

MISCELLANEOUS.

G.O., No. 1127/m

DATED 23-6-98

INDEXED. H.S.

[Despatch Abstract.]

Munl. Commission

Recording Proceedings is also a
Copy of abstract Proceedings of a General
meeting of the Madras Munl. Commissioners
held on 28th March 1898.

BACK PAPERS.

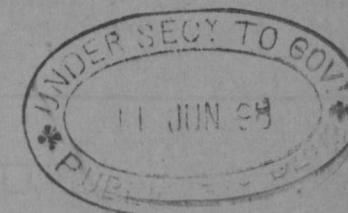
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Local & Munl. (1898) Department.

CURRENT No. 2016M



From

THE PRESIDENT,

Municipal Commission,
Madras.

N
Rise

Order No. 1127 M.M. 23-6-98

G. No. 114

Recorded

1/2
17/6/98

20/6/98

Dated 11 June 1898

Received

Registered

Enclosures Two.

Spare copies

SUBJECT.

Forwarding full proceedings
as also a copy of abstract
proceedings of a General meet-
ing of the Commissioners held
on 28 March 1898.

21/7/6

16/11/98

BACK PAPERS

G.O.	No.	Department.	Date.

FURTHER PAPERS

G.O.	No.	Department.	Date.

MINUTES of the PROCEEDINGS of a GENERAL MEETING of the MUNICIPAL COMMISSIONERS for the CITY of MADRAS, held at their Office Premises, No. 22, Errah Bauloo Chetty Street, Black Town, on Monday the 28th March 1898, at 5 P.M., under the provisions of the City of Madras Municipal Acts I and VII of 1884 and II of 1892.

PRESENT :

Lieutenant-Colonel Sir George Moore, *Kt.*, C.I.E., *President*.
H. Ormerod, Esq.
M.R.Ry. P. Theagaroya Chetty Garu.
M.R.Ry. R. Balakistnama Chetty Garu.
M.R.Ry. R. N. Pragasa Mudaliar Avargal.
M.R.Ry. Salla Gurusawmy Chetty Garu.
M.R.Ry. M. Venkataramiah Chetty Garu.
M.R.Ry. S. Subbaya Chetty Garu.
M.R.Ry. P. M. Sivangana Mudaliar Avargal.
M.R.Ry. N. Appusundaram Pillay Avargal.
M.R.Ry. C. S. Theagaroya Mudaliar Avargal.
Mir Muzheruddin Sahib Bahadur.
J. DeCaster, Esq.
M.R.Ry. V. Varadappa Naidu Garu.
M.R.Ry. W. S. Venkataramanjulu Naidu Garu.
M.R.Ry. V. Masilamani Pillay Avargal.
N. Subrahmanyam, Esq.
M.R.Ry. M. K. Lakshmana Charriar Avargal.
M.R.Ry. Rai Bahadur A. Dhanakoti Mudaliar Avargal.
W. D. Smith, Esq.
M.R.Ry. Diwan Bahadur V. Krishnama Charriar Avargal.
M.R.Ry. G. Subramania Iyer Avargal.
M.R.Ry. V. C. Desika Charriar Avargal.
M.R.Ry. P. Subramania Iyer Avargal.

No. 1.

Proceedings of the Standing Committee, dated 4th March 1898.

Recorded.

No. 2.

M.R.Ry. V. Varadappa Naidu Garu moved the following resolution of which he had given notice—

"That the market in course of construction in the People's Park be called 'The Moore Market,'" which was seconded by M.R.Ry. M. K. Lakshmana Charriar Avargal.

M.R.Ry. G. Subramania Iyer Avargal proposed as an amendment, and Mr. N. Subrahmanyam seconded,—

"That the matter be adjourned till the completion of the market."

The amendment, on being put to the meeting, was lost.

The original proposition was then put and carried unanimously.

No. 3.

M.R.Ry. R. N. Pragasa Mudaliar Avargal moved the following resolution of which he had given notice—

"That in view of the importance of the work of construction of the rubbish incinerator and of the new market buildings, the Commissioners deem it necessary that the said two works should be carried into execution departmentally,"

which was seconded by M.R.Ry. R. Balakistnama Chetty Garu.

Lost.

No. 4.

M.R.Ry. M. K. Lakshmana Charriar Avargal moved the following resolution of which he had given notice—

"That considering the importance of preventing adulteration of drugs and articles of food and drink, a Committee consisting of the President, Messrs. G. L. Walker, V. Varadappa Naidu, H. Ormerod, P. Subramania Iyer, R. N. Pragasa Mudaliar, W. D. Smith, M. Venkataramiah Chetty,

J. Maitland and the mover be appointed to consider and report on the subject,"

which was seconded by Mr. H. Ormerod.

Carried.

No. 5.

The President moved the following resolution of which he had given notice—

"That G.O., No. 614 M. Mis., dated 21st March 1898, re the appointment of Surgeon-Lieutenant J. W. Cornwall as Health Officer of Madras Municipality be considered," which was seconded by Mr. N. Subrahmanyam.

Carried.

Proposed by M.R.Ry. R. N. Pragasa Mudaliar Avargal and seconded by M.R.Ry. P. Subramania Iyer Avargal—

"That the proposals of Government be approved."

Carried.

No. 6.

The President moved the following resolution of which he had given notice—

"That the application of the Hon'ble Mr. V. Bashiam Iyengar for opening a market in No. 16, Mundakanni Ammen Covil Street, Mylapore, be considered," which was seconded by M.R.Ry. P. Subramania Iyer Avargal.

Carried.

Proposed by M.R.Ry. V. Varadappa Naidu Garu and seconded by M.R.Ry. N. Appusundaram Pillai Avargal—

"That the opening of the market be sanctioned."

Carried.

The meeting terminated.

G. M. J. MOORE, Lieut.-Col.,
President, Municipal Commission.

Municipal Office, Madras,
March 1898.

Proceedings of a General Meeting of the Municipal Commissioners for the City of Madras, held at their Office Premises, No. 22, Errah Bauloo Chetty Street, Black Town, on Monday, the 28th March 1898, at 5 p.m., under the provisions of the City of Madras Municipal Acts I and VII of 1884 and II of 1892.

PRESENT :

Lieutenant-Colonel Sir George Moore, Kt., C.I.E., *President*

H. Ormerod, Esq.

M. R. Ry. P. Theagaroya Chetty Garu.

M. R. Ry. R. Balakistnama Chetty Garu.

M. R. Ry. R. N. Pragasa Mudaliar Avargal.

M. R. Ry. Salla Gurusawmy Chetty Garu.

M. R. Ry. M. Venkataramiah Chetty Garu.

M. R. Ry. S. Subbiah Chetty Garu.

M. R. Ry. P. M. Sivangnana Mudaliar Avargal.

M. R. Ry. N. Appusundaram Pillay Avargal.

M. R. Ry. C. S. Theagaraya Mudaliar Avargal.

Mir Muzhar-ud-din Sahib Bahadur.

J. DeCaster, Esq.

M. R. Ry. V. Varadappa Naidu Garu.

M. R. Ry. W. S. Venkataramanjulu Nayudu Garu.

M. R. Ry. V. Masilamani Pillai Avargal.

N. Subrahmanyam, Esq.

M. R. Ry. M. K. Lakshmana Chariyar Avargal.

M. R. Ry. Rai Bahadur A. Dhanakoti Mudaliar Avargal.

W. D. Smith, Esq.

M. R. Ry. Dewan Bahadur V. Krishnama Chariyar Avargal.

M. R. Ry. G. Subramania Iyer Avargal.

M. R. Ry. V. C. Desika Chariyar Avargal.

M. R. Ry. P. Subramania Iyer Avargal.

Proceedings of the Standing Committee.

THE PRESIDENT:—The first business on the agenda is the consideration of the proceedings of the Standing Committee, dated 4th March 1898.

The Proceedings were recorded.

The Moore Market.

THE PRESIDENT:—Now we come to Dr. Vardapah Naidu's resolution.

DR. VARADAPAH NAIDU:—I propose "that the market in course of construction in the People's Park be called the Moore Market," in commemoration of the long and valuable services rendered by Col. Sir George Moore. I think that in appreciation of those services we as Commissioners ought to commemorate his name by calling the new market "the Moore Market." I need not speak at any length about his services and I have no doubt that you would unanimously carry this proposition by acclamation.

MR. M. K. LAKSHMANA CHARI:—Mr. President and Gentlemen. In seconding Dr. Vardappa Naidu's resolution I should like to say a few words concerning the peculiar appropriateness of the suggestion that our esteemed President's name should be given to an important public institution. It may appear a work of supererogation to remind you of what Sir George Moore has done for this city since he was appointed President of the Municipal Commission in 1886. Yet on occasions like the present it is desirable that some few of the chief features of a man's work should

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be specially mentioned—even though all be quite familiar to us—that they may also be made known to citizens who have not had the same opportunities of seeing how much that man has contributed personally to the general tally of work.

I may remark, therefore, that Sir George Moore has put in longer service than any of his predecessors. When Sir Mountstuart Elephinstone Grant Duff was Governor of Madras, he noticed that it was the custom to appoint members of the Civil service to be Presidents of the Madras Municipality. These gentlemen served a year or two, and then returned to the ladder of promotion in their own service. Though some of them left uneffacable records of their work—notably, for instance, the Hon. Mr. Arundel in the Victoria Public Hall, which resulted from his endeavours—still there was in those days a lack of continuity in Municipal administration that was prejudicial to progress. Sir Mountstuart acted wisely in departing from the established custom, and appointing a permanent President. How wise was his choice of individual as well as of system, has been made known to us by the experience of nearly a dozen years. During our President's term of office, we have seen a Tramway introduced; and if its working leaves much to be desired that is not his fault. We have seen new schemes of drainage and water supply brought forward, adopted, and to some extent carried out. Many improvements have been already made; others are in course of execution. Government has been induced not merely to authorise such improvements but to assist them financially; and the chief need of praise for this welcome result falls to our President. The amendment of the Municipal Act has always been advocated by him. The sewage farm system has been extended, and Municipal revenues have benefitted largely thereby.

These are a few among the "leading events" of Sir George Moore's administration. Important as they are, however, they do not outweigh the numerous minor events that have combined to make that administration the pronounced success that has been visible to us all. The general efficiency of the Municipal Executive at the present time tells its own tale of presidential vigour, energy and care. And if special instances be wanted in this respect also we have one in the manner in which the President protested, and that not in vain, when the Government of India wished to convert Madras into a pilgrim port. We have such instances, in fact, in every detail of the energetic measures that have been adopted in Madras to guard against the introduction of the bubonic plague from the Bombay Presidency. How much Madras owes to Sir George Moore in this respect, cannot be estimated: it is incalculable, but it is beyond question very considerable.

Remembering these things and bearing in mind, too, the direct interest that he has taken in the opening of new minor markets and the construction of the new General Market that is to occupy the site in the People's Park, we cannot but feel how happy is the suggestion that the name of Sir George Moore shall be handed down to local posterity coupled with this one among the many monuments to his fame that are to be seen about this city. I feel sure, Gentlemen, that you will be unanimously of this opinion: indeed, my one doubt as to the wisdom of seconding Dr. Varadappa's resolution lies in a feeling that it is eminently one that ought to need no seconder, but should be carried with acclamation as well as unanimously.

MR. J. DECASTER:—While cordially endorsing all that has been stated by the last speaker I wish to propose a small amendment—by adding the word "central" before "market." It would then be "The Moore Central Market." The present market is called the General Market, and the new market is to take its place. We may call it the "General Moore Market," but this will promote our President to a position to which he is not entitled.

MR. V. C. DESIKA CHARI:—If we add the word "Central," the prominence that we want to attach to the word "Moore" will be lost. It is better to leave the proposition as it is.

MR. GURUSAMI CHETTI:—Our object is to perpetuate the name of our President and it is better not to have any amendment at all.

MR. G. SUBRAMANIA AIYAR:—I endorse all that has been said most cordially and I should be the foremost to support the motion that had been put forward, but I think that it is rather premature to consider what name we shall give to the market which has hardly yet been started. It will be some time before the market is completed and when it is completed there will be time enough to consider the name.

MR. S. SUBBIAH CHETTI:—I do not know whether Mr. Subramania Aiyar is in doubt that the market will not be completed. It is now under construction and if it is going to be for ever as it is now, it will not go by the name "the Moore Market."

MR. N. SUBRAHMANYAM:—It looks like a marriage couple discussing the name of a child before it is born. It will be time to consider it when it shows its head. If the mover of the resolution would consent to have the matter lie over for a time we may consider later on what name we can give to the market.

MR. V. C. DESIKA CHARI:—The child is already in existence.

MR. P. THEAGAROYA CHETTI:—I think we must be unanimous on the matter. As Mr. G. Subramania Iyer has put it, it is premature to do anything at present.

It was proposed by Mr. G. Subramania Iyer and seconded by Mr. N. Subrahmanyam "that the matter be adjourned till the completion of the market."

MR. GURUSWAMI CHETTI:—The proposition having now been brought forward, we must now vote on it once for all.

MR. S. SUBBIAH CHETTI:—Unless it is going to be unanimously carried the proposition should not be put to the meeting.

MR. J. DECASTER:—Nobody has put forward any argument for postponing the consideration of this resolution. It is a special kind of resolution intended to do honor to the President. Almost all are unanimous on the point.

MR. W. S. VENKATARAMANJULU NAYUDU:—I thoroughly endorse the opinion of Mr. N. Subrahmanyam on the subject. I think every Commissioner will be glad to honor our President by calling this market after his name, after its completion. But I think it is not appropriate to name it before it is finished. I do not see why Dr. Varadappa Naidu or any other gentleman should apprehend that it would not be called "the Moore Market" after its completion. If there is no likelihood of the amendment being carried, the best thing will be for Mr. Subramania Iyer to withdraw it and for the Commissioners to vote for the original motion.

The amendment on being put to the meeting was lost.

The original proposition was then put and carried unanimously with acclamations.

THE PRESIDENT:—I am very much obliged to you for this. Though you have taken a very long time to decide the question, still I appreciate the honor you have done me by proposing to name the new market "the Moore Market." I hope we shall all live to enjoy the benefits of it.

Mr. Pragasa Mudaliar's Resolution.

THE PRESIDENT:—We now come to Mr. Pragasa Mudaliar's resolution.

MR. R. N. PRAGASA MUDALIAR:—The resolution that stands in my name runs as follows:

"That in view of the importance of the work of construction of the rubbish incinerator and of the new market buildings, the Commissioners deem it necessary that the said two works should be carried into execution departmentally."

The resolution which I have just moved is very simple and I do not think it necessary I should say much in support of it. You are aware that a sum of about 2 lacs has been sanctioned for the construction of the Rubbish destructor and for that of the new market buildings. It must also be remembered that a further sum of over a lac will have to be spent before completing the market buildings as per plan. Now that we have set apart for these purposes a very large sum despite our financial difficulties, we must at least realise in the completion of these buildings our money's worth. We cannot afford to spend away money to find in the end bad work, if not, a useless one; nor could we afford to spend additional money for rectifying blunders by whomsoever or whatsoever cause it may be. We have already had cause for apprehension as regards the foundation of the chimney, at least doubts were entertained in certain quarters regarding its stability. There is therefore all the more reason why the utmost vigilance and the greatest care should be exercised in the course of its construction. As people of experience we all know that there is great deal of difference between the work executed by a contractor and that done by the owner himself. The latter has a personal interest and it is his interest to see that the work turned out is substantial,

faultless and lasting. On the other hand a contractor has no such interest. His chief concern is to save and to put by as much money as possible into his pocket which necessarily implies so much of cutcha work and the more a contractor contrives to hood-wink those who are supposed to supervise his work, the more he gains to the detriment of the work itself. It may be said, however, that we have an Engineer and an Asst. Engineer to see that the work is properly done. That may be all true; but is it expected or is it possible for either the Engineer or the Asst. Engineer to remain on the spot from morning till evening to watch every layer of mortar or cement that is spread or every brick as it is piled? In fact it is too much for either of these officers drawing high Municipal salaries to devote their time and be looking after the contractor or his work. Virtually the duty of superintendents would devolve on some low paid Maistries or Overseers who can very easily be induced to become friendly with the contractor, I hope you will agree with me in considering that it is neither safe nor beneficial to entrust the masonry work of two of our most important buildings to the tender mercy of a contractor whose responsibility, if there is any at all, is not worth the name.

In urging for your consideration the necessity of the works in question, being carried into execution departmentally, I am not at all sentimental, I am simply echoing the opinion of one who is by his experience and position an authority in such matters. Talking the other day with an Officer of the Public Works Department he expressed that from what he had already heard regarding the foundation of our Incinerator it is absolutely essential that the work should be proceeded with, cautiously and steadily and that as it is all masonry work, it should be executed by the Department. I was informed moreover that about a couple of months ago the Chief Engineer and Secretary to Government in the P. W. D. has issued definite instructions that though earth-work and the like may be given on contract or piece work, masonry works should be done departmentally and should never be given on contract to remove all temptation to "scamp" work, and that further it was the decided opinion of the Chief Engineer that masonry work can be done cheaper and much better departmentally than by contract. If then it is the express opinion of so high an authority as the Chief Engineer and Secretary to Government "that masonry work can be done cheaper and much better departmentally than by contract," it is too much on the part of any one to say that it is otherwise; and we as trustees of people's monies would certainly not be justified in permitting these works to be executed on contract in the face of the Chief Engineer's opinion.

It must be admitted that work executed departmentally must be superior to any done by contract. I shall show you briefly that if the 2 works in question be undertaken by the department there would be a very large saving. Taking for instance the supply of granite of which the quantity required is 3,700 cub. ft. Jeevjee and Co. would supply us at the rate of 1-10-0 per cub. ft. and 0-1-3 for fixing as per schedule. According to the lowest market tender the rate is Rs. 3-4-0 for 1,626 cub. ft., Rs. 2-8-0 for 733 cub. ft. and Rs. 2-4-0 for 1,363 cub. ft., making about Rs. 2-12-0 per cub. ft. in the average. Thus in this item alone there is a saving of 1 Rupee per cub. ft. or more than Rupees 3,700 if we get the granite from Jeevjee and Co. Then going to teakwood of which we require 2,300 cub. ft. Jeevjee and Co. are bound to supply us at the rate of Rs. 2-13-7 per cub. ft. According to the lowest market tender the rate is Rs. 3-4-0 per cub. ft., making a difference of Rs. 0-6-5 per cub. ft., or nearly Rs. 1,000. Thus in these 2 items alone the gain would be more than Rs. 4,700. Going to other items, I can show a saving of something like Rs. 1,000, on the present contract work amounting to Rs. 50,000. I think I have shown sufficient grounds why the 2 works now to be undertaken should be done departmentally and I trust that my proposition would commend itself to you.

MR. R. BALAKRISHNA CHETTY:—I beg to second the resolution. I should like to know whether the work has been entrusted to a contractor already.

THE PRESIDENT:—The market has been. With reference to this resolution, I may point out that this is a question with which the Commissioners have nothing to do. I may or may not give a work on contract as I like; but I cannot give it on contract, unless the Standing Committee accepts the contract. Sec. 49 of the Act governs the case. If the Commissioners express any decided opinion that a certain work should be done departmentally, I should naturally attach weight to it,—not on arguments such as those that have been brought forward by Mr. Pragasa Mudaliar. The estimates for doing the work departmentally were prepared before the tenders came in, and amounted

to Rs. 53,343, against the lowest tender of Rs. 49,447. I do not know where Mr. Pragasa Mudaliar got his figures from. You remember an occasion when I insisted on a contractor supplying a certain number of pipes; but that was supposed to be an extraordinary demand, the Commissioners decided that I had no right to impose large demands on him, and he was granted a compensation of Rs. 20,000. I maintain that on that occasion I was fully justified in making him supply us the pipes we wanted. This is a case very much in point. I suppose Mr. Pragasa Mudaliar got his figures from the schedule, but the estimates submitted by Mr. Loane, who was called upon to submit an estimate, in almost every case were in excess of Mr. Pragasa Mudaliar's figures. I would mention as examples Mr. Loane's quotation of Rs. 4 for granite as against Rs. 3-4 quoted by Mr. Pragasa Mudaliar, while as regards timber Mr. Pragasa Mudaliar has said Rs. 2-13, and Mr. Loane's estimate is Rs. 3-2, as against the contractor's Rs. 3-4; he was 2 As. cheaper here. Those are the rates at which, if we are to do it departmentally, we can do it; we would not undertake to do it at less rates. My experience on a former occasion when I made a contractor supply what I maintain he ought to supply, was that we had to spend Rs. 20,000 more than our estimate. Another point is, I do not think the work would be better done departmentally if the contractor is properly supervised; but if we are to do the work departmentally we have to engage a special staff, keep our own muster rolls, and time sheets, we have to keep a special staff to check everything, we cannot be sure that the coolies do their work and we may not get the full work out of the coolies. When a contractor undertakes to do the work, whether he gets full work or not out of the coolies is a matter with which we have nothing to do; we could exercise just as good supervision over the contract work as over the departmental work. As regards the market, it is out of the question, because the contract is given and the man has paid his deposit. I must say that whatever may be the result of this resolution, I am not prepared to abide by it, because it is against the Act. If I thought that the departmental work was better, I should certainly have done it that way; but as I am not satisfied that this would effect a saving, certainly not a saving of Rs. 10,000, I see no reason to make the change. When a work is given out on contract, we know where we are. Mind you, this estimate is only for material, and not for the supervising staff.

DR. VARADAPPAH NAIDU:—15 per cent. is generally allowed for supervision.

MR. PRAGASA MUDALIAR:—That is given on the last page.

THE PRESIDENT:—Oh. Here it is given. It brings the total to Rs. 99,000. I am not at all satisfied that doing it departmentally would be advantageous.

MR. W. S. VENKATARAMANJULU NAIDU:—Even in the case of the incinerator.

THE PRESIDENT:—No. We have done the most ticklish part of it ourselves, viz., the foundation, which, as Mr. Pragasa Mudaliar said, was a ticklish job. But I am not at all certain that the departmental work would be advantageous and I am quite certain it would be more expensive.

MR. VENKATRAMIAH CHETTY:—I do not wish to dispute your powers on the point; but the section says "the President may, on behalf of the Commissioners." Does it not mean that you should consult the wishes of the Commissioners?

THE PRESIDENT:—No. It is purely an executive act. See sections 51 and 52.

MR. V. C. DESIKA CHARI:—I would like to know if the proposer would withdraw his resolution in view of what the President has said. The lowest tender which was supported by a Commissioner of the First Division was not accepted; and we have now two other Commissioners of the same Division bringing forward this resolution, one proposing it and the other seconding it.

DEWAN BAHADUR V. KRISHNAMA CHARIAR:—It is opposed to all principle, that we should undertake to do the work. That the contract system is the best is acknowledged in the history of Public Works all over the country. We ought to exercise strict control and supervision over contractor and not undertake the work itself.

MR. S. GURUSAMI CHETTY:—Those of you who know the principles of contract must be aware that unless we are prepared to involve ourselves in litigation we ought not to pass this resolution. I hope the proposer would withdraw the resolution without further discussion.

MR. PRAGASA MUDALIAR:—I do not question the right of the President to do the work either departmentally or on contract. It is only in the event of his electing to do a work on contract, the Standing Committee have to sanction the contract. We all know that the proceedings

of the Standing Committee are mere recommendations to the Commissioners (Voices, No.No.) I do not know where you can draw the distinction. Section 18 says "the Standing Committee shall consider contracts, &c." They make a proposal and it comes before the general meeting of the Commissioners. It has been the established rule for the Commissioners either to accept the proposals of the Standing Committee or veto them. As regards contracts, I do not agree with my friend who as a lawyer must, of course, know better than myself, and who thinks that the preliminary arrangement having been made, it is binding. I do not know if it is really binding on us, because, it implies that all these proceedings are subject to a certain modification, that is, the approval of the general meeting of the Commissioners. Under Section 61, clause (b), the Commissioners have the power to consider the recommendations of the Standing Committee; and with regard to the contract in question, I think it is still within our right to say whether we accept or not. We know that in 1886 the contract for supplying road material was given to one Purushothama Naidu, by 4 against 1; and when the subject came up before the general meeting, the late Mr. P. Ranganadha Mudaliar brought in a proposition that the proceedings of the Standing Committee relating to the giving of the contract, should not be confirmed and that the contract should be given to Krishnasami Pillai and Moonesami Mudali. Thereupon the proceedings of the Standing Committee were rescinded. So that there is a precedence to go upon; and we can confirm or refuse to confirm any portion of the proceedings of the Standing Committee.

THE PRESIDENT:—No, not where the Standing Committee has distinct powers.

MR. THEAGAROYA CHETTY:—On the last occasion the Commissioners obtained legal opinion before taking the step referred to by Mr. Pragasa Mudaliar, and it was decided that they had the power of veto.

THE PRESIDENT:—I doubt if this is correct.

The resolution was put to the meeting and lost by a large majority.

The New Mylapore Market.

THE PRESIDENT moved the following resolution of which he had given notice—

"That the application of the Hon'ble Mr. V. Bhashyam Iyengar for opening a market in No. 16, Mundakanni Ammen Covil Street, Mylapore, be considered," which was seconded by M. R. Ry. P. Subramania Iyer Avargal.

Carried.

THE PRESIDENT:—I brought this matter forward because Mr. Bhashyam Iyengar is very anxious to open this market during this week. There have been some applications about it. The Standing Committee, at their meeting on the 18th, recommended that the Commissioners should sanction the opening of the market. Of course the Commissioners have to sanction the opening and then the Standing Committee would give a license.

MR. R. BALAKRISHNAMA CHETTY:—Was sanction obtained for constructing it?

THE PRESIDENT:—No. He sent in an application, but he built it without sanction. That is a matter between him and me.

MR. THEAGAROYA CHETTY:—Was it recommended by the Health Department?

THE PRESIDENT:—Yes. That was really the cause of the delay.

MR. BALAKRISHNAMA CHETTY:—What is the procedure before constructing a building?

THE PRESIDENT:—He ought to get leave under Section 275. He sent in his application but has not got his leave.

MR. N. APPUSUNDRAM PILLAI:—What is the market to be?

THE PRESIDENT:—A vegetable market. It is undoubtedly one of the nicest markets in Madras.

MR. THEAGAROYA CHETTY:—Was it opened already?

THE PRESIDENT:—Yes, but it was shut up again.

MR. PRAGASA MUDALIAR:—I suppose the requirements of Section 364 for providing latrines, &c., were complied with.

THE PRESIDENT:—Yes, it was passed by the Health Department.

MR. PRAGASA MUDALIAR:—I would like to ask you a question about what has appeared in the local papers. You were pleased to say that no license was taken out and that is a matter which you will take into consideration by and by. I also find an Overseer has been dismissed by you.

THE PRESIDENT:—No. I suspended him and reduced him a grade, but I did not dismiss him.

MR. PRAGASA MUDALIAR:—Was not the Supervisor of the Division in any way responsible?

THE PRESIDENT:—It was on the Overseer's own statement I punished him. He told me he knew it but did not think it necessary to report it.

MR. PRAGASA MUDALIAR:—Was it not the duty of the Supervisor to report it?

THE PRESIDENT:—It is the duty of every body including the Engineer. I saw it myself.

MR. PRAGASA MUDALIAR:—Next to the Overseer, it is the business of the Supervisor.

THE PRESIDENT:—I have not done with it yet. I am waiting for a report and a reply from Mr. Bhashyam Iyengar.

MR. VENKATRAMANJULU NAIDU:—You recommend the opening of the market?

THE PRESIDENT:—Yes.

MR. VENKATRAMANJULU NAIDU:—So long as it is a good market and approved of by the President and the Health Officer, we have merely to accord our formal sanction to its being opened.

MR. THEAGAROYA CHETTY:—I hope that in dealing with people who have constructed their buildings without license you will deal with them according to law and without any difference between man and man.

DEWAN BAHADUR V. KRISHNAMA CHARRIAR asked if the President had any objection on the Sanitary ground as to the situation of the New Market.

THE PRESIDENT:—None.

Proposed by M.R.Ry. V. Varadappa Naidu Gara and seconded by M.R.Ry. N. Appusundaram Pillai Avargal—

"That the opening of the market be sanctioned."

Carried.

The Health Officer's Salary.

THE PRESIDENT:—I beg to move

"That G. O., No. 614 M. Mis., dated 21st March 1898, re the appointment of Surgeon-Lieutenant J. W. Cornwall as Health Officer of Madras Municipality be considered."

In the G. O. appointing the Health Officer, the Commissioners are requested to state whether they agree to the salary of Rs. 500 with a house-rent of Rs. 100 and carriage allowance of Rs. 50. The fact of the matter is that the Government want to give him Rs. 650, but owing to the question of Foreign Service, I believe they are not able to do so. I do not myself understand the difficulty of Government.

The Resolution was seconded by Mr. N. Subrahmaniam and carried.

MR. PRAGASA MUDALIAR:—I move "that the proposals of Government be approved." The Government have the power in their hands to fix the salary at any figure they like; and they have been pleased to fix it at Rs. 500 with allowances to the extent of Rs. 150.

MR. G. Subramania Iyer seconded the proposition.

MR. V. C. DESIKA CHARI:—Is there any additional pensionary contribution?

THE PRESIDENT:—No.

MR. THEAGAROYA CHETTY:—We should have a provision that if he gets a maximum of Rs. 1,000 he shall not get these allowances.

THE PRESIDENT:—You have plenty of time to consider that.

MR. V. C. DESIKA CHARI:—Will we be right in withdrawing his allowances when he asks for an increase of salary.

THE PRESIDENT:—I think we would be entitled to do so. The Government thinks that there might be some difficulty in giving him more than Rs. 500. When he gets Rs. 700, these allowances might drop.

MR. W. D. SMITH:—The Government may withdraw this man at any moment?

THE PRESIDENT:—Yes.

MR. GURUSAMI CHETTY:—Can we not ask Government to fix his salary at Rs. 650?

THE PRESIDENT:—I think it is better that you leave it as it is.

The Resolution was put to the vote and carried.

Adulteration of Food and Drugs.

MR. M. K. LAKSHMANA CHARI:—Mr. President and Gentlemen, I have a resolution to put before you with reference to the subject of the Adulteration of articles of food and drink. Very few words are needed to explain what I have in view.

The only section in the Madras Municipal Act, which relates to the control of food supplies is 367. Under this section any person duly authorized by the President for the purpose may inspect any place used for the sale or storing of articles of human food and may detain the same, if it appears to such person that any such articles are unfit for human food or drink, for subsequent production before a Magistrate. If the Magistrate finds that such articles are unfit for human food or drink, he shall order the same to be destroyed, and the Vendor shall be liable to conviction under Section 273 of the Indian Penal Code. But there is no section in the Act, which deals with adulteration. The act of adulterating articles of human consumption is punishable under Section 272 of the Penal Code, which lays down, "whoever adulterates any article of food or drink, so as to make such article noxious as food or drink, intending to sell such articles as food or drink or knowing it to be likely that the same will be sold as food or drink shall be punished with imprisonment of either description for a term, which may extend to 6 months or with fine, which may extend to 1,000 Rupees or with both."

But no action will lie under this section unless it be proved that the adulteration is such as renders it injurious to health.

Of the common articles of food (1) Ghee is freely adulterated. It is expressly made cheaper by addition of articles such as gingelly or groundnut oil, beef suet, lard, &c., &c. Even if the ghee become rancid it can be freshened by being boiled again with the addition of some other articles.

(2) Butter is adulterated with water, flour, sheep's brains or fat. As much as 25 per cent. of water can be mixed with butter.

(3) Milk is commonly adulterated with water, flour and other substances, used to thicken milk so adulterated.

It cannot be proved in all these cases that the articles adulterated are injurious to health, and consequently no action would lie against the Vendor; but cases like mixing spirits with vitriol and coating cakes with red lead and other poisonous compounds would be punishable.

The law of adulteration in England is contained in the Sale of Food and Drugs Act of 1875, the Sale of Food and Drugs Act Amendment Act of 1879, the Margarine Act 1887 and the local Government Act of 1888. If an article of food or drug is adulterated with the intention of fraudulently increasing its bulk, weight or measure or concealing its inferior quality, the Vendor is liable. It is also an offence under the English Act to sell to the prejudice of the purchaser any article of food or any drug, which is not of the nature, substance and quality of the article demanded by the purchaser.

Year after year statements are made in the Administration Reports that the inspection of food stuffs cannot be effectually controlled owing to the want of an Adulteration Act or something corresponding to an Adulteration Act. Nothing has yet been done to empower the Executive in this important matter.

The amendment of the Madras Municipal Act in such manner as to provide for the prevention of adulteration of articles of food is absolutely necessary.

The exact terms of such amendment, and the details of a system for applying the revised Act efficiently, may appropriately be left for the consideration of the Committee and reference to the commission.

I propose therefore:—

"That considering the importance of preventing adulteration of articles of food and drink, a Committee consisting of the President, Surgeon-Lieut.-Col. G. L. Walker, Surgeon-Lieut., Col. J. Maitland, Messrs. V. Varadappa Naidu, H. Ormerod, P. Subramania Aiyer, R. N. Pragasa Mudaliar, W. D. Smith, M. Venkataramiah Chetty, and the mover, be appointed to consider and report on the subject."

MR. H. ORMEROD:—I second this resolution. Mr. Lakshmanachariar has a very good example set him by the Parliamentary Committee of 1896, who considered very much the same subject. The Report of the Committee states, "while the evidence shows that the law in relation to food adulteration needs amendment in some important points, it is satisfactory to your Committee to have ground for stating that where the Acts have been well administered they have been most beneficial in diminishing adulteration offences."

From that we may fairly draw a conclusion that an amendment of the Act in India also will bring about a reduction of the adulteration of articles of food and drinks. The Act at home seems to be very far in advance of anything out here, and the Committee reported that the law needed amendment even in England. Wherever it has been in existence it has been most beneficial.

MR. W. D. SMITH:—In supporting the motion, I should like to make a few remarks regarding the proposition.

Not only should man have good sound food when in health, but also good sound drugs when sick. I therefore propose an amendment be made in the proposition—and Drugs also included.

Adulterations are carried on to an alarming extent in this City, for instance, I was a victim the other day—having reason to doubt the quality of the butter brought from the market. I examined same and found it contained over 50 per cent. of sheep brains. I also examined a sample of Honey and found it contained a great quantity of Treacle. Toddy is very largely adulterated with a decoction of Datura leaves—the Datura increases the intoxicating effects of the Toddy. Ghee is very largely adulterated with Beef fat, oil, etc.

Numbers of instances can be quoted of the adulteration of Drugs. Olive Oil with groundnut Oil. Iodoform with Sulphur—Tinctures made with Arrack instead of Rectified spirits, a sample of what was sold as Santonine was found to be purely Boracic acid. I handed this bottle over to the Chemical Examiner. I could quote hundreds of other instances, but those mentioned will I think suffice to convince you of the necessity of steps being taken to stop the fraudulent practice of adulterating.

It is impossible to have and work an Act of this kind without first having a chemical and scientific laboratory attached to the Municipality, the cost of such a laboratory should not cost more than Rs. 1,500 and should not cost more than Rs. 500 to maintain yearly. The question is whether the Health Officer would have time to undertake the duties of a food analyst unless he had a competent assistant to help him in such work as also in his ordinary duties at times. The services of specially trained food-inspectors must be employed and to work satisfactorily it would require at least 4 such officers.

MR. LAKSHMANACHARIAR accepted this amendment; and the proposition therefore runs thus:—

"That considering the importance of preventing adulteration of drugs and articles of food and drink, a Committee consisting of the President, Messrs. G. L. Walker, V. Varadappa Naidu, H. Ormerod, P. Subramania Iyer, R. N. Pragasa Mudaliar, W. D. Smith, M. Venkataramiah Chetty, J. Maitland and the mover be appointed to consider and report on the subject."

DEWAN BAHADUR V. KRISHNAMACHARIAR:—I hope the Committee will also consider the expediency of separating the vegetable market from that intended for animal food.

THE PRESIDENT:—It has nothing to do with the question of adulteration.

DEWAN BAHADUR V. KRISHNAMACHARIAR :—But there is a lot of objection to the intermixture of vegetable and meat bazaars in one and the same premises. I do not see why we should not facilitate the disposal of this question also by referring it to the same Committee.
The Resolution was then put to the vote and carried.
The Meeting then terminated.

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G. No. 114

MUNICIPALITY OF MADRAS,

General Department,

Madras, 11th June 1898.

From

LIEUT.-COL. SIR GEORGE MOORE, K.T., C.I.E.,

President, Municipal Commission.

CURRENT No. 20/1611

To

The secretary, to Government,

Local and Municipal Department,

Fort St. George.

SIR,

I have the honor to submit herewith for the information of Government full proceedings as also a copy of -

Enclosures
2

abstract proceedings of a General Meeting of the Commission

-ers held on 28th March 1898.

I have the honor to be,

Sir,

Your most obedient servant,

R. S. M.

Engineer for President.

T. M.

20/6/98

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