

L. & M.
0,000-12,000

Local & Munl. (1898) Department.

MISCELLANEOUS.

G.O., No. 1718 M.

DATED 12-10-98.

INDEXED.

[Despatch Abstract.]

Sanitation -

Requesting the Advocate General to give his opinion in the matter of issuing a notification under Sec. 309 of the City of Madras Municipal Act of 1882, calling upon all residents in pukka built houses to provide within their latrines a sufficient number of iron or tin receptacles for the temporary deposits of night soil.

BACK PAPERS:

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
C.O.	3494		Jul 98.				

Papers to be read in Proceedings:—

Again G.O., No. 1292 M, dated 19th July 1898.

Current No. 2611 M of 1898, dated 3rd August 1898 from the President, Municipal Commission, Madras

Current No. of 189, dated from the

Misc Order. No. 1718 Misc 2/12/1898

The President of the Municipal Commission, Madras, proposes to issue a notice under Section 309 of the City of Madras Municipal Act I of 1884, calling upon all residents in pukka built houses in the Town of Madras having latrines, whether within their houses or in their compounds, to provide within the said latrines a sufficient number of iron or tin receptacles for the temporary deposit of night-soil, and requests the Government to issue a notification declaring all parts of the City to be subject to the provisions of section 309. Under this section, a notification may issue applicable to certain "parts of the City", but it does not

appear how this can authorize the issue of a notice covering only all or any pukka built houses having latrines. It may however be argued that if Government issued the notification which would authorize the President's issuing his notice to all occupiers, the President may, as the whole includes a part, issue the notice to some occupiers only, viz, to the occupiers of pukka built houses having latrines. But as the question is not free from doubt, the Advocate General is requested to give his opinion in the matter.

(From orders)

1.22
6/10/98

HT
10/10/98

To

The Government Solicitor.

HT
12/10/98

Again G.O. 1292-M of 19. 7-1898, No.

Current No. 2611. M of 1898, dated 3-8-18

Current No. of 189, dated

from the President. Municipal Commission Madras

SUBJECT. Pail system of excreta. Madras.

FHT 398

FOR ORDERS.

How can such a notice be issued under S. 309? Under that section a notice may issue applicable to certain "parts of the City," but I don't submit this will authorize a notice covering all or any pukka built houses having latrines. It may be that if Govt. issued the notice, which wd. authorize the President issuing his notice to all occupiers, the President might also, as the whole includes a part, issue his notice to some occupiers only, viz to the occupiers of pukka built houses having latrines. This is a question of law. I am not a lawyer. I don't know of any case which covers the case. I don't know of one.

Both the San. Com. & the Health Officer seem to be confused as to the latrine question. It doesn't matter what sort the latrine is. Once the Govt.

Order. Recd. letter in G.O. 1292-M of 19. 7. 98

Notice & the President's notice are issued under S. 309, the following consequences ensue: - (1) the occupier must provide a proper receptacle (S. 309); (2) he must have the night soil or collected human excreta (S. 311) put into it; (3) he must have it (put ready for removal (S. 312) before the time fixed by the President (S. 311).

In view to the issue of a notice under Section 309 of the City of Madras Municipal Act I of 1884, calling upon all residents in pukka built houses in the town of Madras, having latrines whether within their houses or in their compounds, to provide for use within the said latrines, iron or tin receptacles for night soil in sufficient number, so as to facilitate the complete removal of the night soil by the totes, the President of the Municipal Commission, Madras, requested that the necessary notification under that section might be issued by Government.

2. The Sanitary Commissioner, who was then consulted

consulted in the matter, stated that the scheme proposed by the Madras Municipality would be impracticable on the grounds,

(1) That it presupposed the existence of private latrines built on a uniform plan, which at present did not exist, and that, should the notice be enforced, a specified pattern of latrine must be erected,

(2) That the proposed scheme was the fail system of night soil conservancy, but that no arrangement had been made for the removal of urine and

(3) That as private scavenging by the Municipality was not in force in the town and the regular attendance of toties which underlay the whole system, could not be ensured, the Municipality should undertake the supply of private scavengers, as was done in Mufassal Municipalities.

He further observed that with these reservations, the scheme was one to be recommended as likely to be of much assistance towards the improvement of the public health.

But if existing latrines are unsatisfactory, the Pres. has ample powers under ss 280 & 313 - It is absurd for the Health Officer to complain of the difficulty caused by latrines, being not of a uniform or bad construction if these sections are not worked. The Pres. has ample powers & should use them.

I can't myself see why the Madras people should not try private scavenging as is done up country. If they were not so vigorously in every case of a house being in an insanitary state, they would soon find themselves able to charge such private scavenging fees as would well pay for the service - At the same time, it should be noted that the City Act has apparently no section corresponding to s. 118 of the Amended Municipal Act. The omission should be supplied when the City Act is amended.

How is the drafting of the amendment bill going on, by the way?

HP
27/9/98

See note on para 7 of H.O.'s letter

health of Madras.

3. The President to whom the Sanitary Commissioner's letter, was referred for remarks, forwards with his letter read above, copy of a memorandum from the Health Officer replying to the several points raised by the Sanitary Commissioner. With reference to the first of these, Dr Cornwall states that although it is true that there is no uniform plan of private latrines now in vogue in Madras, the same principle underlies them all, viz. the passage of the excreta on to a plane surface, whether of mud, brick or stone, and that he wishes to introduce receptacles as it would be next to impossible to clean thoroughly the plane surfaces and that whatever may be the plan of the latrine, the introduction of these receptacles would be an obvious improvement. As regards the Sanitary Commissioner's second objection viz. want of arrangement for the removal of urine, the Health Officer

officer states that the river will follow the course, it has hitherto done viz. reach the Municipal side drain. or a catch pit. with reference to the third objection that, if the proposed system is to be successful, the Municipality should undertake the supply of scavengers, as is done in Mafassal Municipalities, he observes that the attendance of the scavengers need not be more regular than it is at present, as excreta lying in a tin are in no way more offensive than when lying on a stone slab or brick surface. Dr. Cornwall, however, admits that there is room for much improvement in the ways of private scavengers, but that he cannot assure himself that they would work any better, if all scavenging were undertaken by the Municipality and that until scavengers are provided with houses, paid better wages, and bound by law to do a certain work for a certain time, he should never willingly undertake to

conserve the private latrines of Madras.

4. The proposal, made by Dr. Cornwall is no doubt an improvement on the present state of things, but it is open to the objection that it will press hard on the poorer or classes of house owners. The proposed notice requires the introduction of iron or tin receptacles for the deposit of night soil. Iron receptacles will be costly and probably beyond the means of many houseowners, while receptacles of tin though comparatively cheaper will in the long run be more costly, as they will require to be constantly renewed. Moreover, the enforcement of this system will render modifications in some of the existing latrines necessary before the requirements of the notice can be complied with. In these circumstances, it seems to be inadvisable to issue the notice

notice

notice proposed by the Presi-
dent.

V.R.
29/5/98

H.M.

I don't agree. It
is only bakka-built
houses, having latrines,
that will be affected;
I think the experiment
might be tried.

H.T.

1.9.98

[L. & M.
250-19-10-97.]

NOTE FOR THE

Will the Judicial Department
please say whether it can trace
any ruling in that Department on
the question referred to in the portion
marked A, in the H.M's notes below?

V.R.
9/9/98

H.T.
13.9.98

To

The Judicial Department U.O.

Sent 16/9/98

C.S.

No ruling on this subject
can be traced.

H.R.

22-9-95

To L. & M. Dept

(no)

22/9/98

Better ask the Adv. Genl.
whether I am right in my
idea of how the thing
could be worked

H.S.
27/9/98

H.M.

H.T.

26.9.98

Local & Munl. (1898) Department.

CURRENT No. *2611 M.*

From

THE PRESIDENT,

*Municipal Commission,
Madras.*

Order

G. No. *192*

Dated 3rd August 1898

Received 5th AUG. 1898

Registered

Enclosures one.

Spare copies

SUBJECT.

Forwarding Copy of Memorandum from Surgeon Lt. J. W. Cornwall, Health Officer of the Madras Municipality for Conserving the private latrines of Madras.

BACK PAPERS

G.O.	No.	Department.	Date.
	1292	hul	19-7-98

FURTHER PAPERS

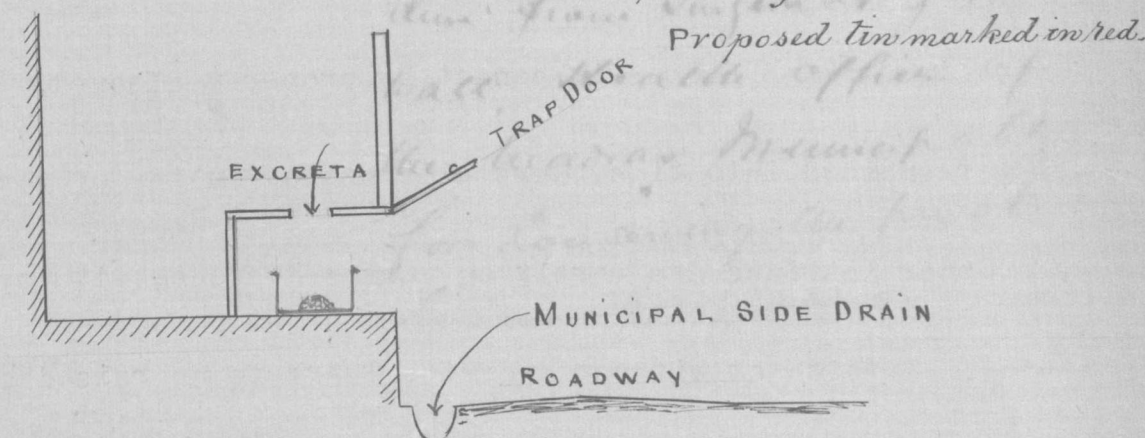
G.O.	No.	Department.	Date.

The President,

Sir,

I have the honor to submit the following remarks with reference to order No. 1292 M.Mis., dated 19-7-98.

1. It is true that there is no uniform plan of private latrines now in vogue in Madras, but the same principle underlies them all, namely the passage of the excreta on to a plane surface whether of mud, brick or stone.
2. It is to prevent this that I wish to introduce receptacles, for it would be next to impossible to thoroughly clean off the semi-solid masses from such surfaces, even if every endeavour were used; and when a lazy toty is left to his own devices the result can hardly be called satisfactory.
3. In the better class houses there is a seat within, on which the inmates sit, and the excreta fall through a hole on to a stone slab, from which it is partially removed by a toty by a trap door in the street.

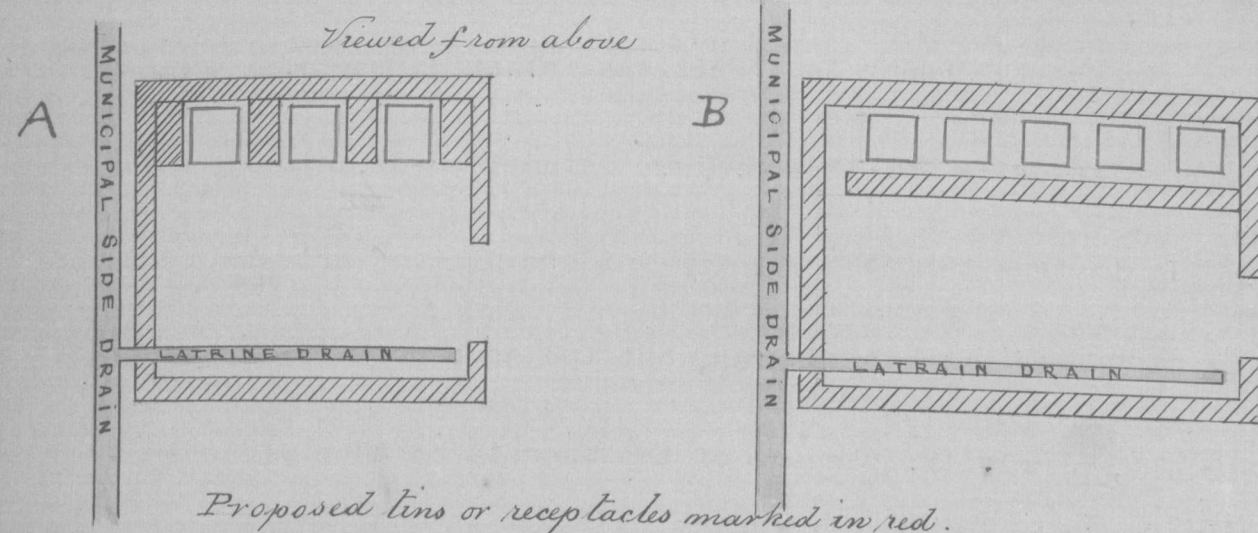


28/11/98

The urine is usually passed on the floor near, whence it reaches the municipal drain by a hole in the wall. A moveable receptacle beneath the hole would catch all the excreta in this case, and it

it could be taken out ^{by the toty} and thoroughly cleaned.

4. Another common form of latrine is here represented.



The feet of the person rest on raised stone or brick slabs and the excreta fall on the surface between them as in A or else into the ditch behind as in B. From this it is removed by the toty's broom, but much matter is usually left behind. If the floor of this latrine is properly paved, it is sometimes well flushed out with water into the Municipal drain if there is one, and the urine is passed on the floor and finds its way also to the drain. Not unfrequently the toties wash the excreta and all out into the Municipal side drain to save themselves trouble. This is a most objectionable practice. If the floor of such a latrine is not paved at all or the paving is old and broken it cannot be properly cleaned. If the excreta were passed into tins there will be no fouling of the floor.

5. Other latrines are merely an enclosed space, with or without paving, and with or without a drain. There is no raised platform and excreta and urine are passed on the bare floor to be removed from time to time. Here again tins between stones would be an obvious improvement.

With

6. With reference to para 2, I beg to state that urine will follow the course it has hitherto done, i.e. reach the municipal side drains or a catch-pit.

7. With reference to para 3, I may remark that ^{the} attendance of scavengers need not be more regular than it is at present, for excreta lying in a tin are in no way more offensive than when lying on a stone slab or bricked surface. There is room, I admit for much improvement in the ways of private scavengers, but I cannot assure myself that they would work any better if all scavenging were undertaken by the Municipality. The general complaint among the public is that the toties won't work properly.

*This is more
pertaining to
the toty's
such excuses
but should be
considered*

We tell a householder that his latrine has not been cleaned for some time. He replies, "What can I do, my toty has run away and I cannot get another". Few householders will pay their toties a decent wage and they as a rule treat them badly. Until scavengers are properly housed in Lines, paid better wages, and bound by a law to do a certain work for a certain time, I should never willingly undertake to conserve the private latrines of Madras.

Health Department,
Municipal Office,
Madras, July 1898.

/Sd/ J.W. Cornwall,
Health Officer,

/True copy/

P.S. M.
Ag. President, Munl. Commn.

Genl. Dept.
13.

MUNICIPALITY OF MADRAS,

General Department,

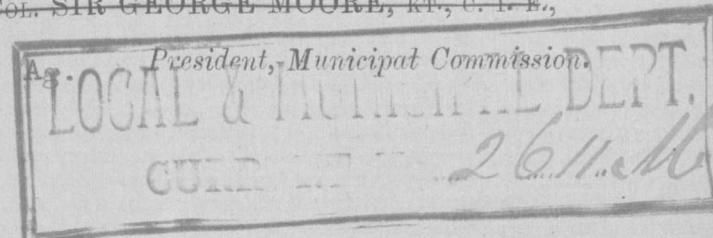
Madras, 3rd August 1898.

G. No. 192

From R.E. Ellis Esq., M.Inst.C.E.,

~~Lieut. Col.~~ SIR GEORGE MOORE, Kt., C.I.E.,

Ag. President, Municipal Commission.



To

The Secretary to Government,

Local and Municipal Department,

Fort St. George.

Sir,

Enclosure.

With reference to G.O.No.1292 M.Mis., dated 19th

July 1898, I have the honor to forward the enclosed copy of

Memorandum from Surgeon.Lt.J.W.Cornwall, Health Officer of

this Municipality.

I have the honor to be,

Sir,

Your most obedient servant,

R.E. Ellis.

Ag. President, Munl. Comm.

tu

When given for copying _____
When copied _____ 189 .
When examined _____
When signed 13/12

RECEIVED AGAIN G.O., No. _____, DATED
189 .

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B.—

A = Copy in full.
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