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[Despatch Abstract.]

Reconstitution of the Special
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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Judicial DEPARTMENT

(Confidential)

G.O. No.	2528	Press.
B.P. No.		Mis.
Dated	22-10-1894	197

Not to be folded or roughly handled

Archives 1-5,806-24-2-78.

22ND OCTOBER 1894, No. 2528, JUDICIAL.

CONFIDENTIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—again the following paper:—

G.O., dated 25th April 1894, Nos. 986-87, Judicial.

ABSTRACT.—Framing a Bill to amend section 49 of Act XXIV of 1859 as regards the regulation of assemblies and processions and directing that the Government of India be addressed on the subject.

READ—also the following paper:—

From J. P. HEWETT, Esq., C.I.E., Officiating Secretary to the Government of India, Home Department, dated 22nd August 1894, No. 496.

ABSTRACT.—Making certain observations on the Bill to amend section 49 of Act XXIV of 1859 and forwarding copy of a Bill to amend Act V of 1861 which the Government of India proposes introducing into the Council of the Governor-General for making Laws and Regulations.

ORDER—dated 22nd October 1894, No. 2528, Judicial.

The Government of India will be addressed again on the subject of the Bill to amend section 49 of the Police Act (XXIV of 1859).

2. The Bill to amend Act V of 1861 will be communicated to the Inspector-General of Police. The Government does not consider it necessary to undertake the complete revision of Act XXIV of 1859, but will be prepared to consider any proposals for the amendment of the Act which the Inspector-General, after perusal of the Bill to amend Act V of 1861, considers it advisable to make. The Government is disposed to think that it would be as well to insert in Act XXIV of 1859 a definition corresponding to that given in section 1 of the Government of India's Bill, but it is observed that Act XXIV of 1859 occasionally speaks of the "District Superintendent" and occasionally of the "Superintendent." The Inspector-General will, accordingly, be requested to state (1) whether there is any reason for the use in Act XXIV of 1859 sometimes of the term "District Superintendent" and sometimes of the term "Superintendent" and (2) whether Assistants should always have Superintendent's powers under the Act and, if not, what powers they should not have.

3. Steps will be taken to repeal Madras Act III of 1882 and to replace it by an enactment based upon section 4 of the Bill to amend Act V of 1861, but the Government considers that it will be expedient to retain that provision of the Madras law which requires the Magistrate to apportion the cost of a punitive police force among the inhabitants "according to his judgment of their respective means," instead of leaving the apportionment entirely to the Magistrate's discretion.

as in the Government of India's bill. Before this legislation is undertaken, however, the Government of Bombay will be asked to supply a copy of its Bill to recover compensation from persons who have caused damage by rioting.

4. The Government of India suggests that the risk of riots could be reduced if Subordinate Magistrates were occasionally invested with power to issue prohibitory orders under section 144, C.C.P. The attention of all District Magistrates will be drawn to the matter with the remark that it seems advisable that they should specially empower those Sub-Magistrates within whose territorial charges religious riots are likely to occur to take action under section 144.

(True Extract.)

(Signed) J. F. PRICE,
Chief Secretary.

To the Inspector-General of Police with S.O. of letter and enclosure.
all District Magistrates.

Confidential.

No. 496

FROM

J. P. HEWETT, Esq., C.I.E.,

Offg. Secretary to the Government of India,

TO

THE CHIEF SECRETARY TO THE GOVERNMENT
OF MADRAS.

Home Department,
Police

Simla, the 22nd August 1894.

SIR,

I AM directed to acknowledge the receipt of your letter No. 987, Judicial, dated the 25th April 1894, forwarding a copy of a Bill to amend section 49 of Act XXIV of 1859 (an Act for the better regulation of the Police within the territories subject to the Presidency of Fort Saint George), which it is proposed to introduce in the local Legislative Council, together with a copy of the Proceedings of the Madras Government containing the opinions of the officers consulted on the subject.

2. In reply I am to say that, as observed in paragraph 3 of your letter under acknowledgment, the proposed legislation does not require the previous sanction of the Governor General in Council under the Indian Councils Acts. I am, however, to communicate the following remarks of the Government of India regarding certain of the provisions in the draft Bill for the consideration of His Excellency the Governor in Council.

3. The Governor General in Council thinks that the power to prevent obstructions on the occasion of assemblies and processions, which is specially mentioned in the existing section 49 of Act XXIV of 1859 and in the corresponding section of Act V of 1861, might with advantage be expressly mentioned in sub-section (1) of draft section 49 in the Bill.

4. With regard to sub-section (2) of draft section 49, I am to say that His Excellency in Council regrets that he is unable to accept the view of the Government of Madras that the powers conferred by this sub-section should be given to Inspectors of Police. The interference with, or control of, a Hindu procession by a Muhammadan, or a Muhammadan procession by a Hindu, is, in times of embitterment, always likely to lead to disputes: and the Government of India think that it is at present inadvisable to invest Police Officers of the rank of Inspector, who are mostly Hindus or Muhammadans, with the special powers of forbidding a procession or assembly to take place except under the terms of a license. I am to suggest that in this matter the provision contained in section 30 of Act V of 1861, in so far as it confines the powers conferred to District Superintendents and Assistant District Superintendents of Police, should be followed in the Madras Presidency.

The provision in the draft sub-section for the grant of licenses is a useful one, but the Government of India think that it might be made more distinct in regard to the time and procedure of granting the license, and the persons whom it should be directed.

5. It is proposed to confer, by sub-section (3) of the draft section, special powers to prohibit assemblies and processions and the use of obnoxious symbols, in cases of necessity, on Police Inspectors and officers of higher rank, and also on subordinate Police acting under the immediate orders of a Magistrate. So far as this sub-section refers to Inspectors, it is open to the same objection that has been taken in the preceding paragraph to sub-section (2). I am also to say that it would be unusual, and seems undesirable, to invest a subordinate Police officer, acting under the orders of a Magistrate present, with a prohibitory power which the Magistrate does not himself possess. The Government of India think that it would be a preferable arrangement if in such cases the subordinate Magistrate who is on the spot were invested by the District Magistrate with the powers specified in section 144 of the Code of Criminal Procedure. As remarked by the Inspector-General of Police, Madras, the exercise of such powers as are described in the draft sub-section is one of the most difficult duties that an officer controlling a turbulent procession can be called on to perform: and the powers should not be vested in subordinate Police if any other arrangement is possible.

On the whole the Governor General in Council is not satisfied that the provisions contained in the proposed sub-section (3) are necessary or desirable. I am to observe that under section 127 of the Criminal Procedure Code an officer in charge of a Police station possesses all the power that he can want for dispersing a turbulent assembly. But in cases in which licenses have been granted by District or Assistant District Superintendents of Police, there would, in the opinion of the Government of India, be no objection to empowering Inspectors to stop the processions if the terms of the license are not observed.

6. I am to take this opportunity of forwarding for the information of the Governor in Council copy of a Bill to amend Act V of 1861, which the Government of India have it in consideration to introduce into the Council of the Governor General for making Laws and Regulations, and I am to suggest that the Bill in Council may find it desirable to incorporate some of the provisions of this Bill in the proposed Madras measure. Especially I am to suggest the desirability of introducing in the Madras Bill a section corresponding to section 15 of Act V of 1861, so as to empower the Magistrate to recover the cost of punitive Police from the "land-owners" (who may be absentees) as well as from the "inhabitants" of the part of the country described in the notification; and also to empower him to recover it, as he may think fit, either from all the land-owners or inhabitants of the disturbed tract, or from any particular persons or classes among them whose conduct is at fault. In this connexion it may also be mentioned that the Government of Bombay which also intends to amend its Local Police Act proposes to introduce a clause whereby compensation for damage caused by a riot may be recovered.

7. If any other amendments in the Madras Police Act are considered to be desirable, the Government of Madras will probably take advantage of the present opportunity to carry them out, and to put the Act on a thoroughly satisfactory footing. Subject to the above remarks, the Governor General in Council approves of the proposed legislation.

I have the honour to be,

SIR,

Your most obedient Servant,

J. P. Hewitt

Offg. Secretary to the Government of India.

BILL

Amend Act V of 1861 (an Act for the Regulation of Police).

WHEREAS it is expedient to amend Act V of 1861 (an Act for the Regulation of Police); it is hereby enacted as follows:—

1. In section 1 of the said Act the following Addition to inter. shall be inserted between the words "general police district" and the word "property," namely:—

"The words 'District Superintendent' and 'District Superintendent of Police' shall include any Assistant District Superintendent or other person having charge of the administration of the police of a district in pursuance of a general or special order of the Local Government."

2. In section 7 of the said Act, in lieu of the Addition to Act V, words beginning "or fine 1861, section 7, respecting minor punishments," down to the end of the section, the following shall be substituted, namely:—

"or may, instead thereof, award to him any of the following punishments, namely:—

- (a) fine to any amount not exceeding one month's pay;
- (b) confinement to quarters for a term not exceeding fifteen days, with or without punishment-drill, extra guard, fatigue or other duty;
- (c) deprivation of good-conduct pay;
- (d) removal from any office of distinction or special-emolument."

3. For the second paragraph of section 8 of the said Act, beginning with the words "Such certificate shall cease to have effect" and ending with the words "officer empowered to receive the same," the following shall be substituted, namely:—

"Such certificate shall cease to have effect whenever the person named in it ceases for any reason to be a police-officer, and, on his ceasing to be such an officer, shall be forthwith surrendered by him to his superior officer or some other officer empowered to receive the same."

"A police-officer shall not by reason of being suspended from office cease to be a police-officer. During the term of such suspension the powers, functions and privileges vested in him as a police-officer shall be in abeyance, but he shall continue subject to the same responsibilities, and to the same authorities, as if he had not been suspended."

cf. sec. 1 of Madras Act.

cf. sec. 10 of Madras Act.

cf. sec. 11 of Madras Act.

Substitution of new section for Act V, 1861, section 15.

4. For section 15 of the said Act the following shall be substituted, namely:—

"15. It shall be lawful for the Inspector-General of Police, with the sanction of the Local Government, to be notified by proclamation in the official Gazette, and in such other manner as the Local Government shall direct, to employ any police-force in excess of the ordinary fixed complement to be quartered in any part of the general police-district which shall be found to be in a disturbed or dangerous state, or in any part of the general police-district in which, from the conduct of the inhabitants or of any of them, he may deem it expedient to increase the number of police."

"The cost of such additional police-force shall be borne, as the Magistrate of the district may direct—

(a) by the inhabitants of, or persons having interest in land in, the local area described in the notification, or both,

(b) by any such inhabitants or persons, or class or classes of such inhabitants or persons, or both, as aforesaid, who in the opinion of such Magistrate have caused or contributed to the disturbance or other cause which led to the quartering of the additional police-force, to the total or partial exonerations of the other inhabitants of the said local area, or such of them as in the opinion of the Magistrate have been free from blame;

"And such Magistrate, after enquiry if necessary, shall apportion such cost among the inhabitants and other persons who are as aforesaid liable to bear the same."

Addition to Act V, 1861, section 29, respecting overstay of leave.

"or who, being absent on leave, shall fail without reasonable cause, to report himself for duty on the expiration of such leave,"

Addition to Act V, 1861, section 30.

"And may also issue a license for the purpose of defining the conditions on which the assembly or procession is to take place and otherwise giving effect to this section."

Addition to Act V, 1861, section 31.

"It shall be competent to any police-officer not below the rank of an Inspector, to stop any procession, and call on it or any assembly to disperse which violates the conditions of a license granted under the last foregoing section."

cp. sec. 52 of Madras Act.

3. Sections 31, 38, 39 and 40 of the said Act the following section shall be substituted, namely:—

"31. The provisions of sections 64 to 70, of the Penal Code, and of XLV of 1860, sections 386, 387 and 389 of the Code of Criminal Procedure, 1882, with respect to fines, shall apply to penalties and fines imposed under this Act on conviction before a Magistrate."

cp. sec. 44 of Madras Act.

cp. sec. 49 of Madras Act.

Section 49 as it stands has
by custom been interpreted
to relate to gazetted Police
officers only, so India's proposal,
if accepted, will not withdraw
powers from persons who possess
them at present.

India also suggests that sub-
section (2) might be made more
definite as to the time & procedure
of granting licenses & the persons
to whom they should be directed.

Sub-sec. (4) provides that all
orders directing the taking out
of licenses shall be publicly
notified by beat of drum, or
otherwise, as may seem suitable.

India's wishes on this point
might be met by the addition
of the following words to sub-sec.

(2), viz:— "and it shall be possible
for the Magistrate to direct the
issuing authority to issue
licenses after due consideration
of any representations which
may be made by persons in-
terested & shall be directed, and a copy thereof delivered, to
such person or persons
as the issuing authority
may select."

India objects to the proposal
to confer on police-officers
below the rank of ~~Inspector~~
Asst. Supt. of Police the power
to prohibit assemblies &
processions & especially
to the investiture with such
powers of "any police officer
acting under the orders & im-
mediate control of any Mag."

* The amendment proposed
with clause (1) is carried on
(4) but better be amplified. I would alter
issued under clause (3) - I would alter
proposed amendment as shown in red ink
in the file copy of the bill (in P.O. 25. 4. 94)

As to this point, see above & p.
of the note.

The G. of I. proposes that, instead
of conferring powers on any
police officer acting under
the orders of a Mag., the Dt.
Mag. should invest the Sub-Mag.
on the spot with powers under
sec. 144, C.P.

So far as it goes, this sugges-
tion seems a good one & it
might be as well to draw
the attention of all the
Dt. Mag. to the power they
possess under sec. 144 of
conferring upon Sub-Mag.
authority to issue prohibitory
orders.

But India's suggestion is
not a complete solution
of the difficulty, because, if
the emergency is so unexpected
as to prevent application
to a Mag. authorized to pass
orders under sec. 144, equally
must it prevent application
to the Dt. Mag. for investiture
with powers under that section.
The communication of all important
places by telegraph renders
it, however, so easy to obtain
within a few hours authority
to issue orders under sec. 144
that there seems no serious
objection to accepting India's
views & confining to Asst.
Supts. & superior officers of
Police the powers conferred
by sub-section (3). As India
says, it is unusual to invest
a subordinate police officer,
acting under the orders of a
Mag. present, with a prohibitory
power which the Mag. does

Section 49 as it stands
 by mail
 to relate
 officers
 if necessary
 powers
 time at
 India a
 section
 definite
 of grain
 to which
 sub. a
 orders
 of line
 notice
 otherwise
 India
 night
 of the
 (2) viz
 "power
 "issue
 "of
 "may
 "be
 place;
 it & before
 place the
 the present
 "avert, may have

to do this, I think we
 must go again - I hope
 to be able to have the power
 to be put under clause (3)
 but suppose India will not
 know it contains & does, we
 may as well not legislate
 for India, the suggestion
 is that India might be
 forced to take possession of
 having a terms of possession
 to be borne in mind.
 I will agree that we shall pass our
 Bill again on the foot of India.

It is strange that the G. of I.
 should show such reluctance
 to strengthen the hands of the
 Executive when the necessity
 for it is exemplified almost
 daily in the newspapers.
 5. The Govt. of India takes the
 opportunity to forward a
 copy of a Bill to amend
 Act V of 1861 which it
 proposes to introduce &
 asks this Govt. to consider
 the expediency of similarly
 amending Act XXIV of 1859
 & of putting that enactment
 into a thoroughly satisfactory
 form. This last proposal
 does not seem to require
 consideration. It involves the
 entire recasting of Act XXIV
 of 1859, for it is by no means
 a model of excellence. The
 Act has, however, worked well
 enough in practice for 35
 years & there is so much
 other legislative work in
 hand that the general revision
 of Act XXIV of 1859 can very
 well lie over.
 As to the adoption of the
 amendments proposed in the
 Bill to amend Act V of 1861,
 the J. G. of Police may perhaps
 be consulted. The amendments
 in the first three & fifth sections
 are trivial; the fourth relates
 to a matter which is dealt
 with in a separate enactment
 in Madras; the sixth & seventh
 are feeble imitations of
 portions of the Madras Bill
 to amend sec. 49 of Act X

6.
of 1859 (& it is interesting to note that the G. of I. objects to the vagueness of the provisions regarding licensing in the Madras Bill, but itself produces a Bill whereof the provisions relative to the same subject are far more indefinite than ours ~~now~~); the eighth section amends sections 37-40, the last three of which do not appear in Act XXIV of 1859, sec. 37 is represented by sec. 52 in the Madras Act & sec. 19 of the General Clauses Act, 1891, applies sec. 63, 68, 69 & 70 I.P.C. to all fines leviable thereunder; probably nothing further is wanted.

Perhaps the best way of dealing with this question is to communicate Madras's Bill to the G. of I. of Police with the remark that he will no doubt address Govt. if he considers that any of the amendments proposed therein should be adopted in Madras. 6. The G. of I. also suggests that this Govt. should initiate legislation with the object of rendering the cost of punitive police chargeable to persons owning land in a disturbed area as well as to the actual inhabitants thereof. The law regarding punitive police is contained in Madras Act III of 1852 which provides for the levy of the cost from the inhabitants only. 15 Feb 1894, N.

150
1
This might be printed out
W

* Please see also, in connection with the same subject, para. 4 of Govt. letter of 27 Oct 93, N. 2237.

365, this Govt. informed the G. of I. that it would defer legislating with the object of making absentee landlords also liable until it knew what steps the G. of I. intended to take. What India intends to do is apparent from sec. 4 of the Bill to amend Act V of 1861. It intends to make the cost recoverable not only from the inhabitants but from absentee landlords & from any given class of persons.

Absentee land lords are few in Madras, but it certainly seems advisable to take power to charge the whole cost to a certain class in a disturbed area instead of distributing it (as must be done under the present law) among innocent & guilty alike.

Madras Act II of 1852 may therefore be repealed & replaced by an Act corresponding to sec. 4 of India's Bill to amend Act V of 1861.

7. The G. of I. also observes that the Govt. of Bombay intend to legislate for the purpose of recovering compensation from persons who have caused damage by rioting. It seems advisable that similar legislation should be undertaken here & it is subm. that the Govt. of Bombay may be asked for a copy of its Bill on the subject.

This might be done some time.

I am the G. of I. propose to make a separate appropriation to his disbursement. The Madras makes him appropriate according to the purpose of their respective bills, & I think that is

enactment might be part of that (Mad) Act III of 1852

It may be mentioned, in conclusion, that sec. 51 of Act XXIV of 1859 renders it unnecessary to retain the last part of sub-section (7) (beginning "and nothing") of the Bill under cover of G.O. of 25 Apr. 1894, N° 906, Ld.

In this connection attention is invited to para. 14 of Mr. Atkinson's letter printed on p. 3 of G.O. of 25 Apr. 1894, N° 906, Ld. He there suggested an amendment of sec. 16 of the Police Act, but Mr. A. decided (vide p. 5 of note for orders in original of said G.O.) that no amendment is necessary.

19/9/94
17 Sept.

Amendment of Police Act

Law of the same opinion still
H. L. 21/9/94

(For orders)

Letter (not to be printed)
22 Sept. 1894, N° 2529
Letter Sec. to the G. of S., H.D.

I am directed to ~~write~~ the following remarks upon your letter of 22 Aug. 1894, N° 496, Police, regarding the Bill to amend the Police Act XXIV of 1859 which the Govt. proposes to introduce.

1. In the first place, the G. of S. suggests that the power to prevent obstructions "on the occasion of assemblies & processions" should be expressly mentioned in sub-section (1) of the Bill. This proposal does not commit itself to the Madras Govt. Sub-section (1) gives a general power to prevent obstructions & this, of course, covers the case of processions & assemblies. If processions & assemblies are specially mentioned, it is likely that doubts will be felt whether the power of preventing obstructions extends to assemblies & processions when assemblies & processions are taking place.

2. Secondly, the G. of S. expresses the opinion that the power of licensing assemblies & processions should be restricted to officers not below the rank of Asst. Supt. This Govt. accepts the proposed restriction, but takes the opportunity to point out that Supts. & Asst. Supts. will not incur

Note this has reference to H.L's remarks

(vide Mr. Hyatt's letter of 16 June 1894, N. 3 Police - 307)

Buttress to Mr. Hyatt's
letter of 16 June 1894

be Europeans in future. The
danger referred to in para.
4 of your letter under reply
will, therefore, occasionally
exist, even if the power
of licensing is ~~restricted~~
to gazetted officers.
4. Thirdly it is suggested
that sub-section (2) of the
proposed new section 49
might be made more definite
in regard to the time & manner
of granting licenses & the
persons to whom they should
be directed. Mr. the G. in C.
notes in this connection that
the provisions on the subject
of granting licenses which
appear in the Bill to
amend Act V of 1861 ^{for} ~~are~~
an ~~enclosure to~~ ^{your} letter
under reply are still more
open to the charge of indefini-
teness than those of the Bill
to amend Act XXIV of 1859.
But he admits that the wording
of sub-section (2) might ~~be~~
with advantage be rendered
more precise. Accordingly,
the words "after due consideration
of any representations which
may be made to him by
persons interested" will be
inserted after the words "issued
by him" & the words "and
shall be directed, and copy of
copies thereof delivered, to
such person or persons as
the officer granting the same
may determine" will be
added at the end of the sub-section.
5. Fourthly the G. of I. objects

the Madras Govt. therefore,
that the G. of I. will
way to
to the proposed to confer
upon police officers below the
rank of Asst. Supt. the power
to prohibit assemblies of
processions & especially to
the intervention with such power
of any police officer acting
under the order of the
control of any prohibited
the G. of I. suggests
that the necessity for
of this character would be
abolished if the power
themselves of their power
to confer upon police
high authority to issue
under sec. 144 & c. 1
H. R. the G. in C. is willing
to confine the power
prohibiting assemblies to
sub-section (2) of the proposed
new section 49 to police
officers not below the rank
of Asst. Supt. & has issued
orders to the effect that
upon sub. sec. 144 & c. 1
to issue under sub. section
under sec. 144 & c. 1 in all
places where religious
riots are known to be likely
to occur.
But the G. of I. is not
satisfied with the proposed
words "after due consideration
of any representations which
may be made to him by
persons interested" and
wishes to insert the words
"and shall be directed, and
copy of copies thereof delivered,
to such person or persons as
the officer granting the same
may determine" will be
added at the end of the sub-section.
The G. of I. is not
willing to insert the words
"and shall be directed, and
copy of copies thereof delivered,
to such person or persons as
the officer granting the same
may determine" will be
added at the end of the sub-section.
The G. of I. is not
willing to insert the words
"and shall be directed, and
copy of copies thereof delivered,
to such person or persons as
the officer granting the same
may determine" will be
added at the end of the sub-section.

9 4
injunction with this question
a reference is made to sec. 117
of the Criminal Procedure Code.
It is, of course, true that sec.
117 of the Crim. Proc. Code gives
to Station House Officers ample
powers for the dispersal of
unlawful assemblies, but it is
~~not~~ in the opinion of this Govt.,
follow that sub-section (3) is
unnecessary. The object of
this sub-section is to prevent
the use of emblems designed
to offend the religious feelings
of any class of the community.
This preventive power is not
conferred by sec. 49 of Act
XXIV of 1857, as it stands,
nor by sec. 127 of the Crim.
Proc. Code ~~which only confers~~
~~power on the police to prevent~~
nor by Chap. XIII of that
Code. The police should,
in my opinion, have power to prevent an
assembly or procession from
taking place at all if they
are satisfied that there is
an intention to conduct it
in such a manner as to
provoke religious animosity.
If their power is confined
to the dispersal of assemblies
& processions conducted with
such an intention, the mischief
which the Bill is designed
to avert may have been
done before the Police can
interfere.

~~Let section 49 of Act XXIV of 1857~~
~~be amended so as to confer~~
~~power on the police to prevent~~

1
The Madras Govt., therefore,
trusts that the G. of I. will
be able to see its way to
reconsider the opinion ex-
pressed on this subject &
to permit sub-section (3) to
stand, on the condition that
the exercise of the powers
thereby conferred shall be
restricted to police-officers
not below the rank of Asst.
Supt. If H.E. the G. of I. in
consent, the suggestion made
in your letter under reply
to the effect that Inspectors
might be empowered to stop
processions which infringe
the terms of the licenses issued
in respect of them will be
borne in mind. If, however,
the G. of I. is not prepared
to ~~propose~~ accept sub-
section (3) in any form, this
Govt. will be inclined to
abandon the Bill altogether,
for the ~~remedies~~ ~~of these~~
~~provisions~~ ~~are~~ ~~of~~ ~~comparative~~ ~~importance~~
6. The suggestions in para.
6 of your letter are receiving
attention & will be disposed
of separately.

Have it
12/10/94 12 Oct.
Letter: 22nd Oct. 1934, No. 2520
Ltr. Sec. to the Govt. Bombay
Ltr. Sec. directed to request

that with the approval of H.E.
the G. M. C., you will be so
good as to furnish this
Govt with a copy of the
Bill to amend the Local
Police Act which the Bombay
Govt is believed to have
under its consideration.
It is understood that this
Bill contains a clause
whereby compensation for
damages caused by a
riot can be recovered.

Yours truly

HS
25/10/1910

Amendment of
Police Act

At

(From word us)

C 16/10
R 17/10

Note: Possibly some of the powers conferred on the District Supt. are not such as ought to be exercised by Asst. Supts (r, e.g., sec. 13). If so, a distinction may be drawn between the Dt. Supt. & the Supt., the latter term being held to cover Asst. Supts. It seems advisable to consult the S.G. on the point.

Gobt. of {1894} Madras.
JUDICIAL.

CONFIDENTIAL

Dated October, 22nd.

Issued.

Recd.

Encl.

G.O., 22nd October 1894, No. 2528.

OCTOBER.

Amendment of Police Act.

Directing that the Government of India be again addressed on the Bill to amend section 49 of Act XXIV of 1859; communicating, with certain remarks, to the Inspector-General of Police the Government of India Bill to amend Act V of 1861; deferring legislation to repeal Madras Act III of 1882 until the Government of Bombay forwards copy of its Bill to recover compensation from persons who have caused damage by rioting and authorizing District Magistrates to invest Sub-Magistrates with power to issue prohibitory orders under section 144 C.C.P.

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[Despatch Abstract.]

Amendment of Police Act:

Ministering that the Govt. of India be again
advised on the bill to amend section 99
Act XIV of 1859; Copy, with certain
remarks, to the Inspector General of Police.
The bill Govt. of India bill to amend
Act V of 1861; deferring legislation to repeal
Madras Act III of 1892 until the Govt. of
Bombay forwards copy of its bill to
repeal compensation from persons who
have caused damage by rioting and
disturbances at Magistrates to invest sub-
Magistrates with power to issue prohibitory
orders under Section 144. C.C.P.