

Public Works (1899) Department.

RAILWAY BRANCH.

X Rm
G.O., No. 647. Ry.
DATED 9th June 1899.

Includes
No 142 Rm 75-4-99

[Despatch Abstract.]

Scavenging Fees

Coming to the Agent, Mr. Ry. Prasanna L. de
Dept forwarding letter from the Chairman,
Calicut Municipal Council, exempting
the Madras Railway, from payment of
to the Municipality.

CURRENT No. 1596

No. $\frac{9235}{325}$

Spare copies

SUBJECT.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Form No. 18

Copy of a communication from the Agent and
 manager, Madras Railway, to
 the Consulting Engineer for Railways, Madras, No. 2255, dated 25 March
 1899.

I have the honour to bring to your
 notice that this Company has been paying
 scavenging fees to the Calicut Municipality
 at the rate of Rs. 4/- per manum for
 several years past.

My attention, however, has just been
 drawn to the matter and I find that
 the Municipality is not justified in
 charging these fees against the Company.

Section 217 of Act IV of 1884 as
 amended by Act III of 1897 provides that
 "The Municipal Council may by notifi-
 -cation require all occupiers of
 buildings xx with whom no contract
 for removal of night soil xx has
 been made under Section 218 to
 provide movable receptacles xx for the
 temporary deposit of night soil xx
 and may further require that such
 receptacles shall be in readiness xx
 for the removal of the contents thereof
 free of charge, by the Municipal Servants
 etc."

Section 218 provides that "The
 Chairman may contract with the occupier
 of any building or land to remove
 night soil from latrines or cesspools xx
 on payment of fees at such rate or
 rates as the Municipal Council may
 have

have prescribed with the approval of the Governor in Council."

The Municipality claims the payment of the fee levied under Section 218, but we contend that the Municipality does not perform, for this Company, the services contemplated by this Section. The Company employs its own staff of scavengers for the cleansing of its latrines and it has provided the moveable receptacle referred to in Section 217 for the temporary deposit of night soil, and the only service the Municipality performs is the removal of the night soil from these receptacles which we contend the Municipality is bound to do free of charge under Sections 216 and 217 of the Act.

I Enclose Copy of the letter No. 336 dated 23rd February 1899 from the Chairman Municipal Council, Calicut, in which it is stated that Section 217 of Act II of 1884 as amended by Act III of 1897 is a purely permissive one and that the system therein described comes into operation only after a notification has been published ~~no such notification~~ under that Section. As this Municipality has published no such notification, that Section does not apply in the present case. The Company will have therefore to pay the fee which it has all along been paying for the removal of night soil to the Cinerator three miles off, or make its own arrangements for removing the same to a place where the night soil will not be felt as a nuisance by any one."

I shall be glad if you will kindly move the Government to pass such orders as will ensure the Municipality issuing the necessary notification, or exempt the Company from the payment of the fees in question.

Yours faithfully

Enclosure

Letter from the Chairman, Municipal Council, Calicut, to the Medical Officer, Madras Railway Royapuram No. 336, dated 23rd February 1899.

With reference to your letter dated 15th inst. I have the honour to point out that Section 217 of Act II of 1884 as amended by Act III of 97 is a purely permissive one and that the system therein described comes into operation only after a notification has been published under that Section. As this Municipality has published no such notification, the Section does not apply in the present case. The Company will have therefore to pay the fee which it has all along been paying for the removal of night soil to the Cinerator three miles off or make its own arrangements for removing the same to a place where the night soil will not be felt as a nuisance by any one.

With reference to para 4 of your letter I may inform you that the Municipality does not in any way debar the Company

Public Works (1899) Department.

P.W.D.
CURRENT No. 747.

Recd
P.O. No. 142 R.M. 27/5/99
with enclosures
L & Co. No. 770 M. 27 30-5-99

From
The Local Municipal Dept.

Order - No. 647. Ry dated 9/6/99.

Communicated
to the Agent & Manager
Madras Railway with reference
to his letter No. 9235 of 25 March 99.

No. 770 M

Dated 30-5-99

Received

Registered

Enclosures

Spare copies

W
F.R.
9/6/99.

B.R. Please put up a copy of the Memo
which you can get from the Chief Secy.
to
The Agent & Manager Ry
- Copying for R.R.
- For G.O. Ry. Secy.

SUBJECT.

Letter from the Chairman
Municipal Council local
exempting the Madras Railway
from payment of scavenging fee
to the Municipality

141
3/6/99

Disputed on 9/6/99
Trans. in Office

K.R.

FURTHER PAPERS.

[25]
1,000-23-3-98

LOCAL AND MUNICIPAL DEPARTMENT

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following paper:—

From the Public Works Department, Railway
Branch, No 142 R.M., dated 5th April 1899, trans-
ferring letter from the Agent and Manager, Madras
Railway, requesting that the Municipal Council of
Calicut may be directed to issue a notification
under Section 217 of the District Municipalities
Act or that the Company may be exempted from
payment of scavenging fees to the Municipality.

With reference to your endorsement No. 126,
dated 15th April 1899 on memorandum dated 5th
April 1899, No. 142 R.M. from the Public Works
Department Railway Branch herewith returned,
I have the honour to forward herewith copy
of a resolution of the Municipal Council
Calicut passed at its meeting held on the
26th April 1899 from which it will be ob-
served that the Council has resolved to
publish a notification under Section ^E 217
of Act IV of 1884, as amended by Act III

of 1897, and to exempt the Madras Railway
Company from payment of scavenging fees
to the Municipality.

Order, N^o 770 M. Mis., dated 30th May 1899.

The letter from the Chairman
of the Municipal Council of Calicut read above
will be communicated to the Public Works
Department.

(True Extract)

Aldington
For Secretary W. Hoot.

To,
The Public Works Department.