

L. & M.
18-10-97
Local & Munl. (1898) Department.

MISCELLANEOUS.

G.O., No. 35-L.

DATED 6-1-98

INDEXED.

DESPATCHED

[Despatch Abstract.]

Rewards for the destruction of dop — Stating that the Government agrees with the Board of Revenue in considering that — should be paid from local & municipal funds.

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. 3190

From The Financial Dept.

Order No. 35-1111 of 6-1-98

The Government agrees with the Board of Revenue in considering that rewards for the destruction of dogs should be paid from Local or Municipal funds.

No. 2658

Dated 4. 12. 97

Received do.

Registered

Enclosures

Spare copies.

SUBJECT.

Transferring Progs. of the Bd of Rev. Subing. appn from the Colln of Municipalities for budget allote under "32 Div" charges for the destruction of stray dogs.

Note

Please see the note of the Financial Department within. Rewards for the destruction of stray dogs are being paid from Local Funds in several districts of the Presidency as will be seen from Column 253 of

10/12/97

of Appendix V to G.O. No 23682 dated 14th December 1896 (Flag N) the expenditure being a legitimate one on Local Funds, though not expressly provided for in the Act.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

To The Board of Revenue with
 three enclosures returned
 Accountant General
 10/11/98

G.
 25
 800 2-9-97.

C. No. S. 3446 & 3602

HIS EXCELLENCY THE GOVERNOR.
 THE HON'BLE SIR HENRY BLISS, K.C.I.E.
 THE HON'BLE MR. GROSE, C.I.E.

SUBJECT.

Charges for
 the destruction
 of stray dogs.

FOR ORDERS.

Under G.O. No: 1494 Finl. dt
 14 July 1883, charges on account
 of rewards for killing dogs should
 be debited to Municipal and
 Local Funds. This G.O. was
 passed prior to the introduction
 of the District Municipalities
 Act, IV of 1884, & the Local
 Boards Act, V of 1884. Section
 230 of Act IV of 1884 ~~amended~~
~~by Act III of 1897~~ provided that
 a Dt. Magistrate may move
 the Municipal Council to
 take steps for the destruction
 of stray dogs. This supports
 the ruling as regards Muni-
 cipalities contained in the G.O.
 quoted above. But there is no corresponding
 provision in the Local Boards
 Act. The absence of such a
 provision

and this section has not
 been altered by the
 revising Act, II of 1897

provision was noticed in G.O. No. 2736 d. of 24 Oct. 1890 & it was proposed to supply the omission in the draft bill to amend the Local Boards Act, which was then under preparation. The bill has not yet passed into law ^{and is} ~~It appears to be~~ still under the consideration of Govt.

2 With C No. 3446, the Board of Revenue submits for orders an application from the Collector of Anantapur for an allotment under 32.

Miscellaneous Charges for the destruction of strays and observes that the expenditure should be met from Municipal or Local Funds as the case may be. The Acctt - Genl. agrees with the Board & adds that this is the practice followed at present.

As nothing has been said in G.O. No. 2736 d. of 24 Oct. 1890 about the Financial ruling regarding the

E Please see page 7 of the bill in G.O. No. 1485 d. of 1 July 1889

D He holds that the killing of dogs falls under the "measures of local public utility" calculated to promote the "safety of the people" referred to in clause (vi) sec. 95 of Act. V of 18. This view appears to be correct.

P G.O. No. 1494 H. d. of 14 July

Note: A financial ruling cannot make an illegal procedure legal. The Finl. ruling of 1883 lost its force in 1884 unless if it was not covered by Act V of that year; but it does appear to be covered by section 95(vi)

1884 unless if it was not covered by Act V of that year; but it does appear to be covered by section 95(vi)

Ans

LOCAL & MUNICIPAL DEPT
3190

Drull
1/2/97

the incidence of the charge, the latter might, it is submitted, be held to be still in force, especially as the Acctt Genl. reports that this is the practice followed at present.

With these remarks the papers may, it is submitted, be transferred to the L & M Dept. for further consideration.

Ans.
3.12.97

No. 2658 d. 4.12.97

Transferred to the Local & Municipal Department

Mr. [Signature]
Chief Secretary

Ans.
3.12.97

nc
1/2/97

Final
Revenue (1897) Department.

CURRENT No. ~~2856~~



From

The Board of Revenue,
Land Revenue,
Madras.

CURRENT No. 3800
Endorsement P. N. 1976
Order

Transferred to the
Financial Dept.

No. 3800 Misc.

Dated 11th October 1897.

Received 14.10.97

Registered 15.10.97

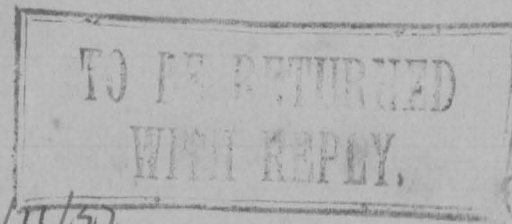
Enclosures 3

Spare copies.

G. L. V.
Secretary to Govt.

For: Mr. George,
1st Nov 97

Air
29/10/97



Recd 2/11/97

SUBJECT.

Submitting for the orders of
Govt. application for budget allot-
ment received from the Collector
of Anantapur under '32 Miscellaneous
' charges for the destruction of
stray dogs" & stating that such
charges should be paid from Local
or Municipal funds.

Inst No. 2306 of 6. XI. 97
Referred to the Accountant
General for favour of report.
(By order)

5.11.97
To the Acct General.
McCoolman.
ag Assistant Secretary

89
10/11/97

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

2,000
16-8 97.



Proceedings of the Board of Revenue (Land Revenue).

No.3800 Misc.,dated 11th October 1897.

Read the following :-

1. Endorsement of the Accountant-General,Madras,No. 106,dated 13th August 1897,forwarding to the Secretary to the Commissioners of Land Revenue,application for additional Budget allotment received from the Collector of Anantapur Ref.on CNo.2036 of 1897,dated 3rd August 1897.

And the following Reference thereon dated 18th August 1897

The Collector is requested to quote the authority under which expenditure is proposed to be incurred for the destruction of stray dogs.

2. Also letter from R.H.Shipley,Esquire,Acting Collector of Anantapur,to the Secretary to the Commissioners of Land Revenue,Madras,R.C.No.810,dated 1st September 1897.

-----:O:-----

Resolution

Submitted for the orders of Government.

2. Under Section 10 of the Towns Nuisances Act, III of 1889,a District or Sub Divisional Magistrate may order the destruction of stray dogs in Municipal or other towns to which the Act may be extended under clause (2) Section I thereof.Section 230 of the District Municipalities Act,IV of 1884 provides that a District Magistrate may move the Municipal Council to take steps for the destruction of stray dogs.It appears therefore that as regards Municipal Towns,the charges for the destruction of dogs are debitable to Municipal funds;but no corresponding provision is to be found in

the Local Board's Act. The Board considers that although the destruction of dogs may be ordered by the Magistracy, rewards for destroying them should be paid from Local or Municipal funds.

(True Copy & Extract)

Reelin
Secretary.

To

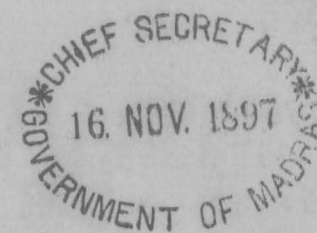
The Secretary to Government, Revenue Department, with application and letter in original to be returned.

Md.R.H.

Financial (1897) Department.

BC
17/11/97

CURRENT No. 3602



From *The Secy General*
Madras.

Order

No. 3555

Dated 15th November 1897

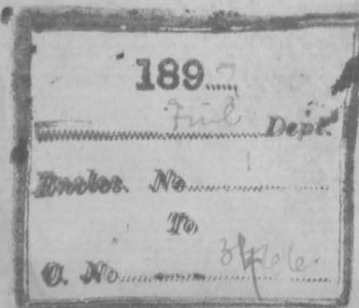
Received } *16.11.97*
Registered }

Enclosures C.No. 3446 filed & Encls. 120

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SUBJECT.

Concurring with the Board of Revenue in thinking that the charges for the destruction of stray dogs should be paid from Local or Municipal Funds as the case may be



BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Budget.

DEPARTMENT.

CURRENT No.

3602
FORT ST. GEORGE,
Accountant-General's Office,
15th November 1897.

No. 3555

From

J. C. Harrison Esquire,

Offy: ACCOUNTANT-GENERAL TO THE

GOVERNMENT OF MADRAS,

To

THE

Chief Secretary to Government,

Financial Department.

SIR,

With reference to Acting Assistant Secretary Mr. M. E. Couchman's endorsement No. 2306 dated the 6th of November 1897 referring to me for remarks the accompanying Board's Proceedings No. 3800 Mis dated 11 October 1897 with its enclosures, I have the honour to state that I concur with the Board in thinking that the charges for the destruction of stray dogs should be paid from Local or Municipal Funds as the case may be. In fact these charges are being incurred by Local and Municipal Bodies and paid from their funds.

funds; those incurred by the former are debited in the local section of my books under the head 32 Miscellaneous - Rewards for destruction of wild animals - Rewards for killing dogs.

2. As regards Local Bodies, Clause VI of Section 95 of the Local Boards Act IV of 1884 which refers to "other measures of local public utility calculated to promote the safety, health, comfort or convenience of the people" appears to cover expenditure of this kind.

I have the honour to be,
Sir,
your most obedt. Servt.,
J. Hanison
Offg. Accountant General.

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When examined
When signed

189

AD AGAIN G.O., No.
189

DATED

AT No.

REFERS TO C. No.

OF GOVERNMENT

A A A A A A A

OF GOVERNMENT.

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

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