

Financial (1895) Department.

ORDINARY MS.

G.O., No. 199.

DATED 27th Feb. 1895.

INDEXED. 4/5

[Despatch Abstract.]

INDIAN FACTORIES ACT, 1881.-

Recording Judicial Department Proceedings directing that the rules under sections 3 and 18 of the ---, as further amended, be published in the Fort St. George Gazette and issuing instructions on the subject of the allowances admissible to medical officers on account of the ---.

CP.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
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16TH FEBRUARY 1895, No. 348, JUDICIAL.

GOVERNMENT OF MADRAS. JUDICIAL DEPARTMENT.

READ—again the following papers :—

G.O., dated 20th May 1892, Nos. 953, 954, Judicial.

ABSTRACT.—Directing, with remarks, that the amended rules framed under sections 3 and 18 of the Indian Factories Act, 1881, as amended by Act XI of 1891, be now finally published in the *Fort St. George Gazette*; that copies be forwarded to the Government of India; and that Government be requested to exempt certain engine-changing stations from the rules against Sunday labour.

G.O., dated 21st June 1892, No. 1140, Judicial.

ABSTRACT.—Communicating, with remarks, to the Surgeon-General letter from the Government of India forwarding correspondence with the Secretary of State on the subject of the remuneration of medical officers who may be appointed Inspectors and Joint Inspectors of Factories and the fees to be paid to certifying Surgeons; and leaving it to this Government to prescribe and define the duties of Medical Inspectors of Factories.

G.O., dated 16th October 1894, Mis. No. 2507, Judicial.

ABSTRACT.—Passing orders regarding the monthly allowance payable to Medical Factory Inspectors.

READ—also the following papers :—

From the Surgeon-General with the Government of Madras, dated 1st October 1894, No. 2-37 Tour.

ABSTRACT.—Stating that instructions have been issued to all Medical officers to charge to Government the remuneration of Medical Inspectors of Factories.

From the Accountant-General, dated 20th October 1894, No. 3195.

ABSTRACT.—Reporting that there is no objection to the remuneration of Medical Inspectors being charged to Government.

From the Surgeon-General with the Government of Madras, dated 26th October 1894, No. 3-16 Tour.

ABSTRACT.—Submits remarks regarding the monthly allowance payable to Medical Factory Inspectors.

From the Surgeon-General with the Government of Madras, dated 16th January 1895, No. 38.

ABSTRACT.—Stating that Civil Surgeons have no charge of any parts of the districts they are in, except of the stations of which they are Civil Surgeons.

From the Collector of Gódvári, dated 26th January 1895, No. 61.

ABSTRACT.—Furnishing certain information regarding the locality Georgepeta.

From the Surgeon-General with the Government of Madras, dated 6th February 1895, No. 105.

ABSTRACT.—Furnishing a statement of the amounts drawn by Medical officers up to the end of 1894 for the Medical Inspection of Factories.

ORDER—dated 16th February 1895, No. 348, Judicial.

In G.O., dated 20th May 1892, No. 953, Judicial, the Government prescribed certain rules under sections 3 and 18 of the Indian Factories Act, 1881. For reasons set out below it has now become necessary to amend them and the notifications appended to this order will accordingly be published in the *Fort St. George Gazette*.

2. As the rules stand, they constitute the Deputy Commissioner of Police the Inspector for all factories within the Presidency Town. In May 1892 there were no railway factories in the Presidency Town, but one has since been opened at Egmore and the amendment of the rules so as to exclude railway factories from the list of those liable to inspection by the Deputy Commissioner has therefore become necessary.

3. Under the Factory Rules of 1882, there were no Medical Inspectors but, in 1891, the Government of India suggested that provision should be made for medical inspection and, under the present rules, the District Medical Officer is an Inspector of all factories, other than railway factories, in the mufassal. But, for railway factories and in the Presidency Town, there are still no Medical Inspectors.

In a letter dated 10th May 1892, read in G.O. dated 21st June 1892, No. 1140, Judicial, the Government of India informed this Government that, in future, Medical Inspectors would receive an allowance of Rs. 10 *per mensem* for each factory to be inspected by them in which more than 200 persons are employed and Rs. 5 *per mensem* for each factory employing 200 or fewer persons, subject, in each case, to a maximum of Rs. 150 *per mensem*.

Since the receipt of this information, this Government has been requested by the Government of India to issue orders enjoining more frequent inspection of factories by medical officers and instructions to this effect were given in G.O. dated 21st April 1894, No. 941, Judicial. Executive orders on the subject are, however, of no avail so far as regards railway factories and factories in the Presidency town, inasmuch as they are not liable under the rules to medical inspection.

It is obvious that the Government of India desires that all factories without exception should be subject to such inspection and the Government has therefore resolved to appoint Medical Inspectors for railway factories and for factories in the Presidency town. The Government has also decided, after consulting the Surgeon-General, that the medical inspections in the town of Madras shall be performed by the Secretary to the Surgeon-General, who will, of course, make his own arrangements as regards conveyance. Moreover, the grant of an allowance to medical officers on account of their duties in connection with the inspection of factories has rendered it reasonable that a certain minimum number of inspections by medical officers should be prescribed in the rules and they have been amended accordingly.

Another change which has been made is designed to relieve the District Medical and Sanitary Officer of the duty of visiting factories which can be more conveniently inspected by another medical officer.

4. The opportunity has been taken to alter rule 8 of the rules made under section 18 in another respect. It is therein declared that every factory which is open for not more than four months in the year shall be inspected at least once; but, as,

by definition, a manufactory is not a factory for the purposes of the Act unless it is open for four months in the year, it has been considered advisable to alter the periods specified in the rule.

5. Enquiries which have been instituted show that the allowances now admissible to medical officers on account of the inspection of factories have not been regularly drawn and that in some cases they have been erroneously charged to the factory-owners instead of to Government. Detailed rules on the subject of these allowances are clearly necessary. Accordingly the Government has resolved to issue the following instructions:—

(1) Any sums heretofore received from factory-owners on account of medical inspection shall be refunded to them and the amount charged to Government instead;

(2) The allowance shall be regularly drawn by all medical officers entitled thereto from the 1st April 1895;

(3) The allowance shall be payable in the following manner, viz.:—
(i) once in every three months in respect of each factory which has to be inspected by a medical officer once in that period;

(ii) once in every four months in respect of each factory which has to be inspected by a medical officer once in that period;

(4) The allowance for the three-month or four-month period, as the case may be, shall be drawn, in respect of each factory, by the officer who actually made the inspection, on a separate bill which shall be countersigned by the District Magistrate or the Commissioner of Police, Madras, as the case may be;

(5) The amount of the allowance shall be determined for each three-month or four-month period, as the case may be, by the number of persons employed in the factory on the day of inspection;

(6) If a medical officer fails to make the requisite inspection, he shall forfeit the full allowance payable for the three-month or four-month period, as the case may be;

(7) In the annual factory returns, it should be distinctly stated whether the prescribed number of medical inspections has been made and information should be given as to the amount drawn on account of the allowances.

6. District Magistrates will from time to time bring to notice any alterations which may be necessary in the list of factories liable to medical inspection by officers who are not District Medical and Sanitary Officers.

(True Extract.)

Donal Davidson
28.2
for Chief Secretary.

To the Surgeon-General.

the Public Department.

the Public Works Department.

the Financial Department.

the Revenue Department.

the President of the Madras Municipal Commission,

through the Local and Municipal Department.

the Commissioner of Police, Madras.

the Sanitary Commissioner.

all District Magistrates.

Copy to the Inspector-General of Police.

Gazette (Notifications).

[Appendix.

APPENDIX.

Notification I.

The Government is pleased to issue, under section 3 of the Indian Factories Act, 1881, the following orders to have effect from the 1st April 1895 in supersession of those contained in Judicial Notification No. 285, dated the 20th May 1892, published at page 847, Part I, of the *Fort St. George Gazette*, dated the 5th July 1892:—

- (1) The following officers are hereby appointed to be Inspectors of Factories:—
 - (a) Assistant Magistrates for all factories, not being railway factories, situated within the districts in which they are employed and all Sub-divisional Magistrates for all factories, not being railway factories, situated within their respective sub-divisions;
 - (b) (i) the Secretary to the Surgeon-General for the railway factory at Perambūr, Chingleput district;
 - (ii) the Civil Surgeon, Guntūr, Kistna district, for the Public Works Department workshop at Bezvada;
 - (iii) the Civil Surgeon, Tellicherry, Malabar district, for the Pallicocon Coffee-curing works at Tellicherry;
 - (iv) the Civil Surgeon, Negapatam, Tanjore district, for the railway factory at Negapatam;
 - (v) the Medical Subordinate in independent charge, Bimlipatam, Vizagapatam district, for the Gunny factory at Chittivasa.
 - (c) District Medical and Sanitary officers for all factories, other than those specified in clause (b) above, situated within their districts;
 - (d) the Deputy Commissioner of Police, Madras, for all factories, not being railway factories, situated within the Presidency Town;
 - (e) the Secretary to the Surgeon-General for all factories situated within the Presidency Town; and
 - (f) the Deputy Consulting Engineer for Railways for all railway factories.
2. (a) Every Inspector, other than the *ex-officio* Inspector and the Secretary to the Surgeon-General, whose jurisdiction is limited to a district or part of a district, shall be officially subordinate to the Magistrate of the district to which he is appointed;
 - (b) the Deputy Commissioner of Police and the Secretary to the Surgeon-General shall be officially subordinate to the Commissioner of Police, Madras; and
 - (c) the Deputy Consulting Engineer for Railways shall be officially subordinate to the Consulting Engineer for Railways.

Notification II.

The Government is pleased to direct, under clause (e) of sub-section (1) of section 18 of the Indian Factories Act, 1881, that the following alterations shall be made with effect from the 1st April 1895 in the rules made under the said section which are contained in Judicial Notification No. 288, dated 20th May 1892, published at pages 847 to 853, Part I, of the *Fort St. George Gazette*, dated the 5th July 1892:—

1. In the preamble to the rules, for the word and figure "section 18," shall be substituted the words and figures "sections 9, 12, 13 and 18."
2. In Rule 2, between the words "for all factories" and the words "within the Presidency Town," shall be inserted the words "not being railway factories."

3. The last sentence of Rule 8 shall be numbered as a separate rule 8-A, and, for the first sentence, shall be substituted the following:—

"8 (1) Inspections of factories shall be made as often as may be deemed to be necessary; provided that every factory shall be inspected—

- (i) by a non-medical Inspector, at least three times in every calendar year, if it is open for more than nine months in the year; at least twice, if it is open for more than six, but not more than nine, months in the year; and at least once, if it is open for not more than six months in the year; and
- (ii) by a medical Inspector, as follows, viz:—

- (a) if it is situated at the Inspector's head-quarters, at least once in every three months of the calendar year;
- (b) if it is not so situated, at least once in every four months of the calendar year.

NOTE.—For the purpose of clause (ii), a factory is at the head quarters of a medical Inspector, if it is not more than five miles distant therefrom.

The Government is pleased to direct, under clause (e) of sub-section (1) of section 18 of the Indian Factories Act, 1881, that the following alterations shall be made with effect from the 1st April 1895 in the rules made under the said section which are contained in Judicial Notification No. 288, dated 20th May 1892, published at pages 847 to 853, Part I, of the *Fort St. George Gazette*, dated the 5th July 1892:—

1. In the preamble to the rules, for the word and figure "section 18," shall be substituted the words and figures "sections 9, 12, 13 and 18."
2. In Rule 2, between the words "for all factories" and the words "within the Presidency Town," shall be inserted the words "not being railway factories."

Exd. A. Raiff.

CURRENT NO 508

Govt. of {1895} Madras.

JUDICIAL.

Order
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Encl.

G.O., 16th February 1895, No. 348.

FEBRUARY.

Indian Factories Act, 1881.

Directing that the rules under sections 3 and 18 of the —, as further amended, be published in the Fort St. George Gazette, and issuing instructions on the subject of the allowances admissible to medical officers on account of the inspection of factories.

W.O.

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When copied
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When signed

189.

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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