M.R.O. 1—77,006—8-6-37.

(1) Number of pages

(2) Date of repair 24/4/46

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 531 Press Mis.

269-270

Dated 30-3- 1879.

9/10

Not to be folded or roughly handled

K.V.

No. 169. Read the following letter from Lieut.-Colonel C. S. HEARN, Inspector-General of Police, to the Hon. D. F. CARMICHAEL, Acting Chief Secretary to Government, Fort St. George, dated Madras, 11th March 1874, No. 959 :—

With reference to the last sentence of paragraph 4, G.O., No. 14, dated 5th January 1874, Judicial Department, bringing to my notice Dr. Tyrrell's remark that the Guntoor Police are totally useless for sanitary purposes, I have the honour to state that I called upon the Assistant Superintendent of Police at Guntoor to explain this statement. In reply, I have received a lengthy report which may be briefly summarized as follows :—

Dr. Tyrrell's Remarks.	*Assistant Superintendent's Replies.*
Many births I fear have not been registered. The duty of finding out the delinquents rests, I imagine, with the Police who have not in any way assisted the Registrar.	It is the special business of the Registrar (an ex-Police Inspector) to see that all births and deaths are registered—*vide* Section 91, Act III. of 1871. The Police, however, do assist, but their action is rendered fruitless by the Commissioners. Seven cases of concealment of births and deaths have been reported to the Commissioners by the Police under Section 94 of the Act, and permission to prosecute has *in all cases been refused.*
Many persons resort to fields and gardens outside municipal limits instead of using the latrines, but the Police do not apprehend them.	The practice being perfectly legal the Police have no power to arrest. The Act refers to municipal limits only.
Police do not use Jail latrines, but resort to places outside municipal limits.	It is inconvenient for the Police to use the Jail latrine (for reasons given). The Superintendent of Police, therefore, gave orders that they need not use it.
The Police do not take the trouble of prosecuting the owners of filthy houses.	It is difficult for the Police to prosecute without information from a complainant, as they have no right of entry into premises. The Commissioners and their servants have this right under Section 151. But notwithstanding the difficulty above represented the Police did prosecute fifty-two owners of houses under Sections 103 and 104 in the year complained of.
The Black Tank is sometimes used as a latrine and the Police do not interfere.	The Police do interfere and use their best efforts. Repeated orders have been given. Police have been specially posted for the purpose. In the year 1872-73, 160 persons were convicted of committing nuisance in this place alone. Many others were released for want of evidence or on the plea that they were outside municipal limits, for part of this tank is outside the limits which causes a difficulty in prosecution.
The Police for sanitary purposes are perfectly useless.	In the year 1872-73, 389 cases were put before the Magistrates by the Police, in 294 of

Dr. Tyrrell's Remarks.

Several house-owners have at my instance been prosecuted, as the Police, who are, I believe, charged with this duty, under Section 154 of the Municipal Act, neglect to discover and prosecute the offending parties.

Assistant Superintendent's Replies.

which convictions were obtained. Altogether 586 persons were convicted of nuisance. The fines inflicted are so light as to have no deterrent effect, there being a very strong prejudice on the part of respectable natives against using the latrines. This is not the fault of the Police whose difficulties are further aggravated by frequent refusals on the part of the Commissioners to prosecute.

It is the peculiar duty of the municipal servants to attend to those matters. But out of fifty-two cases prosecuted in 1872-73 two-thirds were reported by the Police without the intervention of any municipal servant.

A statement of cases for the year ending 31st March 1873, forwarded by the Assistant Superintendent of Police, is herewith attached. It is probably not advisable to work the provisions of the Act too relentlessly, but the sweeping condemnation of the Police passed by Dr. Tyrrell appears to be contradicted by figures and facts.

STATEMENT of Cases for the official year ending 31st March 1873, showing the distinction of Nuisance Cases of the Town of Guntoor.

Committed in the bed of Black Tank.	Cases sentenced	49	
	Cases dismissed	8	
	Total ...		57
Filthy houses	Cases sentenced	40	
	Cases dismissed	12	
	Total ...		52
Other nuisances under Municipal and Police Acts.	Cases sentenced	205	
	Cases dismissed	75	
	Total ...		280
All nuisance cases for the whole year.	Cases sentenced	294	
	,, dismissed	95	
	Total ...		389
Number of men fined in all cases. Sentenced.	Under one Rupee	512	
	Above ,, ,, ...	74	
Number of cases in which sanction was refused.	Under Section 94 in Act ...	7*	
Number of cases in which prosecution failed by delay of sanction.	Under Section 125 in Act ...	1†	

Shows that his remark concerning the working of the Police for sanitary purposes is not founded on fact.

MASULIPATAM,
12th February 1874.

(Signed) G. C. COOPER, Captain,
Assistant Supt. of Police.

* Three of these cases were reported in May 1873 and the other in the official year.
† This case was reported 28th October 1873.

No. 270. ORDER THEREON, 30th March 1874, No. 531.

The Governor in Council is satisfied with the explanation afforded in the letter from the Inspector-General of Police, and directs that the letter be communicated to the President of the Municipal Commission of Guntoor, and to the Surgeon-General, Indian Medical Department.

2. Mr. Tyrrell should have acquainted himself more accurately with the facts.

3. The President should take care that the powers of the Act are used with discretion.

(True Extract.)

Acting Chief Secretary.

To the President of the Municipal Commission, Guntoor.
,, Surgeon-General, Indian Medical Department.
,, Inspector-General of Police.

Exd. J. Wright.

Govt. of 1874 Madras.

FINANCIAL.

To

THE PRESIDENT OF THE
MUNICIPAL COMMISSION,
Guntoor,
&c., &c., &c.

Dated March, 30th.

Read.

G.O., 30th March 1874, No. 531.

MARCH
Nos. 269-270.

Guntoor Municipality.—The explanation afforded by the Inspector-General regarding Dr. Tyrrell's remarks on the Guntoor Police considered satisfactory, and the Inspector-General's letter communicated to the President with the remark that the powers of the Act should be used with discretion.

Chief Office of the Inspector General of Police,

No. 959 *Madras,* 11th *March* 1874.

From

The Inspector General of Police,

To

The Ag. Chief Secretary
to Government
Fort Saint George.

Sir,

Enclosure One.

With reference to the last sentence of Para 4 G.O. No. 14 dated 5 January 1874 I do bring to my notice Dr Tyrell's remark that the Guntoor Police are totally useless for sanitary purposes I have the honor to state that I called upon the Assistant Superintendent of Police at Guntoor to explain this statement. In reply I have received a lengthy report which may be briefly summarised as follows:—

Dr Tyrrell's remarks	Assistant Superintendent's replies
many births I fear have not been registered. The duty of finding out the delinquents rests I imagine with the Police who	It is the special business of the Registrar (an ex Police Inspector) to see that all births and deaths are registered.

who have not in any way assisted the Registrar.

registered Vide section 91 act 3 of 1871. The Police however do assist but their action is rendered fruitless by the Commissioners. 7 cases of concealment of Births and deaths have been reported to the Commissioners by the Police under section 91 of the act and permission to prosecute has in all cases been refused.

Many persons resort to fields and gardens outside municipal limits instead of using the latrines but the Police do not apprehend them.

The practice being perfectly legal the Police have no power to arrest. The act refers to municipal limits only.

Police do not use jail latrine but resort to places outside municipal limits

It is inconvenient for the Police to use the jail latrine (for reasons given). The Superintendent of Police therefore gave orders that they need not use it.

The Police do not take the trouble of prosecuting the owners of filthy houses.

It is difficult for Police to prosecute without information from a complainant as they have no right of entry into premises.

premises. The Commissioners and their servants have this right under section 151. But notwithstanding the difficulty above represented the Police did prosecute 52 owners of houses under sections 103. 104 in the year complained of.

The Black Tank is sometimes used as a latrine and the Police do not interfere.

The Police do interfere and use their best efforts. Repeated orders have been given. Police have been specially posted for the purpose. In the year 1872-73. 160 persons were convicted of committing nuisance in this place alone. Many others were released for want of evidence or on the plea that they were outside municipal limits. for part of this tank is outside the limits which causes a difficulty in prosecution.

The Police for sanitary purposes are perfectly useless.

In the year 1872/73. 389 cases were put before the magistrates by the Police in 294 of which convictions were

were obtained - altogether 586 persons were convicted of nuisance - The fines inflicted are so light as to have no deterrent effect, there being a very strong prejudice on the part of respectable natives against using the latrines - This is not the fault of the Police whose difficulties are further aggravated by frequent refusals on the part of the Commissioners to prosecute

Several householders have at my instance been prosecuted as the Police who are I believe charged with this duty under Section 164 of the Municipal Act neglect to discover and prosecute the offending parties.

It is the peculiar duty of the Municipal Servants to attend to these matters - But out of 52 cases prosecuted in 1872-73 two thirds were reported by the Police without the intervention of any Municipal Servant.

A statement of cases for the year ending 31st March 1873 forwarded by the

Assistant

Assistant Superintendent of Police is herewith attached - It is probably not advisable to work the provisions of the Act too relentlessly but the sweeping condemnation of the Police passed by Dr Tyrrell appears to be contradicted by figures and facts.

I have the honor to be
Sir,
Your most obed.t Servant,

C Mann
Inspector General of Police.

Rec'd 6th January 1874 at 26-27

Pros - 30 March 1874 -

Rec'd 31/3/74

From S.O. 531 1874 Dept.

The Inspector General

of Police,

To

The Chief Secretary

No 626 to Government,

Fort St. George.

Dated 11 March 1874

No. 959 /E

Affords explanations on Dr. Tyrrell's remarks on Scavenger Police relative to Sanitary purposes.

C 16/3
R 21-
C 23-
R 26-
C 26-
R 28-

No 269.

Ans to that his Account
is the books of the Brick
Laundry Business is not
bounded on Brick —

I have the honor to be
Sir
Your most Obd Sert —
Serge C Cooke Capt
Asst Supt Brick

Macon Ga
12/2/76 —

1874 Deptt.

Enclosure
In a letter from the
Inspector Genl. of Police
Madras 11 March 1874
No. 959

Statement of Cases
about nuisance in
the Town of Guntoor.

Pros: 30 March 1874 No 531

Encl 6 26/74

15

Department.

PROCEEDINGS of the MADRAS GOVERNMENT,

Read the following letter from the Inspector General of Police, dated 11th March 1874, No 959.

Order thereon, 30th March 74. No. 531.

The Governor in Council accepts the explanation afforded in the letter from the Inspector General of Police, and directs that the letter be communicated to the President of the Municipal Commission of Guntoor, and to the Surgeon General, Indian Medical Dept.

2. Mr. Tyrrell should have ascertained himself more accurately the facts.

3. The Presidt. should take care that the powers of the Act are used with discretion.

To The President, Municl Commr. Guntoor.
" Surgeon Genl. Indn. M. D.
" Inspector Genl of Police.

Govt. of {1874} Madras.

Financial

To The President & the Mun. Comr., Guntoor

Dated 30 March 1874. 531.
Read. 1874, No.

Nos. 269-270.

Guntoor Ammy. - The explanation afforded by the Insp. General regarding Dr. Tyrrell's remarks on the Guntoor Police, considered satisfactory, and the Insp. Genl's letter could be filed with the remark that the powers of the Mun. Comrs. should be used with discretion.