

[L. & M.
5,000-10-97.]

Local & Munl. (1897) Department.

MISCELLANEOUS.

G.O., No. 2739 M

DATED 8-12-97

INDEXED. *CR*

DESPATCHED

[Despatch Abstract.]

Trickly pear

Forwarding to the Dy. Adjutant General
Madras Command, letter from the Collector
of Bellary reporting the steps taken in
the matter of the removal of — &
the maintenance of proper fencing in the
Cantonment of Bellary.

BACK PAPERS.

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

FURTHER PAPERS.

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

Local & Munl. (1897) Department.

CURRENT No. 3130M



TO BE RETURNED
WITHIN

From

The Deputy Adjutant General,
Madras Command.

No 986 dated 20th Sept. 1897.

Order

Referred to the Collector of
Bellary for very early remarks.

No. B/A 13425

Dated 27-8-1897

Received 2-9-1897

Registered 2-9-1897

Enclosures 7

Spare copies.

SUBJECT.

Forwarding correspondence regarding
fences and the removal of prickly pear at
Bellary and stating that the matter
may be settled at an early date.

To the Collector of Bellary

PTG

apb9

CAR 31304 39517

Order n^o 2739mmsd 8.12.97.
The Collector's letter
read above with its enclosures will
be forwarded to the Deputy
Adjutant General Madras Com.
mand.
H.T.
7 12 97.
1/11
21/12/97

BACK PAPERS.

G.O.	No.	Department.	Date.
	cu 2656	di/27	Lodge
	fo 1655	hkh	24-7-97
	fo 1012	hkh	29-4-97

FURTHER PAPERS.

G.O.	No.	Department.	Date.

To The D. A. G. Madras Command
with Enclosures etc.
Chairman. M. Bellary
Recd. 11/12/97

Local & Munl. (1897) Department.

CURRENT No. 39517

From

The Collector of
Bellary.

Aio: No. 7191

Dated 12th November 1897

Received 15-11-97

Registered

Enclosures (one) no. 986 of 97 with
papers & C. No 3130 m
Spare copies. with 7 enclos. retch.

SUBJECT.

Prickly. fear & Arising Cases
Forwarding Copy
of letter from the Chair-
man Municipal Council,
Bellary reporting the steps
taken in the disposal
of —

19/11

BACK PAPERS.

G.O.	No.	Department.	Date.
	2656	6/97	
	1655	24-7-97	
	1012	29-4-97	

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Sanitary
No. B/13-1342 S.

Ootacamund,

27 August 1897
31/30

From

The DEPUTY ADJUTANT GENERAL, MADRAS COMMAND,

CHIEF SECRETARY
28. AUG. 1897
GOVERNMENT OF MADRAS

To

The Chief Secretary to the
Government of Madras.

ENCLOSURES.

Sir,

Memo No: 1939 B
dated 21 August 97
from POC Bellary
St. with previous
minutes thereon
regarding fences
and the removal
of prickly pear
at Bellary

I am desired to forward the
marginally noted correspondence,
and to draw your attention to Memo
No: 142 C/o dated 31 July 1897 from the
Officer Commanding Bellary (minute
No: X) and in doing so, to say that as
there appears to have been much delay
in disposing of the cases referred to
therein, His Excellency the Lieutenant
General Commanding would be glad
if pressure could be brought to bear
on the local authorities in the matter.

I am to request the return
of the enclosures when no longer required.

I have the honor to be
Sir,

Your obedient servant
P. Neville Colonel

22 July 1897

Copy of letter from the Chairman
Municipal Council Bellary to the
Collector of Bellary of 9th November 97

With reference to your letter
A Ref: on G & B No 2170 of 25th September
1897. I have the honor to submit as follows.

1. The Council resolved on the 9th
July 1895 the issue of notices to
Land-lords for maintaining sufficient
fences and for removal of over-
growth of prickly-pear from
Bungalow Campgrounds.

2. Notices under the said Resolution
were issued on 2nd June 1896,
to 18 Land-lords for maintaining
fences and to six Land-lords
for removing prickly-pear within
the Cantonment.

3. Not a single owner complied
with the notices issued.

4. The Council sanctioned their
prosecution on 15th December 96
against all of them.

5. The charges were laid before the Bench Court on 3rd January 97

6. On the 23rd February 97 a few cases were requested to be transferred to the Assistant Magistrate's Court as Test Cases, as there were certain points of Law involved, which was done on the 5th March 97.

7. The Asst. Magistrate disposed of all the Test Cases between the 18th and 8th April 1897.

8. The Bench Court disposed of the other cases between 2nd August and 2nd September 97. Four cases are still pending.

9. The Presiding Bench Magistrate was written to from time to time to dispose of these cases.

10. The result of the Prosecutions is (A) Genuine Cases.

18 owners were prosecuted in 46 cases, of these 8 owners

in 21 cases were convicted and fined. 4 owners in 12 cases were acquitted. 10 cases against three owners were withdrawn. Three cases against three owners are still pending.

(B) Prickly-pear Cases.

Five owners in 8 cases were convicted. out of 6 owners in 70 cases — one case against one owner is still pending. one case against one owner was acquitted.

2. With reference to memo no 142 C/o dated 31st July 1897 from the Officer Commanding Bellary, I say that the Officer Commanding Bellary never addressed me any letter but the Station Staff Officer did so from 6th to 24th July 97. and his letters were replied to from time to time. I was not responsible for the delay.

delay in disposal of cases in
the Bench Magistrate's Court.

The observation of the Officer
Commanding about the influence
being brought to bear on the
Chairman of the Municipal
Council to delay the cases
as much as possible is groundless.

On the contrary I have frequently
written to the Presiding Magistrate
of the Bench Court for the
disposal of them. Except in
the case of Mr. R. J. Chellapparamb
Pillai ayyar (a Councillor) who
petitioned the Council to with-
draw the case against him
on the ground that his Bungal-
ow had a prickly-pear fence
which the Assistant Magistrate
held in the last cases as good
and sufficient and not contravening
the Act. The Council finally
withdrew this case on the
said

said finding of the Assistant
Magistrate.

3. With reference to para 3 of
your letter the information re-
quired by the Government in
Government order no 1012 M. Dis.
dated 29th April 1917. was given
by me in my letter no 2844 D. 8th
July 1917 which was forwarded
through you.

101655
24-7-17

4. In this connection I invite
your kind attention to what
has been done already by the
Bungalow owners (vide no 2511
dated 15th June 1917 of the Officer
Commanding Battery in the en-
-losures returned herewith) upon
my instituting the above
prosecutions.

5 Regarding the Bungalow
owners who have not yet made
up proper fences or failed
to remove prickly-pear.

I have under a notice of the Station Staff Officer, issued 26 notices to put up proper fencing and 28 notices to remove prickly-pear to the Amugulow owners in the Cantonment to give them time up to 31st March 1898 and 31st December 1897 respectively.

6. Lastly I beg to state that I took Charge of this office as Chairman delegate on the 2nd November 1896.

7. The cases withdrawn were of Land. lords who agreed in writing to make the proper fencing in the time fixed by the Council as proposed by the Station Staff Officer.

A.S.
13/11/97

13/11/97
For Collector

BELLARY COLLECTOR'S OFFICE.

No. 7191

Dated 12th Nov 1897

From H. W. Gillman Esq.
S.A. COLLECTOR ~~OF~~ in Charge
BELLARY.

3951M

To

THE Secretary to Government
Local and Municipal Department
Madras

Sir,

In reply to G.O. no 786^{20.9.97} which is returned herewith with its enclosures, I have the honor to forward herewith copy of letter no 8496¹⁹⁻¹¹⁻⁹⁷ from the Chairman, Mr. C. Bellary, on the subject and to state that there are now only 4 cases pending in the Bench Magistrate's Court Bellary (3 cases of fencing out of prickly pear). I have issued strict instructions to the Presiding Bench Magistrate, Bellary, to see that these cases are disposed of forthwith.

I have the honor to be,
Sir,

Yours most obedt. Servant

13/11/97

For Collector.

A.S.
13-11-97

13-11-97

When given for copying _____
When copied 12 97 718 189
When examined _____
When signed 10/12

READ AGAIN G.O., No.
189

DATE:

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A	A	A	A	A	A	A
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LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.