

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1667

Press

~~Mis.~~

Dated 22 - 8 - 1891

Not to be folded or roughly handled

22ND AUGUST 1891, No. 1667, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—again the following papers:—

G.O., dated 19th Feb. 1875, No. 371, Financial.
" " 29th Oct. " " 2115 "
" " 3rd July 1883 " 1368 "
" " 23rd Sept. 1890 " 2431 L., Local and Municipal.

READ—also the following paper:—

From the District Magistrate, Bellary, dated 4th July 1891, No. 529.

ORDER—dated 22nd August 1891, No. 1667, Judicial.

The District Magistrate raises two questions—the first as to the proper interpretation of the phrase "Conservancy clauses" in connection with the Towns Nuisances Act, 1889, and the second as to method to be adopted in crediting fines levied under that Act.

2. The first question is answered by section 11 of the Towns Nuisances Act, which, by directing that sections 3 and 4 of the Act shall be read as forming part of Act XXIV of 1859, implies that these sections only are to be regarded as falling within the meaning of the term "Conservancy clauses," as used in the Code of Criminal Procedure.

3. With respect to the disposal of fines levied under the Towns Nuisances Act, it is observed that penalties levied under section 48 of the Police Act, 1859, were, until that section was repealed, credited to Municipal, Union, or Local Funds according as the offences in respect of which they were imposed were committed within the limits of a Municipality or Union or elsewhere. Section 48 of the Police Act covered the same ground as sections 3, 4 and 5 of the Towns Nuisances Act now do, and it is therefore reasonable that the same method of disposing of the fines levied under them should be adopted. Accordingly, the Government directs that all sums collected under sections 3, 4 and 5 of the Towns Nuisances Act, 1889, shall be credited to Municipal, Union or Local Funds, as the case may be, for employment on purposes of sanitation.

Fines levied under sections 6 and 7 of the Act will be dealt with in the usual way, and those imposed under section 5 in the Municipality of Ootacamund will be paid over as heretofore to the local Society for the Prevention of Cruelty to Animals.

(True Extract.)

Chief Secretary.

To the District Magistrate, Bellary.
" all other District Magistrates.
" the Local and Municipal Department.
" the Financial Department.

Exd. A. Raitt.

Govt. of {1891} Madras.

JUDICIAL.

Encl.

G.O., 22nd August 1891, No. 1667.

AUGUST.

Towns Nuisances Act, 1889.

Passing orders on the questions raised by the District Magistrate, Bellary, as to the proper interpretation of the phrase "Conservancy clauses" in connection with the — and the method to be adopted in crediting fines levied under that Act.

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Local and Municipal
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Ld. Department. 10

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PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper:—

Gain G.O. of 19.2.75 22571 Fin.
 _____ 29.10.75 222115 Fin.
 _____ 3.7.53 221368 Fin.
 _____ 23.9.90 22111111 Fin.
 (P. 2. 3057 of 6.7.91 S.D. Fin.)

Cross 2 Augt. 91 M.
 The M. Mag. raised two questions
 the first as to the interpretation
 tation of the provisions of the
 clauses in connection with the
 Towns Improvement Act, 1859, & the
 records as to whether to be added
 in crediting fines levied under
 that Act.

The first question is answered
 by Sec. 11 of the Towns Improvement
 Act which, by directing that
 Sections 3 & 4 of the Act shall
 be read as forming part of
 Act XXIV of 1859, implies
 those sections only.

regarded as falling within the meaning of the term "conservation duties" as used in the Code of Civil Proc.

2. ^{in respect to} ~~in respect to~~ the disposal of fees levied under the Towns Improvement Act it is observed, that fees levied under sec. 48 of the Police Act, 1869, were, until that section was repealed, credited

municipal, union or local authorities according as the officers employed by which they were levied were committed within the limits of a Municipality, Union or elsewhere. Section 48 of the Police Act covered the same ground as sections 3, 4 & 5 of the Towns Improvement Act. It is therefore reasonable that fees so levied should be disposed of in the same manner as the fees levied under sec. 3, 4 & 5 of the Towns Improvement Act, 1869, shall be credited to municipal, union or local authorities as the case may be for employment on purposes of sanitation.

Fees levied under sec. 6 & 7 of the Act will be dealt with in the usual way & those imposed under sec. 5 in the Municipality not concerned will be credited to the local authority for the purpose of levying the same on animals. (From orders)

Ordered by the District Magistrate, 19 Aug

Judl Go No 1667
22/8/91.

The Collectors of
The District Magistrates of

Sept 2/9/91

- Anantapur. P
North Arcot, Chittoor. P
South Arcot, Cuddalore. P
Bellary. P
South Canara, Mangalore. P
Chingleput, Saidapet. P
Coimbatore. P
Cuddapah. P
Ganjam, Chatrapur. P
Godavari, Cocanada. P
Kistna, Masulipatam. P
Kurnool. P
Madras (when necessary).
Madura. P
Malabar, Calicut. 10
Nilgiris, Ootacamund. P
Nellore. P
Salem. P
Tanjore. P
Tinnevely. P
Trichinopoly. P
Vizagapatam. P

ORDINARY, PRINTED.

Judicial

G.O. DATED 22-8-91

No. 1667.

Copy sent to Press. 25-8-91.

1 for signature. 31-8-91.

in print. 2-9-91.

James Wilson

Paper on the
questions raised by the
District Magistrate's
saying as to the pro-
per interpretation of the
phrase "concerning
charges" in connection
with the — of the
method to be adopted
in crediting fines le-
vied under that rule

3-11-03 ✓
1-2-05 ✓
26/7/01 ✓

20-8-10 ✓
20-7-07 ✓
11-7-13 ✓
14/2/14 ✓
1-5-15 ✓

11-10-23 BIT

24.2.28 ✓

8.7.29 ✓