

CONFIDENTIAL.

[ G. ]  
[ 11. ]  
200-7-9-98.

Judicial (1895) Department.

ORDINARY *Mis*

G.O., No. 955

Confidential No 65

DATED 8-5-95

[Despatch Abstract.]

Vivisection

Calling for the views of the Chemical Examiner, Sanitary Com<sup>r</sup>, Surgeon General and the D. P. I. on the rules proposed by the Govt of India to regulate—

# BACK PAPERS.

| G.O. | No.    | Department. | Date. | G.O. | No. | Department. | Date. |
|------|--------|-------------|-------|------|-----|-------------|-------|
|      | 545    | Pub.        | 1894  |      |     |             |       |
|      | 2653-4 | Jud.        | 1893  |      |     |             |       |
|      | 2047-8 | —           | —     |      |     |             |       |
|      | 1427   | —           | —     |      |     |             |       |

# FURTHER PAPERS.

| G.O. | No.   | Department. | Date.  | G.O. | No. | Department. | Date. |
|------|-------|-------------|--------|------|-----|-------------|-------|
| P.S. | 98-99 | Pub.        | 2-2-07 |      |     |             |       |

No. 43, dated Simla, the 28th August 1894.

From—The Government of India,

To—The Secretary of State for India.

In his Despatch No. 117 (Revenue), dated the 17th November 1892, Lord Kimberley, in reviewing the Report of the Hyderabad Chloroform Commission, observed that there was no Act in force in India similar to the English Act of 1876, 39 and 40 Vict., Cap. 77, to restrict and regulate experiments on living animals; and suggested that, as it was possible that the labours of the Commission might lead to the adoption of the same method of scientific research, in British India, legal powers should be taken in this country to admit of conditions being imposed analogous to those required under the English Act as to the persons by whom, and the regulations under which, these experiments might be conducted.

2. We consulted the Local Governments and Administrations upon a draft Bill which we caused to be prepared on the lines of the English Act, intimating that we were disposed to accept the principle that legislation should be undertaken for the purpose indicated. We now forward a copy of the replies which have been received and of a representation, addressed by the "Scottish Society for the Total Suppression of Vivisection."

3. It will be seen that the proposal to legislate on the subject has, generally speaking, met with disapproval or indifference on the part of the officials consulted, and that there is no practice of experimenting on animals in India such as to call for regulation by law. It is believed that the only experiments carried on in this country in a systematic manner, are those made in regard to the effects of snake-poison in charge of a European Medical Officer at Calcutta. It is unlikely that such experiments will become common in the future, as there are in this country very few persons competent to conduct them, and these persons are practically without exception European servants of Government, who are too much occupied with their own ordinary work to find time for experiments unconnected therewith. Natives of India are not by aptitude or inclination drawn towards experiments of the kind under notice; and, considering that there is a dearth in this country of well-furnished laboratories, that the climate of India generally is not favourable for experiments during a great part of the year, and that funds do not exist for endowment of research, it seems to us very unlikely that non-official Europeans interested in original research will come to India to pursue their investigations.

4. It will further be observed from the memorial of the Scottish Society, and the letter of Mr. Justice Norris enclosed in the Bengal Government's reply, that the proposed measure has been met by the anti-vivisectionists with strenuous opposition, on the ground that the effect of legalizing vivisection is to popularize it. It may also be added that, from the few notices on the subject which have appeared in the Native newspapers, it would seem that any such enactment is likely to be misunderstood by the people generally as giving a legislative sanction to cruelty.

5. Having regard to these considerations, we have arrived at the conclusion that legislation on the subject of vivisection in this country is unnecessary and undesirable at present; and accordingly we do not propose to proceed further in the matter. This decision will not interfere with such legislation being undertaken hereafter, should circumstances or the state of public opinion ever render it necessary.

We have the honour to be, etc.,

ELGIN.

G. S. WHITE.

A. E. MILLER.

H. BRACKENBURY.

C. B. PRITCHARD.

J. WESTLAND.

A. P. MacDONNELL.

No. 167 (Revenue), dated India Office, London, the 6th December 1894.

From—The Right Honourable H. H. FOWLER, Her Majesty's Secretary of State for India,

To—His Excellency the Right Honourable the GOVERNOR GENERAL of India in Council.

I HAVE considered in Council the papers received with your Excellency's letter No. 43, dated the 28th August 1894, regarding the suggestion that a Vivisection Act should be enacted for India.

2. I am not prepared to dissent from the conclusion of your Government that a Vivisection Act is not at present necessary in India.

3. I gather from the present papers that physiological investigations of the kind under discussion are occasionally undertaken for the public good by officers in your service. I am confident that your scientific officers would, in such cases, by the employment of anæsthetics and in other ways, take precautions against causing avoidable pain to animals. Nevertheless, it would be well that you should issue standing orders for the guidance of your officers who may have to undertake such investigations.

I have, etc.

HENRY H. FOWLER,

*Rules.*

1. No officer of Government shall perform on a living animal any experiment calculated to give pain without written authority from the Secretary to the Government in which he is serving, whether in civil or military employment, to perform such experiments.
2. Such authority shall be given subject to the conditions enumerated in the following rules.
3. No experiment shall be performed—
  - (a) as an illustration of lectures in any Medical School, Hospital, College or elsewhere, or
  - (b) for the purpose of attaining manual skill, or
  - (c) except with a view to the advancement by new discovery of physiological knowledge or of knowledge which is likely to be useful for saving or prolonging life or alleviating suffering; or of testing a particular former discovery alleged to have been made for the advancement of such knowledge.
4. The animal shall, during the whole of an experiment in which serious pain may be caused, be under the influence of some anæsthetic of sufficient power to prevent it from feeling pain, except in any case in which the object of the experiment would be necessarily frustrated if insensibility were produced.
5. The animal must, if serious pain is likely to continue after the effect of the anæsthetic has ceased, or if any serious injury has been inflicted on it, be killed before it has recovered from the influence of the anæsthetic which has been administered, provided that in any case in which so to kill the animal would necessarily frustrate the object of the experiment the animal need not be killed as soon as it recovers from the influence of the anæsthetic, but must be killed immediately after such object has been attained.

1386

CURRENT No. 1762

Confidential.]

*3 Incob*  
No. *164*

FROM

J. P. HEWETT, Esq., C.I.E.,

Offg. Secretary to the Government of India,

TO

*The Chief Secretary to the Government of Madras.*

Home Department.  
*Medical.*

SECRET  
APR 1895  
GOVT. OF MADRAS  
Calcutta, the 28 March 1895.

SIR,

WITH reference to correspondence ending with your letter No. 2048 (Judicial), dated 3<sup>rd</sup> October 1893, I am directed to forward, for the information of His Excellency the Governor in Council

\* To the Secretary of State, No. 43 (Public Medical), dated 28th August 1894.  
From the Secretary of State, No. 167 (Revenue), dated 6th December 1894.

the marginally noted despatches\* which have passed between the Government of India and the Secretary of State regarding the proposal to enact a law regarding Vivisection in India.

2. I am to enclose a set of draft rules prepared with the object of carrying out the wishes of the Secretary of State as stated in paragraph 3 of his despatch of 6th December last, and to ask that the Governor General in Council may be favoured with the views of His Excellency the Governor in Council in respect of them.

I have the honour to be,

SIR,

Your most obedient Servant,

*J. P. Hewett*

Offg. Secretary to the Govt. of India.

1895

*Ind. Dept.*  
Enclos. No. *2*  
To  
C. No. *1762*

juste Sept  
CURRENT No. 1762  
CONFIDENTIAL No. 118.

2047-8 : 3.10.95  
1427-8 : 13.7.93  
1653-4 : 21.12.93  
41- : 26.7.94

From

The Govt of India  
Home Dept.

14/11/95  
Hms

Orderd

8 May 1895, No. 955

27/11/95

Communicated to the Director

of Public Instruction, the Surgeon  
General and the Sanitary Commissioner,  
General and the Chemical Examiner,  
who will be requested to forward the  
Govt with their views on the  
proposed rules.

25-4-95

25/4/95

D.D.?

Surgeon?

Ch. Ex?

in San. Com.

24.4.

Requesting opinion on draft  
rules to regulate vivisection

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