Date taken out.	For what purpose.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			

Local & Munl. (1898) Department.

MISCELLANEOUS.

G.O., No. 442 M.

DATED 28-2-98

INDEXED.

DESPATCHED

[Despatch Abstract.]

Cantonment Rules

Stating with remarks that the introduction of — in the Cantonment of Trichinopoly must stand over until the new rules are issued.

To

BACK PAPERS.

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

FURTHER PAPERS.

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

[L. & M. 300—2-12-97.]

LOCAL AND MUNICIPAL DEPARTMENT.

Papers to be read in Proceedings:—

Again G.O., No. , dated 189 .

Again G.O., No. , dated 189 .

Current No. 3[illegible]m of 1897, dated 30th Sept. '97, from the Dt. magistrate of Trichinopoly

" " 4236 " 1897, " 6th Dec. '97, " the Dy. Adjutant-General

" " " 189 , " , "

Levy: mise:

ORDER. No. 462 Mun. & 28/2/98

The Government cannot ap
of the introduction of the propose
rules into the cantonment of Triche
-poly, as endless difficulties must
-sult if these rules are put in f
with the existing municipal law
while the separation of the cant
-ment from the municipal limits
will give rise to a fresh set of d
-culties of a formidable nature
matter should, must therefore
government, therefore stand over
the new rules are issued.

From orders

V.R. 25/2/98

To The District magistrate of Trichinopoly (with copy of rules) P.O.
" Deputy Adjutant-General, Madras Command P.O.
" Judicial Department. P.O.
Dept 1/3/98

in the Cantonment Code

LOCAL AND MUNICIPAL DEPARTMENT.

[G. 25] 250—7-4-97.

3 and
C. No. 4236 M of 1897.

SUBJECT.

Introduction of Cantonment ... in the Cantonment of Trichinopoly.

H.M.

FOR ORDERS.

G.O. No 3504 Military 8-10-66.
Misc. No 997 Military A 16-3-69.

In September 1866 the Government of India forwarded ... for experimental introduction ... the Military Cantonments of the ... Presidency, a set of rules for the ... general administration of Military Cantonments, framed under ... 17 and 19 of the Military Cantonments Act XII of 1864 (India). His Excellency the Commander-in-Chief was accordingly requested to give effect to the instructions of the Government of India in respect to the adoption of the rules in question, with such minor alterations as might be considered necessary in the Cantonments of this Presidency. Meanwhile, Madras Act I ... (An Act to repeal the Madras ... IV of 1865 and to make pro...

for the administration of Military
Cantonments in the Presidency
of Fort Saint George) was brought
into operation in the cantonments
of Bellary, Cannanore, Trichinopoly,
Saint Thomas Mount and Wellington
and was subsequently extended to
Bonamallee

B. G.O. No 766 B. Military 27-2-66.

2. The rules received from
the Government of India were then
submitted by His Excellency the
Commander-in-Chief for the approval
of Government with certain modi-
fications to adapt them to the require-
ments of this Presidency. The rules
contained in chapters I to V were
then introduced into the canton-
ments of Bonamallee, Wellington and
Saint Thomas Mount, which were
carried solely by European troops
and where no municipality had been
established, but as regards the canton-
ments of Bellary, Cannanore, and
Trichinopoly, at which both European
and Native troops were promiscuously
quartered and which had been brought
under the municipal law, it was
directed that the rules in chapter V,
were approved for Bonamallee, Wellington

Para. 3. of G.O. No 964 Military 7-3-68. C.

Para. 4. of G.O. No 964. Military 7-8-68 C.

and Saint Thomas Mount should
be applied to them, but that only
so much of Chapters I to IV as
related to matters for which no
other legal provision had been
already made, should be introduced
and, to avoid the confusion which
might result in the application
of the rules contained in Chapters
I to IV with the local laws in
force at these stations, the Quarter
Master General was requested to
draw up a separate set of the
rules embraced in these chapters
(excluding the existing provisions
of the local laws) in communica-
tion with the Judge Advocate General
and the Sanitary Commissioner.
A set of rules was accordingly
framed by the Quarter Master General
and submitted to Government; but
as some of their provisions appeared
to be of doubtful necessity in view
of the situation of the cantonments
in question within their respective
municipal limits, such, for instance
as the constitution of a Canton-
ment Committee, in addition to the Muni-
cipal council, the formation of a
separate Cantonment fund and

para. 5. ibid C.

para. 7. ibid. C.

vide Quarter Master General's letter D
G.O. No 997. Military 16. 3. 69

for the administration of Military
Cantonments in the Presidency
of Fort Saint George) was brought
into operation in the Cantonments
of Bellary, Camanore, Trichinopoly,
Saint Thomas Mount and Wellington
and was subsequently extended to
Poonamallee.

B. G.O. № 766. B. Military 27-2-66.

2. The rules received from
the Government of India were then
submitted by His Excellency the
Commander-in-Chief for the approval
of Government with certain modi-
fications to adapt them to the require-
ments of this Presidency. The rules
contained in Chapters I to V were
then introduced into the canton-
ments of Poonamallee, Wellington and
Saint Thomas Mount, which were
occupied solely by European troops
and where no municipality had been
established, but as regards the canton-
ments of Bellary, Camanore, and
Trichinopoly, at which both European
and Native troops were promiscuously
quartered and which had been brought
under the municipal law, it was
ordered that the rules in Chapter V,
as approved for Poonamallee, Wellington

Para. 3. of G.O. № 964. Military 7-3-68. C.

Para. 4. of G.O. № 964. Military 7-8-68. C.

contained in chapter II, which
relates to the appointment and
functions of the cantonment
committee, as might be necessary
to give effect to the rules in Chapter
V should be in force in the canton-
ment of Trichinopoly from and
after 1st December 1869. The same
rules were likewise introduced
into the cantonments of Bellary
and Camanore - vide G.O. № 4185 R
dated 7th December 1869 and all
offences against these rules were
made cognizable by the canton-
ment magistrates of these places
for the time being. The question of separating
these Cantonments from municipal limits seems however to have been dropped for the time.

G.O. № 3590. Military 12-10-69. H.

I.

4. In 1880, the Quarter
master General having brought
to notice certain difficulties in
arranging for the conservancy
of the Bellary Cantonment, the
Government considered that the
time had arrived for bringing
into force the orders directing the
separation of certain cantonments
from the municipal limits, and
that order no longer applied
to Trichinopoly, the British troops
therein having been withdrawn,
the Government directed the

G.O. no. 7074 Military. J. 10-11-80

vide paragraph 12. of G.O. 997. Military 16-3-1869. E.

from the municipal limits of the adjacent towns and that the cantonment rules contained in Chapters I to V be made applicable to those cantonments. The separation of these cantonments from the municipal limits in the year 1869-70 was however held in abeyance, as large contracts for conservancy, road making, repairs &c had already been made by the various municipalities under their existing conditions and as much inconvenience and loss would it was thought, follow any alteration then made in the terms of those engagements.

3. In August 1869, the Commander-in-chief having, in view of the large prevalence of venereal diseases in the cantonments of Trichinopoly, expressed the desirability of introducing therein the rules for the inspection and control of women of ill fame &c under Act I of 1868, and it having already been decided inexpedient to separate the cantonments in that year from the municipal limits, the Government directed that chapter V of the rules above referred to, as well as so much of that portion of the

its appropriation &c, His Excellency the Commander-in-Chief was requested to reconsider the rules in view to their being so framed as to avoid any possible collision with the municipal laws in force in the three cantonments referred to. His Excellency, however, objected, with much force, to Military Cantonments being included within the limits of local municipalities and advocated the separation of the cantonments of Bellary Cannanore and Trichinopoly from those of the adjacent municipalities, whereby the cantonment rules already passed for Saint Thomes could without alteration be made uniformly applicable to these cantonments also. Having regard therefore to these objections and the views of the Government of India expressed in their letter recorded in G.O. No 3127. Military, dated 11th August 1868, that a uniform code of rules should be adopted for all cantonments in this Presidency, the Government directed that the Cantonments of Bellary, Cannanore and Trichinopoly be separated

Memorandum dated 24th September 1868. D.

Vide. para. 11 of Go. No 997 Military 16-3-69. E.

F.

Go. No 2673. Military 20-7-69. G.

para-5. ibid C.

and Saint Thomas Mount should be applied to them, but that only so much of Chapters I to IV as related to matters for which no other legal provision had been already made, should be introduced and, to avoid the confusion which might result in the application of the rules contained in Chapters I to IV with the local laws in force at these stations, the Quarter Master General was requested to draw up a separate set of the rules embraced in these Chapters (excluding the existing provisions of the local laws) in communication with the Judge Advocate General and the Sanitary Commissioner. A set of rules was accordingly framed by the Quarter Master General and submitted to Government; but as some of their provisions appeared to be of doubtful necessity in view of the situation of the cantonments in question within their respective municipal limits, such, for instance as the constitution of a Cantonment Committee, in addition to the municipal council, the formation of a separate Cantonment fund and

para-7. ibid. C.

vide Quarter Master General's letter in G.O. No 997. Military 16. 3. 89. D

para-2 of G.O. No 7074 Military J. 10-11-80

separation of the Bellary and Camanore cantonments from the municipal limits, but this order was subsequently cancelled on the 13th June 1887 vide para-2. Flag Z. G.O. No 1076 dated 9th

5. Dec 1891, the Chairman of the municipal council of Trichinopoly represented to Government that the municipal council had heard with much concern that it was in contemplation to separate the cantonment of Trichinopoly from the municipal limits and requested that if this was true the municipal council might be consulted before final orders were passed in the matter. The Commander-in-Chief who was then consulted on the subject, considered that the extra expenditure which would result to the Station if the Cantonment of Trichinopoly were separated from its limits and if taxation under the Cantonment Act and Rules was imposed in the Cantonment would be great, the Government directed that the separation of, among others, the Trichinopoly cantonment, from the municipal limits was not advisable.

G.O. No 7139. Military K. 14-12-91.

G.O. No 7139. Military L. 14-12-91.

6 In his letter read at the District Magistrate of Trichy states that he has been desi

in the Cantonment Code

the officer Commanding Trichinopoly,
nder instructions from the Deputy
ajutant General, to work the rules
chapter V excepted) framed under
lauses 4 to 11 of section 19 of the
Madras Military Cantonments
ct I of 1866, in the cantonment
Trichinopoly and to issue the
ecessary orders to the Police and
her departments concerned, to have
ll cases under the above rules
rising within the cantonment
nits taken before the cantonment
agistrate. The District magistrate
nits out that, under G.O. No. 997 — A.
ilitary, dated 16th March 1869, the
ules contained in chapters I
V of the cantonment rules were
dered to be introduced into the
ntonments which are occupied
ely by European troops and
ere no municipality had been
tablished, but that with regard
the cantonments at which native
ops alone were located and
ich had been brought under
municipal law, only so much
chapters I to IV as related to
tters for which no other legal
vision had already been made

(R) Provn. for the Inspection & Controlling of Lunatics & Illegitimate, and for preventing the Spread of Venereal disease.

Cuo 4236.m.

should be introduced. As no European troops are now stationed at Trichinopoly, the District Magistrate requests orders as to whether any portion of the above rules may be introduced into the cantonment of Trichinopoly pending the issue of the revised Cantonment Rules, and if so, what portion. The Lieutenant General Commanding the Forces Madras, who was consulted in the matter, states that, pending the publication of the new cantonment rules, which are now with the Government of India, it is desirable that the present rules (chapter V excepted) should be brought into force into the cantonment of Trichinopoly.

The proposal to bring into operation in the cantonment of Trichinopoly the rules contained in chapters I to IV in their entirety amounts to the introduction into the cantonment of all the details of cantonment administration taxation and ~~expenditure~~, a measure which in 1891 had to be given up as undesirable by reason of the extra expenditure, in which it would

✓ G.O. no 7139. Military L. 14-12-91.

involve the State. Moreover the introduction of these rules into the cantonment will result in collision between them and the provisions of the municipal act which is already in force there. It seems therefore undesirable that the proposed rules should be introduced into the Cantonment of Trichinopoly. In paragraph 2 of the letter from this Government to the Government of India conveying its remarks on the revised Cantonment Rules, it has been represented that, in view of the inconvenience which would be caused by the application of the whole body of rules to all the cantonments in this Presidency, the rules should contain a provision to enable them to be applied in whole or in part in any cantonment as may be decided to be applicable and when these rules have been finally approved by the Government of India, it will be time to consider which of those rules should be applied to Trichinopoly and other similar cantonments.

in G.O. no 1663m M.
26-7-97

N.

In G.O. No 971. Judicial dated 6th July 1897, a cantonment magistrate has been appointed for Trichinopoly but this officer will try all offences against Chapter IV of the rules, which is already in force there.

G.O. no 3590 military H.
12-10-89.

V.R.
20/11/95

1. It is the established policy of the Govt. not to have two parallel codes of Sanitary law running in Municipal Cantonments. Whenever the Military have pressed for the enforcement of the Cantonment Code Rules (Ch. I to IV) the expedient considered has been the separation of the Cantonment from the Municipality.

2. When Act XIII of 1889 was passed S.S. rendered it compulsory to appoint a Cantonment Magte; but Govt. at once asked the India to suspend that section. (See P.O. 216. A 2. Feb. 91 Flag O.) The same request was urged in 414. Jud P. 3.3.92.

3. No reply can be traced; but India was again addressed in 96. It replied that Cantonment Magts must be appointed "as otherwise many of the Rules in the Cantonment

[L. & M. 200—23-9-97.]

NOTE FOR THE

which it is hoped will be shortly brought into operation, would be without effect". It will be observed that a Cantonment Magt. was considered desirable for the future, that is no doubt for Epidemic Disease Clauses, & not for ordinary Sanitary work falling under the Municl authorities working under the usual Magistrates. (G.O. 626 30.4.97 Flag Q.) Accordingly, a Cantonment Magte was appointed.

4. Later in the same year, in reporting on the draft Cantonment Code, this Govt. pressed that it might be left to them to determine which sections shd be applied to a Municipal Cantonment, to avoid an imperium in imperio.

5. All this seems to render it clear that the Cantonment Magte in Trichinopoly should not be allowed at present, as suggested by the Dy Adjt. Genl., to try breaches generally of the Cantonment Rules & that Chapters I to IV

NOTE FOR THE

of the Cantonment Rules brought into
should not be ~~considered~~
~~to be extended to~~ force in Trichinopoly.

We may expect the Cantonment Code to be soon passed, & then no doubt the Cantonment Magte will have something to do.

21.2.98 H.T. 2-2-98.

To Judicial Dept for Counter initials.

Rec'd in Jud. 9/2/98

Jud. Dept

Govt. has decided in G.O. 1705 Jud. d. 4/12/97, that the duties of the Cantonment Magte (at Bellary) should be confined to the trial of breaches of the Cantonment rules: ~~that~~ the petty offences referred to in the present circular should therefore, apparently, continue to be tried by the regular Magistrates. This being so

I think we should say that we think the matter should stand over - remain in status quo - until the new rules are out - Surely difficulties must result if these rules network in force together with the existing Municipal law, and if the Trichy cantonment is out of Municipal limits we shall have a fresh set of difficulties of a formidable nature.

BS
22/2/98

the introduction of the Cantonment rules will not concern the Jurisdiction except for appeals there will be no increase or decrease in the work of the regular hospital establishments.

It is to be noted that Govt., in their G.O. quoted above, has refused any clerical establishment for the Bellary Cantonment Magistrate. The G.O. 262 Jud. d 14/2/95 it has refused an orderly for the Dasne Court. If the rules are to be worked the question of establishments will arise in Trichinopoly.

AK
19/2/98

AG 21.2.98

Local & Munl. (1897) Department.

CURRENT No. 4236.M.

From The Deputy Adjutant General, Madras Command.

Order

No. B
B/19344

Dated 6-12-97

Received 8-12-97

Registered 8-12-97

Enclosures One book & C. No 3521. M, returned.

Spare copies.

SUBJECT.

Stating ~~that the~~ powers to be granted to the Cantonment Magistrate at Trichinopoly should be ~~those~~ of a Magistrate of the 3rd class to enable him to try breaches of Cantonment rules and petty offences.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Cantonments. Regulations

Ootacamund, 6th December 1897.

No. B B19344

LOCAL & MUNICIPAL DEPARTMENT CIRCULAR No. 4238 M

From

The DEPUTY ADJUTANT GENERAL, MADRAS COMMAND,

SECRETARIAT DEPARTMENT * LOCAL & MUNICIPAL DEPARTMENT * 8- DEC.-1897

To

The Secretary to the Government of Madras Local and Municipal Deptt:

ENCLOSURES.

SIR,

In returning your endorsement No. 1152 dated 8th November 1897 with enclosures, I am desired to say that, with reference to para 3 of Government of India (Military Department) letter No. 1417-C dated 3rd August 1896 and P. M. G. No. 971 (Judicial) dated 6th July 1897 the powers to be granted to the Cantonment Magistrate at Trichinopoly should be those of a Magistrate of the 3rd class to enable him to try breaches of Cantonment rules and petty offences.

626-2-Jud. 30-4-97.

2. Adverting to para 4 of the letter from the Acting District Magistrate of Trichinopoly, I am to state that, pending the publication of the new Cantonment rules which, it is understood, are now under the consideration of the Government of India, it is considered desirable that those

now

* No 857 dated 30th Septr: 1897

* Chapter V excepted

C.R. 500 13 15-6-97.

now returned should be brought into force into the Cantonment of Trichinopoly.

I have the honor to be
Sir
Your obedient Servant

W Kelly Captain
Dy: Asst: Adjt: General
For Dy: Adjutant General

W/

Trichinopoly Distt: Magistrate's office
Dated 30th September 1897.
Desp. 1st October 1897.

Ref on current no. 857/M of 97.
Encl-one.

From
Bannatyne Macleod Esqr., M.A., Bar-at-law,
Acting Distt: Magistrate of
Trichinopoly,

To
The Chief Secretary to Government,
Judicial Department,
Ootacamund.

Sir,

I have the honour to state that the Officer Commanding, Trichinopoly desires, under instructions from the Deputy-Adjutant-General, to work the rules (chapter V excepted) framed under clauses 4 to 11 of Section XIX of Madras Military Cantonments Act I of 1866 in the Cantonment of Trichinopoly and requests me to issue necessary orders to the Police and other departments concerned to have all cases under the above rules arising within the Cantonment limits, charged before the Cantonment Magistrate.

2. It appears from G.O. No. 997 Military 16.3.69

paras 7 and 8, that the rules Contained in Chapters I to V under the Act I of 1866 were authorized to be introduced into the Cantonments which are occupied solely by European troops and where no municipality has been established, but that, with regard to the Cantonments at which Native troops alone are located and which have been brought under the Municipal Law, only so much of Chapters I to IV as relate to matters for which no other legal provision had already been made should be introduced. It also appears from the Same G.O. that, on the strong objections made by the Commander-in-Chief, Government directed the separation of such Cantonments, of which the Cantonment of Trichinopoly was one, from the limits of the municipalities in which they were included and the application of the rules to those Cantonments.

But this order was not put in force

3. As the Cantonment of Trichinopoly is now included within the Municipality of Trichinopoly and as there are no European troops quartered there, I am doubtful whether the rules above referred to can be introduced into it and worked, pending the passing of the draft rules under Sections 26 and 27 of the Indian Cantonments Act XIII of 1889 which are now under the Consideration of the Supreme Government.

4. I beg therefore to request that I may be favoured with orders as to whether any portion of the above rules may be now introduced and worked in the Trichinopoly Cantonment, pending the Coming into force of the draft rules under the new Act and, if so, what portion thereof. I Submit a printed Copy of the rules for ready reference.

5. As the military authorities desire to apply the rules as early as possible, I beg to solicit early orders of Government.

I have the honour to be,
Sir,
Your most obed.t Serv.t,

Mundaiakur
Jnat.g. Distt. Magistrate.

Jnl

B 10/11

L & M

Judicial (1897) Department.

3521 M

CURRENT No.

E.

3521 M

From Bannatyne Macleod Esqr. M.A. Bar-at-Law, Ag. Distt. Magistrate, Trichinopoly

Endorsement. No. 2094/11 dt. 8/9/97.
~~Order~~

Transferred to the Local and Municipal Department.

Ref. on current No. 857 M of 97.

Dated 30th September 1897.

Received 2 3 OCT 1897

Registered 2

Enclosures - one

Spare copies -

Diary No. 20543
Rec'd. 12 OCT 1897
Branch
12-10-97
A. Knapp.
Under Secretary.

MR 7-X-97.

TO BE RETURNED WITH REPLY.

No. 1152 & 8-11-97 Referred ~~the Local Govt~~ for favour of the opinion early remarks of the Dy General Commanding the Forces Madras.

F. Forbes
Secretary to Govt.

SUBJECT.

Requesting orders as to the rules contained in Chaps I to V under Act I of 1866 may be introduced and worked in Trichinopoly Cantonment pending the coming into force of the draft rules framed under the new Act (XV of 1889).

MR 9/X/97

To The Deputy Adjutant General Madras Command

~~Madras Municipal Dept~~

28/10

BACK PAPERS.

G.O.	No.	Department.	
	1160	Mil	13-8-
	826-7	—	30-4-87
	295	—	1-3-97
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	967	—	4-5-55
	1662-3	Municipal	26-7-97

FURTHER PAPERS.

G.O.	No.	Department.	Date.

L. & M. 30

189

MAIN G.O., No. 189 , DATED

No.

LES TO C. No.

...GOVERNMENT	A	A	A	A	A	A	A	
...VERNMENT.								
...TH DITTO.								
...LED UP, BEING MEANT FOR DESPATCH ...DINAL.								

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29-8-07 ✓
14-9-20 II ✓

15-10-24 II ✓

L. & M. 30
5,000—11-11-04.

LOCAL AND MUNICIPAL DEPARTMENT.

G.O., No. 4414 , dated 190 8

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