

Proof
Local & Munl. (1897) Department.

PRINTED.

G.O., No. 864 M

DATED 12-4-97

DESPATCHED

[Despatch Abstract.]

Bubonic plague

Ordering with remarks the public in the
Int St. ^{gazette} paper for a note under the Epidemic Diseases
Act 1897 for Dt. Municipalities & town & villages
in regard to the disposal of infected property
& the payment of compensation for
property destroyed.

BACK PAPERS.

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

FURTHER PAPERS.

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

Government { 1897 } of Madras. LOCAL AND MUNICIPAL.

Recd.

Regd.

} 1897.

Enclosures

Spare copies

G.O., No. 864 M., 12th April 1897.

APRIL.

Bubonic Plague.

Ordering, with remarks, the publication in the *Fort St. George Gazette* of a notification under the Epidemic Diseases Act, 1897, for District Municipalities and Towns and Villages in regard to the disposal of infected property and the payment of compensation for property destroyed.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

READ—the following paper:—

Extract from the Proceedings of the Government of India in the Home Department (Sanitary), under date Calcutta, the 23rd March 1897, No. 10 Sanitary—1044-1057.

Read—

Notification issued by the Government of Bombay under the Epidemic Diseases Act, No. 228-P., of the 10th February 1897.

Notification issued by the Government of Bengal under the Epidemic Diseases Act, Nos. 4 and 5, of the 10th February 1897.

Notification by the Government of the Punjab under the Epidemic Diseases Act, No. 146, of the 12th February 1897.

Resolution.—The Government of India have had under consideration the question of the payment of compensation to persons whose clothing, bedding or other personal effects are destroyed by the order of competent authority on the ground that they may be a source of plague infection. One of the chief difficulties to be overcome in suppressing the disease is that of obtaining prompt notice of every case of it which occurs, and it has been represented to the Government of India that the refusal to grant compensation in cases where personal effects are destroyed operates as an additional inducement to poor people to conceal cases of plague in their families.

2. The subject of the destruction of infected property and the payment of compensation is dealt with in the third and fourth sub-sections of section 427 of the City of Bombay Municipal Act, 1888, and in the third paragraph of section 27 of the Calcutta Municipal Consolidation Act, 1888. The Bombay Act provides that the Municipal Commissioner may direct the disinfection or destruction of bedding, clothing or other articles likely to retain infection, and that the Commissioner may, in his discretion, give compensation for any article thus destroyed. The Calcutta Act vests the Corporation with precisely similar authority.

3. In issuing regulations on the subject under the Epidemic Diseases Act, 1897, the Governments of Bombay and Bengal have followed the principle of the Acts quoted. Rule VII of the plague rules for the City of Bombay, published in the Notification of the Government of Bombay, No. 228-P., dated the 10th February 1897, provides that the Commissioner may, in his discretion, allow compensation at the cost of the Municipal fund, but that no person shall be entitled to recover any compensation by way of damages or otherwise for the destruction or disinfection of any article removed or dealt with as hereinbefore provided, and Rule 15 of the Plague Notification of the Government of Bengal, No. 4, dated the 10th February 1897, makes similar provisions for the City of Calcutta. Similar provision for district municipalities is contained in Rule 15 of Plague Notification of the Government of

Bengal, No. 5, of the same date. The rules issued by the Government of the Punjab in Notification No. 146, dated the 12th February 1897, go beyond the principle of the Bombay and Bengal rules and provide (Rule X) that compensation shall be paid for the destruction or injury of any article destroyed under the orders of the Inspecting Medical officer.

4. The Government of India are of opinion that the principle upon which the payment of compensation should be regulated is that laid down in the Calcutta and Bombay Acts and followed in the plague regulations of the Governments of Bengal and Bombay. Persons should not be considered entitled to compensation because it becomes necessary to destroy property in their possession which is dangerous to the public health, and the prescribed authorities should always retain the discretion to award or refuse compensation according to the circumstances of the case. At the same time, it is of importance that the disinclination of the poorer classes to disclose cases of plague should by all reasonable means be reduced, and the Government of India consider that, in the case of the destruction of bedding, clothing and similar articles, the authorities may be reasonably liberal in admitting payment of compensation, when the loss would fall upon people in very poor circumstances, to whom it would be a great hardship to bear it.

Order—Ordered, that a copy of this resolution be forwarded to all Local Governments and Administrations for information.

Ordered also, that a copy be forwarded to the

Foreign
Finance
Public Works

 Department for information.

(True Extract.)

(Signed) J. P. HEWETT,
Secretary to the Govt. of India.

To the Government of Madras.

ORDER—No. 864 M., dated 12th April 1897.

The subject of the destruction of infected property and the payment of compensation is dealt with in section 373 of the City of Madras Municipal Act I of 1884 and section 232 of the District Municipalities Act IV of 1884, but there is no corresponding section in the District Boards Act V of 1884. The following notification will, therefore, be published in the *Fort St. George Gazette* as No. 21 of the Regulations prescribed under the Epidemic Diseases Act, 1897, for District Municipalities and Towns and Villages:—

NOTIFICATION.

No. 21.—The clothing, bedding and personal effects of all persons detained or suggested under Regulation 3, or removed under Regulation 14 to a place provided under Regulation 2, shall be thoroughly disinfected, and may, at the discretion of the Medical officer in charge of the place of detention or segregation, be destroyed. *Segregated*

The Collector of the district may in his discretion, at the cost of Local or Municipal funds, award compensation for articles destroyed, but no person shall be entitled as of right to recover any compensation by way of damages or otherwise for the destruction or disinfection of any article dealt with as above.

Where the clothes or bedding of a traveller shall have been destroyed as hereinbefore provided, the Medical officer may, if the person is poor, arrange for providing other necessary articles in their place, the cost of the same being intimated to the Collector of the district who shall debit it to Local and Municipal funds at his discretion.

2. The Translators to Government will furnish the necessary translation of the above notification, and the Superintendent, Government Press, will print the required

GOVERNMENT OF MADRAS.

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Bengal, No. 5, of the same date. The rules issued by the Government of the Punjab in Notification No. 146, dated the 12th February 1897, go beyond the principle of the Bombay and Bengal rules and provide (Rule X) that compensation shall be paid for the destruction or injury of any article destroyed under the orders of the Inspecting Medical officer.

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The Collector of the district may in his discretion, at the cost of Local or Municipal funds, award compensation for articles destroyed, but no person shall be entitled as of right to recover any compensation by way of damages or otherwise for the destruction or disinfection of any article dealt with as above.

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2. The Translators to Government will furnish the necessary translation of the above notification, and the Superintendent, Government Press, will print the required

number of copies in English and in the vernaculars and forward them to the Collectors concerned for publication. The Collectors will report the date of such publication in the District Gazettes.

(True Extract.)

G. S. FORBES,
Secretary to Government.

To all Chairmen of Municipal Councils.
 „ all Presidents of District Boards.
 „ all Collectors.
 „ the Surgeon-General.
 „ the Sanitary Board.
 „ the Sanitary Commissioner.
 „ the Superintendent, Government Press.
 „ the Tamil Translator to Government.
 „ the Telugu „ „
 „ the Malayalam „ „
 „ the Canarese „ „
 Gazette.

600

Government { 1897 } of Madras.
LOCAL AND MUNICIPAL.

Copy

V. 2

Pray

Please strike it

& return original into all offices

to Madras Office

See No. 244/97

Recd.

Enclosures

1897.

Regd.

Spare copies

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APRIL.

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The Collector of the district may in his discretion, at the cost of Local or Municipal funds, award compensation for articles destroyed, but no person shall be entitled as of right to recover any compensation by way of damages or otherwise for the destruction or disinfection of any article dealt with as above.

Where the clothes or bedding of a traveller shall have been destroyed as hereinbefore provided, the Medical officer may, if the person is poor, arrange for providing other necessary articles in their place, the cost of the same being intimated to the Collector of the district who shall debit it to Local and Municipal funds at his discretion.

2. The Translators to Government will furnish the necessary translation of the above notification, and Superintendent, Government Press, will print the required

number of copies in English and in the vernaculars and forward them to the Collectors concerned for publication. The Collectors will report the date of such publication in the District Gazettes.

(True Extract.)

Secretary to Government.

To all Chairmen of Municipal Councils.
 „ all Presidents of District Boards.
 „ all Collectors.
 „ the Surgeon-General.
 „ the Sanitary Board.
 „ the Sanitary Commissioner.
 „ the Superintendent, Government Press.
 „ the Tamil Translator to Government.
 „ the Telugu „ „
 „ the Malayalam „ „
 „ the Canarese „ „
 Gazette.

Ed. C. M. Thambaswamy.

[L. & M.]
 150-16-2-97.

LOCAL AND MUNICIPAL DEPARTMENT.

Papers to be read in proceedings:—

Again G.O., No.	dated	189	,
Again G.O., No.	dated	189	,
Current No. 1359M	of 1897, dated 23 rd March	from the Govt. of India	
„ „	„ 189 „	„ „	
„ „	„ 189 „	„ „	

Prey

ORDER. No. 864 M of 12-4-97

The Subject of the destruction of infected property and the payment of compensation is dealt with in Section 373 of the City of Madras mun. act. I of 1884 and Section 232 of the Dist. Municipalities act. III of 1884, but there is no corresponding Section in the District Boards act. V of 1884. The following notification will, therefore, be published in the Fort St. George Gazette as No. 21 of the Regulations prescribed under the Epidemic Diseases Act, 1897 for District Municipalities and towns and villages.

Notification

21. The clothing bedding and

personal effects of all persons detained or segregated under Regulation 3 or removed under Regulation 14 to a place provided under Regulation 2 shall be thoroughly disinfected and may at the discretion of the medical officer in charge of the place of detention or segregation be destroyed.

The collector of the District may, in his discretion, at the cost of Local or Municipal funds, award compensation for articles destroyed, but no person shall be entitled as of right to recover any compensation by way of damages or otherwise for the destruction or disinfection of any article dealt with as above.

Where the clothes or bedding of a traveller shall have been destroyed as hereinbefore provided the medical officer may, if the person is poor, arrange for providing other necessary articles in their place, the cost of the same being intimated to the collector of the district who shall debit it to Local or Municipal funds

at his discretion.

2. The Translators to Government will furnish the necessary translation of the above notification and the Supt. Govt. Press will print the required number of copies in English & in the vernaculars & forward them to the collectors & forward them to the collector concerned for publication. The collectors will report the date of such publication in the District Gazette.

(From orders)

12/11/17

note. These G.O.s also will be forwarded to several Govt. Administrations along with the G.O. containing Regulations 16 to 20.

To

- All chairmen of Mun. Councils
- .. Pres. of Dist. Bd.
- .. Collrs.
- The Surg. Genl
- .. Sanit. Board
- .. Sanit. Commr.
- .. Supt. Govt. Press.
- .. Tamil Translator to Govt.
- .. Telugu ..
- .. Malayalam ..
- .. Kanarese ..

a note will be added in the copy despatched that the translation shd. be furnished within 3 days date of receipt of this G.O.

Gazetted

Again G.O., dated

189 , No.

Current No. 1359.m.

of 1897, dated 23rd March 1897, from the Government of India
Home Deptt.

Current No.

of 189 , dated

from the

SUBJECT.

Destruction of clothing
bedding &c which may be a
source of plague infectionFOR ORDERS.

The regulations issued by the Government under the Epidemic Diseases Act do not like those of Bombay and Calcutta provide for the destruction of the clothing, bedding, or other personal effects of persons which may be a source of plague infection; but Section 373 of the City of Madras Municipal Act 1 of 1884, and Section 232 of the District Municipalities Act IV of 1884 authorize the President or Chairman, as the case may be, to give in his discretion Compensation for bedding, clothing, or other articles which have been exposed to infection from any dangerous infectious disease and which have been directed to be destroyed on

1. H.M.
2. H.S. the Governor

900.449.44
16.3.97

368.44
2.3.97

The President or other person appointed by him may
The Chairman
direct the destruction of bedding, clothing or
other articles likely to retain infection &
may in his discretion give compensation
for the articles destroyed"

that account.

138
1/4/97

The for^t of India Act to the
Punjab rule which gives a right
to compensation for articles destroyed
in the case stated. ~~Now~~ Our
Municipal Acts are precisely on
all points with the Bombay Municipal
Mun. Act which leave it to the
discretion of the Municipal Board
or chairman to award compensation.

As the matter was thus
provided for no special regulation
was made. ~~There~~ however ~~except~~
~~that there is~~ no corresponding
clause in the Dist. Boards Act,
it is therefore a defect in the our
Regulations so far as they apply
to rural areas. (In Lower Bengal
they have apparently no Regulations
at all applying to rural areas
except Railway ^{inland} & Steamer lines)

I think we sh^d. introduce a
Regulⁿ. to this effect

"The clothing, bedding and
personal effects of all persons
detained or segregated under

(See this is wrong. A later
N.H.P. of 12th March of supplied
regulⁿs for villages not being
rural)

Yes - to be added to the
Regulⁿs already issued

(f. no 7 of Calcutta
N.H.P. of 12th March
1897 (Flag A))

"Regulⁿ 3 or removed under Regulⁿ
14 to a place provided under
Reg. 2 shall be thoroughly dis-
infected and may at the
discretion of the medical
officer in charge of the place
of detention or segregation be
destroyed ~~by fire~~

The collector of the district
may in his discretion, ~~award~~
at the cost of Local or Municipal
funds, ~~award~~ compensation
for the articles destroyed, but
no person shall be entitled ^{as of right} to
recover any compensation by
way of damages or otherwise
for the destruction or disinfection
of any article dealt with as
above.

Where the clothes or bedding
of a traveller shall have been
~~destroyed~~ ^{burned} as hereinbefore provided
the med. officer may, if the person
is poor arrange for providing other
necessary articles in their place,
~~at the expense of~~ the cost of the
same being intimated to the
Collector of the district who shall
debit ~~the cost~~ to Local or Municipal

f. no 50 page 7 of
N.H.P. Regulⁿs of 12/4/97
(Flag B.)

Funds, at his discretion"

I have added this
last clause from the N.W.P.
Regulations to meet the case of a
poor traveller ~~being~~ cast adrift
without the means of providing
himself with the necessary
clothing

8/2
2/4/97

Very well -
W.S.

His minimum little clothing that
is necessary at present in this

Resg

W.S.
6/4/97

A.H.
8.4.97

L. & M.
[1,000-25-10-100]

Local & Munl. (1897) Department.

CURRENT No. 1359/M

Order

From

The Govt. of India
Home Deptt.

No. 10 Sany
1044-1057

Dated 23-3-1897

Received 29-3-1897

Registered 29-3-1897

Enclosures

Spare copies

SUBJECT.

Forwarding for information Resolu-
tion on the question of the payment
of compensation to persons whose
clothing bedding or other personal
effects are destroyed by the order
of competent authority on the ground
that may be a source of plague infec-
tion.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

LOCAL & MUNICIPAL DIST.
1359m
10 Larry
No. 1044-1057

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RESOLUTION.

THE Government of India have had under consideration the question of the payment of compensation to persons whose clothing, bedding or other personal effects are destroyed by the order of competent authority on the ground that may be a source of plague infection. One of the chief difficulties to be overcome in suppressing the disease is that of obtaining prompt notice of every case of it which occurs, and it has been represented to the Government of India that the refusal to grant compensation in cases where personal effects are destroyed operates as an additional inducement to poor people to conceal cases of plague in their families.

2. The subject of the destruction of infected property and the payment of compensation is dealt with in the third and fourth sub-sections of Section 427 of the City of Bombay Municipal Act, 1888, and in the third paragraph of Section 327 of the Calcutta Municipal Consolidation Act, 1888. The Bombay Act provides that the Municipal Commissioner may direct the disinfection or destruction of bedding, clothing or other articles likely to retain infection, and that the Commissioner may, in his discretion, give compensation for any article thus destroyed. The Calcutta Act vests the Corporation with precisely similar authority.

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^{Finance}
Public Works Department for information,

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Secretary to the Government of India.

To

The Government of Madras.



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Notification issued by the Government of Bombay under the Epidemic Diseases Act, No. 228-P. of the 10th February 1897.

Notification issued by the Government of Bengal under the Epidemic Diseases Act, Nos. 4 and 5 of the 10th February 1897.

Notification by the Government of the Punjab under the Epidemic Diseases Act, No. 146 of the 12th February 1897.

RESOLUTION.

THE Government of India have had under consideration the question of the payment of compensation to persons whose clothing, bedding or other personal effects are destroyed by the order of competent authority on the ground that may be a source of plague infection. One of the chief difficulties to be overcome in suppressing the disease is that of obtaining prompt notice of every case of it which occurs, and it has been represented to the Government of India that the refusal to grant compensation in cases where personal effects are destroyed operates as an additional inducement to poor people to conceal cases of plague in their families.

2. The subject of the destruction of infected property and the payment of compensation is dealt with in the third and fourth sub-sections of Section 427 of the City of Bombay Municipal Act, 1888, and in the third paragraph of Section 327 of the Calcutta Municipal Consolidation Act, 1888. The Bombay Act provides that the Municipal Commissioner may direct the disinfection or destruction of bedding, clothing or other articles likely to retain infection, and that the Commissioner may, in his discretion, give compensation for any article thus destroyed. The Calcutta Act vests the Corporation with precisely similar authority.

3. In issuing regulations on the subject under the Epidemic Diseases Act, 1897, the Governments of Bombay and Bengal have followed the principle of the Acts quoted. Rule VII of the plague rules for the City of Bombay, published in the Notification of the Government of Bombay, No. 228-P., dated the 10th February 1897, provides that the Commissioner may, in his discretion, allow compensation at the cost of the Municipal Fund, but that no person shall be entitled to recover any compensation by way of damages or otherwise for the destruction or disinfection of any article removed or dealt with as hereinbefore provided, and Rule 15 of the Plague Notification of the Government of Bengal, No. 4, dated the 10th February 1897, makes similar provisions for the City of Calcutta. Similar provision for District Municipalities is contained in Rule 15 of Plague Notification of the Government of Bengal, No. 5 of the same date. The rules issued by the Government of the Punjab in Notification No. 146, dated the 12th February 1897, go beyond the principle of the Bombay and Bengal rules and provide (Rule X) that compensation shall be paid for the destruction or injury of any article destroyed under the orders of the Inspecting Medical Officer.

4. The Government of India are of opinion that the principle upon which the payment of compensation should be regulated is that laid down in the Calcutta and Bombay Acts and followed in the plague regulations of the Governments of Bengal and Bombay. Persons should not be considered entitled to compensation because it becomes necessary to destroy property in their possession which is dangerous to the public health, and the prescribed authorities should always retain the discretion to award or refuse compensation according to the circumstances of the case. At the same time, it is of importance that the disinclination of the poorer classes to disclose cases of plague should by all reasonable means be reduced, and the Government of India consider that, in the case

of the destruction of bedding, clothing and similar articles, the authorities may be reasonably liberal in admitting payment of compensation, when the loss would fall upon people in very poor circumstances, to whom it would be a great hardship to bear it.

ORDER.—Ordered, that a copy of this Resolution be forwarded to all Local Governments and Administrations for information.

Ordered also, that a copy be forwarded to the ^{Foreign}
^{Finance}
^{Public Works} Department for information.

(True Extract.)

J. P. HEWETT,

Secretary to the Government of India.

To the Govt. of Madras —

7 copies
1359 M. 1897

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper:—

ORDER No. 864 M., dated 12th April 1897.

The subject of the destruction of infected property and the payment of compensation is dealt with in section 373 of the City of Madras Municipal Act I of 1884 and section 232 of the District Municipalities Act IV of 1884, but there is no corresponding section in the District Board's Act V of 1884. The following notification will, therefore, be published in the Fort St. George Gazette as No. 21 of the Regulations prescribed under the Epidemic Diseases Act 1897 for District Municipalities and Towns and Villages.

Notification.

21. The clothing, bedding and personal effects of all persons detained or suggested under Regulation 3 or removed under Regulation 14 to a place provided under Regulation 2 shall be thoroughly disinfected and may at the discretion of the medical officer in charge of the place of detention or segregation be destroyed.

The Collector of the District may in his discretion, at the cost of Local or Municipal funds, award compensation for articles destroyed, but no person shall be entitled as of right to recover any compensation by way of damages or otherwise for the destruction or disinfection of any article dealt with as above.

Where the clothes or bedding of a traveller shall have been destroyed as herein before provided the medical officer may, if the person is poor arrange for providing other necessary articles in their place, the cost of the same being intimated to the Collector of the district who shall debit it to Local and Municipal Funds at his discretion.

2. The Translators to Government will furnish the necessary translation

translation of the above notification and Superintendent Government Press will print the required number of copies in English & in the vernaculars and forward them to the Collectors concerned for publication. The Collectors will report the date of such publication in the District Gazettes.

(True Extract)

(Signed) G.S. Forbes

Secretary to Government.

To All Chairmen of Munul. Councils.

,, Presidents of Dt. Bds.

,, Collectors.

The Surgeon General.

,, Sanitary Board.

,, Sanitary Commissioner.

,, Superintendent Govt. Press.

,, Tamil Translator to Govt.

,, Telugu ,,

,, Malayalam ,,

,, Canarese. ,,

Gazette.

A note will be added in the copy despatched that the translation should be furnished within 3 days from date of receipt of this /o

at copy sent to Press. 12-4-97

for signature. 30-4-97

dispatched in print. 1-5-97

8-5-97

GOVERNMENT G.O. No. 189

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ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DITTO.

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