8-8-06

MADRAS RECORD OFFICE.

R. O.
10

1,000

# Judicial (1895) Department.

ORDINARY PRINTED.

G.O., No. 348.

Dated 16th Feb. 1895.

INDEXED.

[Despatch Abstract.]

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 for inspection of factories.

## BACK PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. |
|---|---|---|---|---|---|---|
| | | | | | | |

## FURTHER PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|---|---|---|---|---|---|---|---|
| | 3376 | = Jud. | 17-8/1895 | | | | |
| Dt. | 705/97 | | | | | | |
| Cuo | 4079/97 | | | | | | |

---

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 Gódávari, 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 Magis[illegible] 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.)

*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 Perambúr, Chingleput district;

(ii) the Civil Surgeon, Guntúr, Kistna district, for the Public Works Department workshop at Bezwada;

(iii) the Civil Surgeon, Tellicherry, Malabar district, for the Pallicoon 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 Chittivalsa.

(*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.

**Exd. A. Raitt.**

Govt. of {1895} Madras.

JUDICIAL.

Issued

Recd. 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.

Kistna Rao

Read C No. 574 in abstract in this G.O. which may now issue.

Acted in the Proof accordingly.
MR
14/2

K
14/2

For the H.C.

I have put up within the Proof sheets all the papers which have to be printed in abstract. MR 14/2/95

The orl. Cross Draft G.O. have been read by me

---

No: 1044

District Office
Anantapore dated 2d June

From.
Surgn: major H.M. Hakim
ag: Dist: Medical and
Sany: Officer, Anantapore

To
The Accountant. General
Madras.

Sir,

With reference to G.O. no: 1140 dated 21st June 1892 Judicial, I have the honor to request to be informed whether the monthly remuneration allowed for each factory to be inspected by the District surgeon is to be recovered from Government or proprietor of the factory.

An early reply is requested.

I have &c.
(Signed) H. M. Hakim
Surgeon major
ag: District Surgeon

---

Gazetted Audit Dept.

Fort St. George
Accountant. General's Office
11th June 1894.

No: 1621.

From F. W. Rawlins Esqr.,
Acctt: General to the
Govt: of Madras.

To
Surgn major H.M. Hakim
ag: Distt: Medl: & Sany: Officer,
Anantapur.

Sir,

With reference to your letter no: 1044 dated the 2d June 1894, I have the honor to

[illegible] that the [illegible] remuneration allowed
for [illegible] Factory to be inspected by the
istrict Surgeon should be recovered
om the proprietor of the Factory.

I have &c.

(Signed) W. E. Mellor
Offg: Asstt: Acctt: General

---

(True copy)

(Signed) H. M. Hakim Surgn: Major
Ag: Distt: Surgeon

(True copies)

C Sibthorpe

Surgeon Major General
Surgeon General
with the Govt: of Madras

1894
Jud.
No. 1
5332

---

CURRENT No 5332

OFFICE OF SURGEON-GENERAL
WITH THE GOVERNMENT OF MADRAS,

No. Tour 2/37
Encl.

Camp Vellore ~~Madras~~, 1st ~~September~~ October 1894

From

SURGEON MAJOR-GENERAL C. SIBTHORPE, F.R.C.P.I.,
SURGEON-GENERAL WITH THE
GOVERNMENT OF MADRAS,
~~Madras~~;

To

THE HON'BLE THE CHIEF SECRETARY TO GOVERNMENT,
Judicial DEPARTMENT,

SIR,

With reference to G.O. no: 2098 Judl dated the 30th August 1894, I have the honor to state that necessary instructions have been issued to all District Medical and Sanitary Officers to charge the remuneration referred to in G.O. no: 1140 Judicial of 21st June 1892 to Government and not to private firms.

2. The District Medical and Sanitary Officer Anantapur explains that he submitted his claim to the firm on the advice of the Accountant General as will be seen from the enclosed copies of correspondence.

I have the honour to be,
Sir,
Your most obedient Servant,
C Sibthorpe
Surgeon Major-General,
Surgeon-General with the Govt. of Madras.

25 S.G.—200—16-3-94.

Abstract

Judicial

CURRENT No 5332

Judicial (1894) DEPARTMENT.

From

SURGEON MAJOR-GENERAL C. SIBTHORPE, F.R.C.P.,
SURGEON-GENERAL WITH THE
GOVERNMENT OF MADRAS,
~~Madras~~,

Acct^t Genl's Office
9 OCT 1894

No. ~~Four~~ 2
37
ENCLOSURE. /

Dated } 1st ~~September~~ October 1894
Received }

No.

CHIEF SECRETARY
2 OCT. 1894
GOVERNMENT OF MADRAS

SUBJECT.

~~Informing~~ Stating that instructions have been issued to all Medl. Officers to charge the remuneration under reference to Govt.

M.C. / U.S. 4/10.

Cone

Ref

---

p. 2098 : 30.8.94 Judicial
& papers

Endorsement. No 1936

Referred to the Accountant General for favor of remarks.

(By order)
A. Butterworth
Under Secretary

Ootacamund } 5th Oct. 1894

To
The Accountant General.
4/10.

---

p. 2098 : 30.8.94
& papers | Judicial

~~p. 2098 : 30.8.94~~
p. 2507 16.10.94

No 3195

(189 ) DEPARTMENT.

From

THE ACCOUNTANT-GENERAL,
MADRAS,

To

THE Chief Secy to Govt
Judicial Depts

No.

Dated } 20th October 1894.
Received }

CHIEF SECRETARY
22 OCT 1894
GOVERNMENT OF MADRAS

No. 3195

Subject.

Returning with remarks the Endorsement No 1936 D/5th October 94 on the Surgeon General's letter informing that instructions have been issued to all medical officers to charge the remuneration under reference to Govt.

24/10 Abstract

~~Reporting that there~~ Is no objection to the remuneration being charged to Govt.

There is no objection to the remuneration of Medical Inspectors of Factories being charged to Government.

In this office letter No 1621 dated 11th June 1894, it was stated that the remuneration should be recovered from the Proprietor of the Factory on the analogy of the Government of India Notification No 122 dated 27th January 1892 published in the Fort Saint George Gazette of 16th February 94, Page 194, in which it was ruled that the fee to certifying Surgeons should be paid by the person employed or desirous of being employed in a Factory.

H. Hewetson
Accountant General

Fort Saint George } Acctt: General's Office } 20th October 1894

Recd 22d " "
Regd 23d " "
No 5332

To
The Chief Secretary to
Govt. Judicial Department.

Recd 25/10.

24/10

Sent to me by mistake 25/10

abstract 5807

Jud. (189 ) DEPARTMENT.

From

SURGN. MAJOR-GENL. C. SIBTHORPE, F.R.C.P.I.,
SURGEON-GENERAL WITH THE
GOVERNMENT OF MADRAS,
Madras,

To

No. Tours 3/16

ENCLOSURES. 1

Dated 21st } Oct. 1894.
Recd 30
Rep. 31

CHIEF SECRETARY
30 OCT. 1894
GOVERNMENT OF MADRAS

*Subject.*

Submits remarks regarding the monthly allowance payable to Medical Factory Inspectors

W. 31/10
W. 8/11

F Brodie

13 S. G.—500—18-4-94.

Gazetted Department.
Audit.

Fort Saint George.
Accountant Genl's Office
30th July 1894

No. 2155.

From
M. Bhattacharyya Esq.
Offg. Dy. Acctt: General to the
Govt: of Madras.

To
The Surgeon-General with the Govt: of Madras
Madras.

Sir,

With reference to your letter No. 4437 dated the 25th July 1894, I have the honor to state that I am unable to furnish the list therein called for as the allowance sanctioned in Madras Government Order No. 1140 Judicial dated 21st June 1892 to Medical Officers is not paid by Government but by the Proprietors of Factories

I have &c.
Sd/ M. Bhattacharyya
Offg. Dy. Acctt: General.

True Copy.

C. Sibthorpe

Surgeon-Major-General.
Surgeon-General with the Govt: of Madras

1894
Judl. Dept.
Enclos. No. 1
To 5807

No. 5807

Office of Surgeon-General
with the Government of Madras,

No. Tavi 3
Encl. 16

Camp ~~Madras~~ Tanjore 24th Oct: 1894.

From
Surgeon Major-General C. Sibthorpe, F.R.C.P.I.,
Surgeon-General with the
Government of Madras,
~~Madras~~,

To
The Hon'ble the Chief Secretary to Government
Judicial Department.

Sir,

With reference to G.O. No. 2507 Judicial dated the 16th October 1894. I have the honor to state that I was myself originally under the impression that the allowance payable to Medical Factory Inspectors was drawn from Government and accordingly addressed the Accountant General Madras in July last, with a view to be furnished with a list of the Medical Officers who draw the allowance referred to in G.O. No. 1140 Judicial dated the 21st June 1892 to enable me to reply to the marginally noted references from Government on the subject.

G.O. No. 1447 Judicial dated the 17th July 93
Memo dated 23rd July 1894
disposed of in this office Nos. 459 & 511 dated the 28th Aug: & 15 Sept: 1894 respectively.
S.G. letters in G.O. 2507 of 16 Oct. 94.

2. I enclose for the information of Government a copy of the Accountant General's reply from which it will be seen that he expressed his inability to furnish the list and distinctly stated, that the allowance was not paid by Government but by

the Proprietors of the Factories - so that the confusion referred to by Government was caused by the Account Department and not by this Office -

3. In the case disposed of in G. O. No 2098 Judicial dated the 30th August 1894 the allowance was charged by the District Medical and Sanitary Officer Anantapur to the private firm at the suggestion of the Accountant General - I have forwarded copies of the correspondence on the subject for the information of Government with my ×letter No $\frac{72}{57}$ dated the 1st October 1894.

× Judl. No. 5681/94.

4. With reference to para 2 and the latter part of para 1 of the G. O. under reply, a circular will be issued to all Medical Officers in Civil Employ, and on receipt of their replies a report will be submitted to Government.

5. Surgeon-Major Walker will be directed to re-imburse the sum levied from the private firms -

I have the honor to be
Sir.
Your Most Obdt. Servant
C. Sibthorpe
Surgeon-Major-General
Surgeon-General with the Govt: of Madras

---

[ G/9 ]
1,000-3-3-94.

D.C
~~Current~~ No. 642

DEPARTMENT.

*From*

The Surgeon General
C. Sibthorpe

No.

*Dated* 31/10 } 1894
*Received* 1/11 } 1894
*Enclosures*

SUBJECT.

Regarding the inspection of Factories in Madras by his Secretary.

[illegible] 2/11
Us 3/11

C. Frordes

D. O. No. D.O 642

Office of Surgeon-General
with the Government of Madras,
Nungumbaukum, 31st Oct. 1894.

CHIEF SECRETARY
1. NOV. 1894
GOVERNMENT OF MADRAS

My dear Price -

Yours of 18th Oct regarding Inspection of Factories under the Indian Factories act — I would have answered you before but I had some difficulty in getting at all the rules. I see by G.O. No 1530 Jud of 22nd June 1894 that there are 22 such factories in Madras which would require 3 inspections, at least, each year under rule 8x page 807 Fort St George Gazette of 1892

D.O

---

[ G/9 ]
1,000—-94.

~~Current~~ D.O. No. 682

DEPARTMENT.

From

Col: G. L. J. Moore

No.

Dated 12/11
Received 12/11
Regd 13/11
} 1894.
Enclosures

SUBJECT.

Stating that the Subject of the appointment of an Inspector of Factories will be before the Municipal Commission on the 26th Inst. & Suggesting that the Advocate General's Opinion may be sought on the point.

[G/9]
1,000—-94.

D.D. ~~Current~~ No. 682

DEPARTMENT.

he would have to keep a cart
of his own out of the
allowances ~~I~~ presume –

Yours sincerely

The Honble. F. R. Price.

If these inspections could
be carried out in the
mornings I am sure
my Secretary could
arrange to do them
thoroughly – It would
be only necessary once
once a week – The
extra pay would be
an advantage to him
as the appointment
is now a very indiffer
paid one –

Opinion may be sought on the
point.

D.O. 687

CHIEF SECRETARY
12 NOV. 1894
GOVERNMENT OF MADRAS

9th Novr 1894

under cover of G.O. 16 Octr 94 No. 2507 Judl.

My dear Price

Your D.O of 18th Octr 1894 on G.O 21st June 1892 No 1140. The question has been raised whether under Sect. 38 of the Act he can be Inspector of Factories. The subject will be before the Commrs on 26th Inst: and perhaps it would be well if the Advocate General's opinion were taken

Yrs sincerely
G. M. J. Moore

The Hon: Mr. J. F. Price C.S.I.
&c &c

---

Fort St. George
19th Dec 94

D.O.

To Col. Moore. despd 19/12/94

My dear Moore,

The objection which you raise in your D.O. of the 12th Nov. to the appt. of the Municipal Health Officer as Inspector of Factories appears insuperable ~~& the Govt. has~~ & I write to tell you that the Govt. withdraw the suggestion made in my D.O. of the 15th Oct.

Yrs sincerely

15/12

Col. G. M. J. Moore.

Code Class | INDIAN TELEGRAPHS. | Monthly Number.

To (Office)

From (Office)

Words. | Day. | Hour. | Minute. | Official Instructions.

To (Person) Secy to Surgeon Genl

From (Person) Chief Asstt Chief Secretariat

Thanks for your note and papers. The exact information that is particularly & urgently required is whether Civil Surgeons in contra-distinction to District Medical Officers have charge of any and if so what part of the district they are in. Have they any touring to do or whether duties confined solely to the stations of which they are Civil Surgeons. Please send full information in each case by hand at early convenience.

(Sd) J. D. B.
16/1/95

Recd. from LN.
At Hrs. Mts. by

Sent to LN.
At Hrs. Mts. by

Telegraph Master.

64 Word Form.

G. O. P.—No. 321 T—29-9-93—[illegible]

19. S. G.—4 0—18-4-94.

3 abstract

~~Public~~ (1895) DEPARTMENT.

~~First~~

CURRENT No. ~~148~~ Pub

174

From

SURG. MAJOR-GEN. C. SIBTHORPE,

SURGEON-GENERAL WITH THE Jud. Depn.

GOVERNMENT OF MADRAS,

*Madras,*

To

V. E

CHIEF SECRETARY * GOVERNMENT OF MADRAS *

16 JAN 1895

No. 38

ENCLOSURES.

Dated 16th }
Recd. [illegible] } January 1895.

Regd in Jud. No. 17/1

---

*Subject.*

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.

19. S. G.—400—18-4-94.

CURRENT No ~~148~~ 174

Very Urgent

This had better be treated as a final answer I think

No 38
Encl.

Office of Surgeon-General
with the Government of Madras,
Madras, 16th January 1895.

From

Surgeon Major-General C. Sibthorpe, F. R. C. P. I.
Surgeon-General with the
Government of Madras,
Madras,

To

The Honorable the Chief Secretary to Government,
Public Department.

Sir,

With reference to your telephone message of this date, I have the honor to state 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 and their duties are confined to such stations.

2. In 1883 however on the representation of the Collector of North Arcot permission was given to the Civil Surgeon of Vellore (Chittoor was then the Head Quarters of the District Medical Officer) to inspect dispensaries &c in the Taluqs south of the Railway. A similar permission was granted in the same year to the Civil Surgeon Rajahmundry (Cocanada then being Head Quarters) to inspect dispensaries in the Ellore Circle &c.

These

These were merely departmental arrangements and are no longer in force.

3. There are no orders laid down permitting Civil Surgeons to administer any part of the Districts they are in other than their own stations and the villages lying within their jurisdiction.

? i.e. the hamlets of their head quarters towns?

I have the honor to be
Sir
Your most obedient servant
Clinchcombe
Surgeon Major General
Surgeon General with Govt: of Madras.

---

78
16-1-95

N.

Ref. only Copied 15/1

The Dt. Mag. of Godavari is requested to report at an early date whether Georgepeta is a suburb of Cocanada town &, if not, to state the distances between Georgepeta & (1) Rajahmundry & (2) Cocanada & also to state whether Georgepeta is on the line of rail.

14 Jan.

Office
D/p this.

To the Dist: Magistrate of Godavari
c/despd 16/1/95

CURRENT No. 402

Dis No. 61 ~~Ver.~~ Magl 0/95

GODAVARI DISTRICT,
COLLECTOR'S OFFICE,
Cocanada, 26-1- 1895.

FROM

W. J H Le Fanu Esquire,
Dt Magte ~~Collector,~~
Godavari District.

UNDER SECRETARY
30 JAN 95
DEPTS

TO

The Under Secretary to Govt.
Judicial Department

SIR,

In reference to Government memorandum no 78/16-1-95, I have the honor to state that Georgepeta is no suburb of Cocanada but ~~it~~ is at a distance of 18 miles south of it and about 60 miles from Rajahmundry and that it is not at all on the line of rail

Distance from Rajahmundry to Cocanada is 42 miles
Do. from Cocanada to Georgepeta is 18 miles.
Total. 60 miles

I have the honor to b
sir
Your most obedient servan

A Nyanasundaram
For Dt magistra

R
27/1

402

Judl

~~Revenue~~ {189 } Department.

W. Krishna Rao

Send up the file when it comes from Revenue

From

The Collector,

Godavari District.

No. 61 Mgl
Ver.

Dated 26 } Jan 1895.
Despatched }
Received 30 }

Regd 31

Submitted accordingly.
MK 6/2

**SUBJECT.**

~~Giving some information~~ Furnishing certain information regarding the ~~about~~ Zorgepatla

---

4 abstract 5¼

Cal. 402/95:
G.O. 2507: 16-10-94 Mis
papers.

Judicial (1895) Department.

From

Surg. Major-Gen. C. Sibthorpe, F.R.C.P.I.
Surgeon-General with the
Government of Madras,
Madras,

To

No. 105

Enclosures. 1

Dated 6th }
Recd. 8 } February 1895.

No.

CHIEF SECRETARY
8 FEB 1895
GOVERNMENT OF MADRAS

Subject.

~~Regarding~~ Furnishing a statement of the amounts drawn by Medical Officers up to the end of 1894 for medical Inspection of Factories

MK 9/2

N

To await the return of connected papers from A.C. The proofs of the Revised Factory Rules were sent to C.S. & H.M. yesterday.
D
11.2

MK 9/2/95

19, S. G.—1 0—18-4-94.

574

Office of Surgeon-General
with the Government of Madras,

No 105

18 February 1895.

Statement showing the Exact amount of allowance drawn by District Medical Officers, Civil Surgeons and Presidency Surgeons in Madras for Medical Inspection

| | Name of Dist. | Name of the officer | amount drawn | Date | From whom | Re |
|---|---|---|---|---|---|---|
| 1 | Anantapur | Surg: Maj: H M Hakim | Rs 55 - " - " | Between July & Sept 94 | agents of Factories | Refu<br>of Govt<br>Since refe<br>orders f |
| 2 | Malabar | - do - G L Walker | " 75 - " - " | During 1892 & 93 | Do. | |
| 3 | Do | - Do H St C. Carruthers M.D | " 65 - " - " | " 1893 & 94 | Do | |
| 4 | Coimbatore | Surg: Lt. Col F J Fitzpatrick | " 240 - " - " | " 1892 & 94 | Do | |

C Sibthorpe Surgn Maj
Surgn Genl

82.

Office of Surgeon-General
with the Government of Madras,
Madras, 6 February 1895.

No 105
Encl.

From

Surgeon Major-General C. Sibthorpe,
Surgeon-General with the
Government of Madras,
Madras,

To

The Honorable the Chief Secretary to Government,
Judicial Department.

Sir,

With reference to G O No 2507 Judicial dated the 16th October '94 I have the honor to annex a statemen showing the exact amounts drawn by Medical Officers up to the end of 1894 for Medical Inspection of Factories

2. In all these instances the fees were drawn from the Agents of the Factories but have since been refunded under instructions from this office agreeably to G O No 2098 Judicial dated the 30th August '94.

3. From the reports received it appe that most of the officers were either ignorant of the Secretary of Stat Despatch read in G O No 1140 Judicial of the 21st June 92 or did not avail themselves of the permission there

granted for charging fees. Now that the orders on the subject have been widely circulated they are likely to be more largely acted upon.

4. The District Medical and Sanitary Officer Kistna reports that about the end of 1894 he made some inspections and would now charge for the same.

I have the honor to be
Sir
Your most obedt. Servant

Surgn: Major Genl
Surgn. Genl with Govt.

SK

---

R. O.
10

[G. 25.]
9—10-10-94.

1

Jud.l DEPARTMENT.

No.s 5332, 5681 & 5807 /94
D.O.s 642 & 682.
& C. No. 174 & 574, /95.

From

Dated 189 .

FOR ORDERS.

I think we may appoint the Sec. to the S.G. to be Medl. Inspr. in Madras. As to the number of Inspections to be made per annum, I cannot believe that the G. of I. can have intended that a Medl. officer shd. get Rs 120 p.a. for a single inspection. My impression is that they intended a monthly inspection, but this wd not always be practicable & would be a great worry to owners of factories. I think we might say that Medl. Insprs should inspect at least once a quarter the factories at their own station, and at least once every 4 months factories situated elsewhere. The inspection once a quarter would be easy enough in Madras where there are 22 factories. The inspection once every 4 months of factories at out-stations in up-country districts may be more difficult — Please have a return made out showing factories at headquarters of District Surgeons & distance from Head quarters & whether connected by rail; and send me — I should like to study this infn. before going further. It is practically all contained in G.O. $\frac{1530}{22.6.94}$, but I haven't time to pick it out — a clerk can do so as well as I can.

14/12/94

See also [illegible]

These papers have been detained a bit to get a copy of the Resolution of the Madras Municipal Commission; it will be found at p. 3 of the 'Hindu' of the 28th Nov.

2. The Surg: Gen: & the Presdt. of the Municipal Commission were asked to whether the duty of inspecting factories could be imposed upon (a) the Secretary to the Surg: Gen: or (b) the Municipal Health Officer. In reply Col. Moore draws attention to sec. 38 of the Municipal Act & asks whether, in face thereof, the Health Officer can be appointed inspector. It is suggested by Col. Moore that the Adv: Gen: should be asked his opinion; but sec. 38 is so clear that it seems a mere waste of time to do this. It is obv

R. O. 10 MADRAS RECORD OFFICE.

that the proposal to appoint the Health Officer must be abandoned. On other grounds too the appt. of that officer seems objectionable. At any time the Municipal Commission might object to his employment & then fresh arrangements would have to be made.

The Surg: Gen: has no objection to the appt. of his Secretary but his statement that the Medl. Inspector would have to visit each factory thrice a year is incorrect. The rules require that three inspections shall be made, but they may be made by any Inspector & need not be made by the Medl. Inspr. If the Secy to the S. G. is to be appd., it should be distinctly laid down that he must make his own arrangements as to inspec. it is out of the question that he should receive a conveyance allowance in addition to the very handsome allowance of R 1,800 per annum.

3. It is proposed to amend the Rules under cover of G.O. dy 20 May 1892, No. 953, as follows, the new portions being underlined:- ~~[illegible]~~

~~[illegible]~~

Yes — Please tell Col. M. 20, L. O.

HS

Issue

M 10/12

For the time it wd be — These Medl. Insprs shd be independent of other inspections by Magtes & the like

HS

HS

~~[illegible]~~:—

Notifon I.

(1) For Rule (1) substitute the following:—

"(1) to appoint the following officers to be Inspectors of Factories:—

"(a) In the Mufassal, the Dt. Medl. officer for all factories, & the Asst. Magistrate or Magistrates for all factories not being ~~other than~~ Railway factories, situated within the districts in which they are employed, and etc".

~~(b) The Secretary to the Surgeon General~~

"(b) In the Presidency Town, the Secretary to the Surgeon-General for all factories & the Dy. Comr. of Police for all factories not being Railway factories.

"(c) Stet.

(2) For clause (b) of Rule (2) substitute the following:—

"(b) in the Presidency Town the Secretary to the Surg: Gen: & the Dy Comr. of Police shall be officially subordinate to the Comr. of Police".

Notifon II.

(1) In Rule 2, after the words "Dy Comr. of Police "for all factories", insert the words "other than "Railway factories".

i This follows orders; at present the Dt. Med. Officer is not an Inspector of Railway factories.

This will hardly do as it stands — Take Tellicherry & Cochin — why shd the doctor [illegible] for these when there is a man on the spot? HS

ii. This with reference to the correspondence noted above; the Secy. will be Inspr. for Railway factories too, while the Dy. Comr. will cease to be an Inspr. for Railway factories

No — Why? HS

So it was decided; the Dy C. P. is the Inspr. for Ry factories M

iii It seems best to make the Secy. subordinate to the Commr. of Police in his role of Inspr. In the Mufassal the Medl. Inspr. is subordinate to the Dt. Mag. &, under Rule 18 (2), appeals from the Insprs' orders lie to the Commr. of Police.

HS

iv. This follows orders.

R. O. 16 MADRAS RECORD OFFICE.

4

(2) For the first sentence of Rule 8 substitute the following:—

"Every factory shall be inspected by an Inspector as often as ~~[illegible]~~ may be deemed sufficient, but it shall be inspected at least three times in every calendar year if the factory is open for ~~[illegible]~~ 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 & at least once if it is open for not more than six months in the year. Every factory which is open for six months in the course of the year shall be inspected at least once by the Medical Inspector".

4. In the G.O. under reply, the Surg: Gen: was directed to call for a return of all sums drawn up to date from Factory Owners. The S.G. promises to submit this information hereafter & pending receipt thereof it seems better not to specify the date from which the Inspection allowance shall become payable. ~~[illegible]~~ ~~[illegible]~~ H.M. ordered on the Note for Orders of the 23rd July that the bills for the Inspection

5

allowance should be countersigned by the Dt. Mag. who should satisfy himself that the proper number of inspections has been made; presumably the duty of countersignature would fall on the Commr. of Police in the Presidency Town. But, as the allowance is payable monthly, it seems impossible to insist upon this verification; &, if the verification is impracticable, the duty of countersignature may, it is subd., very well be dispensed with. The only reason for insisting on ~~[illegible]~~ countersignature is to prevent Medl. Officers from claiming the R10 allowance when they are only entitled to the R5 allowance, but this can surely be left to the honour of the men concerned. It will be seen from the correspondence in G.O. dd. 21 June 1892, No. 1440, Mdl., that the allowance is "R10 a month "for each factory to be "inspected ~~[illegible]~~ in which "more than 200 persons are "employed & R5 a month "for each factory employing "200 or a less number of "hands". How are these numbers to be calculated in view of the great variety in strength which some factories undergo? The annual returns received

15-10-94

v. For the reasons for changing the periods please see Note for Orders of 23rd July (in G.O. No. 2507) as fin. ~~[illegible]~~

vi It seems unnecessary to raise the number of visits (3) prescribed by the present rules & it is ∴ simply provided that one of them shall be made by the Medl. Inspr. No doubt the Medl. Inspr's allowance is high for one visit annually, but it is undesirable to trouble manufacturers more than necessary.

vi I wd. keep the 2 kinds [illegible] separate

We might begin from April 1/95

Besides the Audit Office can easily check any excess, as it will have the annual factory returns showing the number of hands in each factory & there will be a further check in the Govt. Office during the process of reviewing the returns.

The number on the day of inspection I shd. say

6

from Inspectors show the average daily number of operatives employed & it is subm.d that, in calculating the amount of the allowance payable in each year, regard should be had to the average daily strength of the factory during the preceding year. Thus, if Factory A has an average strength of 250 in 1893, the Med.l Officer will draw R10 p.m. throughout 1894, & if the average strength during 1894 falls to 150, he will get R5 p.m. throughout 1895.

There is another point. What is to be done if a Med.l Inspector fails to perform the number of inspections prescribed by rule? Is he to forfeit the full allowance? Subm.d he should & that no excuse should be admitted, seeing that the allowance is a payment for services rendered, &, if no services are rendered there can be no claim to any part of the allowance. It should be distinctly stated in the annual factory returns whether the Med.l Officer made the prescribed number of inspections & information should be given as to the amount of the allowance drawn by him.

5. The proposed amendment of the Rules can be effected at once, for they are made under sec. 3 & sub-sec. (1) (2) of sec. 18 & the provisions of sub-sec. (4) of sec. 18 regarding previous publication do not therefore apply.

12/12/94 10 Dec

that the bills for the inspection

Amendment of Factory Rules

This wouldn't fit in with my plan of quarterly or 4-monthly bills WS

H.E.

Should say so WS

WS

C 13/12
R 14/12

---

1

Note for H.E.

In his note of the 14th ✱ ult. H.E. called for a return of the factories not at the head quarters of District Surgeons showing their distance from head-quarters & whether they are connected by rail therewith. The office has compiled a return & from it & the Railway map the following particulars may be gathered:-

A. Anantapur.

The D.M.O.'s headquarters is Anantapur which is on the line.

There are factories at

(i) Guntakal, apparently a little over 40 miles by rail;

(ii) Timmancherla, also on line & a few miles beyond Guntakal;

(iii) Tadpatri, which is 48 miles from Guntakal & so about 90 by rail from Anantapur;

(iv) Gooty which is about 60 miles by rail from Anantapur.

B. South Arcot.

The D.M.O.'s Headquarters is Cuddalore which is on the line.

There are factories at

(i) Nellikuppam, 8 miles by rail from Cuddalore;

(ii) Tiruvannamallier, which is not on the line & seems to be about 25 miles by road from Cuddalore.

✱ There has been some delay with this. After return from circ. the current lay with me for 2 or 3 days when I wrote to Col. Moore & sent it into the office to draw up the list. This was not ready before the Xmas holidays &, afterwards, the necessity for referring to the S.G. caused 2 or 3 days further delay; the information first furnished by the S.G. was incomplete.

17.1.

The tour of these factories wd. take 5 days at most

WS

There is a good road. The doctor cd. drive out & back in one morning WS

There is a Railway Station about 6 or 8 miles from this place, I think WS

MADRAS RECORD OFFICE.
R. O.
10

3

C. Bellary.
The D.M.O.'s headquarters is Bellary which is on the line.
There are several factories at Adoni which, also, is a Railway Station & is 55 miles by rail from Bellary.

Easy of inspection from Bellary

D. S. Canara.
The D.M.O.'s headquarters is Mangalore.
There is a factory at Malpe which is over 40 miles by road from Mangalore.

One night's run in a munchil even if other inspec. duty doesn't take the doctor that way.

E. Chingleput.
The D.M.O.'s headquarters is Chingleput which is on the line.
There is a Railway factory at Perambur to visit which will necessitate a train journey of 34 miles. It would be more convenient to attach Perambur to the Presidency charge.

Yes

F. Coimbatore.
The D.M.O.'s headquarters is Coimbatore which is on the line:
There are factories at
(i) Podanúr, which is close to Coimbatore;
(ii) Tirupur which, also, is on the line & 27 miles from Podanúr.

Quite easy to get at

G. Ganjam.
The D.M.O.'s headquarters is Berhampore but there is a Medical Officer at Chatrapur also.

One night's run by palki — Can easily be done from Berhampore

There is a factory at Aska, which will lie off the new line of rail, & appears to be 33 miles by road from Berhampur & much the same from Chatrapur.

H. Gódávari.
The D.M.O. is at Rajahmundry but there is a Civil Surgeon at Cocanada; both these places are on the line.
There are factories at
(i) Dowlaishwaram, which is less than 5 miles from Rajahmundry;
(ii) Georgepet, which is somewhere in the Cocanada Division but which I cannot find in the maps; possibly it is a mere suburb of Cocanada, if so, or if it is materially nearer to Cocanada than Rajahmundry, the Civil Surgeon at Cocanada might be appointed Inspector for this Factory; a reference has gone to the Dt. Mag. on the subject.

I think so — Ask L. & M. if they have returned yet the plan of Cocanada I had with me 2 or 3 days ago. That will show you.

The plan was returned to the Collr. with a reference so it is not available now.
Attention is invited to C.R. 402/95 since recd from the D.M. Georgepet is 18 miles South of Cocanada.

I. Kistna.
The D.M.O.'s headquarters is Masulipatam but there is a Civil Surgeon at Guntur; the latter place is on the line

R. O.
16
MADRAS RECORD OFFICE.

There is a factory at Bezwada which is only 18 miles by train from Guntur but is 43 miles by road from Masulipatam. It appears that a branch line from Bezwada to Masulipatam is projected.

Let the Guntur man see to this HS

J. Malabar.

The D.M.O. is at Calicut but there are Civil Surgeons at Cannanore, Tellicherry & Cochin.

There are factories at

(i) Panniankara (Calicut Taluk), Malapáramba (Ditto), Nagaram (Ditto) & Cheruvannur (Ditto). These places are not on the railway; I do not find them in the map, but, as they are in Calicut* taluk, the D.M.O. is plainly the officer who should inspect them.

HS * &, I understand, quite close to Calicut town.

(ii) Kodakal (Ponáni Taluk), this place is (the Hon Sankaran Nayar tells me) only a few furlongs from the Edakkolam Railway Station so it can be most easily visited from Calicut.

HS

(iii) Tellicherry; the Civil Surgeon at Tellicherry can visit this factory more conveniently than the D.M.O.

HS

K. Salem

The D.M.O.'s Headquarters is Salem.

There is a Railway factory at Jalarpet which is 74 miles by train from Salem.

The Doctor can go there & back in a day even if he is not making a tour that way to inspect dispensaries &c. HS

L. Tinnevelly

The D.M.O.'s headquarters is Tinnevelly.

There are factories at

(i) Tuticorin, which is 36½ miles by rail from Tinnevelly;

(ii) Pápanásam, which is not on the line & is over 30 miles from Tinnevelly;

This would entail a separate journey. But the doctor can inspect villages &c as he goes & comes. HS

(iii) Kóvilpatti, which is a Railway Station & 42 miles from Tinnevelly.

M. Vizagapatam.

The D.M.O.'s headquarters is Vizagapatam which is on the line.

There are factories at

(i) Chittivalsa, which does not appear to be a Railway Station but is close to Vizianagram which is on the line.

No—not close to Vizianagram (1) but to Bimli— Isn't there an (2) apothecary at Bimli? If so, let him inspect HS

(1) Yes please. vide the places marked in red chalk in the Dt. map put up.
(2) Yes please. There is a Civil apothecary at Bimlipatam, Munl. hospital.
MR.

(ii) Waltair which is close to Vizagapatam.

N. Tanjore

The D.M.O.'s headquarters is Tanjore but there is a Civil Surgeon at Negapatam.

There is a factory at Negapatam which is connected by rail with Tanjore (48 miles distant

The Negm. doctor can inspect HS

MADRAS RECORD OFFICE.
R. O. 10

2. It is apparent from what precedes that the D.M.O. is the proper inspecting officer except in the case of

(1) Perambúr – Chingleput;
(2) Georgepet – Godavari – (possibly);
(3) Bezwada – Kistna;
(4) Tellicherry – Malabar;
(5) Negapatam – Tanjore.

In case No. (1) the Medical Inspector for Madras town should apparently be the Inspector; & in cases (2), (3), (4) & (5) the Civil Surgeons at Cocanada, Guntúr, Tellicherry & Negapatam, respectively.

If H.M. agrees, the wording of the rules will have to be considered.

A reference to the Surg.-Gen. has elicited the fact (vide C. No. 174) that Civil Surgeons have no defined local charges outside the limits of the towns at which they are stationed; it is not therefore possible to meet the case by providing that Civil Surgeons shall be Inspectors of factories situated within their local charges, unless it is intended to restrict their inspections to factories actually at their headquarters: such restriction would, however, necessitate the inspection of the Bezwada factory by the D.M.O. of Kistna.

See above as to ~~Bimli~~ Chittivalsa
HB

I should specify the factories for which the several Civil Surgeons & other persons than the D.M.&S.O. should be Insprs. & then say the D.M.&S.O. for all others. Then as new factories were started you cd. add them to the first list if necessary HB

The best plan will perhaps be to omit the reference to the D.M.O. from Rule 1(a) of Notifn. I & to add to that Rule a new clause to the following effect:—

"(b) The D.M.O. for all factories within his district except
(i) factories at Perambur in the Chingleput district &
(ii) factories situated (a) at the head quarters of a Civil Surgeon who is not the D.M.O. or (b) within 5 miles by road or 25 miles by rail of such head quarters, & more than 5 miles by road or 25 miles by rail from the head quarters of the D.M.O.

The Inspector for the factories ~~referred~~ specified to in sub-clause (ii) of this rule shall be the Civil Surgeon therein referred to."

This is only a rough draft which will need some grammatical alteration & it will be necessary, of course, to distinctly declare the Medl. Inspector for Madras to be Inspector for Perambur & to make other alterations in the rules.

If H.M. expresses general

approval, it will probably be unnecessary to trouble him with the draft of the revised rules. It seems better to have a general provision such as proposed than to specify by name the factories which are to be inspected by the Civil Surgeon, as the list of such factories undergoes alteration from time to time.

Orders are also solicited on the general questions raised in the Note for Orders of the 10th Dec. Of course, the draft rules therein proposed will need modification if H.E. accepts the suggestions in this Note.

17 Jan

18/1.

Please show them in type before issue

WS

Easy to alter & we may make a mistake about distance

WS

The general result is that the inspections at factories in Mad: & at the head qrs of up country doctors shd. be inspected at least once a quarter, subject to the reservation at p. 4 of the note of 10/12/94 as to factories not open all the year, & that the inspections at other places shd. be at least once every four months, subject to the same reservation. The fees shd., I think, be drawn once a quarter or once every 4 mths, as the case may be, under the countersignature of the Comr. of Police or the D.M., as the case may be, on separate bills drawn by the officer ~~actually~~ making the inspn.— Then if in one quarter (or 4 mths) one officer inspects some factories & another officer others, there can be no clashing

WS
19/1/95

Subm.d to the Hon. Mr. Grose with the request that he will be so good as to state whether he concurs in the Hon Mr. Bliss' remarks of the 14 Dec & the 19th Jan.

29/30/1/95

Yes, I concur. JG 1/2

---

MADRAS RECORD OFFICE.

R. O.
10

[G.
25.]
100—21-12-94.

DEPARTMENT.

No.

From

Dated 189

FOR ORDERS.

I think these rules &c will do very well

WS

Very well

WS

As ordered by H.E., the proof of the amended Factory Rules is subm.d to him for approval. There are a few points to notice:—

(1) On p. 3 of the Note for Orders of the 10th Dec., against the marginal note "the Dy. Comr. will cease to be an Inspr. for Railway factories", H.E. has remarked "No; why?". I submit it was so decided on p. 2 of the Note for Orders in G.O. of 16 Oct. 1894, No. 2507, Judl. & this decision appears to be right, for the Dy. Consultg. Engineer will be Inspector for Railway factories in the City as in the Mufassal.

(2) Regarding Georgepet (vide p. 3 of Note for Orders of the 17th ult.), a reference to the Dt. Mag. has elicited the fact that the place is 15 miles from Cocanad

MADRAS RECORD OFFICE.
R. O. 10

& 60 miles from Rajahmundry & that it is not on the line. Under these circs, the Dt. Medl. & San. Officer is clearly the proper Inspector.

(3) As to Chittivalsa (vide page 5 of Note for Orders of 17th ult.) I regret that the information I supplied was incorrect. I mixed it up with Chintavalasa which is near Vizianagram. As H.M. says, Chittivalsa is close to Bimlipatam, being apparently less than 4 miles therefrom. There is a Civil Apothecary at Bimlipatam & therefore the "Medl. subordinate in "independent charge, "Bimlipatam" has been declared in the rules to be the Inspector of the Chittivalsa factory.

(4) On p. 8 of the Note for Orders of the 17th ult, H.M. has ordered that Medl. inspections should be made once every four months or once every three months "subject to the "reservation at p. 4 of the "Note of 10/12/94 as to factories "not open all the year". I have found it impossible to give effect to this order. By definition, a place is not a factory if it is not open for 4 months. If therefore a Medl. Officer tries to make ~~an~~ inspection within three or four months of the beginning of a year, the factory owner may argue that the place is not at the time a factory & that it is not therefore liable to inspection. There does not appear to be any way of avoiding this difficulty. The first inspection by a Medl. Officer according to H.M.'s scheme must always be illegal &, if the factory owner resisted, it is doubtful, whether he could be punished. There is nothing in the Factories Act which would protect the Inspector; & the owner would not be punishable under sec. 186 I.P.C. because the Inspector would not be "discharging his public functions" when inspecting, under the Factories Act, a place which is not a factory; at least, so it would seem. But, as the Inspector's entry would probably never amount to Criminal Trespass (s. 441 I.P.C.), there

would be no right of private defence against such entry (s. 97 I.P.C.) &, if the Inspector were acting in good faith & in ignorance of the exact legal position, he would be protected by sec. 99 I.P.C. In one way or other, therefore, it might be possible to catch a turbulent mill-owner.

At all events cases of resistance are sure to be so rare that it is hardly worth while attempting to provide against them in the Rules & I have, therefore, simply carried out H.M.'s orders as to four-monthly & three-monthly inspections, but without making any reservation regarding factories which are open for a part of the year only.

(5) A note has been inserted in the Rules to the effect that factories not being over 5 miles from an Inspector's headquarters are to be treated as being at such headquarters something of this sort seems advisable.

9/2/95

7 Feb.

Revised Fact. Rules

HM

(For Orders)

11/2/95

G.O. 348 Judl.

16/2/95

---

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.—

These will be printed now.

READ—also the following papers :—

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*.

N [illegible]

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; [illegible]

(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.

3 [illegible] 6

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.)

*Chief Secretary.*

To the Surgeon-General. 6
" the Public Department. 1
" the Public Works Department. 11
" the Financial Department. 1
" the Revenue Department. 7
" the President of the Madras Municipal Commission, through the Local and Municipal Department. 6
" the Commissioner of Police, Madras. 6
" the Sanitary Commissioner. 6
" all District Magistrates. 173
Copy to the Inspector-General of Police. 6
Gazette (Notifications). D/26/2/95

despd 26/2/95

Copy [illegible] 26/[illegible]

4

Judl. Ir
348

V Madras

# 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 5 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 Perambúr, Chingleput district ;

~~(ii) the Civil Surgeon, Cocanada, Gódávari district, for the rice factory at Georgepet ;~~

i (iii) the Civil Surgeon, Guntúr, Kistna district, for the Public Works Department workshop at Bezwada ;

ii (iv) the Civil Surgeon, Tellicherry, Malabar district, for the Pallicoon Coffeecuring works at Tellicherry ;

iv (v) the Civil Surgeon, Negapatam, Tanjore district, for the railway factory at Negapatam ;

(v) the [illegible] subordinate in independent charge, Bimlipatam, Vizagm district, for the Gunny factory at Chittivalsa

(*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 ~~page~~ [illegible] Part I, of the *Fort St. George Gazette*, dated the 5 July 1892 :—

L pages 847 to 853

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."

5

R. O.
10

MADRAS RECORD OFFICE.

Ind Dn 348

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 ~~but~~; provided that every factory shall be inspected— (2)

(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 (2)

(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 ~~sub-clause (b) of this clause~~ clause (ii), a factory is at the head quarters of a medical Inspector, if it is not more than five miles distant therefrom.

Judicial G.O. No. 348 d/ 16 February 95.

Desp 26/2/95

The Collectors of

The District Magistrates of

| | |
|---|---|
| Anantapur. | 8 |
| North Arcot, Chittoor. | 8 |
| South Arcot, Cuddalore. | 8 |
| Bellary. | 8 |
| South Canara, Mangalore. | 8 |
| Chingleput, Saidapet. | 8 |
| Coimbatore. | 8 |
| Cuddapah. | 8 |
| Ganjam, Chatrapur. | 8 |
| Godavari, Cocanada. | 8 |
| Kistna, Masulipatam. | 8 |
| Kurnool. | 8 |
| ~~Madras (when necessary).~~ | |
| Madura. | 8 |
| Malabar, Calicut. | 12. |
| Nilgiris, Ootacamund. | 8 |
| Nellore. | 8 |
| Salem. | 8 |
| Tanjore. | 9 |
| Tinnevelly. | 8 |
| Trichinopoly. | 8 |
| Vizagapatam. | 8 |

---

[illegible]

16TH FEBRUARY 1895, No. 348, JUDICIAL.

[illegible]

## 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 Gódávari, 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.)

*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 Perambúr, Chingleput district;

- (ii) the Civil Surgeon, Guntúr, Kistna district, for the Public Works Department workshop at Bezwada;
- (iii) the Civil Surgeon, Tellicherry, Malabar district, for the Pallicoon 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 Chittivalsa.

(*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.

Exd. A. Raitt.

# Govt. of {1895} Madras.

## JUDICIAL.

*Issued*

*Recd.* *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.

---

py sent to Press.

d for signature.

Desired in print.

NUMBER OF COPIES REQUIRED
Order complete. 300
Letter only.
Order complete with Letter.

G.O., No. DATED
189

No.

No.

GOVERNMENT

GOVERNMENT.

WITH DITTO.

FILED UP, BEING MEANT FOR DESPATCH
ORIGINAL

=Print in full.
=Not to be printed.
=Print abstract only.
=Print heading only.