

Judicial (1895) Department.

ORDINARY PRINTED.

G.O., No 1459

Dated 11th July 1895

INDEXED.

[Despatch Abstract.]

INDIAN ARMS ACT.

Considering that the privilege of exemption from the prohibitions contained in the --- should not be withdrawn from members of local boards who are re-appointed with effect from the date on which their present term of membership expires.

BACK PAPERS.

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

FURTHER PAPERS.

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

Judicial
 Govt. of {1895} Madras.
 JUDICIAL.

Issued

Recd.

Encl.

G.O., 11th July 1895, No. 1459.

JULY.

Indian Arms Act.

Considering that the privilege of exemption from the prohibitions contained in the — should not be withdrawn from members of local boards who are re-appointed with effect from the date on which their present term of membership expires.

11TH JULY 1895, No. 1459, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—again the following paper :—

G.O., dated 4th April 1895, No. 724, Judicial.

ABSTRACT.—Communicating to certain officers, for report, letter from the Government of India relative to a proposed amendment of the rules restricting the quantity of arms that may reasonably be possessed by certain classes and persons and declaring that the exemption granted to members of district and local boards will be personal to existing members while they continue as members and will not extend to those hereafter appointed.

READ—also the following paper :—

From C. H. MOUNSEY, Esq., President of the District Board, Chingleput, to the Chief Secretary to Government, Local and Municipal Department, dated Saidapet, 12th June 1895, Dis. No. 300 L.

In forwarding herewith a copy of the resolution of this district board passed at its meeting held on the 8th instant, I have the honour to enquire whether the privilege allowed in paragraph 1 of G.O., dated 10th May 1895, No. 839 L., to the members of the district and taluk boards appointed prior to the 4th April 1895, will continue in the case of such members being re-appointed subsequent to that date.

ENCLOSURE.

EXTRACT from the Proceedings of the District Board of Chingleput passed at its meeting held at Saidapet on Saturday the 8th June 1895.

9. Read G.O., No. 839 L., dated 10th May 1895, declaring that the exemption granted to members of district and taluk boards for possessing arms without licenses will be personal to the existing members while they continue as members and will not extend to those appointed on or after the 4th April 1895.

Resolution.—The President is requested to make a reference as to whether in case of re-appointment of present members the privilege which is said to be personal is to be continued.

No. 857.

Transferred to the Judicial Department.

FORT ST. GEORGE,
24th June 1895.

(Signed) C. G. TODHUNTER,
Ag. Asst. Secretary.

Magazine either by the natural features of the ground or by good and substantial artificial mounds of earth or mine one-half. Provided that when a natural hill so intervenes as to afford a degree of protection which, in the opinion of the Engineer, is deemed sufficient, the quantity of Explosives stored or other Explosives up to the equivalent of 5,000 lb. of Gunpowder, every half pound of such other Explosive being received for one pound of Gunpowder.

In any case where any of the items enumerated in column 1 of this table is, in the opinion of an Inspector of Explosives, effectively screened from a Magazine by the intervening ground or mound, the distance from that item (except for quantities of 1,000 lb. of explosives and under) will be reduced one-half. In no case, however, is the distance from a Viceregal Residence to be less than one mile.

N.B.—The figures in block type are the distances to be observed when ordinary Gunpowder only is to be stored.

EXPLOSIVE ALLOWED IN THE MAGAZINE (IN POUNDS).

		N.B.—The figures in block type are the distances to be observed when ordinary gunpowder only is to be stored.																				AMOUNT OF EXPLOSIVE ALLOWED IN THE MAGAZINE (IN POUNDS)																									
		500	1,000	2,000	3,000	4,000	5,000	6,000	7,000	8,000	9,000	10,000	11,000	12,000	13,000	14,000	15,000	16,000	17,000	18,000	19,000	20,000	22,000	24,000	26,000	28,000	30,000	32,000	34,000	36,000	38,000	40,000	42,000	44,000	46,000	48,000	50,000	52,000	54,000	56,000	58,000	60,000					
		lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.	lb.			
DISTANCES TO BE KEPT CLEAR FROM.																																															
Room used in connection with the magazine, in pursuance of Rule 28 of the Rules under the Indian Explosives Act, 1884, for the manufacture, possession and sale of explosives	Yds.	50	50	50	51	52	52	53	53	54	54	55	55	56	56	57	57	58	58	59	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79						
Workshop used in connection with the magazine, in pursuance of Rule 28-A., of the rules under the Indian Explosives Act, 1884, for the manufacture, possession and sale of explosives [see note (b)]	"	35	35	75	100	101	102	104	105	106	108	109	110	111	112	113	114	115	116	117	118	119	120	122	124	126	128	130	132	134	136	138	140	142	144	146	148	150	152	154	156						
Private railway	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Highway or public footpath	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Open air public meeting place (such as a market)	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Canal or navigable water	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Dock	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
River wall or sea wall	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Pier or jetty	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Reservoir or bunded tank	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Room or workshop in connection with another magazine, store, or registered premises	"	100	150	200	200	200	200	200	200	200	200	200	205	210	215	220	225	230	235	240	245	250	255	260	265	280	295	310	325	340	355	370	385	400	415	430	445	460	475	490	505	520	535	550			
Any other room or workshop or any shop. Any other explosive magazine or store for explosives	"	65	100	150	175																																										
Furnace, kiln or chimney	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Public railway	"	"	"	"	210	215	225	235	240	250	255	265	270	280	285	290	300	305	310	315	325	330	345	355	370	380	395	410	420	435	445	460	475	485	500	510	525	540	550	565	575	590					
Dwelling-house, with the consent, in writing, of the occupier	"	50	75	100	110	120	130	140	145	155	165	175	180	190	200	205	215	220	230	235	245	250	265	280	295	310	325	340	355	370	385	400	415	430	445	460	475	490	505	520	535	550					
Dwelling-house, without such consent	"	100	150	200	240	280	320	365	405	445	485	525	560	590	625	655	690	720	750	785	815	850	920	990	1,060	1,130	1,200	1,265	1,330	1,395	1,460	1,525	1,590	1,655	1,720	1,785	1,850	1,915	1,980	2,045	2,110	2,175					
Factory not belonging to Government	"	65	100	150	175	200	255	310	360	415	470																																				
Church, chapel or hospital	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	
Public institution or building	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	
Government building	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Factory or Magazine, occupied by Government of India or any Department under that Government	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
(1) with the consent in writing of the Government of India or any such Department.	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
(2) Do. without such consent	"	880	1,320	1,760	1,780	1,805	1,825	1,850	1,870	1,890	1,910	1,930	1,950	1,970	1,990	2,005	2,025	2,040	2,060	2,075	2,095	2,110	2,145	2,180	2,215	2,255	2,290	2,325	2,360	2,395	2,430	2,465	2,500	2,535	2,570	2,605	2,640	2,675	2,710	2,745	2,780	2,815					
Viceroyal Residence	Miles.	1	1	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½	1½		

NOTE—(a) This table furnishes the basis on which applications for licenses will be considered, but is susceptible to modifications under special circumstances on the advice of the Chief Inspector of Explosives with the Government of India.

(c) Detonators may be kept in an annexe near to or adjoining a magazine under the following conditions:—

- (1) The amount of explosive contained in the detonators must not exceed 100 lb. reckoned in the proportion of not less than 24 lb. of explosives per 1,000 detonators. (This proportion represents roughly about 44,000 detonators of "sextuple" strength.)
- (2) The detonator annexe must be so constructed that not less than 2 ft. of masonry and 3 ft. of air-space shall intervene between any detonators in such annexe and the interior of the main magazine.

11TH JULY 1895, No. 1459, JUDICIAL.

ORDER—dated 11th July 1895, No. 1459, Judicial.

The Government considers that the privilege of exemption from the prohibitions contained in the Arms Act should not be withdrawn from members of local boards who are re-appointed with effect from the date upon which their present term of membership expires.

(True Extract.)

Chief Secretary.

To the Local and Municipal Department.
 „ the Inspector-General of Police.
 „ all District Magistrates.
 „ the Commissioner of Police.

Exd. P. Seetharam.

JUDICIAL DEPT.
CURRENT NO. 3036

1895.

FROM

THE PRESIDENT OF THE

DISTRICT BOARD,

CHINGLEPUT.

TO

THE CHIEF SECRETARY TO GOVT.

LOCAL & MUNICIPAL DEPT.

MADRAS.

Dated

12th June 1895.Recd in Fwd 26th do

ENCLOSURE, 1.

D/o No. 300 of 1895

173 JUN. 95

SUBJECT.

Requesting to intimate whether
 the privilege allowed in para 1
 of Govt. Order d/10th May 1895
 No. 8392 will extend in the case
 of members being reappointed
 subsequent to 4th April 1895

1028/1

(With Encl.)

No. 8392: 10.5.95
 8072 a. a. 95 second
 spape, 48
 No. 857
 Transferred to the Judicial
 Department.

C. Goddard
 Ag. Asstt. Secretary
 22.11.95

13
 10/11/95
 Fort St. George }
 24th June 1895 }

To The Judicial Department.

1916.
 1916

No 3 of 1895-96

39

Ex tract from the Proceedings of the District Board of Chingleput passed at its meeting held at Saidapet on Saturday the 8th June 1895.

Present.

Mr. H. Monney Esquire, President.

Members.

1. B. M. D'Almeida Esquire, Treasury Deputy Collector and Vice President.
2. M.R.Ry. Mr. Hanumantha Row anergal, Deputy Collector in charge Saidapet Division.
3. " Mr. Sreenivasa Row anergal, Deputy Collector, Trivallur Division.
4. L. C. Buckley Esquire, Sub-Collector, Chingleput.
5. M. R. Ry. Saugini Naidugaru, Tahsil dar of Bonneri.
6. " Damodara Moodaliar anergal, Tahsil dar of Coysenaram.
7. Rao Bahadur M. Arumugham Pillai anergal, Tahsil dar of Madurantakam.
8. " V. Sreenivasa chariar anergal, Tahsil dar of Saidapet.
9. " M. Ramamya chariar anergal, Government Pleader Chingleput.
10. Rao Bahadur V. Raghunadhar anergal, 1st Assistant Local and Municipal Department, Chief Secretariat, Madras.
11. " M. Raghunadhar chariar anergal, Assistant Inspector of Schools.
12. Surgeon Major H. A. F. Taylor, District Medical and Sanitary Officer, Chingleput.
13. M. R. Ry. J. N. Krishnamachariar anergal.
14. " P. Tyagaraya Chettiar anergal.
15. The honourable P. Ranghiah Naidugaru

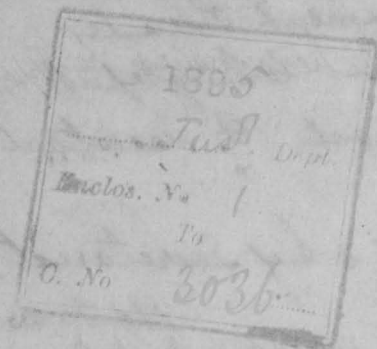
16. MRRy. A. Kallappa Moodaliar ayyal.
 17. " 2. Sreenivasa Raghava Chariar ayyal.
 18. " M. Ramakrishnayya Pantulu garu
 19. The Honourable W. B. Simpson.
 20. MRRy. V. Ramachandra Rao ayyal.

9. Read Government Order No 839 L dated 10th May 1895. declaring that the exemption granted to members of District and Taluk Boards for possessing arms without licenses will be personal to the existing members while they continue as members and will not extend to those appointed on or after the 4th April 1895.

The President is requested to make a reference as to whether in case of re-appointment of present members the privilege which is said to be personal is to be continued.

(Signed) L. H. Mounsey
 President District Board.

(True Extract)



District Board's office
 Saidapet
 12th June 1895

[Signature]
 Vice President,
 for President, District Board

Read - also the following paper

CURRENT No. 3036

No. 300 of 1895

CHINGLEPUT DISTRICT BOARD'S OFFICE,
 SAIDAPET, 12th June 1895.

From

L. H. Mounsey Esquire,
 President of the District Board,
 Chingleput.

To

The Chief Secretary to Government,
 Local and Municipal Department,
 Chief Secretariat, Madras.

SIR,

In forwarding herewith a copy of the resolution of this District Board passed at its meeting held on the 8th instant, I have the honour to enquire whether the privilege allowed in para 1 of Government Order dated 10th May 1895 No 839 L to the members of the District and Taluk Boards appointed prior to the 4th April 1895 will continue in the case of such members being re-appointed subsequent to that date.

I have the honour to be,
 Sir,

Your most obedient servant,

[Signature]
 Vice President,
 for President, District Board.

C. No. 3036/95.

FOR ORDERS.

To withdraw the privilege
from a man reappointed
without break would have,
I think, a bad effect. I
shd continue it to such
persons.

877/95

Copy of G.O. 724 of 4.4.95
A. J.C. 3036

Order of 11th July 1895 No 1459
P.S.

The Govt considers that the privilege
of exemption from the prohibitions contained
in the Arms Act should not be withdrawn
from members of local boards, reappointed
with effect from the date upon which
their present term of membership expires.

Under the orders of the Govt of India
this Govt ruled in para. 2 of G.O. of 4 April 95, No.
724, Judd, that the exemption (under the S. Arms Act)
granted to members of Dist. & Local Boards will
be personal to existing members and continue only
so long as they are members of those boards & will
not extend to members hereafter appointed.

The President of the District Board, Chingle
put, has forwarded a copy of the Dist Bd's resolution
& enquires whether the exemption will continue
in the case of such members being re-appointed
subsequent to the date of the G.O. - 4th April 95.

It is submitted that a member reappointed
on the expiry of his membership
continues to be a member of the Board
& should be exempted.

30.6.95

I don't think that this was the intention of
the order of the Govt. of India. A reappoint-
ment is a new appointment. It is true
that what is said in para 4 of the

Local Bd. Dist. Bd.
J.S. of Police
all Dist. by his
Comm. of Police. 6

27/7/95
28/7/95

1517/95

MR. 15-6-95

letter of the Govt of India is open to
 doubt but I take it that the terms
 of office at the time of passing the
 the letter was what the Govt. of India
 really meant and that an extension
 of that term was not in view.
 The withdrawal of the privilege
 was I venture to think a mistake
 as creating a distinction which
 was quite needless between two
 local bodies recruited from very
 much the same class but as
 India has seen fit to pass
 the order it must be given
 effect to and my view is
 that it is not intended that
 inspection cases will be
 the case of the appointments
 of a person who enforces
 the

8/7/95

Indian Arms Act

exemption to D. & Local Board
 members

FOR ORDERS.

H.M.

S.

promote

Indicant

Drop
 26/7/95

The Collectors of
 The District Magistrates of

Anantapur.	8
North Arcot, Chittoor.	8
South Arcot, Cuddalore.	8
Bellary.	8
South Canara, Mangalore.	8
Chingleput, Saidapet.	8
Coimbatore.	8
Cuddapah.	8
Ganjam, Chatrapur.	8
Godavari, Cocanada.	8
Kistna, Masulipatam.	8
Kurnool.	8
Madras (when necessary).	
Madura.	8
Malabar, Calicut.	12
Nilgiris, Ootacamund.	8
Nellore.	8
Salem.	8
Tanjore.	9
Tinnevely.	8
Trichinopoly.	8
Vizagapatam.	8

Indian Arms Act

Chas. after this morning paper.
G.O.
4TH APRIL 1895, No. 724, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following paper :—

From J. P. HEWETT, Esq., C.I.E., Officiating Secretary to the Government of India, Home Department (Public), to the Chief Secretary to the Government of Madras, dated Calcutta, the 23rd February 1895, No. 226.

I am directed to acknowledge the receipt of your letter, No. 45, dated the 10th ultimo, pointing out that the restriction in the notification of this department, No. 1012, dated the 29th February 1892, of the exemptions granted therein to the possession of such quantities of arms as may be declared to be reasonable for the persons exempted to carry or possess, does not apply to other classes exempted in paragraph I of the Home Department Notification, No. 518, dated the 6th March 1879, as amended up to the present time. The Governor in Council suggests the desirability of extending the application of the restriction to other classes and persons; and as an instance of the existing anomaly it is represented that, as the notification of the 6th March 1879 now stands, a native member of a local board is entitled to possess an unlimited quantity of arms, whereas a European military officer is, strictly speaking, liable to prosecution if he possesses more than a "reasonable" quantity.

2. In reply I am to say that the proposal to extend to classes to which it does not at present apply the restriction on the quantity of arms to be possessed appears to the Government of India, as at present advised, to be desirable. They propose, however, before issuing a notification to amend the rules in this respect, to invite the opinion of other Local Governments and Administrations upon the suggestion. Meantime, I am to enquire whether any embarrassment has been caused in the Madras Presidency from the omission from other exemptions of this qualification, which applies expressly to exemptions under clauses (3), (8), (9) and (15) of paragraph I of the notification of the 6th March 1879.

3. I am at the same time to point out that paragraph I, clause (10), of the notification of the 6th March 1879, as amended by the notification of the 27th February 1894, does not exempt members of local or taluk boards, but only such "landholders and members of municipal boards and committees" as the Local Government may direct, while European military officers are exempt under clause (5) and would not therefore be at present subject to the restriction prescribed in clause (3).

4. The question of including members of district and local boards among the exempted classes has been more than once considered by the Government of India, and after due consideration negatived. It appears, however, that in Madras the

Madras G.O., No. 783, dated 6th April 1880.

" " " 164 " 24th January 1894.

exemption has been held to apply to members of local fund boards and taluk boards. The effect of the orders of the Madras Government has been to extend the exemption in a manner not contemplated by the rules. The Government of India are, I am to say, opposed to any extension of such exemptions; but if His Excellency the Governor in Council is unwilling to cancel those already made, the Government of India will not object to their continuance, provided that it is made clear that the concession will be personal to existing members and continue only so long as they are members of the boards in question. For the future, similar exemptions should, with the permission of His Excellency in Council, be refused.

ORDER—dated 4th April 1895, No. 724, Judicial.

The foregoing letter from the Government of India will be communicated to all District Magistrates, the Inspector-General of Police and the Commissioner of Police, Madras, who will report, with reference to paragraph 2 thereof, whether any embarrassment has been caused from the omission from other exemptions of the qualification in question.

2. A copy of the Proceedings will be communicated to the Local and Municipal Department with advertence to paragraph 4 of the Government of India's letter. The exemption granted to members of district and local boards will be personal to existing members and continue only so long as they are members of those boards and will not extend to members hereafter appointed.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To all District Magistrates.
„ the Inspector-General of Police.
„ the Commissioner of Police, Madras.
„ the Local and Municipal Department.

Govt. of {1895} Madras
JUDICIAL.

Issued

Recd.

Encl.

G.O., 4th April 1895, No. 724.

APRIL.

Printed at
Madras
Indian Arms Act.

Communicating to certain officers, for report, letter from the Government of India relative to a proposed amendment of the rules restricting the quantity of arms that may reasonably be possessed by certain classes and persons and declaring that the exemption granted to members of district and local boards will be personal to existing members while they continue as members and will not extend to those hereafter appointed.

First copy sent to Press.

Returned for signature.

Despatched in print.

READ AGAIN G.O., No.
129

DATED

CURRENT No.

ENCLOSURES TO C, No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B. -

A = Print in full.

B = Not to be printed.

P = Print abstract only.

Q = Print heading only.

NUMBER OF COPIES
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Order complete with Letter.