

COMMITTEE ON PETITIONS
1955-56

SIXTH REPORT

PRESENTED ON THE 30TH SEPTEMBER, 1955



LOK SABHA SECRETARIAT
NEW DELHI
October, 1955

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MEMBERS OF THE COMMITTEE ON PETITIONS

1. Shri Kotha Raghuramaiah—*Chairman*
2. Shri Shiv Datt Upadhyaya.
3. Shri K. T. Achuthan.
4. Shri Sohan Lal Dhusiya.
5. Shri S. C. Deb.
6. Shri Liladhar Joshi.
7. Shri U. R. Bogawat.
8. Shri Jethalal Harikrishna Joshi.
9. Shri Ramraj Jajware.
10. Shri Resham Lal Jangde.
11. Shri P. N. Rajabhoj.
12. Shri P. Subba Rao.
13. Shri Anandchand.
14. Dr. Ch. V. Rama Rao.
15. Shri Ramji Verma.

SECRETARIAT

Shri S. L. Shakhder—*Joint Secretary.*

Shri A. L. Rai—*Under Secretary.*

REPORT

I, the Chairman of the Committee on Petitions, having been authorised by the Committee present this their Sixth Report of the Committee.

2. The Committee at their sitting held on the 26th September, 1955, considered the following two petitions:—

- (i) Petition from Shri C. Kesaviah Naidu, relating to the Amendment of the Indian Arms Act, 1878 (Petition No. 45—Appendix I).
- (ii) Petition from 13 members of the Institute of Chartered Accountants of India relating to the Chartered Accountants (Amendment) Bill, 1955 [Petition No. 46—Appendix II].

3. The Committee examined petition No. 45 referred to in para 2 above along with the following comments of the Ministry of Home Affairs:—

- (i) The justification for confining the licencing powers to Magistrates is that they are directly concerned with law and order and work in association with police. It is, therefore, not possible to empower the Sub-Treasury Officers under the Act to grant/renew arms licences.
- (ii) No real and serious difficulty has been caused in the absence of licensee's photo on the licence and the advantages likely to result from the adoption of the proposal would not be commensurate with the practical difficulties involved on its adoption.
- (iii) The licencing authorities are competent under the Indian Arms Rules to grant/renew licences for any period not exceeding three years. The proposal to divide each Taluk into three parts and to renew licences in each part by yearly rotation would mean putting a limit to the discretionary powers vested in the licencing authorities.
- (iv) The suggestion for prescribing a form of application for renewal of licences and that of the licence being in book form can be referred to the local authorities for consideration.

The Committee, however, feel that some of the grievances mentioned in the petition are of a common occurrence and the suggestions mentioned below might be considered:—

- (i) An arms licence ought to be renewable on receipt of renewal fee through a money order or by depositing the renewal fee at the Sub-Treasury according to the choice of the licensee;
- (ii) An arms licensee ought to be given the option of having his weapon examined at the nearest Police Station or by a licencing authority at the time of renewal of his arms licence;

- (iii) An arm's licencee who applies for renewal of his licence, well in advance of its expiry, his weapon ought not to be taken away from him unless his old licence is cancelled;
- (iv) The fixation of licencee's photograph on the licence would help in readily identifying the licence-holder; and
- (v) The issue of a licence in a book form instead of on a sheet of paper would be more desirable.

4. The Committee also considered Petition No. 46 relating to the Chartered Accountants (Amendment) Bill, 1955. The Committee feel that as the points mentioned in the petition had been raised during discussion on the Bill in the House by Shri C. R. Narasimhan who had presented this petition, and also that the Bill has been passed by the House, it is not necessary to make a recommendation on this petition now.

5. The Committee feel that in future the action taken by Government in implementation of their recommendations might be brought to the notice of the Committee from time to time.

K. RAGHURAMAIAH,

*Chairman,
Committee on Petitions.*

NEW DELHI,

The 29th September, 1955.

APPENDICES

APPENDIX I

Petition No. 45

To

LOK SABHA

The humble petition of Shri C. Kesaviah Naidu, Member, District Planning and Development Committee, Bheemavaram, Chittoor.

sheweth

That the Indian Arms Act, 1878 and the rules framed thereunder be amended suitably empowering the Sub-Treasury Officers to renew gun licences.

2. A gun licensee sent his gun licence to the Additional District Magistrate in November, 1954 for renewal from 1-1-1955 to 31-12-1955 with a chalan showing the payment of the requisite fee. The latter renewed his gun licence and sent it to the Tehsildar for delivery to the former through the Revenue Inspector.

3. The licensee did not receive his renewed gun licence by 1st April 1955 either by post or through the Revenue Inspector. In the absence of the licence the gun was seized by the Sub-Inspector of Police and kept in deposit.

4. The licensee went to the Additional District Magistrate twice, where he was informed that it was sent to the Tehsildar. He went to the Tehsildar twice and the Revenue Inspector once, where he was informed that it had not been received by them. Thus the renewed gun licence was with the Revenue Department, the gun was with the Police Department and the licensee was without both.

5. The Offices of the Additional District Magistrate are full of complaints regarding the non-receipt of renewed gun licences in the first quarter of each year.

6. Ryots mostly living near forests were given gun licences to protect their crops and cattle against the ravages of wild beasts which were to be renewed during December each year. To pay the renewal fee in the Sub-Treasury they have to go a long distance and sometimes spend more on travel than on the renewal charges.

7. The renewal fee for Form No. XVI gun licence is Rs. 2-8-0. This small amount can be sent by a money order at M.O. Commission of As. 2, but the Additional District Magistrate or the Sub-Treasury Officers do not receive the amount. The amount has to be deposited at the Sub-Treasury personally.

8. The petitioner suggests that the Sub-Treasury Officers ought to be empowered to renew the licences on receipt of the amount through post, just as they receive the Quarterly Motor Vehicle Taxation fee in the capacity of Licensing Officers and sign the Registration Certificate.

To

The Additional District Magistrate, _____

Through,

The Sub-Treasury Officer, _____”

and accordingly your petitioner prays

(1) That the Indian Arms Act, 1878 and the Rules framed thereunder be amended suitably empowering the Sub-Treasury Officers to renew gun licences;

(2) That all the gun licences in a Taluk may be divided into 3 equal groups and each group be renewed once in 3 years.

(3) That all the licences may be issued in the form of a booklet.

(4) That a photograph may be attached to the licence for purposes of identification; and

(5) That the suggested form may be prescribed for renewal of gun licences,

and your petitioner as in duty bound will ever pray.

Name of petitioner	Address	
C. Kesaviah Naidu.	Member, District Planning and Development Committee, Bheemavaram Village, Chandragiri Post, Chittoor District, Andhra State.	Sd/- C. Kesaviah Naidu 1-5-1955

APPENDIX II

Petition No. 46

To

Lok Sabha

Whereas the Chartered Accountants Act (Amendment Bill 33 of 1955) is now under the consideration of the Lok Sabha, the humble petition of the undersigned petitioners, who are members of the Institute of Chartered Accountants of India

sheweth

1. Your petitioners strongly feel that the proposed Amending Bill requires a few changes. Your petitioners do not dispute the need for vesting with the Government the power to deal with foreign interests in India in the manner they propose to do. The Amending Bill, if submitted, goes far beyond the needs of the situation. Instead of clothing themselves statutorily with wide and excessive powers to declare a large class of foreigners of various countries as eligible for inclusion in the Register of Chartered Accountants, it will, in the opinion of the petitioners, suffice if Government get legislative sanction to declare such particular persons and possessing such qualifications as they may deem fit for the purpose.

Your petitioners strongly object to the inclusion in the Register of Chartered Accountants a large number of foreigners on the basis of a general qualification without reciprocal concessions in those countries.

2. Your petitioners further feel that, when certain persons possessing foreign qualifications are enrolled in the Register of Chartered Accountants, a period should be fixed during which such persons shall be members of the Institute of Chartered Accountants of India, as a concession granted to certain specified purpose should not be extended indefinitely.

3. Your petitioners are also anxious that the disciplinary control of the Institute over all those who practice this profession in India should continue to vest indisputably with the Institute.

For want of time this petition has been signed by only a few of the members of the Institute of Chartered Accountants of India and your petitioners are certain that the views expressed in the present petition are shared by most of the other members of the Institute.

Accordingly, your petitioners pray that the Chartered Accountants Act (Amendment Bill 33 of 1955) be modified suitably so as to (i) give power to Government to direct the Institute to enter on its Register the names of certain specified persons only, possessing certain qualifications, for a specific period and (ii) make such persons subject to the disciplinary control of the Institute.

and your petitioners as in duty bound will ever pray.