

Local & Munl. (1897) Department.

INDEXED. *MSS*

MISCELLANEOUS.

G.O., No. *91/m*

DATED *25-1-97*

DESPATCHED

[Despatch Abstract.]

Bubonic plague

Comm^{ty} to the munl. Commⁿ Madras & the
Sanitary Commⁿ. Telegram from the Govt of India
about general legislation regarding — & requesting
the Pt. to report on the suggestion that a clause
should be enacted in amendment of the City of
Madras Munl Act on the lines of sec. 634 of the
Bombay City Munl Act.

BACK PAPERS.

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

FURTHER PAPERS.

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

[L. & S. 1,000-25-10-96.]

Local & Munl. (1897) Department.

Recd

Tel. Dept. of India 2.20

from - - 2.23.

Order No 91 Munis d/25-1-97

CURRENT No. 263

Communicated to the President of the Madras City & the Sanit. Comm.

Telegram
From

The Government of India
Home Department.

No.

The President will report on the suggestion that a clause should be enacted in amend^t of the Madras City Mun. Act on the lines of Sec. 434 of the Bombay City Mun. Act

Dated 23.1-97

Received 23.1-97

Registered 23.1-97

Enclosures

Spare copies

SUBJECT.

Stating that the Government of India does not consider that general legislation will be necessary for combating Bubonic plague and suggesting the amendment of the Madras City Municipal Act on the lines of the Bombay City Municipal Act as the latter gives wider powers in case of emergency.

To The President, Municipal Comm., Madras
H. H. Sanitary Commissioner. H. H. D. D. 26/1/97

Sec 434 of the Do. Act ~~repealed~~
will be found in the volume below
p. 246 (Bombay Code Vol. III)

If legislation is decided upon the necessary measure can be run through the Dep. (by suspending the standing orders) at the next meeting on 9th Feb.

S.P.

If we are to have legislation (and I know that Mr. Moore thinks it necessary) the best form would appear to be a cross between S. 434

Informed Col. Moore this morning by D.O. of the report of Mr. Moore's reply. There is a meeting of the Mun. Comm. this eve. *S.P.*

of the Bombay Act No. 334 of the
Calcutta Act (Beng. Act II of 1888). The
Bombay Act is best in that it gives the Comm.
in our case, the Pres. of the M.C. the power
to act, instead of leaving the matter to the whole
body of Comm. The Cal. Act is best in that it
attaches a penalty to breaches of such
regulations, as may be made. Suppose India
would have no objection to the Calcutta form
instituting a telegraph to ask if any objection to
attaching penalty to breaches of regulations
under the section based on the Bombay
section, as is provided in the Cal. section.
This may be done without delaying issue of
the G.O.

Many opinions, however, this is not
enough - I consider that we should
not only have power to remove a person
hospital a person suffering from dangerous
infection or contagious disease, but that
we should be able to place in quarantine all
healthy persons who have been in contact with the
patient after the outbreak of the disease,
just as we can all persons on board a
vessel on which such a disease has broken
out. "In contact" perhaps is too vague - let
us say all persons who have been inmates
of the same house for (say) 24 hours after
the outbreak of the disease - If plague
breaks out in Madras, I know of no other
way of stamping it out.

What is good for Madras should
also be good for the Mofussil.
Now, under S 371 of the Act I of
1884 the Pres. can remove patients to
hospital under the Mofussil Comm.
Act there is a similar provision. But
neither Act (nor any Act in force in
India, so far as Madras) contains any
provision for placing in quarantine the as yet
healthy inmates of a house in which
(say) plague has broken out. I consider
that we require for the land an Act similar
to I of 1870 for the sea; and I would
ask India if there would be any objection
to the passing of such an Act. I ought of
course to be brief, but I see no reason
why a Pres. Legislature should not
deal with such matters, if India will not.
My interpretation is that it will have
to do so. Now, what is the meaning
of the word about stamping out the
plague in the Queen's speech (as the
drafted, that is): - "He has
directed her Govt. to take most
stringent possible measures for
eradication of plague" - Unless something
sticking and decisive is to be done,

BACK PAPERS.

G.O.	No.	Department.	Date.
A	257		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

I had raised this G.O.
on another file &
ordered the dist. letters
acts of other ports to
be examined

8/12/97

I agree in all respects with
the suggestions of the Hon. Mr.
Bliss 25/1/97
Note 25/1/97

The G.O. has been issued.
I question the expediency and even the
possibility of carrying out the proposal as to
supervision. A.S.H. 28.1.97

Butter, perhaps, ask India
whether, if we legislate on the
lines of S. 434 of the Bombay
Act we may also attach the
penalties provided by S. 473.
We must, I think, get India's
express sanction to legislation
imposing penalties

Rs

26/1/97

27/1/97

The draft Telegram should go.

as amended with
reference to a note
8/12/97

A.S.H. 28.1.97

this is more business -

To go back to the legislation
on the lines of S. 434 of the Bombay
Act - would legislate for the
Mofussil Mofussil on the same lines as
for Madras, but would give the Comm.
the power to make the contemplated
extraordinary regulations. The Chairman
of Mofussil Mofussil Councils could
hardly be trusted in such a case -
both Pres. (in Madras) & Comm. (in the
Mofussil) should I think only act
under the contemplated section with
the approval of Govt. - not to delay
matters too much, the approval
need not be previous.

Circulate after issue of order
+ get to India at A.

Rs

25/1/97

H.H.

Before issuing the telegram to
India 2nd being Sec. 473 of
the Bo. Act to the notice. There
is already there is the same as
a breach of regulation is to
be punished under Sec
188 Penal Code.

Whoever fails to comply
with any requisition lawfully
made under the section or contravenes
any regulation made thereunder
shall be deemed to have committed an
off. under Sec. 188 I.P.C. & will be

liable to unp as well as
fine. Perhaps we may
adhere to the more severe
lines of the Bombay Act.
As the J. of J. have suggested
them, they are sure to give formally their
assent: & we may perhaps need not address them
till we consider what modifications if any
are needed in the Bombay section:
or we may at once ask for formal
sanction to the interference with
the Penal Code which our adoption
of the Bombay clauses will involve.

SH
25/4/97

When given for copying _____
When copied _____
When examined _____
When signed _____

189

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTERS OF GOVERNMENT

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

H.B.—

A = Copy in full.
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