

(1) Number of pages 1

(2) Date of repair 18/6/40

(3) Initials of the Referencer G. 19/6

MADRAS RECORD OFFICE.

Government of Madras.

Revenue

DEPARTMENT.

G.O. No. <u>268</u>	Press <u>MS</u>
Dated <u>18. 3</u>	<u>18 92</u>

Original

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue (Land Revenue), dated 11th March 1892, No. 127:—

THE HON. MR. J. GROSE.

Read—the following letter from W. DUMERGUE, Esq., Acting Collector of Malabar, to the Secretary to the Commissioners of Land Revenue, dated 27th February 1892, No. 42-L.E.O.:—

By notification,* dated 23rd July 1890, communicated with Board's Proceedings, dated 27th November 1890, No. 726,

* Page 529, Part I, *Fort St. George Gazette* of 29th July 1890. Land Revenue, Madras Act II of 1890 was brought into force from 1st August 1890, and by notification, dated 15th December 1890, No. 546 (Revenue) and published in the *Fort St. George Gazette*, page 1055, Part I of 15th December 1890 (*vide* Board's Proceedings, dated 19th March 1891, No. 183 (Land Revenue), Government was pleased to declare "that the existing ferries which have been brought under the operations of Act I of 1870" in this district "shall, from 1st August 1890, be subject to the provisions of Act II of 1890."

2. Madras Act I of 1870 was held applicable to the Calvetti canal or navigable channel within the limits of the Cochin Municipality and to the Calicut-Badagara canal in the Kurumbranad taluk under G.O., dated 19th January 1882, No. 105, Financial, and G.O., dated 12th August 1889, No. 694, † Revenue. As no reference is made to these canals either generally or expressly in the notifications of 1890 under the new Act, it becomes necessary to extend Act II of 1890 to the said canals by a new notification, a draft of which is herewith submitted for the approval of the Board and Government and for publication in the *Fort St. George Gazette*.

3. The extension of the Act to the Calvetti canal raises the question of the application of the funds realized by the collection of tolls. The funds raised thereby were primarily intended for the reclamation of the swamp near the canal. The circumstances connected with the management and leasing out of the toll originally by the Municipal Council and since 1886 by the Collector are set forth in the marginally-noted papers and it is unnecessary to repeat them here.

4. As Government has not reserved the power to transfer the funds raised under the Act to any local body, the only course open is to transfer the management of the canal to the Municipal Council under section 11 of the Act. I am making a reference to the Municipal Council on the subject and on receipt of its reply, I will report to the Board as to whether it is willing to assume management or not.

5. The existing rules and rates of tolls approved by Government in its Order, dated 22nd March 1882, No. 345, Mis. (Financial), under sections 5 and 22 of Act I of 1870, will remain in force under section 2 of Act II of 1890 until fresh or amended rules are issued under the new Act. This may be done after transfer of management.

6. Similarly the management of the Payyali lock may, as in the case of ferries, be transferred to the District Board.

7. As the sale of the right to collect tolls on the canal has to be held within the official year, I have the honour to request the favour of very early orders.

Resolution—dated 11th March 1892, No. 127.

Submitted to Government.

2. In the letter read above, the Collector of Malabar recommends that Act II of 1890 may, by a distinct notification, be extended to the Calvetti canal and the Calicut-Badagara canal on the ground that no reference was made to them either generally or expressly in the notification appended to G.O., dated 15th December 1890, No. 1015, and that the management of the former canal be transferred to the Cochin Municipality and that of the latter to the District Board.

3. The two canals in question had already been brought under the operation of Act I of 1870. Under the new Act II of 1890 there are two separate sections, one (section 4) relating to lines of navigation, and the other (section 8) to ferries. The Government in the Public Works Department issued a notification under section 4 of the Act, and the Board was called upon to submit a notification under section 8, which it accordingly did—*vide* Board's Proceedings, dated 27th November 1890, No. 726. The two canals in question were not included in the former notification, probably because they are not under the control of the Public Works Department authorities. The Board, therefore, recommends that the draft notification now submitted by the Collector be approved as amended by the Board, and ordered to be published in the *Fort St. George Gazette*.

4. There being no provision in the new Act for the transfer of the funds raised thereunder to local bodies, the Board supports the Collector's suggestion to transfer the management of the canals to the local bodies referred to under section 11 of the Act.

5. The proposal contained in paragraph 5 of the letter read above may also be approved.

6. The report promised in paragraph 4 is awaited and will be duly forwarded to Government.

(A true Copy and Extract.)

(Signed) H. A. SIM,
Acting Secretary.

To the Secretary to Government, Revenue Department,
with one enclosure in original.

Copy to the Collector of Malabar.

ORDER—dated 18th March 1892, No. 268, Revenue.

Miscellaneous.

The draft notification with a few verbal amendments is approved and will be published in the *Fort St. George Gazette*.

2. Under section 11 of the Canals and Public Ferries Act II of 1890, the management of the canals will be assigned to the Cochin Municipal Council and the Malabar District Board, respectively, as recommended in paragraph 4 of the Board's Proceedings.

(True Extract.)

(Signed) C. A. GALTON,
Secretary to Government.

To the Commissioners of Land Revenue.
„ the Local and Municipal Department.
„ the Superintendent, Government Press, with a draft notification.

NOTIFICATION.

Under section 4 of Madras Act II of 1890 (The Canals and Public Ferries Act), His Excellency the Governor in Council is pleased to declare that the undermentioned lines of navigation in the Malabar district, which were brought under the operation of Act I of 1870 (Madras), shall be subject to the provisions of the said Act II of 1890 with retrospective effect from 1st August 1890 :—

1. Kalvetti canal or navigable channel within the limits of the Cochin Municipality.
2. Calicut-Badagara canal in the Kurumbranad taluk.

Exd. C. M. Brisson.

50 Copies.

Original
Govt. of (1892) Madras.
REVENUE.

21-4-04

1-6-04

7-4-11

Issued

Recd.

Encl.

G.O., 18th March 1892, No. 268.

MARCH.

Act II of 1890.

Draft notification for extending — to certain canals in the Malabar district, approved and ordered to be published in the *Fort St. George Gazette* and the management of the canals ordered to be assigned to the Cochin Municipal Council and the Malabar District Board, respectively.

Notification

The Right Honorable the Governor in Council is pleased to declare, under the provisions of Section 4, of Madras Act II of 1890 (an Act to make better provision for the establishment of ^{the} Canals and Public Service ^{Act} in the Presidency of Madras and for the management thereof) that the under-mentioned lines of navigation in the Malabar District which were brought under the operation of Act II of 1890, Madras, shall, from 1st April 1890, be subject to the provisions of the said Act II of 1890.

1. Kallatti Canal in the Cochin District.
2. Calicut Badagare Canal in the Kurnool District.

K. K. K.

For Ag. Collector

(absent in the District)



Proceedings of the Board of Revenue
(Land Revenue),

Dated 11th March 1892

No. 127 Pias.

Mr. Mr. Mr. H. G. Gae.

The following letter from W. Dumerque Esq. Acting
Collector of Malabar dated 27th February
1892 No. 42
L. E. O.

Page 529 Part I
Fort St. George
Gazette of
29th July 1890

By notification dated 23rd July 1890
communicated with Board's Proceedings
dated 27th November 1890 No. 526
Said Res. Madras Act-II of 1890 was
brought into force from 1st August 1892
and by notification dated 15th December
1890 No. 526, (Res.) and published
in the Fort Saint George Gazette
page 1053, Part I of 15 December
1890 (Vide Board's Proceedings dated 19th

Encl. 2/27/92

Encl. 2/27/92

March 1891. No. 183 (Land Revenue) Govern-
ment was pleased to declare "that the
existing ferries which have been brought
under the operations of Act-I of 1870"
in this District "shall from 1st August
1890 be subject to the provisions of
Act-II of 1890"

2 - Madras Act-I of 1870 was
held applicable to Calcutty canal
or navigable channel within the
limits of the Cochin Municipality
and the Calicut - Badajara canal
in the Kurumbanad Ig. under G.O.
dated 19th January 1882 No. 105
Financial and G.O. dated 12th
August-1887 No. 694 Revenue. No reference
is made to these canals either generally
or expressly in the notifications of 1870
under the new Act - it becomes necessary
to

x vide Bds. No.
of - 12th Sept. 189
No. 5312

1 - G.O. of 14-7-86
No. 581 R
Communicated with
LD No. 5654
28-7-86
2 G.O. of 13-6-87
No. 563 in local
+ municipal

to extend Act-II of 1890 to said
canals by a new notification a draft
of which is herewith submitted for the
approval of the Board and Govern-
ment and for publication in the
Fort-Saint-George Gazette.

3 - The extension of the Act to the
Calcutty canal raises the question
of the application of the fund realized
by the collection of tolls. The fund
raised thereby were primarily
intended for the reclamation of the
Swamp near the canal - The circumstances
connected with the management and
leasing out of the toll originally
by the Municipal Council, and since
1886 by the Collector are set forth in the
marginally noted papers and it is
unnecessary.

unnecessary to ^{repeal} ~~report~~ them here.

4. As Government has not reserved the power to transfer the funds raised under the Act to any local body, the only course open is to transfer the management of the canal to the Municipal Council under Section II of the Act. I am making a reference to the Municipal Council on this subject and on receipt of its reply, I will report to the Board as to whether it is willing to assume management or not.

5. The existing rules and rates of tolls approved by Government in its order dated 22nd March 1882 No 345 his (Financial) under Sections 5 and 22 of Act I of 1870 will remain

in

|| Column ||

note

This reference appears

to be unnecessary.

The tolls ^{have been} paid

to the Municipal

Council for maintaining the

canal. What becomes

of the canal is

property of the

Government and should

continue to be

managed by the

Council. There is no

objection to this

arrangement.

The only

objection is

that the

Government

is not

in

in force under Section 2 of Act II of 1870 until fresh or amended rules are issued under the new Act. This may be done after transfer of management.

6. Similarly the management of the Pannali lock, may as in the case of ferries, be transferred to the District Board.

7. As the sale of the right to collect tolls on the canal has to be held within the official year, I have the honor to request the favor of very early orders.

Resolution

Submitted to Government

2. In the letter read above, the Collector of Malabar recommended that Act-

II

II of 1890, may be a distinct notification, he extended the Kaluetti Canal, and the Calicut-Badajera Canal on the ground that no reference was made therein either generally or expressly in the notification appended to Government Order 15th December 1890 No. 1015, and that the management of the former canal be transferred to the Cochin Municipality & that of the latter to the District Board.

3. The two canals in question had already been brought under the operation of Act I of 1870 - under the new Act II of 1890, there are two separate sections, one (Section 4) relating to lines of navigation and the other (Section 8) to ferries - The Government

Dec 20 1890
15 December 1890
No 1015

For the Government
Secretary to the Government
Board of Directors
Government of India
Council of India
Director General
of the Survey of India

13 4
Government in the Public Works Department issued a notification under Section 4 of the Act and the Board was called upon to submit a notification under Section 8, which it accordingly did, vide Board's Proceedings 27th November 1890 No. 726. The two canals in question were not included in the former notification probably because they are not under the control of the D.P.W. authorities. The Board therefore, recommended that the draft notification now submitted by the Collector, be approved as amended by the Board, and ordered to be published in the Fort Saint-George Gazette.

4. There being no provision in the new
act for the transfer of the funds
raised thereunder to local bodies, the
Board supports the collector's suggestion
to transfer the management of the
canals to the local bodies referred to,
under Section II of the Act.

5. The proposal contained in para
5 of the letter read above may also
be approved.

6. The report promised in para 4
is awaited and will be duly
forwarded to Government.

(True copy & Encl.)

W. S. S. S.

To the Secy. to Govt. P.D. & Secy.
with one enclosure in
original.
copy to Mr. of Malabar.

Revenue 1892 Dept.
Board of Revenue
(Land Revenue),
MADRAS.

G.O 19-1-82 #105-*Faint*
22-3-82 345-
14-7-86-587
4-8-87-3829-
12-8-89-694-
6-9-90-619-
15-12-90-1015-
10-4-91 #2256-*Mr*

Current Number 2434
To Mr Sec. & Govt. P.D.

Recd 14 Mar.

Proceedings, dated 11th March 1892
No. 127
Mrs. *Enclosures*
Routine *hires*
Subject: *14 MAR 92*

Requesting sanction of
Govt. for the extension
of Act-II of 1890 to
certain canals in the
Malabar St. & for their
transfer to the management
to local bodies & for publica-
tion of a notification re:
the same in the Fort St.
George Gazette &c

Current Number 2434

22-7-17
30/3/18

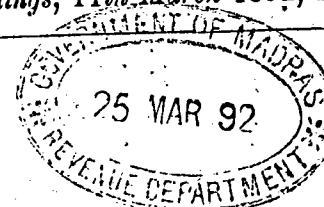
REVENUE DEPARTMENT.

1892.

Board of Revenue
(Land Revenue),
MADRAS.

Printed March th.

Proceedings, 11th March 1892, No. 127.



Propo 268
18-3-92

Requesting sanction of Government for the
extension of Act II of 1890 to certain canals in
Malabar district, and for their transfer to the
management to local bodies and for publication
of a notification regarding the same in the Fort St.
George Gazette, &c.

268

PROCEEDINGS OF THE BOARD OF REVENUE
(LAND REVENUE).

THE HON. MR. J. GROSE.

READ—the following letter from W. DUMERGUE, Esq., Acting Collector of Malabar, to the Secretary to the Commissioners of Land Revenue, dated Manantoddy, 27th February 1892, No. 42-L.E.O.:—

By notification, * dated 23rd July 1890, communicated with Board's Proceedings, dated 27th November 1890, No. 726, Land Revenue, Madras Act II of 1890 was brought into force from 1st August 1890 and by notification, dated 5th December 1890, No. 546 (Revenue), and published in the *Fort St. George Gazette*, page 1055, Part I of 15th December 1890 (*vide* Board's Proceedings, dated 19th March 1891, No. 183, Land Revenue), Government was pleased to declare "that the existing ferries which have been brought under the operation of Act I of 1870" in this district "shall, from 1st August 1890, be subject to the provisions of Act II of 1890."

2. Madras Act I of 1870 was held applicable to the Calvetti canal or Navigable channel within the limits of the Cochin Municipality and to the Calicut-Badagara canal in the Kurumbranad taluk under Government Order, dated 19th January 1882, No. 105, Financial, and Government Order, dated 12th August 1889, No. 694,† Revenue. As no reference is made to these canals either generally or expressly in the notifications of 1890 under the new Act, it becomes necessary to extend Act II, 1890, to the said canals by a new notification, a draft of which is herewith submitted for the approval of the Board and Government and for publication in the *Fort St. George Gazette*.

3. The extension of the Act to the Calvetti canal raises the question of the application of the funds realised by the collection of tolls. The fund raised thereby were primarily intended for the reclamation of the swamp near the canal. The circumstances connected with the management and leasing out of the toll originally by the Municipal Council, and since 1886 by the Collector, are set forth in the marginally-noted papers and it is unnecessary to repeat them here.

Government Order, dated 14th July 1886, No. 581, Revenue, communicated with Board's Proceedings, dated 28th July 1886, No. 5654.
Government Order, dated 13th June 1887, Mis. No. 563, Local and Municipal.

4. As Government has not reserved the power to transfer the funds raised under the Act to any local body, the only course open is to transfer the management of the canal to the Municipal Council under section 11 of the Act. I am making a reference to the Municipal Council on the subject and on receipt of its reply, I will report to the Board as to whether it is willing to assume management or not.

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Notification

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1. Calvetti canal or navigable channel within the limits of the Cochin municipality

2. Calicut-Badagara canal in the Kurumbranad taluk.

WJ
16/3

Ch
6/3

6. Similarly the management of the Payyali lock may, as in the case of ferries, be transferred to the District Board.

7. As the sale of the right to collect tolls on the canal has to be held within the official year, I have the honour to request the favour of very early orders.

RESOLUTION—dated 11th March 1892, No. 127.

Submitted to Government.

2. In the letter read above, the Collector of Malabar recommends that Act II of 1890 may, by a distinct notification, be extended to the Calvetti canal, and the Calicut-Badagara canal on the ground that no reference was made to them either generally or expressly in the notification appended to Government Order, dated 15th December 1890, No. 1015; and that the management of the former canal be transferred to the Cochin Municipality and that of the latter to the District Board.

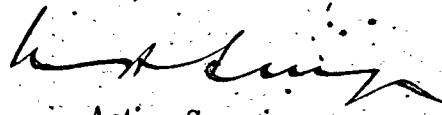
3. The two canals in question had already been brought under the operation of Act I of 1870. Under the new Act II of 1890, there are two separate sections, one (section 4) relating to lines of navigation and the other (section 8) to ferries. The Government in the Public Works Department issued a notification under section 4 of the Act; and the Board was called upon to submit a notification under section 8, which it accordingly did—*vide* Board's Proceedings, dated 27th November 1890, No. 726. The two canals in question were not included in the former notification probably because they are not under the control of the Public Works Department authorities. The Board, therefore, recommends that the draft notification now submitted by the Collector, be approved as amended by the Board, and ordered to be published in the *Fort St. George Gazette*.

4. There being no provision in the new Act for the transfer of the funds raised thereunder to local bodies, the Board supports the Collector's suggestion to transfer the management of the canals to the local bodies referred to under section 11 of the Act.

5. The proposal contained in paragraph 5 of the letter read above, may also be approved.

6. The report promised in paragraph 4 is awaited, and will be duly forwarded to Government.

(A true Copy and Extract.)


Acting Secretary.

To the Secretary to Government, Revenue Department, ✓
with one enclosure in original.

Copy to Collector of Malabar.

Exd. C. M. Brisson.

196
Read C. no 2437 of 1892

G.O. of 18th Nov. 1892, no. 268.

The draft notification with a few verbal amendments is approved & will be published in the Fort St George Gazette.

2. Under Section 11 of the Canals & Public Series Act II of 1890, the management of the canals will be assigned to the Cochin Municipal Council & the Malabar District Board respectively as recommended in para 4 of the B.S.

Ch 16th Nov/92
S. 17th Nov

1892-93
To the Comr of Land Revenue
Des-19.3
" Local & Municipal Deptt
" Supt. Fort Pres with a
Des-19.3
revised draft notification.

50/5

Note.

As the collector wants very early orders, it is unnecessary to wait for the formal acceptance of the management by the local bodies. For years the canals have been practically, if not in name, under their management & what is now asked for is merely a formal sanction.

16/3

C. No. 2437 of 1892

Re: extension of Act II of 1890 to
certain canals in the Malabar Co.

Printed and sent
to Secy to the Govt.
18/3

G. O. of 18th Mar. 1892, no. 268

The Honble Mr. Chief Secy.

The Honble Mr. Chief Secy.
from 17/3

17/3

1-4-12
16-1-17
15-2-15
19-1-24 B III

MADRAS RECORD OFFICE.
Government Records.

Revenue Department.

G. O. (Printed).

Dated 18-3- 1892

No. 268