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MADRAS RECORD OFFICE.

Government of Madras.

Police DEPARTMENT.

G.O. No.	<i>282</i>	Press ~~Mis~~
Dated	<i>16-3-1867</i>	

Not to be folded or roughly handled

RP
10-10-25

*Proceedings of the Madras Government, Public Department,
16th March 1867.*

No. 106. Read the following letter from the President Municipal Commission, Coimbatore, to the Chief Secretary to Government, Fort Saint George; dated Coimbatore, 31st January 1867, No. 16.

Under Section 145 of the Towns' Improvement Act, No. X of 1865, I have the honor to submit, for the approval and confirmation of Government, the accompanying Bye-law framed by the Municipal Commission.

Bye-law.

The owner of every Cart-stand within the Municipality of Coimbatore shall, within fifteen days from the date on which the confirmation of Government of this Bye-law shall be published in the *District Gazette*, take out a license for his Cart-stand on payment of a fee not exceeding 50 Rupees a year, for the year commencing from the 1st November 1866 and ending on the 31st October 1867.

31st January 1867.

(Signed) P. GRANT,
President.

No. 107. ORDER THEREON, 16th March 1867, No. 282.

The Government observe that provision being made under Sections 120 and 133 of the Towns' Improvement Act for the licensing and charging of fees for licensing Cart-stands within Municipal limits, it is not requisite to have recourse to a special Bye-law.

2. The Government, therefore, deem it unnecessary to confirm the Bye-law submitted with the foregoing letter, but resolve to intimate their approval of the rate of fees to be charged under Section 120 for places to be as Cart-stands within the Municipal limits of Coimbatore, viz., a fee not exceeding 50 Rupees for every such Cart-stand, as proposed by the President and the Commission.

(True Extract).

Chief Secretary.

To the President of the Municipal Commission, Coimbatore.

Exd. J. Tulloch.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following
letter from the President, Municipal
Commission, Coimbatore.

Dated 31 January 1867 No 16.

Order thereon 15 March 1867 No 282.

The Government observe
that provision being made
under Sections 120 and 133
of the Towns Improvement
Act for the licensing and
charging of fees for licensing
cart stands within mu-
nicipal limits, it is ^{not} nec-
essary ^{for} to have recourse
to a Special Bye Law.

2. The Government
~~and~~ therefore, ~~affirm~~
~~and~~ confirm the Bye Law
submitted

W. J. G.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the President, Municipal
Commission, Coimbatore.
(Hear entered 8th January 1877. 12.11)

Order thereon

In accordance with
Section 145 of Act X of 1865
the Governor in Council
approves and confirms the
Bye-law referred to in
the foregoing letter, and directs
that the same be published
in the Coimbatore
District Gazette for a
period of one month.

To the Presdt. of the Munc. {
Commission, Coimbatore}

To the President of the
Municipal Commission, Coimbatore.

substitute the draft now
in Page copy fair
773
8/3/77

submitted with the for-
going letter, but ^{under} ~~affirm~~
~~instruct~~ ~~their~~ approval of
the rate of fees to be
charged under Section 120
for places to be as cart-
stands within the mu-
nicipal limits of Coim-
batore, viz, a fee not
exceeding 50 Rs for every
such cartstand, as pro-
posed by the President and
the Commission.

42.

with reference to Sir Thomas Pycroft's
query "under what section of the
Act are cart-stands liable to
taxation"

Section 120 provides, that no place
shall be used as a Cart-stand
fee, unless licensed by the Com-
missioners.

and section 133 provides that the
Commissioners* shall fix the rates
of fees to be charged for any
license granted under the
provisions of the Act.

These two sections taken together
seem to me to provide explicit
for the levy of a license-fee on
Cart-stands.

* (subject to the approval of Govt.)

2. This being so, it is not within the
scope of a Byelaw to provide
for the levy of a fee for which
special provision is already
made.

3. I think, therefore that the words
in the letter of the President;
Comptroller 31st Jan/67. No 16
should be altered.

It should state that the Byelaw
cannot be confirmed, and

either ~~express~~ approval of the term
of a license fee & the amount
proposed, under provisions
of Secs 120, 133. or
simply point out the form
which the Commis'sioner's
proposal should take.

FB

5/3/67.

P.S.

The order in the letter from the
President, Guntoor Commis'sion,
8th Feb. 1867 No. 5, will require
similar alteration, if my
view is correct.

PROCEEDINGS of the MADRAS GOVERNMENT.

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

Received 31st January 1867 N. 16.

Order thereon 20 February 1867 N. 102.

The Bye-law submitted
with this letter is defective - it does
not specify ^{the exact} amount of
the fee proposed to be levied on each
owner of a Cartstand within the
Municipal limits, for taking out a
license.

W. S.

The Pres. Comm. Coimbatore

Sept 18/93

Public 1864. Department.

No. 282

PROCEEDINGS OF GOVERNMENT.

Dated. 16th March 1867

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106-107.