Financial (1899) Department.

ORDINARY MS.

G.O., No. 148

Dated 27-1-99

INDEXED.

3/4

S/27/1/99

[Despatch Abstract:]

Coming to the A.G. Mos, Govt dept, deciding that fines levied in prosecutions for the evasion of Plague Rules must be credited to Laws & Justice.

27.1.99.

BACK PAPERS.

G.O	No.	Department.	Date.	G.O	No.	Department.	Date.

FURTHER PAPERS.

G O	No.	Department.	Date.	G.O	No.	Department.	Date.

Financial CURRENT No. 364

Government {1899} of Madras.

JUDICIAL.

Recd. 25-1- } 1899. *Enclosures*

Regd. 26-1- } *Spare copies*

G.O., No. 83, 12th January 1899.

Order Ltr No 1485/27.1.99
Communicated to the Acct Genl.
Genl No. 144 27.1.99

JANUARY.

To the Acct Genl (Sc to) Desp 29
S. C & Plague Files.
31-1-99

Fines levied in prosecutions instituted for the evasion of Plague Rules.

Stating that as the — under the Epidemic Diseases Act, III of 1897, are levied under the Indian Penal Code, they must be credited, as all other fines under that Code are, to Law and Justice.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

Read—the following papers:—

From M.R.Ry. M. SUBBAROYALU Chettiar Avargal, Chairman, Municipal Council, Conjeeveram, to the Secretary to Government, Local and Municipal Department (through the Sub-Collector and the Collector of Chingleput District), dated 11th October 1898, Cur. No. 1025.

I have the honour to state that ever since the advent of plague to Bangalore and other parts of this Presidency the work in the Municipality has considerably increased. The Chief Sanitary Inspector has to attend the trains and issue passports to all persons arriving by rail from plague-infected areas. The Civil Apothecary in charge of the Municipal Hospital, Conjeeveram, has to observe them and oftentimes to trace them out at their residence when they fail to appear as required by the passports. The Secretary and the Sanitary Inspectors of the several divisions have to keep constant watch on the arrivals from infected areas, to see that there is no fever or death in the houses at which they halt. The clerical work in the office has also correspondingly increased. Besides, considerable amount of money is being expended on plague preventive measures. The Municipality gets no return for all this. The Council, therefore, requests that all fines levied in respect of prosecutions instituted whether at the instance of the Municipality or otherwise, within the municipal limits, be credited to the Municipal fund. A copy of the resolution of the Municipal Council on the subject is herein enclosed for the information of Government.

Enclosure.

No. 19 of 1898–99.

Extract from Minutes of Proceedings of the Municipal Council, Conjeeveram, passed at its General Meeting held on 2nd Tuesday, the 11th October 1898, at 7-30 A.M.

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XIII. Read note of the Secretary suggesting that the fines realized under the Epidemic Diseases Act, III of 1897, may be credited to Municipal funds.

Resolution.—The Government will be addressed.

* * * * * *

Endt. C. No. 2112—Sub.

Forwarded. The fines being imposed under section 188, Indian Penal Code, should be credited to Government. The reasons given by the Council for crediting the fines to the Municipality appear to be insufficient.

(Signed) J. H. ROBERTSON,
Ag. Sub-Collector.

15*th October* 1898.

Endt. Cur. No. 180–Magl.

Forwarded. It seems to me that the Municipality has no claim whatever to the fines.

(Signed) D. W. G. COWIE,
Ag. Collector.

Camp, Kunnathur,
19*th October* 1898.

From M.R.Ry. C. RANGANADA MUDALIAR Avargal, Chairman, Municipal Council, Tiruppattúr, to the Secretary to Government, Local and Municipal Department (through the Collector of Salem and the Divisional Officer, Tiruppattúr), dated 7th November 1898, Reference on No. 2151–Eng.

I have the honour to state that the fines recovered in prosecutions made for evasion of passport rules are not being credited to the Municipal funds, but to the Provincial. It is true the prosecutions are under section 188, Indian Penal Code, and not under the Municipal Act. But the matter is purely technical. The issuing of passports, observation, detection of defaulters, submission of reports and the like are duties laid upon the Municipal Council, and the Council has entertained an observation and preventive staff at a considerable cost. Therefore it seems to me to be reasonable that the fines levied in the prosecution of persons evading passports or disobeying the plague rules within municipal limits should go to the credit of the Municipality.

I request you will be so good as to move the Government for orders on this subject.

Forwarded.

(Signed) J. G. BURN,
Ag. Head Assistant Collector.

9*th November* 1898.

Endorsement No. 688—P.C.

Submitted to Government for orders through the Plague Commissioner.

2. The expenditure which the Municipal Councils incur is but a very small percentage of the cost to Provincial and Local funds in working the Plague Regulations.

(Signed) T. V. GOPALASAMI AIYAR,
for *Acting Collector.*

Salem,
13*th November* 1898.

Ref. on C. No. 1327.

Submitted to Government for orders.

(Signed) M. HAMMICK,
Plague Commissioner.

15*th November* 1898.

No. 1302.

Transferred to the Judicial Department.

(Signed) H. TREMENHEERE,
Secretary to Government.

23*rd November* 1898.

Order—No. 83, Judicial, dated 12th January 1899.

As the fines in question are levied under the Indian Penal Code, they must be credited, as all other fines under that Code are, to Law and Justice. The proposals of the Municipal Councils concerned cannot therefore be accepted.

(True Extract.)

for *Chief Secretary.*

To the Local and Municipal Department.
" all District Magistrates.
" the Financial Department.

Exd. T. K. Narayana Aiyangar.

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} 1899

Read again G.O., No. dated
189 .

Current No.

Enclosures to C. No.

Order of Government	A	A	A	A	A	A	A	
Letter of Government								
Statement with ditto								
D[illegible]t filed up, being meant for despatch in original.								

N.B.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
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