

L. & M.
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INDEXED.
Local & Munl. (1896) Department.

PRINTED.

G.O., No. 2723 M

DATED 17-12-96

DESPATCHED

[Despatch Abstract.]

Administration of Cantonment Funds
Copy to certain District Magistrates
letter from the Govt of India in regard to
the —, and drawing their attention to the
Cantonment fund rules published in the
Supplement to the Fort St George Gazette.

BACK PAPERS.

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

FURTHER PAPERS.

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

Proof

Government { 1896 } of Madras. LOCAL AND MUNICIPAL.

Proof for approval

checked as needed
12/9/92

Recd.

Enclosures

Regd.

1896.

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G.O., No. 2123 M., 17th December 1896.

DECEMBER.

Administration of Cantonment Funds.

Communicating to certain District Magistrates letter from the Government of India in regard to the —, and drawing their attention to the Cantonment Fund rules published in the Supplement to the *Fort St. George Gazette*.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

REAL—the following paper :—

From Major P. A. BUCKLAND, Assistant Secretary to the Government of India, Military Department, to the Secretary to the Government of the North-Western Provinces and Oudh, Miscellaneous Department, dated Simla, the 2nd November 1896, No. 2119-C.

With reference to the correspondence ending with your telegram, No. 250, dated the 22nd May 1896, regarding the rules for the administration of Cantonment funds, I am directed to state, in reply to paragraph 3 of your letter, No. 1916, dated the 20th December 1895, that there is no objection to the Local Government informing itself through the District Magistrate (who is a member of the Cantonment Committee), or in any other more suitable way, as to the details of expenditure from Cantonment funds :—for example, whether the allotments made in a previous budget have been properly spent.

Copy forwarded to—

The Chief Secretary to the Government of Madras, for the information of His Excellency the Governor in Council.

The Lieutenant-General Commanding the Forces, Madras.

(Signed)

P. A. BUCKLAND, Major,
Asst. Secretary to the Govt. of India.

ORDER—No. 2123 M., dated 17th December 1896.

Communicated, with a copy of the Proceedings of the Government of India, Military Department, No. 1707-C, dated 13th September 1895, to the District Magistrates of Bellary, Chingleput, Malabar, Nilgiris, North Arcot, South Canara, Trichinopoly and Vizagapatam, for information and guidance.

2. Their attention is drawn to the Cantonment Fund rules published in the Supplement to the *Fort St. George Gazette*, dated 9th June 1896.

(True Extract.)

To the District Magistrate of Bellary.

" " of Chingleput.
" " of Malabar.
" " of Nilgiris.
" " of North Arcot.
" " of South Canara.
" " of Trichinopoly.
" " of Vizagapatam.

Deputy Adjutant-General, Madras Command.

Secretary to Government.

[Annexure.]

EXTRACT from the Proceedings of the Government of India, in the Military Department, dated Simla, the 13th September 1895, No. 1707-C.

Read—

Revised draft rules for the administration of cantonment funds, in consequence of abolition of the Presidential Army System.

Observations.—The Government of India have had under consideration, in connection with the abolition of the Presidential Commands, the question of the procedure to be followed in the administration of cantonment funds. Hitherto the Commander-in-Chief in each Presidency has regulated all details of the expenditure from cantonment funds under rules framed in consultation with Local Governments and sanctioned by the Government of India. The Commander-in-Chief in India in the case of cantonments in the Bengal Presidency, and the Local Governments of Madras and Bombay in the case of the cantonments in those Presidencies, have had authority to sanction grants-in-aid to cantonment funds within certain limits (amounting in all to one lakh of rupees annually) without reference to the Government of India. Applications for grants in excess of the limits laid down, accompanied by abstracts of receipts and expenditure of the cantonment funds and by reports from the local Controllers of Military Accounts, have been considered in all cases by the Government of India.

2. A proposal was put forward by the Commander-in-Chief in India that on the abolition of the Presidential Commands there should be a decentralisation of authority in matters connected with the financial administration of cantonments into the hands of the Lieutenant-Generals of the four Commands, so as to relieve Army Head Quarters of the great mass of detail which fell upon them.

3. The views of the Local Governments and Administrations concerning their intervention in the management of cantonment funds are contained in the replies to Major-General Sir Edwin Collen's letter, No. 167-C, dated the 21st January 1892, consulting them upon the draft Cantonment Code which had been drawn up under instructions from the Military Department. In general it may be said that the Local Governments and Administrations only desire to intervene in the financial administration of cantonments in matters connected with the purely civil population either within the cantonment or in an adjoining municipality which levies similar taxes, such as octroi dues. None of the authorities consulted appear to consider that more power of control in the hands of the Local Government is necessary than that contemplated in section 23 of the Cantonments Act, 1889, which provides that the cantonment fund shall be vested in Her Majesty, and, subject to the provisions of the Act and of the rules thereunder and to the control of the Local Government, the management of the fund shall be entrusted to the cantonment authority.

4. The subjects of the decentralisation of authority, and of the limit of the control to be exercised by the Local Government, in the administration of canton-

* President :

Major-General G. E. L. S. Sanford, C.B., C.S.I.,
Commanding the Meerut District.

Members :

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" Mr. H. F. Clogstoun, C.S.I.,

Major A. W. D. Campbell, I.S.C.

{ Additional Members of
the Governor-General's
Council for making
Laws and Regulations.

which they prepared that the sanction of the Local Government should be required to the Budget of each cantonment and to any expenditure not entered in the Budget, and recommended that grants-in-aid hitherto made by the Government of India to

ment funds were referred to the Committee * which was appointed in 1894 to consider the draft Cantonment Code and the opinions of the authorities consulted upon it. The Committee provided in the fresh draft rules

certain cantonments should be assigned to the Local Government for expenditure on the same objects to which they were previously devoted and that the management of the cantonment funds should in other respects rest with the Military authorities (the Lieutenant-General Commanding and officers subordinate to him), the Commander-in-Chief in India being relieved of any direct intervention in the administration of the funds.

5. The Governor-General in Council, after giving much attention to the matter, has arrived at the conclusion that the Government of India and the Commander-in-Chief in India should be relieved as much as possible of the consideration of details of cantonment expenditure, and that the financial control of the Local Governments and of expenditure not provided for therein. The Act already provides that the Cantonment Police are part of the General Police establishment under the superintendence of the Local Government (section 12), and that the consent of the Local Government is necessary in all questions affecting the imposition, abolition or modification of any tax (section 17). In these circumstances it appears sufficient that the financial control of the Local Government should extend only to the power of sanctioning or vetoing the budget estimates and extra expenditure proposed in addition to those estimates. Subject to this control the responsibility for administering the cantonment funds will rest with the Military authorities, who, in the opinion of the Governor-General in Council, should have the power of varying by reappropriation the allotment under a major head of the budget by not more than 10 per cent. of its original amount. In coming to this decision the Government of India do not intend that the general power of supervision which a Local Government and its officers exercise in connection with all public affairs within the territory administered by them should be affected. Apart from the power of controlling the budget and additional expenditure, the Local Government and its officers will be responsible for setting the Military authorities in motion if anything connected with the expenditure is thought to call for a remedy, although they will not be the responsible directors of those authorities. There will thus be no co-ordinate civil and military jurisdiction. The control of the Local Government, limited to the sanctioning or vetoing of the budget estimates and expenditure not provided for in them, is a power superior to the power of the Lieutenant-General Commanding. In other matters connected with the administration of the funds the Lieutenant-General Commanding will be the supreme authority, subject to the Commander-in-Chief and Government of India only.

6. The grants-in-aid should, the Government of India consider, be provincialised, not in the hands of the Local Government, but in those of the Lieutenant-General Commanding. It has accordingly been decided that a specific annual sum shall be assigned to each Lieutenant-General Commanding, the responsibility for its distribution, subject to the sanction of the Local Government as mentioned above, being left to him. After five years, as in the case of the Provincial Governments, or after any other period which the Government of India may hereafter fix, a new "contract" will be made on a review of the necessities as modified by the experience of the previous period. These grants-in-aid will include grants to cantonment hospitals.

7. It appears to the Governor-General in Council that the arrangements set out above can be effected without any change in the law. Draft rules* have accordingly been prepared, to be issued under clauses 7 ("the purposes to which the cantonment fund may be applied"), 8 ("the authority on which money may be paid from the cantonment fund"), 11 ("the accounts to be kept by the Cantonment Authority and the manner in which those accounts are to be audited and published"), and 31 ("generally, the carrying out of the purposes of the Act"), of section 26 of Act XIII of 1889. These rules will be incorporated as Chapters VII, VIII and XI and as part of Chapter XXXI of the draft rules on cantonment administration generally drawn up by General Sandford's Committee, which will shortly be circulated with the views of the Government of India upon the various subjects dealt with in them. The provisions in those

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chapters as drafted by the Committee have been adopted as far as possible in the rules now drawn up. The rules must, in accordance with section 27 (I) of the Act, be previously published before they are formally made by the Governor-General in Council and it is intended that those now drawn up shall be so published with the other rules drafted by the Committee, unless there is likely to be much delay in the consideration of the general rules, in which case the rules attached will be published separately. In the meantime they are circulated to Local Governments and Administrations and to Lieutenant-Generals Commanding for any opinions and suggestions which they may see fit to offer.

8. The provincialisation of the grants-in-aid will be effected without delay, and, as the rules now circulated do not generally prescribe much variation from the previous practice and are applicable to Government officers only, the Governor-General in Council considers that, if the Local Governments and Administrations and Lieutenant-Generals Commanding see no objection, they should be followed pending their formal promulgation. It will be observed that most of them are taken with slight modifications from Appendix F of Volume I of the Civil Account Code.

Order.—Ordered, that the foregoing observations, together with a copy of the draft rules, be referred to all Local Governments and Administrations, and to the Lieutenant-Generals Commanding the Forces in the four Commands, for the purpose indicated.

2. The favour of an early reply is requested.

(Signed) E. COLLEN,
Secy. to the Govt. of India.

To the Chief Secretary to the Government of Madras.

6

Government { 1896 } of Madras.
LOCAL AND MUNICIPAL.

Recd.

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Secy. to the Govt. of India.

To the Chief Secretary to the Government of Madras.

L. & M.
1,000-28-10-96.

Local & Munl. (1896) Department.

CURRENT No. 3054 M

Order

From The Government of India
Military Department

No. 2119 C

Dated 2-11-96

Received 11-11-96

Registered 12-11-96

Enclosures

Spare copies 10

SUBJECT.

Forwarding copy of correspondence
regarding the rules for the administra-
tion of Cantonment funds.

Not sufficiently done
from correspondence
concerning to be
10-11-96
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BACK PAPERS.

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Cantonments.
Regulations.

It is requested that the above heading, with number and date of this communication, may be quoted in any subsequent correspondence on this subject.



No. 2119-C.

GOVERNMENT OF INDIA.

MILITARY DEPARTMENT.

Simla, the 2nd November 1896.

To

THE SECRETARY TO THE GOVERNMENT OF THE
NORTH-WESTERN PROVINCES AND OUDH,
Miscellaneous Department.

Sir,

With reference to the correspondence ending with your telegram No. 250, dated the 22nd May 1896, regarding the rules for the administration of Cantonment funds, I am directed to state, in reply to paragraph 3 of your letter No. 1916, dated the 20th December 1895, that there is no objection to the Local Government informing itself through the District Magistrate (who is a member of the Cantonment Committee), or in any other more suitable way, as to the details of expenditure from Cantonment funds:—for example, whether the allotments made in a previous budget have been properly spent.

I am, &c.,

(Sd.) P. A. BUCKLAND,

Asst. Secy. to the Govt. of India.

Copy forwarded to—

The Home Department.

The Foreign Department.

The Chief Secretary to the Government of ^{Madras} ^{Bombay} for the information of His Excellency the Governor in Council.

The Secretary to the Government of ^{Bengal} ^{the Punjab} ^{Financial} ^{Revenue} Department, for the information of His Honour the Lieutenant Governor.

The Chief Commissioner of Burma.

The Chief Commissioner of the Central Provinces.

The Chief Commissioner of Assam.

The Chief Commissioner of Coorg.

13
2
The Quartermaster General in India, for the information of His Excellency the Commander-in-Chief.

The Lieutenant General Commanding the Forces, Punjab.

The Lieutenant General Commanding the Forces, Bengal.

The Lieutenant General Commanding the Forces, Madras.

The Lieutenant General Commanding the Forces, Bombay.

By order,

W. M. M. M. M.

Asst. Secy. to the Govt. of India.

Cantonments.

Regulations.

It is requested that the above heading, with number and date of this communication, may be quoted in any subsequent correspondence on this subject.

14 CURRENT NO. 4575
Municipal & Municipal Dept.
CURRENT NO. 13
GOVERNMENT OF INDIA.
MILITARY DEPARTMENT.

Extract from the Proceedings of the Government of India in the Military Department, — (No. 1707-C., dated Simla, the 13th September 1895.)

READ—

Revised draft rules for the administration of cantonment funds, in consequence of abolition of the Presidential Army System.

OBSERVATIONS.—The Government of India have had under consideration, in connection with the abolition of the Presidential Commands, the question of the procedure to be followed in the administration of cantonment funds. Hitherto the Commander-in-Chief in each Presidency has regulated all details of the expenditure from cantonment funds under rules framed in consultation with Local Governments and sanctioned by the Government of India. The Commander-in-Chief in India in the case of cantonments in the Bengal Presidency, and the Local Governments of Madras and Bombay in the case of the cantonments in those Presidencies, have had authority to sanction grants-in-aid to cantonment funds within certain limits (amounting in all to one lakh of rupees annually) without reference to the Government of India. Applications for grants in excess of the limits laid down, accompanied by abstracts of receipts and expenditure of the cantonment funds and by reports from the local Controllers of Military Accounts, have been considered in all cases by the Government of India.

2. A proposal was put forward by the Commander-in-Chief in India that on the abolition of the Presidential Commands there should be a decentralisation of authority in matters connected with the financial administration of cantonments into the hands of the Lieutenant-Generals of the four Commands, so as to relieve Army Head Quarters of the great mass of detail which fell upon them.

3. The views of the Local Governments and Administrations concerning their intervention in the management of cantonment funds are contained in the replies to Major-General Sir Edwin Collen's letter No. 167-C., dated the 21st January 1892, consulting them upon the draft Cantonment Code which had been drawn up under instructions from the Military Department. In general it may be said that the Local Governments and Administrations only desire to intervene in the financial administration of cantonments in matters connected with purely civil population either within the cantonment or in an adjoining municipality which levies similar taxes, such as octroi dues. None of the authorities consulted appear to consider that more power of control in the hands of the Local Government is necessary than that contemplated in section 23 of the Cantonments Act, 1889, which provides that the cantonment fund shall be vested in Her Majesty, and, subject to the provisions of the Act and of the rules thereunder and to the control of the Local Government, the management of the fund shall be entrusted to the cantonment authority.

4. The subjects of the decentralisation of authority, and of the limit of the control to be exercised by the Local Government, in the administration of cantonment funds were referred to the Committee* which was appointed in 1894 to consider the draft Cantonment Code and the opinions of the authorities consulted upon it. The Committee provided in the fresh draft rules which

* PRESIDENT:
Major-General G. E. L. S. Sanford, C.B., C.S.I.,
Commanding the Meerut District.

MEMBERS:
The Hon'ble Mr. C. C. Stevens,
" Mr. W. Lee-Warner, C.S.I.,
" Mr. H. F. Clogstoun, C.S.I.,
Major A. W. D. Campbell, I.S.C.

Additional Members of the Governor-General's Council for making Laws and Regulations.

they prepared that the sanction of the Local Government should be required to the Budget of each cantonment and to any expenditure not entered in the Budget, and recommended that grants-in-aid hitherto made by the Government of India to certain cantonments should be assigned to the Local Government for expenditure

on the same objects to which they were previously devoted, and that the management of the cantonment funds should in other respects rest with the Military authorities (the Lieutenant-General Commanding and officers subordinate to him), the Commander-in-Chief in India being relieved of any direct intervention in the administration of the funds.

5. The Governor-General in Council, after giving much attention to the matter, has arrived at the conclusion that the Government of India and the Commander-in-Chief in India should be relieved as much as possible of the consideration of details of cantonment expenditure, and that the financial control of the Local Governments should be confined to the consideration and sanction or veto of the budget estimates, and of expenditure not provided for therein. The Act already provides that the Cantonment Police are part of the General Police establishment under the superintendence of the Local Government (section 12), and that the consent of the Local Government is necessary in all questions affecting the imposition, abolition or modification of any tax control of the Local Government should extend only to the power of sanctioning or vetoing the budget estimates and extra expenditure proposed in addition to those estimates. Subject to this control the responsibility for administering the cantonment funds will rest with the Military authorities, who, in the opinion of the Governor-General in Council, should have the power of varying by reappropriation the allotment under a major head of the budget by not more than 10 per cent. of its original amount. In coming to this decision the Government of India do not intend that the general power of supervision which a Local Government and its officers exercise in connection with all public affairs within the territory administered by them should be affected. Apart from the power of controlling the budget and additional expenditure, the Local Government and its officers will be responsible for setting the Military authorities in motion if anything connected with the expenditure is thought to call for a remedy, although they will not be the responsible directors of those authorities. There will thus be no co-ordinate civil and military jurisdiction. The control of the Local Government, limited to the sanctioning or vetoing of the budget estimates and expenditure not provided for in them, is a power superior to the power of the Lieutenant-General Commanding. In other matters connected with the administration of the funds the Lieutenant-General Commanding will be the supreme authority, subject to the Commander-in-Chief and Government of India only.

6. The grants-in-aid should, the Government of India consider, be provincialised not in the hands of the Local Government but in those of the Lieutenant-General Commanding. It has accordingly been decided that a specific annual sum shall be assigned to each Lieutenant-General Commanding, the responsibility for its distribution, subject to the sanction of the Local Government as mentioned above, being left to him. After five years, as in the case of the Provincial Governments, or after any other period which the Government of India may hereafter fix, a new "contract" will be made on a review of the necessities as modified by the experience of the previous period. These grants-in-aid will include grants to cantonment hospitals.

7. It appears to the Governor-General in Council that the arrangements set out above can be effected without any change in the law. Draft rules* have accordingly been prepared, to be issued under clauses 7 ("the purposes to which the cantonment fund may be applied"), 8 ("the authority on which money may be paid from the cantonment fund"), 11 ("the accounts to be kept by the Cantonment Authority and the manner in which those accounts are to be audited and published"), and 31 ("generally, the carrying out of the purposes of the Act") of section 26 of Act XIII of 1889. These rules will be incorporated as Chapters VII, VIII and XI and as part of Chapter XXXI of the draft rules on cantonment administration generally drawn up by General Sanford's Committee, which will shortly be circulated with the views of the Government of India upon the various subjects dealt with in them. The provisions in those chapters as drafted by the Committee have been adopted as far as possible in the rules now drawn up. The rules must, in accordance with section 27 (1) of the Act, be previously published before they are formally made by the Governor-General in Council, and it is intended that those now drawn up shall be so published with the other rules drafted by the Committee, unless there is likely to be much delay in the consideration of the general rules, in which case the rules attached will be

* Attached hereto.

published separately. In the meantime they are circulated to Local Governments and Administrations and to Lieutenant-Generals Commanding for any opinions and suggestions which they may see fit to offer.

8. The provincialisation of the grants-in-aid will be effected without delay, and, as the rules now circulated do not generally prescribe much variation from the previous practice and are applicable to Government officers only, the Governor-General in Council considers that, if the Local Governments and Administrations and Lieutenant-Generals Commanding see no objection, they should be followed pending their formal promulgation. It will be observed that most of them are taken with slight modifications from Appendix F of Volume I of the Civil Account Code.

* Government of Madras.
" Bombay.
" Bengal.
" the North-Western Provinces
" and Oudh.
" the Punjab.
Chief Commissioner of Burma.
" " the Central Provinces.
" " Assam.
" " Coorg.
Resident at Hyderabad.
† Lieutenant-General Commanding the Forces,
Punjab.
Lieutenant-General Commanding the Forces,
Bengal.
Lieutenant-General Commanding the Forces,
Madras.
Lieutenant-General Commanding the Forces,
Bombay.

ORDER.—Ordered, that the foregoing observations together with a copy of the draft rules be referred to all Local Governments* and Administrations, and to the Lieutenant-Generals† Commanding the Forces in the four Commands for the purpose indicated.

The favour of an early reply is requested.

Secretary to the Government of India.

Copy with a copy of the draft rules forwarded to—

The Home Department.
The Foreign " "
The Finance " "
The Legislative " "
The Quarter Master General in India for the information of His Excellency the Commander-in-Chief.

To
The Chief Secretary to the Government of Madras

C. dated 13th September 1895, disposed
of in G.O. No. 2083, M. dated 12th Decem-
ber 1895. The Government of India
said that "it appears sufficient that
the financial control of the Local
Government should extend only to
the power of sanctioning or refusing
the budget estimates and extra ex-
penditures proposed in addition to
those estimates", and that "apart
from the power of controlling the
budget and additional expenditure
the Local Government and its officers
will be responsible for letting the
military authorities in motion in
any other

anything connected with the ex-
penditure is thought to call for
a remedy, although they will
not be the responsible directors
of those authorities. Under the
rules for the administration of
cautionment funds recently issued,
a monthly statement of the receipts
and charges in each cautionment
is furnished to the Accountant-General,
as well as an annual consolidated
account, which is apparently com-
pared with the monthly returns.
No check is at present exercised over
the expenditure from cautionment
funds, nor would it be possible
for the Government to do so unless
an annual report showing in detail
the administration of the cautionment
funds is called for from the caution-
ment Committee. In this connection,
attention is invited to H. M.'s re-
marks (marked with blue chalk)
in the Note in G.O. No. 2083 M, dated
12th December 1890, and to the letter
to the Government of India (No. 2084 M,
dated 12th December 1890) in which
the adoption of this course was sug-
gested.

It is not intended

* Flag B. (Rule 25. p. 6.)

* Flag C.

* Flag D.

that the Loc. Fort. should exercise any
detailed financial control over
the cautionment expenditure. This
control is to extend only to the
power of sanctioning or vetoing
the budget estimates & extra expenditure
proposed in addition to those
"estimates" - see passage marked
(a) on p. 2 of Mil. Dep't. Letter No. 100
of 13 Sept 95 (Flag A). When
lower down in the same paper
the Govt. impose on the Local Fort.
its officers the responsibility of
"getting the Military authorities
in motion if anything connected
with the expenditure is thought to
call for a remedy", they ap-
parently refer to the expenditure
being something objectionable
in the general character of the expenditure
or to malversation or ~~misuse~~
misapplication of the funds.
Only some such interpretation
will make the instructions
consistent. The H.M.'s were
however evidently in some
difficulty about them.
Now the S. & P. say that the
Loc. Fort. can obtain the necessary

8.2.5/12/6

[5]
700-6-4-96

LOCAL AND MUNICIPAL DEPARTMENT.

Papers to be read in Proceedings:—

189 , No.

Again G.O., dated

Current No 30572 of 1896, dated 2nd November

from the Govt of India, Military Dept^l
from the

Current No. of 189 , dated

P.A.
~~Auto~~-Order.

No 2123 in dt 17-12-96
communicated, with a copy of
the Proceedings of the Government of
India, Military Department No 1707c,
dated 13th September 1895, to the
District Magistrates of Bellary, Chingle
- put, Malabar, Nilgiris, North Arcot,
South Canara
& Trichinopoly and Vizagapatam for
information and guidance.

information and of

2. Their attention is drawn to the ~~last~~ Cantonment fund rules published in the supplement to the Fort St. George Gazette, dated ^{9th} ~~10th~~ June 1896.

(From orders)

Supd 14/1/27

The District Magistrate of Bellary,
Chingleput, ^{South Canara} Malabar, vizing North
Arcot, Trichinopoly and Vizagapatam.

If the Cant Fund Rules were not
prodded as ^{separately} caused by rail Dr. Dorman
to pay the 20% share pay. There refer back to
the case of the Union.

By sent to Press. 18-12-93

For signature. 11-1-97

Printed in print. 14-1-97

Order complete. 100
Letter only.
Order complete with Letter.

N.O. No. 180

DATE

No. 3054 m of 96. A

+ Cur NE 3014 m of 95 as an annexure
to the order on cur N° 3054 m of 96

N.O. No.

GOVERNMENT

GOVERNMENT

WITH DITO.

OF FICHE OF BEING MEANT FOR DEWATSE
ORIGINAL

A = Print in full
B = Not to be printed
C = Print abstract only
D = Print heading only

Signed 14/1/97