

Local & Munl. (1895) Department.

MISCELLANEOUS.

G.O., No. 325 L.

DATED 20th Feby. 1895.

[Despatch Abstract.]

Sanitary Board.

Informing the Sanitary Commissioner regarding the alterations suggested by him in the principles recently laid down for the working of the ---- that Government is not prepared to alter the principles referred to unless and until they have been found by experience to be imperfect.

✓

BACK PAPERS.

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

FURTHER PAPERS.

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

No. 123
8

OFFICE OF SANITARY COMMISSIONER,
Fort St. George, 22 January 1895.

From

SURGEON LIEUT.-COL. W. G. KING, M.B., C.M., D.P.H.,

To

THE *Chief Secretary*
to Government
Local & Municipal Department.

Enclosure.
mt

SIR,

With reference to G.O. dated 16 November 1894, No. 2380 L, Local and Municipal, para 6, I have the honor to enquire whether it be the intention of Government that in future all correspondence from this office to Government shall pass through the President Sanitary Board, or whether the order is to be interpreted as confined solely to questions, such as have up to date been placed before the Sanitary Board. Should the former condition be demanded by Government, I would respectfully point out that this amounts to the effecting of a radical change in the position of this office, which apparently the Despatch of the Secretary of State for India - directing the organization of Sanitary

This contains no mention of the intention of the Board. India said it left that to the Govt. & the Govt. asked the San. Comm. to prepare draft rules.

G.O. dated 6 August 1894, No. 659 Public

* This should be to the San. Comm.

The Government of India, not the Secretary of State. (vide page 4 of India
Resolutions dated 27th July '88, in G.O. 1913
17.10.88)

Boards did not contemplate, and which is directly opposed to previous orders by the Government of India, defining the position and duties of Sanitary Commissioners. Thus, in G.O. Nos 64, and 1347, dated 16 January, 1875, Public, and 9th March 1887, M.D. respectively, it is laid down that "the local Sanitary Commissioners will be entirely subordinate to the Local Government, and to no other authority." "the local Sanitary Commissioner in each Presidency is the responsible adviser to the Local Government in all sanitary matters"

2. It has hitherto been the privilege of this office to serve directly under Government, and it has always been understood that the reason for this arrangement was that Government might have placed before it the opinion of a servant whose sole time is devoted to sanitary matters. untrammelled by the sentiments of officers having other duties to attend to, who would not be likely to so fully appreciate the importance

long before
the present
system came
into being

of sanitary measures, when compared with the frequently conflicting interests of their own departments

3. Under a ruling however which permits the President of the Sanitary Board to place an absolute veto against any communication from this office reaching Government, it is obvious that the Sanitary Commissioner is reduced to the position of Assistant to the President of the Sanitary Board, and that that officer de facto becomes the responsible sanitary adviser of Government.

4. In respectfully asking Government to have the kindness to reconsider this Order, I trust it will not be imagined that my reason for not wishing to see this office placed in the subordinate position contemplated, is that I have any personal objection to such a course, but holding as I do, temporarily, the office of Sanitary Commissioner in trust I consider I should grievously fail in my duty towards its traditions, and I believe towards the interests

Madras

of sanitary a drainage in India, were
I not to attempt to represent to
Government the far reaching effect
of the order brought under reference.
Holding these views, I would point
out that the result must be the
placing of the Sanitary Commissioner
for Madras in an anomalous position,
such as it has not been thought
necessary should be required in
other Presidencies, notwithstanding
the creation of Sanitary Boards. The
rules for the working of which were
duly laid before Government with
my letter dated 10 December 1893,
No. 2746/5, and embodied in the G.O. in
question. I may add that in no
other Presidency has it been ne-
cessary for the Sanitary Commissioner
to appeal against the preponderating
influence which has been permitted
to the Engineer element on the
Sanitary Board, and that I am not
singular in directing attention
to this. I would point to letters
by Surgeon-Lieut. Col. J. A. Laing
in G.O.s, noted in the margin.

G.O. dated 16.1.91
No. 79 L, Local &
Municipal.

G.O. dated 5.12.91
No. 3044, L. M. S., Local
and Municipal.

S. I

5. I am aware that the Order
permits of certain Rules being drawn
up by the Sanitary Board, which
may mitigate the results describ-
ed, but, as, necessarily, these Rules
must be of a nature in accord with
the principles laid down by Govern-
ment, it is impossible that in so
important a point any modifica-
tion can be effected without the
sanction of Government. For example,
the possibility of Rules of dissent being
made by the Sanitary Commissioner
would be of not the slightest avail
if the President retain the right
of veto as to any communication
reaching Government, as arranged
for in the words, "allow them
to issue." Reading paras 5 and 6 to-
gether, it would appear that, ~
whilst this office might corres-
pond with Local and Municipal
bodies, it would be a breach of
discipline to address a Collector,
Magistrate, District Sanitary Officer,
or the Surgeon-General otherwise
than through the President.

This is a misreading of
the rules.

The San. Comm. has
almost no communication
with these officers at
present.

6. Under these circumstances, I
would respectfully suggest that
para 5 be modified and para 6 be
abolished, and a substitute be made
as follows:-

Amended para 5. Each of the two
members of the Board should
conduct his correspondence in his
capacity as Sanitary Engineer or
Sanitary Commissioner as at pre-
sent, that is, independently, but,
in order that each should have
a thorough knowledge of what the
other is doing, each should send
to the other at the end of every
week an abstract statement
of the letters so despatched by
other than those dealing with re-

Para 5 clause (iii). In the case of the
Sanitary Engineer the execution
of works under his charge, if
not involving change of design
or material as originally
approved by the Board.

Amended para 6. In the event of
disagreement of opinion be-
tween the Sanitary Commissioner
and
x which disagreement
would, under these rules,
be obvious only after
the letters embodying the
opinions of one
of the two had already been despatched

and Sanitary Engineer, either
member may refer the question
to the President who will arrange
for a meeting of the Board for its
discussion, and if no agreement
be arrived, will forward the
decision of the majority to Govern-
ment for information. Except
in the case of standard plans -
having the approval of the Board,
schemes costing over Rs 10,000 shall
be referred to Government to-
gether with the opinion of the
Board, obtained at a meeting
at which all members are
present.

I have the honor to be
Sir

Your most obedt Servt
W. H. King.

Surgeon. Lt. Col.

Ag Sanitary Commissioner
Madras

and Municipal Dept

Local & Municipal Dept.
CURRENT No. 1992

From.

Surgeon Lt. Col. H. G. King.

Dr. B. C. M., Dr. H.

As Sanitary Commissioner
For Madras

To

The Chief Secretary to Govt
Local and Municipal Dept.

No. 123
S.

Dated 22 }
Despd. do. } January 1895.
Recd

Encls: Nil

Subject.

Requesting to be informed
whether with reference to G.O.
No. 2380 L dated 16 November 1894
all correspondence from his
office should pass through the
President of the Sanitary
Board. For suggesting certain
alterations in the principles laid down
the working of the Sanitary Board.

LOCAL AND MUNICIPAL DEPARTMENT.

Again L.O dated 16th November 1894, No. 2380 L
Current No. 1992.

From the Sanitary Commissioner.

I should tell Dr. K. that
the rules which have been
laid down will not be
altered until they have
been tried & found imperfect.
~~As the advice of the Sanitary~~
~~Committee is not~~

It seems to me that if
Dr. K. & Mr. J. cannot
agree to work together in
peace, it will be necessary
that Govt. should get rid of
one or both of them; & that I
would take an opportunity of
letting both of them clearly un-
derstand.

BS
5/2/95

JS
9/2

The principles not the rules for guiding
the work of the Sanitary Board have been
laid down. The rules are to be drawn
up by the Board - and I should tell Dr.
King that we do not see that there is
anything in the principles to prevent his
objections being cleared up in the rules.
W 10 Feb

FOR ORDERS.

The question of the relations that should
subsist between the San. Insp. & the
San. Comm. as members of the Sanitary
Board has always been "a very boring
subject," as Sir M. E. Grant Duff called it.

The note for orders in G.O. 2380 L.
16.11.94
shows the history of the various sets of
rules that have been framed from
time to time in the attempt to decide
the question. The first set (in G.O.

966. (Public) spoke of "the Board" through-
out, & did not appear to contemplate
separate action in any matters of im-
portance by its members. Rule VI said
"all important reports, suggestions, or
recommendations should be made by the
members of the Board in consultation."

and should come in the name of
the Sanitary Board." These rules
were framed before Mr. Jones was ap-
pointed & he was not consulted
about them. They had not been in
force six months before Dr. Laing
wrote to say that they were not
being observed, that Govt. was
referring matters to the San. Engr. to
Govt. direct without giving him a
chance of expressing an opinion.

Mr. Jones considered Dr. Laing's pro-
ceedings "a further endeavour to make
the San. Engr. an Assistant to the
San. Commr., a position I do not
care to assume."

A consultation of the then members
of Government resulted in the issue of
the revised rules in G.O. ¹⁹⁷¹⁻² 8890 which
all but ignore the existence of a
Sanitary Board, & limit the San. Commr's
duties to questions of general sanitation,
& to advising Govt. as to the sanitary
condition of Municipalities, & Boards
& Councils on San. matters generally.
The San. Engr. was to draw up &
carry out drainage & water supply
schemes under Govt's orders, & pass
sanitary works above a certain
monetary limit which were proposed
to local bodies, and the San. Commr.

was not given an opportunity of
interfering with him. Nothing
whatever was said as to consultation.

The original orders & notes show
that this change in policy was dic-
tated less by any opinion that it
was theoretically correct than by the
conviction that Dr. Laing & Mr.
Jones would never work together
in place under any rules that
he invented. Sir H. E. Stokes said
that "there would be, on the as-
sumption that the members were not
like oil and water, some force in
Dr. Laing's argument about the ex-
pediency of joint working."

The San. Commr. objected several
times subsequently to being put on one
side in this manner (G.O. 16th Jan. 91
No. 792. and 5th Dec. 91 No. 30442) but
the rules remained practically unaltered,
until Dr. King wrote the letter before
which gave rise to the reconstitution of
the Board & the framing of the rules
to which he objects in the present
current.

The system of separate working by
the members of the old Sanitary Board
cannot perhaps be said to have been
a success, at any rate after Dr. King
became San. Commr.

Though Dr. King was not, in

accordance with the rules, directly
Consented on projects entrusted to the
San. Engⁿ, he several times managed
to find an opportunity to show, -
after the projects were finished or well
advanced, or at least after the discussⁿ
on them had closed, - that they were
sanitarily imperfect. His remarks

upon the Madras works, in which he
said that the water supplied was impure
& the drainage wall (which cost some
3 or 4 lakhs) unnecessary. His remarks
upon the order upon Mr. Cousins' schemes,
his condemnation of Mr. Jones'
drainage channel at Cuddalore, which
was pronounced just as the work was
to be put in hand, are three instances
in point. And it seems necessary,

how that the Board is to be a reality
and a consultative body, that the
rules sh^d. render it impossible for him
to withhold criticism until a work is
well under way, & then send it up
without the knowledge of the other
members of the Board. It is sub-

mitted that the rules proposed in Dr.
King's letter will not ensure this being
done, & that they are little in advance

of the old rules except in their provision
that all schemes costing Rs. 10,000. must
be sent to the Board.

Certain alterations suggested by
the Sanitary Commissioner in the
principles for the working of the Sanitary Board

FOR ORDERS.

1992

H. D. H. H.

In his letter in G.O. 2380. d. 2
16/1/94
in his present letter Dr. King refers
in a general way to the rules in
force for the working of Sanitary
Boards under other administrations, but
it appears from the extracts in close
with the former that in ^{other provinces} these also
the rules have had to adapt them-
selves to the personnel of the
Boards rather than following set
policy. In Bengal & Burma the
San. Engⁿ. is in an inferior position,
and is stated expressly to be under
the orders of the San. Board, (in
Bengal to be "the right-hand
man of the San. Commⁿ."). In
Bombay the San. Commⁿ. and
Engineer appear to consult upon
all schemes: in N.W.P. the San.
Engineer appears to do most of
the work, consulting verbally
"in verbal communication" for
the most part with the San. Commⁿ,
and "most of the water-works and
sewerage schemes have been initiated
and completed without reference to
the Sanitary Board."

Looking to the personnel of

the Board in this Presidency it
seems probable that Mr. Jones &
Dr. King may not mix any better
than Mr. Jones & Dr. Laing. There
seems however to be no reason
to ask Mr. Jones to take the
inferior position of the Burma
& Bengal San. Engineers, or any
fear that Dr. King will not be
able to hold his own in the Board.

The rules as framed seem to
meet all these considerations. Col.
Pennington will have to decide
what requires discussion, & to insist
to lead the discussion to a definite
conclusion, & the ^{other two} members of the
Board are given equal privileges.

Dr. King seems to overstate the
case when he says in para 3 & 5
of his letter that the rules reduce
him to the position of the an-
to the President of the Board, & urges
that there is a risk that the
Pres^t may actually prevent his
minutes of dissent from reaching
Govt. The Pres^t duty will rather
be to prevent the other members
from acting independently as they
and as they will probably be inclined to do again
have done before, & to prevent

it in a manner which will
obviate the necessity of Govt. having
frequently to decide between totally
opposite opinions from them.

Some orders appear to be
required at once upon Dr. King's
letter, as he will probably de-
cline to discuss any detailed
rules for the working of the
Board until his objections to
the principles they are to follow
are disposed of. Mr. Jones has
not seen the rules yet, and he
may also have remarks to
make upon their general tendencies.

NC 1.295

Dr. King is it is submitted always finding
himself in the bath. He is always ready
to fight and there will be but too
many wars between him and the
Pres^t & there were between him & Jones
and Dr. Laing. Is the question of the
order of the day of G.O. Mr. Jones & Dr. King
to be settled, or is Dr. King
to be told that Govt. will have no
further discussion until the
working has been tried?

LD

4/2/95

CS.

Order 20.2.95 No 325

The San. Comm. will be informed that the Govt. is not prepared to alter the principles referred to unless until they have been found by experience to be imperfect.

M 13.2.95 (from orders).
19/2/95

To The Sanitary Commissioner. Dis/12. 21/2/95

Note. By rules H.M. clearly means the principles. It is submitted that it is difficult to read the order in the terms of the Govt's note for the reasons given in Dr. King's para. 5. Dr. King objects to the principles root & branch.

M 13.2.95

1992
Alterations suggested by the San. Comm. in the principles recently laid down for the working of the Sanitary Bd.

H.M. + circ.

7

Give me for next Council (Executive)

10/11/95

BACK PAPER, No.

OF 189

READ AGAIN ORDER OF GOVERNMENT, DATED 189, No. , MISCELLANEOUS.

FURTHER PAPER, No.

OF 189

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

STATEMENT WITH DITTO.

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Miscellaneous.

LOCAL AND MUNICIPAL DEPT.
G.O., DATED 20-2-95
No. 3254

INDEXED.

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[Despatch Abstract.]

Sanitary Board

Informing the Sanitary Commissioners regarding the alterations suggested by him in the principles recently laid down for the working of the — that Government is not prepared to alter the principles referred to unless and until they have been found by experience to be imperfect.

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READ AGAIN G.O., No.
189

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LETTERS OF GOVERNMENT.

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