

Judicial (1895) Department.

ORDINARY MS.

G.O., No. *44, 45*

DATED *10th Jan. 1895*

INDEXED.

[Despatch Abstract.]

ARMS ACT EXEMPTIONS

Pointing out to the Government of India the anomaly resulting from restricting the exemption under the Indian Arms Act in the case of certain classes to the possession of "such quantities of arms as may have been declared to be reasonable for them to carry or possess".

A.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	725		21-3-94				

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	1008		95				
	5080		95				

REVENUE DEPARTMENT.

FROM

THE COLLECTOR OF

BELLARY.

TO

THE

Chief Secretary to
Government, Madras

In Ref No. 1104

Dated

15th

Despatched

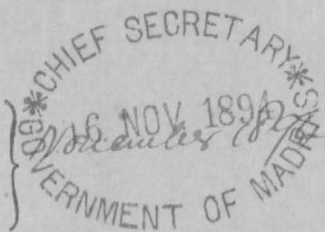
Received

16th

Recd 16th

Enclosures.

Abstract.



Soliciting instructions on
certain points under the
arms act.

11/20/11

R.O.

50783

6.4.50

please

at

20/11

20/11

(For order)

21-3-94-725
24-1-94-1844
and Road papers

Office
The Secretary files
are not under
control

For order.

The anomaly pointed out does
exist. P.O. 724 March 1892 No 602
contains the Govt. of India notification
which created it. Prior to that notific
classes (3) & (8) of para I of the Rules
contained no condition relating to the
quantity of arms which the exempted
classes might possess. - They were
all liable to prosecution for transport
of arms in unreasonable quantities
vide para VI clause (3) of the rules.
It is not known why the Govt. of India
introduced this restricting condition in the
case of two classes only. Perhaps they
might be asked if it was intentional

18/11/94
This paper has been delayed with the vain
endeavour to trace the reason for the restriction

For - Better ask India
for advice. I think there
should be a general restriction
to reasonable quantities

21/12/94

BELLARY COLLECTOR'S OFFICE.

Dated 15th November 1894.

No. 1104

FROM

H. Kremenkeere Esqr
of COLLECTOR OF District Magistrate
BELLARY.

TO

THE Chief Secretary to
Government, Judicial Deptt.
Madras

SIR,

A member of a Taluk Board being
reported to be in possession of the

- 2. Carnatic Carabines
- 1. Do — Small
- 2. Revolvers some what out
of repair
- 1. Revolver.
- 2. Carabines (old pattern) out
of repair
- 2. Old Carabines
- 1. Cap Gun
- 7. Swords (3 out of repair).

marginally noted arms, the
Superintendent of Police enquired
of me what was a reasonable
quantity of arms which
an exempted person might
possess.

2. On turning to the Rules
under the Arms act, I
find an anomaly which I venture to
bring to the notice of Government.

3. Rule I Clause 3 exempt Military and
Naval Officers and others, provided that
the arms they possess shall not be in
excess of a quantity which may be

Papers to be read in Proceedings:—

Again G.O., dated

18 , No.

Again G.O., dated

18 , No.

Current No.

of 18 , dated

from

Current No. 6115 of 1894, dated 15 Nov^r from the Dist. Mag^r of BellaryOrder 10 Jan^y 1895 No 44The Gov^t of India will be addressed with regard to the anomaly pointed out by the Dist. Mag^r (from orders)The Dist. Mag^r of Bellary 18 JAN 95Letter to the Secretary to the Gov^t of India, Home Department. 18 JAN 95

Sir

With reference to the Notification from the Gov^t of India, Home Department (Public) of 29 February 1892, No. 1012 I am directed to invite attention to the fact that that notification has restricted exemption under the Arms Act in the case of certain classes to the possession of "such quantities of arms as may have been declared to be reasonable for them to carry or possess."

2. I am to point out that this restriction does not apply to the various other classes specified in the Home Dept^t Notification No 515 of 6 March 1899 as amended by subsequent notifications

[in l.c. of 24 March 1892 No 602 Jnd^e]

declared by Government to be reasonable; Clause 8 similarly exempts certain Pensionsed Officers; Clause 9 certain Chiefs. But most of the other clauses give exemption without any such proviso; and as Clause 10, under which Taluk Board members have been exempted contains no such proviso, it would appear that there is no limit to the quantity of arms they may possess.

4. It is true that the note immediately preceding Clause 1 seems to limit possession of arms to reasonable quantities; but the restricting words qualify only the verb to transport, and not the verb to possess. Rules 3 and 3A of Clause VI support this view.

5. If this construction of the Rules is correct, it may appear advisable to add an addition to the Government orders quoted under Clause 10 Government to limit to reasonable quantities the possessions of arms by members of District Municipalities and Local Fund Boards

I have the honor to be Sir

Yours most obedient servant

C. D. Munseth

For Collector & Dist. Mag^r

Km

to suggest the desirability of
 extending its application. to the
 notification now stands a ^{native} member
 of a local board is apparently
 entitled to possess an unlimited
 quantity of arms whereas a European
 military officer is liable to
 prosecution if he possesses more
 than "a reasonable quantity of arms".

Arms Act Exemption

Strictly speaking

There.

*2
8 Jan.*

14/9/11

Cs.

(from orders)

When given for copying _____
 When copied _____
 When examined _____
 When signed _____

189.

READ AGAIN G.O., No.
 189 ,

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B.—

A = Copy in full.
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