

Paper taken out of the Records from the charge of the Referencer.

Ordinary Routine No. 724, dated 4-4-1895.

Date taken out.	FOR WHAT PURPOSE.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			
7-9-98	Jud	3674	1898	Sub	15-10-98	om
8-7-01	—	2567	01	Sub	23-7-01	Sub
16-8-01	—	3122	01	Sub	10-10-01	88
11-1-04	Solr Clerk	104			18/1/04	12
24-4-05	Jud	2350	08	8	12-5-08	86
6-2-09	—	735	09	—	15/2/09	2/4
30/4/10	Jud	1635	10	Sub	21-10-13	82
11/12/14	MDR	4161	14	Aug	15/11/14	Had
27-3-16	MDR	1137	16	MDR		
3-4-17	MDR	1282	17	SB	6/5/17	A
15-7-18	MDR	2220	18	MDR	17-7-18	Sub
31-7-22	MDR	3569	22	MDR	27-10-22	Sub
6/6/23	MDR	2644	23	MDR	27/6/23	Sub

Judicial (1895) Department.

ORDINARY PRINTED.

G.O., No. 724.

Dated 4th Apr. 1895.

INDEXED.

[Despatch Abstract.]

INDIAN ARMS ACT.

Communicating to certain officers for report, letter from the Government of India relative to the 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.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	1924		95				
	2085		95				
	2662		95				
	3036		95 (Lm)				

Gobn. of {1895} Madras JUDICIAL.

Issued

Recd.

Encl.

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

APRIL.

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.

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.

4TH APRIL 1895, N. JUDICIAL.

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.

Ed. A. Baile.

G
2,000-23-1-

Current No. 1008

JUD. DEPARTMENT.

From

The Govt. of India
Home

No. 226

Dated

23. 11. 2. 95

Received

1-3-95

Enclosures

SUBJECT.

Stating, that the proposal to extend the restrictions on the quantity of arms to be possessed, to Class 2, which it was not at present apply, seems desirable
as per.

6/4/80 No 783 Jud. Sec

14/3/79 No 581

No 46+45: 10.1.95

725: 21.3.24.

H. J. P.

W. O.

No. 226.

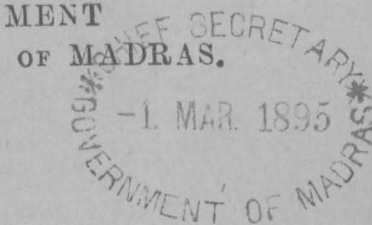
FROM

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

Offg. Secretary to the Government of India,

TO

THE CHIEF SECRETARY TO THE GOVERNMENT
OF MADRAS.



Home Department.
Public.

Calcutta, the 23rd February 1895.

SIR,

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 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

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

G. O. No. 164, dated 24th January 1884.

2
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.

I have the honour to be,

SIR,

Your most obedient Servant,

J. P. Herrett,

Offg. Secretary to the Government of India.

75 c. enclosed

[G.]
24
500-26-6-94.

Judicial DEPARTMENT.

Papers to be read in Proceedings:—

Again G. O., dated

189 , No.

Again G. O., dated

189 , No.

Current No.

of 189 , dated

from

Current No. 1008

of 1895, dated 23 Feb

from the Govt of India, Home Dept.

ORDER. 4th April 1895. No. 724.

P.S.

The foregoing letter from the Govt of India will be communicated to all District Magistrates, the Dy. of Police and the Commr. of Police, Madras, who will report, with reference to para. 2 thereof, whether any embarrassment has been caused from the omission from their resumptions of the qualification in question.

2. A copy of the Proceedings will be com. to the Local & Municipal Dept with a reference to para. 4 of the G. O. letter. The exemption granted to the members of District & Local Boards will be personal to existing members & continue only so long as they are members of those Boards in question.

DD 13. 3. 95. (from orders)

20/3/95

Should not we add to this para "and will not extend to members hereafter appd." So as to make the matter quite clear?

W
22/3/95

I must say that I don't quite follow the reasoning which is exempted from the members but not members of L & T.

All D. Magistrates. 1/3
The Dy. of Police 6
Commr. of Police, Madras 6
Local & Mun. Dept. 6

dispo. 13/4/95

W 22/3/95.

Note for orders.

With reference to paras. 3 & 4

Lucia's letter. Perhaps it is unnecessary
cancel the exemption granted to members
of H.C. & Local Boards in G.O. 703 of 6 Apr. '80
164 of 24 Jan. '94, Tudd?

18-3-95

to be sent, including the

Annals of
Rocks

(for approval)

H.C. (from order)

June 8, 1895
27

Notice to have
force of law of the
Legislative Assembly

This will be done
after this is
disposed of.
13-3-95.

C 21/3
2-10

First copy sent to Press.

Returned by signature.

Despatched in print.

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

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

S.B. -
A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.

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