

Local & Munl. (1895) Department.

PRINTED.

G.O., No. 8392.

DATED 10 May 1895

[Despatch Abstract.]

Indian Arms Act.

Communicating to all Presidents of District Boards, with remarks, G.O., Judicial Department, Communicating 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 taluk boards will be personal to existing members while they continue as members and will not extend to those appointed on or after the 4th April 1895.

Madras G.O., No. 783, dated 6th April 1880.
 „ C „ „ 164 „ 24th January 1894.]

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.)

Albutterworth

for Chief Secretary.

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

Gobt. of {1895} Madras
JUDICIAL.

Local & Municipal Dept.
CURRENT No. 1097

Ac.S. order
Mis

Recorded

V.R.
24/4/95

Para 4 of the letter and ^{last two lines of} para 2 of the order.

Communicated to all District and Taluk Boards with the intimation that the exemption referred to will be personal, for their term of membership only, to such members as took their seats before the 4th April 1895 and as regards all others has ceased. Such of the latter therefore as are now in possession of arms under colour of it must take the necessary steps to obtain licenses from the District Magistrates

Cgt
3.11.

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.

to

All District and Taluk Boards.

(With order)

L 5 J
1,000-17-11-03.

LOCAL AND MUNICIPAL DEPARTMENT.

Papers to be read in Proceedings:—

Again G.O., dated

189 , No.

Current No. 1097 of 1895, dated 4th April 1895 from the Judicial department

Order. M 10.5.95 839

Communicated to all Presidents of District Boards who will take steps to intimate to the members of Boards within their jurisdiction, excepting those who under the ordinary rules are exempt from taking out licenses for arms in their possession, that the notification of the Govt of India dated 6th March 1879, para I, cl (10) as amended by the notification of the 27th Feb 1894, does not apply, as was erroneously understood, to members of District and Taluk Boards, but that the Government of India has been pleased to hold that the concession shall continue to apply to all members of District and Taluk Boards, who were appointed prior to the 4th April 1895 as a personal exemption

All members of District

and Taluk Boards appoin-
ted ^{on or} after that date, other
than those Exempted under
the ordinary rules, should
be warned to apply for
licenses for such arms as
they may have in their
possession or may in future
acquire

(Sub) f & P

7/9/95

V.R.

10/4/95

To All Presidents of D. & H. B.
Dated 22/7/95

10TH MAY 1895, No. 839 L., LOCAL AND MUNICIPAL.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

Read—the following paper:—

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

Read—the following letter 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 exemption has been held to apply to members of local fund boards and taluk boards. The effect of the orders of the

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

" " " 164 " 24th Jan. 1894.

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.

10TH MAY 1895, No. 839 L., LOCAL AND MUNICIPAL.

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.)

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

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

ORDER—dated 10th May 1895, No. 839 L., Local and Municipal.

Communicated to all Presidents of District Boards, who will take steps to intimate to the members of boards within their jurisdiction, excepting those who under the ordinary rules are exempt from taking out licenses for arms in their possession, that the notification of the Government of India, dated 6th March 1879, paragraph I, clause (10), as amended by the notification of the 27th February 1894, does not apply, as was erroneously understood, to members of district and taluk boards, but that the Government of India has been pleased to hold that the concession shall continue to apply to all members of district and taluk boards who were appointed prior to the 4th April 1895, as a personal exemption.

All members of district and taluk boards appointed on or after that date, other than those exempted under the ordinary rules, should be warned to apply for licenses for such arms as they may have in their possession or may in future acquire.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To all Presidents of District Boards.

NOTE FOR THE CHIEF SECRETARY.

G.O dated 4.11.95 no 724 (Judicial)
withdraws the permission to carry arms
without a license granted to members
of district and local boards except
as regards members in office at the
time of the order for the period of
their membership. This makes all
members appointed after the 4th April
liable to prosecution if they presume
on the exemption.

The office says that this ought not to
be communicated to the boards because
the orders granting the exemption were
not. Whether they were or not the members
are well aware of the exemption and
I think they ought to be given clear
notice of its withdrawal.

A draft G.O. is submitted for
approval.

~~After the exemption still con-
tinues as regards members of munici-
pal councils though it is not quite clear
why it should. The wording of India's
letter in this respect is somewhat vague.~~

CS
3.6.

Sp 839 L
10-5-95

Communicated to all Presidents
of District Boards who will
take steps to intimate to the
members of boards within their
jurisdiction excepting those who
under the ordinary rules are
exempt from taking out licenses
for arms in their possession
that the notification of the
Government of India, dated 6th
March 1879, paragraph I, clause
(10), as amended by the
notification of the 27th February
1894, does not apply, as was
erroneously understood, to
members of district and taluk
boards, but that the Government
of India has been pleased to
hold that the concession shall
continue to apply to all
members of district and taluk
boards who were appointed
prior to the 4th April
1895 as a personal exemption.

Ser
Ct
S.V.

Gobt. of {1895} Madras.
LOCAL AND MUNICIPAL.

Issued

Recd.

Encl.

G.O., 10th May 1895, No. 839 L.

MAY.

Indian Arms Act.

Communicating to all Presidents of District Boards, with remarks, Government Order, Judicial Department, communicating 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 taluk boards will be personal to existing members while they continue as members and will not extend to those appointed on or after the 4th April 1895.

READ AGAIN ORDER OF GOVERNMENT, DATED
18 . No.

ENCLOSURES

CURRENT No.

1097 L - A

STATEMENT WITH DETD.

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BACK PAPER, No.

OF 18

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OF 18

PRESS.

LOCAL AND MUNICIPAL DEPARTMENT.

G.O., DATED 10. 5. 95

No. 839 L

INDEXED.

First copy sent to Press. 10/5/95

Returned for signature. 16/5/95

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[Despatch Abstract.]

Indian Arms Act

Cum. to all Pts. of Dist. Bd.
with remarks, letter from
the Govt. of India relative
to a proposed amendment
of the rules restricting the
quantity of arms that
may reasonably be pos-
sessed by certain classes
and persons, and declaring
that the exemption granted
to members of District and
Taluk Boards will be per-
sonal to existing members
while they continue as
members and will not
extend to those appointed
on or after the 4th April 1895

First copy sent to Press.

Returned for 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 SITTO.

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