year, according to the rates given in Schedule C. of the Towns' Improvement Act, and in cases where difficulties may arise as to the identity of a vehicle, it shall bear a number in such manner as the Commissioners may direct.

5. Bills for the tax due will be issued during the first quarter of the year, commencing from 1st May, under the official seal of the Commissioners, and will be signed by the Secretary. The bills so sealed and signed will be entrusted to the Head Bill Collector, who will, from Monday to Friday in each week (holidays excepted), between the hours of 10 A. M. to 4 P. M., issue them for collection.

6. Bill Collectors will present the bills but once to each tax-payer. If the amount is disbursed, well; if not, distraint will follow in due course of law.

7. Bills presented and remaining unpaid will be returned to the Head Bill Collector by the collecting Peons every day at 4 P. M., who will present them to the Secretary for further proceedings, as per rule above.

8. In reference to itinerant dealers these rules will not apply, but all such, when met, will be served with a notice to attend the Commissioner's office, and unless he does so, and takes out a license, he will be proceeded against under Section 115 of the Act.

GENERAL.

1. No carriage, jutka or hackery shall, after 6½ P. M., in a dark night, drive on a public road without lights. This rule is not applicable to country carts drawn by bullocks.

2. All carriages and carts shall, in meeting other conveyances, leave them to the right hand side, and in passing them, leave them to the left hand side.

3. Bullocks attached to carts unloading in the main street are to be unyoked, as short a time as possible, and no unnecessary delay should take place in unloading.

4. No one shall let off fireworks within Municipal limits, save at such time, in such manner, and in such place as is permitted in writing by the Municipal Commissioners, except at the Deepavalee feast.

5. Every well shall be fenced by a wall three feet high from the surface of the ground.

6. Owners of pigs, kept within the limits of the Municipality of Vizagapatam, are required to keep them always within enclosures. All pigs found straying will be seized and killed, and the carcasses will be removed at the expense of the owner.

7. No grain pits shall be dug in the streets or public roads.

8. No grain shall be spread on any public thoroughfare.

9. No article shall be exposed for sale in any street, so as to cause obstruction to the public.

10. No person afflicted with noxious or loathsome disease shall vend, or offer for sale, any article of food.

11. Inspectors of Divisions may, at all reasonable times, enter into and inspect any market, building, shop, stall, or place used for the sale of any drink, or of butcher's meat, poultry, fish, vegetables, or other articles of food, and if it appears that any such drink, meat, poultry, fish, vegetables, or other article, intended for the food of man, is unfit for such food, shall produce the same, with the owner thereof, before the Magistrate for orders.

12. Under Section 122, a fee not exceeding one Rupee will be charged at the discretion of the Commissioners for every temporary erection in any public street on occasions of festivals and ceremonies.

13. All authenticated copies of original registration or licenses shall be given on the payment of a fee of four Annas for each such copy.

14. Whoever shall commit any breach of any of the foregoing Bye-laws, by doing any act prohibited by any such Bye-laws, or by neglecting to do any act directed to be done by any such Bye-laws, shall be liable to a penalty not exceeding 20 Rupees, on conviction before a Magistrate, and in case of continuance, to a further penalty not exceeding 10 Rupees for every day during which the breach is continued after the conviction for the offence.

(Signed) J. H. MASTER,
Acting Magistrate.

No. 60. ORDER THEREON, 7th November 1867, No. 1401.

The Government do not understand the statement made by the President in the foregoing letter, to the effect that none of the proposed Bye-laws now submitted have on any previous occasion received the sanction of Government. With one or two exceptions only, all the Bye-laws now proposed have been previously sanctioned for other Municipalities.

2. Bye-laws Nos. 1 and 2 are superfluous, provision being made in Sections 81 to 83, and Section 89 of the Act, for enabling the Commissioners to ensure the cleanliness of houses and lands.

3. Bye-law No. 5 will be altered as follows:—

The external walls of houses and yards adjoining the public streets shall be lime-washed once at least annually, unless specially exempted by the Commissioners; and in the event of owners or occupiers of such houses neglecting to comply with the orders of the Commissioners for a period of more than one month, the white-washing shall be done by the Commissioners, and the expense incurred thereon recovered in the same way as arrears of rates on houses, &c., are recoverable under Section 74 of the Act.

Bye-law No. 4 is not approved. If the vehicles and animals therein specified are liable to taxation under Schedule C, the procedure for realizing such taxes is provided for in the Act, and it is the duty of the Commissioners to decide whether the provisions of the Act are applicable in each case or not. If the Act itself does not provide for such cases the omission cannot be supplied by Bye-laws.

Bye-laws 5, 6, 7 and 8, appear to be merely instructions as to the manner in which the duties of Bill Collectors shall be discharged, and are unnecessary; Sections 72 to 76 of the Act providing for the course to be adopted in the collection of rates and taxes.

No. 1 of the proposed General Bye-laws will be recast as follows:—

No person shall drive any vehicle of any description at any time between three quarters of an hour after sunset and one hour before sunrise without a sufficient light, except when, in the opinion of the Magistrate, there may be sufficient moonlight to render such light unnecessary.

4. Instead of sanctioning General Rule No. 12, the Governor in Council authorizes the Commissioners, under Section 133, to charge a fee not exceeding one Rupee on every temporary erection put up by permission of the Commissioners under Section 122.

(True Extract).

Chief Secretary.

To the President of the Municipal Commissions in Vizagapatam.

Exd. J. Tulloch.

N^o 434

Vizagapatam 19 October 1867.

From

J. H. Master Esq^{re}

President of the Municipal Com.
mission. Vizagapatam

To

The Honorable A. J. Arbutnot
Chief Secretary to Government

Fort St. George.

Sir,

In conformity with Section 143
of the Madras Act X of 1865, I have
the honor to forward certain Bye-laws
proposed by the Municipal Commission
of Vizagapatam and to request that the
sanction of Government may be obtained
for the same.

2. None of these Bye-laws have
on any previous occasion received the
sanction of Government.

I have the honor to be

Sir

Your most Obedt. Servt.

J. H. Master

President of the Municipal
Commission, Vizagapatam

Encl^{ure}
A. H. K.

*Bye-laws for the Visagapatam Municipality
framed under Section 143 of the Towns Improvement
Act.*

Conservancy

1. All compounds and houses, occupied by any party, residing in Municipal limits, and to be kept clean and in good order, no dirt or filth is to be allowed to accumulate.
2. Owners of cesspools, within compounds, will be held responsible for their cleanliness.
3. No person shall dry bratties on the external walls of houses or yards, adjoining the public streets.
4. No person shall make use of the pavement or verandah of his house, or of any place not specially intended for such purpose in front of his house or by the side of any street, as a stable or stall for keeping horses, ponies, bulls, cows, buffaloes, or any other animals.
5. The Commissioners may, by a notice issued to the occupiers of any premises, require them to repair and whitewash, within a given time, the exterior walls of such premises facing any street or public road.
6. Every person within whose premises any animal may die shall, within six hours after its death, or if the animal die at night within two hours after daybreak, either remove the carcass at his own expense, without cutting it up or opening it, to such part as may be set apart by the Commissioners, for the reception of carcasses, or report its death to the Conservancy Overseer of the division within which such premises may be situated and

and in such latter case shall pay to the said Overseers the expense of removing the carcass at such rate as the Commissioners may, from time to time, determine.

7- No person shall bury, or cause to be buried any corpse in any burial ground in the town of Vizagapatnam, and in a grave constructed of masonry in such manner that the corpse shall be at a less depth than four and a half feet from the surface of the ground. No person shall bury or cause to be buried in any such burial ground any corpse in a grave not constructed of masonry which shall be less than three feet deep. Every person who shall bring or convey or cause to be brought or conveyed any corpse, or part thereof to any burning ground within the said town, shall burn or cause the same to be burnt within 24 hours after its arrival at the said burning ground.

8- No noxious trade shall be carried on, except in places sanctioned by the Commissioners.

Tolls and Taxes

1- Persons who have already paid taxes under Schedule A. of the Towns Improvement Act in other Municipalities; shall be exempted from the payment of those taxes for the same period in this Municipality.

2- No person who shall prove that he has paid the taxes under Schedule C. or Section by of the Act in any other Municipality, shall be required to pay the same, for the same half year, in the Municipality of Vizagapatnam.

3- No more than one payment of toll shall

shall be demanded for, and in respect of, any carriage, cart or animal entering the Municipal limits of the town of Vizagapatnam in any one period of 24 hours counted from midnight to midnight.

11- The owner of every carriage, cart, horse, pony, mule, ass, bullock, camel or elephant, kept within the town for more than 30 days in the aggregate in any one half year, and who may be a nonresident, shall send to the office of the Municipal Commissioners a statement, in writing, signed by him, containing a description of the vehicles and animals liable to the law for which he desires to take out a licence, and the owner shall, at the same time, pay to the Municipal Commissioners the full amount payable for the then current half year according to the rates given in Schedule C. of the Towns Improvement Act, and in cases where difficulties may arise, as to the identity of a vehicle, it shall bear a number, in such manner as the Commissioners may direct.

5- Bills for the tax due, will be issued during the first quarter of the year commencing from 1st May under the official seal of the Commissioners, and will be signed by the Secretary. The Bills so sealed and signed will be entrusted to the Head Bill Collector who will from Monday to Friday, in each week, (holidays excepted) between the hours of 10 Am to 4 P.M. issue them for collection.

6- Bill collectors will present the Bills

but once to each taxpayer. If the amount is dis-
bursed well, if not, distress will follow
in due course of law.

7. Bills presented and remaining unpaid will
be returned to the Head Bill Collector by the
collecting peons, every day at 4 P.M., who
will present them to the Secretary for fur-
ther proceedings as per rules above.

8. In reference to itinerant dealers these
rules will not apply, but all such, when
met, will be served with a notice to attend
the Commissioners' office and unless he
does so, and takes out a licence, he will
be proceeded against under Section 115 of
the Act.

General

1. No carriage, palki or hackery shall after
6 P.M., in a dark night, drive on a public
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ing other conveyances, leave them to the
right hand side and in passing them
leave them to the left hand side.

3. Bullocks attached to carts unloading
in the main street are to be unyoked, as
short a time as possible, and no unneces-
sary delay should take place in unloading.

4. No one shall set off fireworks
within Municipal limits, save at such
time, in such manner, and in such place
as is permitted in writing by the Muni-
cipal Commissioners except at the Deepa-
vala festival.

5. Every well shall be fenced by a wall three
feet high from the surface of the ground.

6. Owners of pigs, kept within the limits
of the Municipality of Vizagapatam, are
required to keep them always within en-
closures. All pigs found straying will
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will be removed at the expense of the owner.

7. No grain pits shall be dug in the streets
or public roads.

8. No grain shall be spread on any public
thoroughfare.

9. No article shall be exposed for sale in any
street, so as to cause obstruction to the public.

10. No person afflicted with noxious or loathsome
disease shall vend, or offer for sale, any
kind of food.

11. Inspectors of divisions will, at all
reasonable times, enter into and inspect any
market, building, shop, stall, or place used
for the sale of any drink or of butcher's
meat, poultry, fish, vegetables or other
articles of food, and if it appears that
any such drink, meat, poultry, fish, vegetable
or other article intended for the food of man,
is unfit for such food, shall produce the
same, with the owner thereof, before the
Magistrate for orders.

12. Under Section 122, a fee not exceeding
one Rupee will be charged at the discretion
of the Commissioners for every temporary

erection in any public street on occasions of festivals and ceremonies.

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14.- Whoever shall commit any breach of any of the foregoing Byelaws by doing any act prohibited by any such Byelaws, or by neglecting to do any act directed to be done by any such Byelaws shall be liable to a penalty not exceeding 20 Rupees, on conviction before a Magistrate and in case of continuance to a further penalty not exceeding 10 Rupees for every day during which the breach is continued after the conviction for the offence.

R Master

A. Magistrate.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the President of the Municipal Commission, Vizagapatam.

Decr letter 19th Oct. 1867 No. 437.

Order thereon 4 Nov. 1867 No. 1401.

The Government do not understand the statement made by the President in the foregoing letter to the effect that none of the proposed Bye laws now submitted have on any previous occasion received the sanction of Government. With one or two exceptions only, all the Bye Laws now proposed have been previously sanctioned.

N.

W.H.

By A. for the Municipal Commission. Bye Laws Nos. 1 and 2 are superfluous, provision being

1867
Indra Prasad
in a letter from
Ag. the Secretary of
Municipal Commission to
the Government dated
19 October 1867 No. 383.

Received 19/10/67

Bye Laws for
Vizagapatam
Municipality
presented under
Section 143 of
the Municipal
Act 1862
Recd.

17/10/67
1867

being made in Sections 81 to 83, and Section 89 of the Act for enabling the Commissioners to ensure the cleanliness of houses and ~~lands~~.

3. Bye Law No 5 will be altered as follows.

The external walls of houses and yards adjoining the public streets shall be lime-washed once at least annually, unless specially exempted by the Commissioners and in the event of owners or occupiers of such houses neglecting to comply with the orders of the Commissioners for a period of more than one month, the white washing shall be done by the Commissioners and the expense incurred thereon recovered in the same way as arrears of rates on houses, &c. are recoverable under Section 4 of the Act.

Bye

Bye Law No 1 is not approved. If the vehicles and animals therein specified are liable to taxation under Schedule C, the procedure for realizing such taxes is provided for in the Act and it is the duty of the Commissioners to decide whether the provisions of the Act are applicable in each case or not. If the Act itself does not provide for such cases the omission cannot be supplied by Bye Laws.

Bye Laws 5, 6, 7, 8 appear to be merely instructions as to the manner in which the duties of Bill Collectors shall be discharged and are unnecessary, Sections 72 to 76 of the Act providing for the course to be adopted in the collection of rates and taxes.

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WV

The President of the M. Comtee
in Visagapatam
desp 8/11

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Argument.

No. 1401

PROCEEDINGS OF GOVERNMENT.

Dated

10/10/1955

The 2075-

67-80

Rep. Laro for Vigaya
for 1000 1000

1-2-58

Public 1867. Department.

No. 1401

PROCEEDINGS OF GOVERNMENT.

Dated 7th November/58

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R. K. R.