

Local & Munl. (189) Department.

MISCELLANEOUS.

G.O., No. 955 P

DATED 30 8 98.

[Despatch Abstract.]

Hayne notification

Receiving letter from the
Bombay Govt. forwarding for
information notification issued by them
under the E. D. Act, 1897.

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. *13468*

From

The Govt. of Bombay

Order No. *955 P. mis. dt 30-8-98*

Recorded
29 8 98

No. *4847/P*

To The Surgeon General
" Sanitary Commr.
" President. M. C. Madras

Dated *17-8-1898*

Received *20-8-1898*

Registered *20-8-1898*

Enclosures *1* *Five days* *mainly to*
register & put up the

Spare copies. *14* *Bombay file!*
Aug 26/98

Long
26/9/98
To the Surgeon Genl

Note This notification abolishes
the Bombay Plague Committee
and transfers the duties to the
Municipal Commr. & a new
office called the Dy Commr.

Long
26/9/98

SUBJECT.

For forwarding for informa-
tion notification issued by
that Govt. under the Epidemic
Disease Act 1897.

Recd. 31-8-98
HA

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Notification.

GENERAL DEPARTMENT (PLAGUE).

Bombay Castle, 12th August 1898.

No. 4516—4779-P.—Whereas certain parts of India are visited by, and others threatened with, an outbreak of dangerous epidemic disease known as Plague; and whereas the Governor General in Council, in exercise of the powers conferred by Section 2, Sub-section 3, of the Epidemic Diseases Act, has been pleased to direct that the powers conferred by the said Act may, within the Presidency of Bombay, be exercised by the Governor of

Government Notification No. 1204—702-P., dated 5th March 1897.

Government Notification No. 3250—2402-P., dated 12th June 1897.

Government Notification No. 56—56-P., dated 5th January 1898.

Government Notification No. 137—150-P., dated 8th January 1898.

Government Notification No. 943—1148-P., dated 15th February 1898.

Bombay in Council; and whereas the Governor in Council thinks that the ordinary provisions of the law for the time being in force are insufficient to prevent the spread of this disease, he is pleased, in supersession of the Notifications of Government in the General Department specified in the margin, and in modification of Government Notifications Nos. 5279—3434-P., dated 29th September 1897, and 327—360-P., dated 18th January 1898, to direct as follows:—

1. The Municipal Commissioner, Bombay Municipality, is empowered to carry out, subject to the control of Government exercised through the Plague Commissioner, all the measures to be taken to suppress and prevent the spread of plague in the City of Bombay, and he shall take such measures as Government, through the Plague Commissioner, may order him to take in this behalf.

2. For the said purposes the Municipal Commissioner, in addition to the powers conferred on him by the Bombay City Municipal Act, 1888, by the Government Notifications marginally specified and by the Notification of the Municipal Commissioner dated 6th October 1896, is invested with the following powers:

(1) To appoint special officers either by name or by virtue of office to carry out or perform under his general direction any measures or acts devised or ordered by him to be taken for the suppression or prevention of the spread of plague. Such special officers may be known as 'Plague Authorities' and their powers and duties may be limited as directed by the Municipal Commissioner and their appointment shall be subject to revocation at any time by the Municipal Commissioner. Any Plague Authority so appointed may be empowered by the Municipal Commissioner to direct or cause the removal, to a hospital or other place appointed for the purpose, of any person in respect of whom a certificate has been made in the manner hereinbelow provided in clause (5) of paragraph 3 of this Notification.

(2) To exercise, in lieu of the Bombay Plague Committee, the powers of a Commissioner under Rule 29 and the powers of a District Magistrate under Rules 19 and 28 of the General Plague Rules for the Mofussil as applied to the City and Island

of Bombay by Government Notification No. 5279—3434-P., dated 29th September 1897, and Government Notification No. 327—360-P., dated 18th January 1898, respectively.

(3) To close the Máhim-Bándra and Sion-Kurla Causeways from time to time, as he may deem necessary, and further to examine all persons crossing the said causeways at the permitted times and, if necessary, to detain and send to hospitals or other places appointed for the purpose persons found or believed to be suffering from the plague.

(4) To take possession of and occupy any vacant ground or empty building for the purpose of any camp, hospital, latrine, deposit of sweepings, warehouse or office, and to determine such monthly rent or other compensation as should thereafter be paid to the owner of such land or building taken possession of and occupied for the said purposes.

3. Mr. J. H. DuBoulay is appointed to assist the Municipal Commissioner in the management of Plague operations. He shall exercise such of the powers and perform such of the duties hereinbelow mentioned as he may be directed to exercise or to perform by the orders of the Municipal Commissioner, and he shall be styled Deputy Commissioner for Plague operations. For the said purposes Mr. DuBoulay is invested with the powers conferred on the Municipal Commissioner by Government Notifications Nos. 228-P., dated 10th February 1897, 4691—3120-P., dated 30th August 1897, and 2675—3027-P., dated 10th May 1898, and in addition is invested with the following powers, viz.:

(1) To inspect any building or other premises for the purpose of ascertaining the sanitary condition thereof, and if it shall appear to him necessary for sanitary reasons so to do, to require the owner or occupier of any building so inspected, to cause the same or some portion thereof to be limewashed or otherwise cleansed, either externally or internally, or both externally and internally.

(2) If it shall appear to him that any premises are in a neglected, unwholesome or filthy condition or, by reason of their not being properly enclosed, are resorted to by the public for purposes of nature, or are otherwise, in his opinion, a nuisance to the neighbouring inhabitants, he may, by written notice, require the owner or occupier of such premises to cleanse, clear or enclose the same.

(3) He may at any time, by day or by night, without notice, or after giving such notice of his intention as shall, in the circumstances, appear to him to be reasonable, inspect any place in which any dangerous disease is reputed or suspected to exist, and take such measures as he shall think fit to prevent the spread of the said disease beyond such place.

(4) If it shall appear to him that the water in any well, tank or other place is likely, if used for drinking, to engender or cause the spread of any dangerous disease, he may, by public notice, prohibit the removal or use of the said water for the purpose of drinking, and no person shall remove or use for the purpose of drinking any water in respect of which any such public notice has been issued.

(5) On a certificate signed by any duly qualified Medical practitioner, he may direct or cause the removal, to any hospital or other place appointed for the purpose, of any person, wheresoever found and whether provided with proper lodging or accommodation, or not, who is, in the opinion of such Medical practitioner, suffering from plague; and the person, if any, who has charge of a person in respect of whom such order is made, shall obey such order.

(6) If he is of opinion that the cleansing or disinfecting of a building or of a part of a building or of any article therein likely to retain infection, would tend to prevent or check the spread of plague, he may, by written notice, require the owner or occupier of such building to cleanse or disinfect such building or part thereof or article therein, and, if it shall appear to the said Deputy Commissioner necessary, to vacate the said building for such time as shall be prescribed in the said notice: provided that if, in the opinion of the said Deputy Commissioner, the owner or occupier is from poverty or other cause unable effectually to comply with such requisition, he may cause the building or part of the building or article likely to retain infection to be cleansed or disinfected, and defray the cost of so doing.

(7) (a) If he is of opinion that the destruction of any hut or shed is necessary to prevent the spread of any dangerous disease, he may, after giving, to the owner or occupier of such hut or shed, such previous notice of his intention as may in the circumstances of the case appear to him reasonable, take measures for having such hut or shed and all the materials thereof destroyed.

(b) Compensation may be paid by him, in any case which he thinks fit, to any person who sustains substantial loss by the destruction of any such hut or shed; but except as so allowed by the said Deputy Commissioner, no claim for compensation shall lie for any loss or damage caused by any exercise of the power conferred by this rule.

(8) He may direct any clothing, bedding or other articles which, in his opinion, have become infected to be taken for disinfection to such place as may be provided for the purpose by the Municipal Commissioner under the provisions of Section 427 of the Bombay City Municipal Act, 1888. He may direct the disinfection or destruction of bedding, clothing or other articles likely to retain infection, and may, in his discretion, give compensation for any article so destroyed.

4. Brigade-Surgeon-Lieutenant-Colonel J. S. Wilkins is appointed Special Medical Officer for Plague operations, for the charge of such Plague Hospitals and for such other duties in connection with plague operations as he may be directed to undertake by the Municipal Commissioner, and for the said purposes he is invested with the powers conferred on the Municipal Commissioner by Government Notifications Nos. 228-P., dated 10th February 1897, 4691—3120-P., dated 30th August 1897, and 2675—3027-P., dated 10th May 1898, and in addition is invested with the powers described in clauses (3), (4), (5), (6), (7) and (8) of the last preceding paragraph of this Notification. He shall exercise such powers subject to the orders and the control of the Municipal Commissioner.

5. Any measures which may be ordered by the Municipal Commissioner or subject to his directions by the Special Deputy Commissioner for Plague operations or the Special Medical Officer hereinbefore appointed, shall be carried into effect, without delay, by all public servants and all persons employed by the Municipal Commissioner for the purposes mentioned in and under the powers conferred by this Notification.

6. Save as may be otherwise directed by Government, all expenses incurred in carrying out such measures shall, in the first instance, be paid out of the Municipal fund of the City of Bombay, but the Municipal Commissioner or the Corporation may recover from any person any amount which such person would, under similar circumstances, be liable to pay to the Municipal Commissioner or the Corporation under the City of Bombay Municipal Act, 1888.

7. The Commissioner of Police shall give such assistance as may be necessary in order to enforce immediate compliance with any order issued by or with the sanction of the Municipal Commissioner under the powers conferred by this Notification.

By order of His Excellency the Right Honourable the Governor in Council,

A. CUMINE,

Acting Secretary to Government.

No. 4847 OF 1898.

GENERAL DEPARTMENT : *Plague*

Bombay Cash 154 1/2 1897.

FROM

THE SECRETARY TO GOVERNMENT;

To

THE SECRETARY TO THE GOVERNMENT
OF MADRAS.

SIR,

I am directed to forward, for the information of the Government of Madras, the marginally noted Notifications issued by this Government under the Epidemic Diseases Act, 1897.

I have the honour to be,

Sir,

Your most obedient Servant,

Mr. Antea
Fondak Secretary to Government.

3327

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

189 .

READ 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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