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Local & Munl. (1897) Department.

INDEXED.

PRINTED.

G.O., No. 332 M

DATED 1-3-97

DESPATCHED

[Despatch Abstract.]

Bubonic plague

Reading G. O. P. W. D. forwarding to the Agent and Manager of the Madras Railway certain rules regarding the examination of passengers at certain stations for detecting cases of —

724

BACK PAPERS.

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

FURTHER PAPERS.

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

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Proof

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Government {1897} of Madras.

LOCAL AND MUNICIPAL.

Proof for approval

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Recd.	1897.	*Enclosures*	
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G.O., No. 332 M., 1st March 1897.

MARCH.

Bubonic Plague.

Recording Government Order, Public Works Department, forwarding to the Agent and Manager of the Madras Railway certain rules regarding the examination of passengers at certain stations for detecting cases of —.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

Dy
Dy

READ—the following paper :—

~~G.O., No. 128 R., dated 25th February 1897.~~

~~Read~~—G.O., No. 219-A M., dated 15th February 1897.

Order—No. 128 R., dated 25th February 1897.

The following rules will be forwarded to the Agent and Manager, Madras Railway, for information and guidance :—

By an order, No. 219-A M., dated 15th February 1897, Guntakal and Perambúr have been declared inspection stations under Nos. 14 and 12 of the regulations prescribed under the Epidemic Diseases Act.

Local & Municipal

2. The Agent and Manager, Madras Railway, will issue instructions to the railway staff to give every assistance to the medical officers conducting the inspection in order to minimise the detention of trains.

3. The Agent and Manager, Madras Railway, will arrange to detain the trains at Guntakal until the medical inspection is over and to carry those passengers who have not been detained by the Sanitary Officer by the same train.

4. Arrangements should be made to make an earlier start from Raichur, the 40 minutes halt now allowed being seldom required. A revised time-table should be printed as soon as final orders as to the stations selected for examination are issued by Government. The halts at Gooty, Cuddapah and Réniguuta should be reduced as much as possible in order to assist in making up time lost at Guntakal. It is not anticipated that the examination will take more than half an hour, that being the time allowed on the Great Indian Peninsula and Bombay-Baroda and Central India Railways.

5. At Arkonam and Podanur the procedure prescribed for Guntakal will be followed.

6. In order to avoid detention at Perambúr of passengers who have already been passed by the inspectors at Arkonam and Guntakal, punches with a special device should be supplied to the inspecting officers at Guntakal and Arkonam who will punch the tickets of all passengers passed by ~~him~~; passengers producing tickets at Perambúr punched with this device should be allowed to proceed at once by the same train. them/

(True Extract.)

(Signed) F. D. FOWLER,
Offg. Joint Secretary.

To the Agent and Manager, Madras Railway.
" Local and Municipal Department.

ORDER—No. 332 M., dated 1st March 1897.

Recorded.

(True Extract.)

Secretary to Government.

To the President, Municipal Commission, Madras.
" Surgeon-General.
" Sanitary Commissioner.
" Collector of Anantapur.
" " of Coimbatore.
" " of North Arcot.

Rxd P. Seetharam.

Urgent

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Local & Munl. (1897) Department.

CURRENT No. 841 M

Pm.

Order. No. 332 M. 1-3-97

~~Copy to the~~ Recorded

S.V.R.
25/2/97

Pr. Mem: Comsr. Madras 1/6
Surgn. Genl 1/6
San. Comr 1/3
Colrs. Anantapur 1/6
– Coimbatore 1/6
N Arcot 1/6

despd. 6/8/97

From The Public Works Dept
Railway Branch

No. 128 R

Dated 25th February 1897
Received 25-2-1897
Registered 25-2-1897
Enclosures
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SUBJECT.

Bubonic Plague

Forwarding certain Rules to the Agent, Madras Railway regarding the examining the passengers in carriages at certain stations for detection of the —

12/3/97 R 25/2/97

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

(R.) Form No. 3.

8

PUBLIC WORKS DEPARTMENT,
RAILWAY BRANCH.

9

PROCEEDINGS OF THE MADRAS GOVERNMENT.

841/M

READ the following

Proceedings of the Madras Government, Local and Municipal Department, No. 219 A.M., dated 15th February 1897.

Order thereon:-No. 128 R dated 25th February 1897.

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(True Extract)

Offg: Joint Secretary.

To,

The The Agent and Manager, Madras Railway.
" Local and Municipal Department. √

Government (1897) of Madras.

LOCAL AND MUNICIPAL.

Recd. } 1897. *Enclosures*
Regd. } *Spare copies*

G.O., No. 332 M., 1st March 1897.

MARCH.

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(Signed) F. D. FOWLER,
Offg. Joint Secretary.

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„ Local and Municipal Department.

Order—No. 332 M., dated 1st March 1897.

Recorded.

(True Extract.)

G. S. FORBES,
Secretary to Government.

To the President, Municipal Commission, Madras.
„ Surgeon-General.
„ Sanitary Commissioner.
„ Collector of Anantapur.
„ „ of Coimbatore.
„ „ of North Arcot.

Exd. P. Seetharam.

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N.B.—

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Q = Print heading only.

Title and Preamble	2665 M	Advocate-General.	The words "the control of lepers following certain callings" do not correctly describe the effect of Section 9, which prohibits lepers from following the callings mentioned.	The words "to prohibit lepers from" may be substituted for "the control of lepers" in
	2951 M 3028 M	Chairman, Municipal Council, Trichinopoly and The Surgeon-General and Lieut.-Colonel O'Hara.	The Bill contains no provision for the separation and protection of the children of arrested female pauper lepers.	Such a provision seems necessary
Section 1 Clause (3)	2891 M	M.R.Ry. S. Swaminatha Aiyar.	The Act should be extended to all municipal towns and major unions and temporarily to places where more than 20000 people collect annually. during festivals	The Government of India has decided that for the present at all events the prohibition contemplated by the Act shall not apply except to lepers in and near municipalities and at the larger fairs and similar gatherings. ~~The limit of 20000~~ the question of selecting the local areas to which the act can be ~~people suggested seems rather high as the~~ ~~extent, If~~ applied, may be considered ~~presence of a fair or temple to small gather-~~ when the necessary notification under (3) ~~-ings is undesirable. ten thousand would~~ is issued. ~~be a fair limit.~~

Section 1 cont Clause (3).	2891 M. cont	M. R. Ry. S. Swaminatha Aiyar.	The phrase "with the previous sanction of the Governor-General in Council" should be omitted. The Government of India may issue an executive order to all Local Governments defining the extent to which and the manner in which the Act may be extended, leaving the further action to Local Governments.	The compulsory segregation of lepers for which the Bill provides was not recommended by the Leprosy Commissioners who found that the disease was not contagious. The Bill has been framed on the recommendation of the Special Committee which considered their report and of the Surgeon-General with the Government of India. The Government of India ~~therefore~~ appears to think that great caution has to be exercised in extending the Act to any local area and has ~~hence~~ therefore reserved to itself the power of sanctioning the application of the Act.
	3122 M	The Sanitary Commissioner.	If it be found that Local Governments cannot afford to have a sufficient number of asylums to work the act properly from the outset, the Act should proceed no further than enforce section 9.	If, as suggested by the Govt. of India, the several municipalities and Local Boards in the Presidency contribute towards their maintenance. There appears to be no difficulty in providing a sufficient number of asylums, and consequently the Act can be enforced as a whole. The city of Madras and the District Municipal Acts will have to be amended so as to legalize the expenditure out of the funds of the local bodies concerned for the purpose of starting and maintaining such asylums in and near Madras and other mufassal towns. The necessary provision has been made in the Bill to amend the Local Boards Act. Vide remarks against Sec 13 of the Bill.
Section 2 Clause (1)	2898 M 3163 M	Surgeon-Lieut-Col. Dr Walker, Superintendent, Leper Hospital. Chairman, Municipal Council Kumbakonam.	Add the following after the word "Commenced": — "or whom leprosy has rendered deformed or repulsive even when active ulceration is absent"	The Govt. of India has on the advice of its medical officers concluded that there is a certain danger in allowing lepers with running sores to engage in trades, because there is danger of septic poisoning from such sore or ulcer and considers that the public interests do not require that action should be taken against lepers who have not reached this stage.

Section 2-cont. clause (1).	2902 M. 3028 M. 3122 M.	Chairman, Municl. Council, Madura. Dr. Surgeon-major Browning. Sanitary Commr.	Omit the words "in whom the process of ulceration has commenced."	It is argued in support of this suggestion that the definition as it now stands is not clear; that ~~it~~ is presumably intended to refer to persons who have (ulcers) breaches on the surface of the body at the time of examination. The process of ulceration may occur and the healing of the part take place, but the person may be hideously deformed and such a person can with impunity carry on his trade. ~~It is therefore suggested that the Act should be applied to all lepers alike irrespective of the~~ As already pointed out, however, the Government of India does not intend at present to take any action ~~except~~ against lepers who have not got running sores or ulcers.	
	2947 M. 3091 M. 3	The Collector ~~of~~ South Arcot. Dr. Surgn. Major Thomson Chairman Municl. Council Rajahmundry ~~Surgn. Major Thomson~~	The term "leper" should be defined so as to include all cases of leprosy, in whatever stage the person to be dealt with by the Bill may happen to be at the time when the Act is applied to him.		
	2950 M.	~~Dr. K. Kesbell~~ M.R.Ry. P. Rajaratna Mudaliyar.	The definition should be modified so as to bring within the scope of the Act all persons suffering from an advanced stage of the disease.	Such a modification seems to be unnecessary. Vide remarks above.	
	3092 M.	Mr. Weir	The definition of the term "leper" should be either omitted or altered as follows:— "Leper means any person certified by an Inspector of Lepers to be a leper".	The proposed ~~alteration~~ omission does not appear to be desirable. The Act authorises a Police officer to arrest without a warrant any person who appears to him to be a pauper leper (Section 6). If the definition is ~~altered~~ omitted as suggested, ~~the question whether a person~~ it will give unlimited powers to the Police officer, whereas under the Act he can arrest only persons with sores. To guard against this abuse it is proposed to leave the duty of arresting to the Station House officer, but this course although in itself desirable, will not adequately meet the difficulty. ~~It~~ The suggested alteration overlooks sections 6 and 7.	It is only after arrest that lepers are sent to Inspectors for examination.
clause 2 (b)	3091 M.	Chairman, Municl. Council, Rajahmundry	Add at the end "beyond begging for charity or begs from door to door for alms"	This addition is proposed with the object of bringing pauper lepers begging in private houses within the purview of the Bill. The same object can, however, be gained by inserting the words "or private house" after the words "public place" in clause (a).	

Section 3	2891 M.	M.R.Ry. S. Swaminatha Aiyar	The following should be added to this section:— "The local Government may also, if it thinks fit, issue licenses to corporate bodies and private gentlemen for the establishment of such asylums, provided they conform to the rules of Government and may withdraw such licenses."	follows the provision in Sec. 1 of Act 36 of 58 and This suggestion seems worthy of Consideration.
Section 4	2881 M.	The Hon'ble Justice Benson	It is doubtful if there is any necessity to enact that persons therein specified shall be deemed to be public servants within the meaning of Section 21 of the Indian Penal Code, as the latter part of the 9th category of Section 21 includes all the individuals referred to in Section 4 of the Bill.	The clause of section 21 referred to is apparently " every officer in the service or pay of Government &c." It is, however, not clear, whether an Inspector of Lepers who does not receive any remuneration from Government ~~[illegible]~~ in that capacity can be held to ~~come under~~ ~~the above definition~~ be "in the service" of Govt." So as to come within the definition. ~~The~~ Express provision in the Bill seems better.
	3122 M.	~~Lieut Col~~ Hackett Wilkins	Instead of Inspectors of Lepers being appointed, all qualified medical men, whether in Government employ or private practitioners, may be authorised to issue the necessary certificates. A right of appeal against such certificate to the Board of visitors of the nearest Asylum constituted under section 5 should be provided.	These suggestions, if approved, will prevent a leper from being taken distances for ~~the~~ examination ~~grant of a~~ ~~and may be adopted~~, but it does not seem to be expedient to entrust the duty to private practitioners. Surgeon Major Browning's proposal appears to be a good one.
		Surgeon-major Browning	It would be a convenience to the affected person and the Police, if all Commissioned Medical officers were ex-officio Inspectors.	

Section 6	2692 M	The District Magistrate of Vizagapatam & [illegible]	This section is trusting a great deal to the discretion of the lower grades of the Police. The power of arresting should be restricted to officers in charge of Police stations, as there can be no urgency about the matter.	The proposed alteration is very desirable.
	3092 M	The District Magistrate of Ganjam		
	2881 M	The Hon'ble Justice Boddam.	It is now discretionary on the part of the Police to arrest pauper lepers. If it is intended to make the arrest of pauper lepers a part of their duty the word "shall" should be substituted for "may". If not, the procedure to be followed in such cases should be specifically laid down.	It seems best to ~~leave~~ make it the duty of the Police to arresting pauper lepers. ~~to the Police~~ The amendment suggested may therefore be ~~adopted~~ recommended.
	2891 M	M.R.Ry. S. Swaminatha Aiyar.	The arrest without warrant may be restricted to cases wherein the pauper leper may not be able to give security.	It is not likely that "pauper lepers," who have no ostensible means of subsistence beyond begging will be able to find security and the Bill as it stands will cause no hardship in practice. Besides, every pauper, as soon as he is arrested, will be taken to the Inspector.
	3122 M	Sanitary Commr.	The Act should provide that lepers with ostensible means should be maintained in their own or other approved houses under arrangements made to the satisfaction of the Inspector.	It [illegible] no ~~necessary~~ ~~very~~ desirable to make some such provision for securing the segregation of well-to-do lepers in their own houses, but it would cause unnecessary annoyance ~~[illegible]~~
			This section should be modified so as to authorise the arrest of pauper lepers as well as those falling under section 9.	The Bill provides for the arrest of pauper lepers, apparently because ~~on the ground that~~ they very commonly obtrude their sores upon the public with a view to forcing people to give them alms, ~~whilst in the case of the other class~~ and ~~it would be rather difficult to find the~~ being vagrants might abscond if not arrested at once. In the case of the other class of lepers, several of whom may probably be respectable, there is obviously no necessity for such immediate action.

Section 6 - cont.

	2902 M.	Chairman, Municipal Council, Madura.	The following section should be inserted after this:— " Every person shall be bound to give information to the nearest Magistrate or Police officer of the existence of a leper "	This is unnecessary as the Bill is intended only to prohibit lepers from exposing themselves in public and from following certain trades and callings affecting the public. In either case the Police will take action.
Section 7	2665 M. 2951 M. 3122 M.	Advocate General and Chairman, Munl. Council, Trichinopoly Dr Lieut-Col O'Hara.	Provision should be made for the conveyance of lepers to the Inspector of lepers, Magistrate or Asylum. (See also Nos 8 & 10)	~~This~~ It seems ~~expedient~~ necessary to provide for this.
	3092 M.	Dr Mr Weir	Provision should also be made for the detention of lepers pending examination by a Magistrate.	Do
Clause (b)	2950 M. 2985 M.	Hon M. R. Ry. P. Rajaratna Mudaliyar. and The Hon'ble C. Jambulingam Mudaliyar	The words " and within twenty four hours exclusive of the time necessary for the journey from the place of arrest to the Inspector of lepers and thence to the Magistrate's Court," should be inserted after "delay".	This addition is on the lines of section 61 of the ~~Bengal~~ Criminal Procedure Code and seems desirable. Please see also the suggestion made by ~~Surg.~~ Dr O'Hara below.
Section 7	3028 M.	Dr Lieut-Col O'Hara Surgn. Lieut-Col. Lee and Surgeon Jen[illegible]	After "shall" insert " Subject to the provisions of section 61 of the Criminal Procedure Code."	Vide remarks above.
		Dr Surgn. Lieut-Col. Lee	Medical officers should be protected in their bona fide exercise of professional judgment against legal proceedings by parties considering themselves aggrieved. Under similar circumstances by the grant of lunacy certificates in Great Britain medical men have been subjected to actions of law.	The suggestion is worthy of consideration.

Section 8

3028 M.	Dr Surg. Major Browning.	There are no "poor houses" nor "poor laws" in India. In the event of the only breadwinner of a family being incarcerated what will become of his or her children?	It appears to be desirable that some provision should be made to remedy the hardship ~~pointed out~~.
3028 M.	Dr Surg. Lieutcol. Lee.	Provision should be made for the voluntary detention for fixed periods in leper asylums of lepers not coming within the scope of the proposed Act.	This suggestion may be recommended to the Govt of India for consideration. ~~The Govt of India~~ The Bill provides only for the segregation of "pauper lepers" and if voluntary admissions are to be allowed, they should also be legalised. Please see however the concluding sentence of para. 10 of the Govt of India Resolution in G.O. No. Legislative
2793 M. 289	District Magistrate of North Arcot.	It should be stated that if the magistrate finds the person arrested to be a leper but not a pauper, he should be discharged.	This appears to be unnecessary as under the section the magistrate can send the leper to an asylum only in case he is found to be a pauper.
2891 M.	M. R. Ry S. Swaminatha Aiyar.	Add the following words at the end:- "or by an order of a magistrate".	~~This addition may be made if~~ The proposed addition seems to be desirable.
3048 M.	The Hon'ble N. Subba Rao.	The Section, as it stands, lays down that pauper lepers can be discharged only by order of the Board constituted under Section 5. This does not provide for a case in which a leper found in a gatt jing is declared to be a pauper leper by the magistrate on insufficient information, but his relatives with means subsequently agree in writing to look after the leper and keep him away from begging. If the Magistrate is satisfied with the undertaking in writing, he may himself be empowered to discharge the leper. If a pauper leper desires to go into a licensed private asylum with	

Section 8 - Cont

the con ent of its manager, the magis-
-trate may discharge him

2891 In — Mr. K. Ry. S. Swaminatha Aiyar

The following provisos should be
adde :—

"Pro ided that at any time if
any ~~pe~~ leper friend or relative of the pauper
shall undertake in writing to the satis-
-facti n of the Magistrate that such
leper shall be properly taken care of
in a se parate place in his house, so
that h would not be allowed to
beg in a public place or to do any
of the acts mentioned in section 9,
the Mag istrate may instead of sending
him to the leper asylum make him over
to the care of such friend or relative,
or if he is already in the asylum
may dis charge him."

"Provi ded also that at the request
in writ ing of any friend or relative
of the per, the Magistrate may send
him to a licensed private asylum
if the manager agrees in writing to
receive him."

This is an adaptation of section 4 of Act 36 of 1858 (India), Lunatic Asylums.
follows

"If the magistrate thinks that the
man apprehended by the Police is
not a pauper leper, the Magistrate
should summon the relative or any
person who should have charge of
the leper. If on enquiry it appears
that such relative or person has the
means a d is bound to maintain the

This is also ~~taken~~ adapted from section 5 of the Above Act.

Section 8 - Cont		lepe the magistrate may make an orde that he should be properly taken care f and should not be allowed to foll any of the callings or do any of acts mentioned in section 9. If ch relative or person shall wilf lly neglect to comply with that orde he may be fined not exceeding Rs 5	
2950 M.	Hon'ble M.R.Ry. P. Rajaratna Mudaliyar.	Be ore sending a leper to the asylum unde section 8 or sentencing him to a fin under section 9 in the first inst-ance, the magistrate may be allowed discretionary power to discharge the leper with a warning, provided some relative or respectable person comes forward and furnishes security to the ex nt of say Rs 100 to take proper care f the leper and ~~preventing~~ prevent him from repeating the acts mentioned in the sections referred to.	This is almost identical with the proviso No 1 suggested by M.R.Ry. Swaminatha Aiyar
2985 M.	The Hon'ble C. Tambulingam Mudaliyar	The section may be modified as follows:- "Whenever a person is produced before any magistrate authorised in this behalf by the Local Government with certificate of an Inspector of Lepers in Form B, if it appears to the agistrate on such evidence as he ay think fit to require that	The wording of the section as it now stands follows agrees with that of section 8 of the Bengal Act V of 1895 and would imply that the magistrate has power to question the validity of a certificate granted by an Inspector of lepers. The proposed amendment will remove this misapprehension.

			such person is a pauper leper, he shall after recording his order thereon send the pauper leper in charge of a police officer &c"	
	2881 M	The ~~Chief~~ Hon'ble Justice Benson	The word "public" meaning of the occurring in this section should be made clear by definition or by illustration or by both.	This would appear to be necessary. Vide the San. Commr's remarks against 9(c).
	3163 M	Chairman Municl Council Kumbakonam	The Bill does not confer any right of appeal to a leper against a conviction.	Any person aggrieved by the magistrate's decision can apply to the District ~~[illegible]~~ magistrate for a revision of the proceedings under Sec 435 CrPC. The right of appeal ~~[illegible]~~ need not therefore be provided for in the Bill.
Section 9	2692 M 3092 M	The District Magistrate of Vizagapatam Mr Weir, District Magistrate of Ganjam	There is nothing laid down about the initiation of proceedings under this section. The accused if not a pauper leper cannot be arrested without a warrant; presumably therefore the magistrate must summon him on complaint.	It would be unnecessary to provide for this in the Bill itself, as the offences under this section will come ~~under~~ within the definition of "noncognizable offences" ~~in~~ under the Criminal Procedure Code & can be dealt with accordingly. To make the point clear, the necessary provision may perhaps be made in the rules framed under Sec 15.
Clause (a)	2891 M	M.R.Ry. S. Swaminatha Aiyar	Add "or jutka driver" at the end of the clause and omit "or" in line 4.	It would be sufficient if the driver [illegible] suggested below
	2902 M	Chairman, Municipal Council, Madura.	Add the following callings:— "weaver, prostitute, pleader and labourer"	The list of callings given in clause (a) of sec 9 is by no means exhaustive, but to make a complete enumeration is not possible. A proviso may be added to the section so as to enable ~~municipal councils~~ the Local Govt ~~to make bylaws from time to time subject to the confirmation of Local Govt~~ to prohibiting lepers from carrying on such other trades as may be considered desirable, having regard to the circumstances of each locality. Vide Sec 12 of the Bengal Act V of 1895.
	2951 M 3163 M	Chairman, Municipal Council, Trichinopoly. Chairman, Municipal Council Kumbakonam.	After "domestic servant" add "money changer, stamp vendor, pial teacher or schoolmaster"	
	2982 M 3091 M	District Magistrate, Tanjore. Chairman, Municipal Council, Rajahmundry	After "haberdasher" add "weaver and sugar maker" and after "servant" add "or in any like or similar occupation"	
			occu[illegible] which it would be well to exclude lepers from.	

Section 9 cont. clause c(a)	2985 M	The Hon'ble C. Jambulingam Mudaliyar	Add at the end of this clause "shampooer, stationer and bookseller" A clause should be added at the end of this section giving power to the local Governments to bring under prohibition by notification such other classes of people as it may deem fit from time to time.	The Govt. of India has however said, that it is not prepared to legislate against prostitution by lepers. Please see remarks above
	3163 M	Chairman, Municipal Council, Kumbakonam.	Add at the end "pial schoolmasters, hawker, money changer, stamp vendor, weaver, compounder, shop assistant, perfumer and flower seller."	
	3028 M 3122 M	Lieut-Col. O'Hara & Dr Browning Surgeon General		
	3001 M	District Magistrate, Madura.	Add at the end "butcher and dairy man"	
	3029 M	Collector of South Arcot.	Add at the end "shroff, money changer, butcher, stationer and schoolmaster"	
	3092 M	Mr Weir. District Magistrate ~~South Canara.~~	This clause should be made clear by providing that any one pursuing the callings not only as principal but also as an agent would be liable to the penal provisions of the Act.	
	2881 M	The Chief Justice	This section is not sufficiently exhaustive and should be reconsidered. A leper should not be allowed to practise as a legal practitioner nor should he be a schoolmaster and there are many other occupations which it would be well to exclude lepers from.	

Section 9 cont. Section 9 Cont cl(a)				
Clause (a)	3122 M	Sanitary Commr	Add after "medical practitioner" "vaccinator, shroff, bookseller, bookbinder, printer" and after "domestic servant" "basket or rope maker or any trade or occupation which involves preparation ~~or~~ storage of article, in whole or in part by him."	Vide remarks on previous page.
	3028 M	Dr Hackett Wilkins	Add at the end "or otherwise practises a profession or trade"	
	2816 M	Mr Atkinson	The prohibition of the calling of domestic servant is unnecessarily severe.	[illegible] desirable
Clause (b)	2881 M	The Hon'ble Justice Boddam	All articles intended for use by man should also be included under this head.	This will render the scope of the prohibition unnecessarily wide and oppressive.
	2891 M	M.R.Ry. S. Swaminatha Aiyar. Collr, South Arcot	The wording should be altered as follows:— "Sells or engages in any way, in any process connected with the preparation of any article of food, drink, drug, medicine or other substance intended for human consumption or for external application to the human body"	No remarks Please see below.
	3091 M	Chairman, Municipal Council, Rajahmundry.		
	3122 M	Dr Lieut-Col. O'Hara Surgeon General		

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Section 9 Cont. lause (b)	2902m	Chairman, Muni' Council, Madura.	Add "a seller of cooking and other utensils"	The alteration in this clause proposed by ~~Mr. R. Ry.~~ Swaminatha Aiyar together with the addition suggested by Lt-Col. O'Hara would make the section complete. It is, however, doubtful whether such ~~drastic~~ a course will be justifiable in the face of the conclusion arrived at by the Leprosy Commissioners that the ~~disease is not contagious~~ ~~propagation of the disease~~ extent to which the disease is propagated by contagion & inoculation is exceedingly small.
	2951m	Chairman, Municipal Council, ~~Kumbakonam~~ Trichinopoly	After "sells" insert "or is engaged in the preparation of" and after "consumption" add "sells or is engaged in the manufacture of textile fabrics intended for human wear"	
	3001m	District Magistrate, Madura.	This clause should be modified so as to make it penal not only to sell food, but also to deal with it or be concerned in any way with its distribution.	
	3029m	Collr. of South Arcot.		
	3163m	Chairman Muni' Council, Kumbakonam.		
	3091m	Chairman, Muni' Council, Rajahmundry, at the ~~instance of Mr. Weir.~~	Lepers should be prohibited from buying in public markets.	The proposal to prohibit lepers from buying in public markets seems to be unnecessarily severe.
	3092m	E. J. Weir, Dt. Magistrate of Ganjam.	Add after "dung" "or any other article"	
	3028m	Lieut. Col. O'Hara Surg.-Genl.	Add at the end "sells or is engaged in the manufacture of textile fabric"	

Section 9 cont. clause (c)	3028 m	Surgeon Major Dr Browning.	The imposition of a fine on lepers for drinking water at a public fountain is unjust.	The Severity of the measure must be admitted, but the ~~public interests require that~~ Justification seems to be in the fact that public sources of water supply should be preserved from contamination. I concur? [illegible] be used offensively [illegible] lies getting [illegible] water for lepers
	3092 m	Mr Weir cf	This clause is unnecessarily severe	
	2833 m	Dt Magistrate. Godavari.	It is practically made a criminal offence for a leper to drink water. In most large towns the only sources of drinking water are as a rule public and circumstances can easily be imagined under which a leper could not get any one to draw water for him.	
	S. Sarginatha Ayyar 3028 m pp 151 3122 m	Lt. Col. O'Hara	Add after "bathing place" the following:— "or in a running stream, river or channel"	This does not appear to be either necessary or desirable.
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	3122 m	Sanitary Commr.	~~Alter the clause as follows~~:— Add " or private well or bathing place open to the use of the public" after "bathing place" and " or from any private source or adjunct of a water supply [illegible] to the use of the public or from anything pertaining thereto" at the end.	Public well or bathing place occurring in this Section may be so defined as to include private wells &c open to the use of the public. Vide the Hon'ble Justice Benson's suggestion on section 9.

Section 9 cont.	3091 M	Chairman, Muni. Council, Rajahmundry.	I[illegible]hould be made penal to employ a leper as [illegible]ervant in a calling (apparently those ref[illegible]d to in clauses (a) & (b) are meant), or [illegible] the manager of a theatre or refreshment room Keep[illegible] the Keeper of a barber's shop & the like to adm[illegible] a leper as customer into their places of bus[illegible].	The Suggestion seems worthy of Consideration.
Proviso.	2793 M	District Magistrate, North Arcot.	A[illegible]rson sent to an Inspector of Lepers und[illegible] the proviso to this section and fou[illegible] not to be a leper is, it is thoug[illegible], en[illegible]d to a certificate in Form A.	It seems to be necessary to make an express provision to this effect, as it will prevent harassing by way of sending an individual more than once to an Inspector of Lepers.
Section 10	2859 M	Municipal Council Calicut.	Provision to obtain the presence of a leper [illegible] a witness or as a party in courts should be made.	~~The provisions of section 10 do not prohibit such a leper from entering into courts of justice~~
Clause (a)	3092 M	Distt Magte Vizagapatam Mr Weir, Distt. Magistrate, Ganjam.	The object of transferring a leper to some other area is not apparent unless it is intended to work the Act only in selected districts and [illegible] attempt the purification of the co[illegible] by successive areas	~~It seems to be desirable to omit clause (a) of this section as suggested by the Advocate General. It would be unnecessarily harsh to banish a leper from his home for probably an indefinite period of~~ the
	2816 M	Mr Atkinson	The ab[illegible]lute discretion conferred by this section to banish [illegible] leper from a local area is unnecess[illegible]rily severe.	This clause as it now stands is very defective. In the first place it provides no penalty for a breach of the bond and Secondly it does not ~~pre~~ ~~describe~~ lay down the procedure to be adopted by the banished leper for obtaining a certificate in Form A. The proposed measure, moreover, seems to be unnecessarily severe. The best Course would
	2665 M	The Advocate-Genl.	This [illegible]ause should be omitted, the lepers being s[illegible] to the nearest asylum.	
	2950 M	Hon'ble Diwan Bahadur P. Rajaratna Mudaliyar	This clause should be omitted.	
	2891 M	M.R.Ry. S. Swaminatha Aiyar.	Add the following between the words "him" and "to" in line 3:—	
	2984 M	The District Magistrate of Tanjore.	"Not [illegible] follow any of the callings or do any [illegible] the acts mentioned in section 9 or"	

Section 9 Cont. clause (d)	2816 ln 3092 ln	Mr. Atkinson Mr. Weir	The prohibition of riding in a public conveyance is unnecessarily severe.	The prohibition appears [illegible]
	2881 ln 3029 ln	The Hon'ble Justice Boddam. Collr. S. Arcot	This clause is very hard. If it is made penal for a leper to travel in train there must be some ameliorating arrangements for him to perform his journey.	
	2859 ln	Municipal Council Calicut.	This should be amended so as to admit of exceptions under special circumstances i.e. by engaging a separate compartment in train.	
	2881 ln	The Hon'ble Justice Boddam.	This clause should include the driver and Conductor of a public Conveyance.	
	Do	The Hon'ble Chief Justice	It is doubtful whether the term "rides in a public conveyance" means as a passenger only & does or does not include the driver of such vehicle.	
	2902 ln 3091 ln	Chairman, Munl. Council, Madura and Chairman, Munl. Council Rajahmundry	The following should be added as clause (e):— " Or mixes with the public in any public assembly, as in a church, temple, mosque or theatre Court &c"	The proposed additions are unnecessarily severe.
	3074 ln	Dt. Magistrate South Canara	Add at the end a new clause (e) " or occupies any public Chattram or rest house"	

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Section 10 - Cont clause (a)	2793M	Mr. Wynne, the District Magistrate of North Arcot.	Th rocedure under which the certificate in orm A can be abtained for and obtained is explained. Such a certificate cannot be rined in a non-notified area, for which the does not authorize the appointment of a Inspector of lepers and the person app or the certificate cannot enter t tified area.	therefore I would be to omit the clause as suggested by the Advocate-General.
	3074M	The District Magistrate of South Canara.	A orm of the bond to be taken from a le er under this section should be give in the schedule.	
	3048M	The Hon'ble N. Subba Rao.	The period of banishment from notified area o of detention in an asylum of a l per who is convicted a second time shou be limited by the magis-tra imself to a fixed period not exceeding one y.	
clause (b)	3028M	Dr Browning Surgeon-Major X	Subs itute "shall" for "may" at the beginning of this lause.	If clause (a) be omitted as suggested above, the word "may" at the beginning of this clause, ought be altered into "shall" unless it is intended to give the magistrate discretionary power in dealing with the matter.
	"		Every leper once admitted into an asylum shoul otify to the local authorities his or her abode and any change of abode.	This may be insisted on.

Section 12	C No. 2881 M	The Hon'ble Justice Benson	The word "detained" in the expression "detained since the last visit" is apparently intended to mean "admitted" and, if so, this ~~shooked~~ word should be substituted for "detained"	The proposed alteration does not appear to be an improvement. No object can be gained by providing for the examination of the order for admission of lepers, who having been ~~admit~~ taken into the asylum, die before the visit of the Board.
	2985 M	The Hon'ble C. Tambulingam	The section should be altered on the lines of sec. 10 of Bengal Act V of 1895; so as to provide for the following:— (1) That the members of the Board shall visit the Asylum jointly (2) That the inspection should be made monthly instead of quarterly and (3) That the inspection of recent admissions should be made compulsory and not left to circumstances as at present.	The suggestions may be adopted
Section 13	2985 M	Do The Hon'ble C. Tambulingam		
'inspection might be of use for the purpose of the latter Section.				
Section 14	2793 M	The District Magistrate of North Arcot.	the rules of criminal procedure, but those relating to an appeal (section 14) cannot be imported into this Act without special provision-	The bill is no doubt defective in this respect. The magistrate must be empowered to stay proceedings pending result of the appeal and to discharge the ~~appellant~~ individual if the appeal is successful.
	2816 M	Mr. Atkinson	The denial of the right of appeal to pauper lepers is unnecessarily severe.	It is extremely doubtful whether a pauper leper will avail himself of the privilege even if it is granted. but there is no harm in giving them the right-

Section 15	2881M	The Hon'ble Justice Boddam.	e Bill contains no reference to any d out of which the proposed l asylum is to be maintained or the officers appointed for the p ose of carrying out its provisions a to be paid. The power given by Section 15 to the Local Government to ake rules is not wide enough to em ace this.	~~Unless~~ Provision similar to that contained in Sec 4 of the Bengal Act may be made.	✓
Schedule (C)	2891M ✓	M.R.Ry. S. Swaminatha Aiyar	Ad the end:— "o order of the Magistrate"	This addition will be necessary if the suggestions made by this gentleman regarding Sec. 8. are adopted.	✓
(E)	3048M ✓	The Hon'ble N. Subba Rao.	For is vaguely worded and the condition im ed therein ~~that~~ for releasing a person wo , if strictly construed, and sometimes in ctice, amount to a certificate in m A.	The significance of this suggestion is not clear.	✓