

L. & M.
1898-1899

Local & Munl. (1898) Department.

MISCELLANEOUS.

G.O., No. 1901 M.M.

DATED 11-11-98.

INDEXED.

RECORDED

[Despatch Abstract.]

Bye Laws

Requesting the Munl. Commis-
sioners of elladas to revise the draft
relating to Markets & Slaught-
houses within the City of elladas with
refer to the remarks of the Adm. Com-
tee. & then submit them before for
a Approval.

BACK PAPERS.

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

FURTHER PAPERS.

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

Local & Munl. (1898) Department.

CURRENT No. 2624 M

From

THE PRESIDENT,

Municipal Commission,
Madras.

G. No. 196

TO BE RETURNED
WITH REPLY.

N^o 1127 94-10-98
Order

Referred to the Advocate-General
for favour of remarks.

By order

RR
29/9/98

A. Edgington
Ag Assistant Secretary.

Dated 14 August 1898

Received 5 AUG 1898

Registered

Enclosures 200

Spare copies 2

SUBJECT.

Forwarding Copy of draft Bye-laws relating to Municipal Markets and Slaughter houses, within the City of Madras, for Sanction of Government.

To The Government Solicitor

BACK PAPERS

CN= 2624 and 3333 11/98

order No 1901 Minis 8 11/98

The Municipal Com-
missioners are requested to revise
the draft byelaws with reference
to the remarks of the Advocate
General and then submit them
to Govt for approval.

V.R
8/11/98

10 11 98

To
The President, Municipal Comm.
Madras
Date 15/11/98

G.O.	No.	Department.	Date.

FURTHER PAPERS

G.O.	No.	Department.	Date.

MUNICIPAL COMMISSION OF MADRAS.

BYE-LAWS UNDER SECTION 413 (i) AND
414 OF MADRAS ACT I OF 1884.

Applicable to all Municipal Markets

1. With the exception specified below no person shall work for hire as bazaar cooly within the limits of a Municipal Market who is not duly licensed for such purpose by the Commissioners or by such officers as they may from time to time authorise to grant licenses to bazaar coolies.
2. A register of licensed coolies shall be kept in the office of each market Superintendent.
3. A licensed cooly shall wear a badge or such other distinctive dress as shall enable every person frequenting the market to know that he is licensed and each licensed cooly shall wear on his arm or in some other conspicuous place a number corresponding with his number in the Register of licensed coolies.
4. No person who is not a licensed cooly shall wear a badge, distinctive dress or number issued under the preceding rule.
5. Licensed coolies shall be charged such sum for the badge or other distinctive dress referred to above as the Municipal Commissioners shall from time to time prescribe.
6. Maistries may from time to time be appointed to preserve order and discipline among the licensed coolies of any market and to prevent their harassing the public and such maistries shall be remunerated by salaries met by contributions to be paid by the coolies monthly as a condition of continuance of their license. Such contribution shall be such sum not exceeding 6 annas per mensem as may from time to time be fixed by the Commissioners. Provided that not more than one maistry shall be appointed to 25 licensed coolies.
7. These rules shall not apply to prevent servants in the employ of persons frequenting a market from carrying purchases made by such persons.
8. The Superintendent of any market may for special reasons to be recorded by him refuse to allow any particular person to act as a private cooly if he thinks

that the employment of such persons within the limits of such market is inexpedient.

9. No person having large open or exposed sores or who is afflicted with leprosy or any loathsome contagious or infectious disease shall enter any market and any such person may be expelled from any market by the Superintendent of such market or his Assistant.

10. No person shall bring a dog into any market.

11. No person shall smoke in a market and no one shall cook in a market without permission.

12. No person shall spit in a market except in spittoons or places provided for that purpose.

13. No person shall create a disturbance in a market by singing or beating of tom-toms or by other musical instruments or by quarrelling or by using abusive language or in any other manner.

14. The tenant or occupier or the servant of the tenant or occupier of any building, shop or stall in any market shall always before such building, shop or stall is left unoccupied at any time extinguish or cause to be extinguished every fire or light in such building, shop or stall and no fire or light which is dangerous to the safety of any building, shop or stall shall be at any time kindled or kept or left alight.

15. Every tenant or occupier of any building, shop or stall in a market shall cause such building, shop or stall to be properly cleaned between such hours as the Market Superintendent shall from time to time direct and no refuse shall be thrown out of any building, shop or stall at any other time but such refuse shall be placed in basket or such other receptacles as may from time to time be pointed out by the Market Superintendent as being convenient for its removal by the Market sweepers.

16. No tenant or occupier of any building, shop or stall in a market or the servant of such tenant or occupier shall cause or allow any goods, provisions or articles to be deposited or exposed for sale in or upon such building, shop or stall so that such goods, provisions or articles or any part thereof shall project beyond the line of such building, shop or stall.

17. The Superintendent of any market and his subordinates may expel from the market premises any person who is found thereon drunk or begging or loiter-

ing or who misconducts himself or is a lunatic or who in any way infringes any of these bye-laws and if such person is a tenant or occupier or a vendor or a servant of any such persons, may (subject to the approval of the President) prevent him from further carrying on any trade or business in the market or occupying any building, shop or stall therein.

18. All tenants, occupiers, vendors and their servants and Agents in any market shall obey all the orders of the Superintendent of the market but shall have the right of appealing against the continuance of any of such orders to the President.

19. A Municipal Market for the purpose of these rules shall include all the land together with the buildings thereon belonging to the Commissioners which has been or may hereafter be set apart by them for the purpose of a Municipal Market as well as all roads and vacant lands which are included within such limits.

20. Every person offending against any of these bye-laws shall for every offence be liable to a fine not exceeding Rupees Twenty.

MUNICIPAL COMMISSION OF
MADRAS.
BYE-LAWS UNDER SECTIONS 413 (H) AND
414 OF MADRAS ACT I OF 1884.

Applicable to the Municipal Slaughter-houses.

1. All persons shall have free access to the Municipal Slaughter-houses for the purpose of slaughtering animals intended for public or private consumption on the conditions hereinafter named.

2. Butchers or their assistants or private persons intending to avail themselves of the Slaughter-houses shall apply to the Commissioners for a license and no one (except Skin Merchants and their assistants or purchasers of offal to whom permits have been issued by the Commissioners for the purpose) shall be admitted to any of the Slaughter-houses except on production of such a license.

3. Licenses shall be granted on payment of Re. 1 annually, shall specify the name of the holder and of the portions of the Slaughter-houses allotted to him and shall not be transferable.

4. Every person in any Slaughter-house is bound to produce his license or permit when called on by the Superintendent to do so.

5. None but license holders and the Municipal Officers shall be admitted within the premises during the process of slaughtering, skinning or cutting up the carcasses.

6. Proper places for slaughtering animals shall be assigned by the Superintendent to the license holders.

7. License holders shall only be permitted to slaughter cattle at such hours as may from time to time be fixed by the Commissioners by a Notification to be signed by the Superintendent and fixed in some conspicuous place in the Slaughter-house.

8. No diseased cattle shall be brought to the Slaughter-houses.

9. Any cattle suspected of being diseased or presenting symptoms of disease when brought to the Slaughter-houses shall be removed and kept under observation of the Municipal Officer in such places as may from time to time be appointed for the purpose.

10. Animals affected with contagious diseases when brought to the Slaughter-house shall be seized and conducted to the Municipal Knackery or such other place as the Municipal Commissioners shall from time to time appoint to be there destroyed and disposed of as the Commissioners shall think proper.

shall?

11. No dying or dead cattle shall be admitted into the Slaughter-houses and any such cattle brought to the Slaughter-houses shall be seized and treated like animals affected with contagious diseases.

12. Cattle which may have met with an accident rendering them unfit for further work are excepted from the above bye-law but they must be brought to the Slaughter-house immediately after the accident.

13. All carcases shall after slaughtering be inspected carefully by the Superintendent of the Slaughter-house and no carcase showing signs of contagious or other disease shall be allowed to be removed from the Slaughter-house unless the Superintendent declares the said meat fit for food. Should a dispute arise the matter shall be referred to the Health Officer for the Town of Madras whose decision shall be final.

14. No meat or offal of any animals which after having been slaughtered is found to be diseased or believed to be unfit for human consumption shall be allowed to be removed. Such meat or offal shall be destroyed by order of the Superintendent of the Slaughter-house so as to prevent its introduction into the markets or bazaars of Madras.

15. Except in cases of contagious diseases the skin of the animal shall remain the property of the owner. After the inspection of the carcases if the meat is considered sound and fit food for man such carcases shall be stamped over the body after the skinning process has been completed by the Superintendent and before they are quartered or cut.

16. All refuse or offal rejected by a license holder shall be deposited by him or his assistants in the offal buckets.

17. The solid contents of the entrails shall not be allowed to be washed into the sewers but shall be removed by the license holder into the offal buckets.

18. No skins, entrails or other offal shall be allowed to remain in the Slaughter-houses after such hours as the Superintendent with the sanction of the Commissioners shall fix.

19. All skins, entrails or other offal left at the Slaughter-houses by a license holder shall be disposed of as common offal.

20. All skins, entrails or other offal left at the Slaughter-houses after the hour fixed by the Superintendent without this Officer's sanction shall be considered as abandoned and shall become the property of the Commissioners who may dispose of them as they shall think fit.

21. No license holder shall be permitted to sell meat in the Slaughter-house premises but may sell the offal and skin within the yard to purchasers to whom permits have been issued by the Commissioners to enter the yard for that purpose.

22. Meat, entrails and offal shall be removed in covered carts or baskets but the Superintendent of the Slaughter-houses or his assistants shall be bound to inspect daily the said carts or baskets and see that they are kept clean.

23. Every license holder using a Slaughter-house shall be responsible for any damage done to the Slaughter-house either by his own act or the act of his servants and any such license-holder refusing to pay for such damage done to the property of the Commissioners shall have his license cancelled and the amount of such damage shall be recoverable by suit.

24. The insufflation or blowing of carcases is strictly forbidden.

25. No person affected with leprosy sores or other diseases of the skin shall be permitted to enter the Slaughter-house.

26. No dogs shall be admitted into the slaughter-houses. All dogs found there shall be made over to the Police to be dealt with as stray dogs.

27. Any person working in the Slaughter-houses is forbidden to make any noise, to fight or quarrel or use insulting, abusive or obscene language and any person contravening this bye-law shall be turned out of the Slaughter-houses by the Superintendent or his assistants.

28. Servants employed by the Commissioners in the Slaughter-houses are forbidden to ask or receive any gratuity in money or otherwise.

29. Every person offending against any of these bye-laws shall for every offence be liable to a fine not exceeding Rupees Twenty.

G. No. 196

MUNICIPALITY OF MADRAS,

General Department,

Madras, 4 August 1898.

From R.E. Ellis Esq., M.Inst.C.E.,
Lieut. Col. SIR GEORGE MOORE, Kt., C.I.E.,

Ag.



To

The Secretary to Government,

Local and Municipal Department,

Fort St. George.

SIR,

In forwarding the enclosed copy of draft Bye-laws

Enclosures

2

relating to Municipal Markets and Slaughter Houses within
the City of Madras, which were approved of by the Standing
Committee and confirmed by the Commissioners at their Meet-
-ing held on 29th July 1898, I have the honor to solicit--
the sanction of Government under Section 415 of the amended
Madras Municipal Act 1 of 1884.

I have the honor to be,

Sir,

Your most obedient servant,

R.E. Ellis

Ag. President,

Munl. Commn.

10
Local & Munl. (1898) Department.

CURRENT No. 3333

From The Govt Solicitor
Madras.

Order

No. 492

Dated 28-10-98.

Received 28-10-98

Registered

Enclosures C 2624 M of 98 returned

Spare copies.

SUBJECT.

Forwarding the Advocate
General's opinion on the
draft bye-laws relating
to municipal markets
and slaughter-houses
within the City of Madras.

3/11

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

By-laws - City Munk

No. 1301 m

11-11-98

O P I I O CURRENT No. 3333 m

Market Bye-laws

12-00

- These Bye-laws are made applicable to "all Municipal Markets". The expression "Municipal Market" does not occur in Act I of 1884 - as amended. "Market" is defined in Section 3 (ff) of the Act, and Section 351 provides that all markets which are constructed, repaired and maintained out of the Municipal Fund are to be deemed to be public markets. Bye-law 19 seems to indicate that the bye-laws are only intended to apply to public markets. As at present advised, it seems to me that the proper expression is public markets, not "Municipal markets". It may be that I am in error in assuming that the bye-laws are intended to apply only to public markets. In any case, the expression "Municipal markets" seems ambiguous.
- Besides the power to make rules with regard to markets generally conferred by Section 413 (i) of the Act, there is a special power to make rules with regard to public markets conferred by Section 354 of the Act. If the bye-laws are applicable to public markets only, I think they should be described as being made under Section 354 as well as under Sections 413 (i) and 414 of the Act.
- Rule 17 as printed, appears to require revision.

Slaughter-Houses Bye-laws

- Section 413 (h) confers a power to make bye-laws "for the inspection and regulation of all slaughter houses and for the management and conduct of the business therein or thereat, and for keeping the same in a cleanly and proper state, as provided in Sections 345 to 367". I question whether these words, in themselves, would give power to the Commissioners to require persons intending to avail themselves of the slaughter houses to take out licenses and pay a fee therefor. Section 345 of the Act, however, expressly empowers the Commissioners to make charges for the use of slaughter houses. It seems to me, therefore, that it could not be successfully contended that the rules relating to licenses are ultra vires.

5. In my opinion, rules 9 and 10 are ultra vires. They empower the Commissioners to do certain acts away from the slaughter houses. It seems to me this is going beyond "inspection" or "regulation" or "the management and conduct of the business" in or at a slaughter house. Of course the question may never arise, but if the point is taken before a judicial tribunal these two rules would probably be held to be ultra vires and consequently invalid.

6. I observe there is no bye-law applicable to markets to correspond with bye-law 28 of the Slaughter House bye-laws.

C. Arnold White
Advocate General.

Madras)
27th October 1898)

(True Copy)

Ernest Barker
Government Solicitor.

When given
can copied
on exam
on signa

AGAIN

1

13

(1898) Department



From

Ernest Barclay
Government Solicitor
Madras

To

Mr Secretary to Government
Local Municipal Department
Madras

N^o 492

Dated 28th October 1898
Recd

Encls 3.

Forwarded with enclosures
with reference to the endorse-
ment of Government N^o 1127 dated
4th October 1898 Local Municipal
Ernest Barclay
Government Solicitor

Given for copying _____
Copied _____
Examined _____
Signed _____ 14/11

189

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

BY 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.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.