

L. & M.
2,000-4-8-97

Local & Munl. (1897) Department.

MISCELLANEOUS.

G.O., No. 1962 M.

DATED 10-9-97.

INDEXED. *CR*

DESPATCHED

[Despatch Abstract.]

Powers of a Police Officer

Empowering, under the St. Municipal Act IV of 1884, as amended by Act III of 1897, the Sanitary Inspector of the Chicago M. C. to exercise the powers of a Police Officer for the purposes of the Act, but disapproving the proposal to move the nuisance people into the same.

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. 2922 M

From The Collector of Ganjam

Use

Order No. 1962 M. mis. dt 10-9-97.

Under Subsection (4) of

of Section 282 of the Madras District Municipalities Act IV of 1884, as amended

No. 1372

by Act III of 1897, His Excellency the Governor Dated 6-8-1897

Received 13-8-1897

in Council empowers the Sanitary

Registered 13-8-1897

Inspector of the Chicacole Municipality

Enclosures C. No. 2463 M. with

to exercise the powers of a Police officer

Spare copies.

for the purposes of this Act, but the pro.

posal of the Municipal Council to invest

himself with such powers cannot

be approved.

SUBJECT.

Forwarding, with remark letter from

the Chairman Municipal Council, Chicacole

soliciting sanction to empower certain

servants of the municipality to exercise

the powers of a Police officer.

V.R.

20/8/97

What is the legal significance

of "the powers of a Police

officer": what powers would

exercise under what control?

Please note on separate sheet

Note Please see the discussions of the Council on this subject at its meeting of the 3rd March 1896. pages 226-228.

Please see also

The Chairman C.C. Chicacole on separate sheet

thru the Collector of Ganjam. Dms 15/9/97

BACK PAPERS.

G.O.	No.	Department.	Date

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Local & Munl. (1897) Department.

CURRENT No. 2463m

From *order*
J. V. Sevi Has Pan hulu Gam
Chairman Municipal
Council Chicago

No. 752 d/ 13th July 1897.
Order.

Returned to the
Chairman, for resubmission
Through the Collector, as required in
No. 116214 d/ 4th September 1893.

No. 530

Dated 30th June 1897

Received 6-7-1897

Registered 6-7-1897

Enclosures

Spare copies

Secretary to Govt

SUBJECT.

Soliciting Sanction of the
Government to Empower
certain Servants of the
Municipality to exercise
the powers of a Police Officer
under Sub Section 4
of Section 282 of the
Act.

Joseph Harrison. Re Chicago

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

LOCAL & MUNICIPAL DEPT.
CURRENT No. 24/34
Municipal Office,
CHICACOLE.

No. 530

Dated, 30th June 1897.

FROM

M. R. T. V. Siva Rao Pantulu Garu

CHAIRMAN,

MUNICIPAL COUNCIL, CHICACOLE.

TO

THE Secretary to the Government

Madras

Local and Municipal

Department.

SIR,

Enclosing herewith an Extract
from the Proceedings of the Council passed
at its meeting held on the 28th June 1897
I have the honour to submit that the
Government maybe pleased to empower the
Sanitary Inspector and the Nuisance persons
of this Municipality, under subsection 4 of
Section 282 of the District Municipalities
Act Amendment act of 1897, to exercise
the powers of a police officer for the
purposes of the above mentioned act.

I have the honour to be,

Sir,

Your most obedient servant,

M. R. T. V. Siva Rao

Chairman

Present.

Mkky. T. V. Liva Rao Pantulu Gam Chaiman

Councillors.

Rev. J. C. Archibald.

Surgeon Captain J. C. White.

Mkky. V. Guraviah Sastry gam.

" Mr. Ramanayyah Chetty gam.

" J. Suryanarayana Chetty gam.

Mrs. Abdul Rajah Sahet gam.

Mkky. B. Narayanappa Pantulu gam.

Read Chaiman's note inviting
the attention of the Council to certain
sections of the District Municipalities
amendment act.

Resolved that under sub-section
4 of section 282, the Sanitary Inspector
and the nuisance feons of the Council
shall be recommended to the Gover
to be empowered to exercise the
of a police officer.

(True Khair)

Chaiman

Dis No 1372
Sub 497

LOCAL & MUNICIPAL DEPT.
2922/M

Forwarded.

2. The proposal made by the Council
may be approved and sanctioned.

Chatrapur
6th August 1897

Signature

For Collector.

Drish Co

ction
pal
serv

L & M.
300-3-12-90.

Power of Police officers under the District Municipalities Act IV of 1884, as amended by Act III of 1897.

NOTE FOR THE SECRETARY.
CN^o 2922^{1/2}

The only powers which a Police officer has under the Act, are those specified in subsection (2) of section 282 of the District Municipalities Act IV of 1884, as amended by Act III of 1897, which runs as follows:—

"282—(2) Any Police officer may arrest any person, committing in his view any offence against any of the provisions of this Act, if the name and address of such person be unknown to him, and if such person decline to give his name and address, or if the Police officer shall have reason to doubt the accuracy of such name and address, if given; and such person may be detained at the station-house until his name and address shall be correctly ascertained."

It is only these powers that a municipal servant, invested with the powers of a Police officer under subsection (4), can exercise. Municipal
serv

13 AUG. 1897

servants exercising this power
will be subject to the same
control as ordinary "Police officers"

P.R.
21/8/77

1101.
The words "the powers of
a police officer for the purposes
of this Act" in sub. 4 of sec. 282
of Act IV of 1884 as amended,
are not very clear in
meaning; but the intention
seems to have been to
limit them to the powers
indicated in ~~sub-sections~~ sub-
sections (1) & (2). With this
interpretation there seems
no objection to the San. Insp.
being empowered as desired;
& the ~~draft~~ of the ~~amendment~~ may ~~have~~
not have been chosen if
for the words in question; ~~the~~
words had been used to show
that the powers meant the
conferred were those mentioned
in subss (1) & (2); & not
all the powers which a
Police Officer may exercise
under the Crim. Pro. Code
in respect of complaints,
offences, & inquiries arising
under the same Act. 882

When given for copying _____
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When signed 11/1/9

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 MEANT FOR DESPATCH
IN ORIGINAL.

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