

Local & Munl. (1899) Department

MISCELLANEOUS.

G.O., No. 199 M.

DATED 15-2-99.

INDEXED.

5204

RECEIVED

[Despatch Abstract.]

District municipalities act

Declining with remarks to approve the  
proposal of the municipal council Cocanada  
requesting Government to amend Section  
204 of the District Municipalities Act in  
such a way as to prevent the adulteration  
of food drugs.

embarrassed, 10

# 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 AND MUNICIPAL DEPARTMENT.

Papers to be read in proceedings:—

Again G.O., No. dated

Again G.O., No. dated

Current No. 244571 of 1898, dated 13 June, from

„ „ „ 189 „ „

„ „ „ 189 „ „

189

189

ORDER.

No. 199 Muni 1572/99

The Government Considers that the omission from the proposed addition which is on the lines of Sec 364 of the Calcutta Municipal Act, of the Clause which says that "in any prosecution under this Section, it shall be no defence to allege that the vendor was ignorant of the nature, substance or quality of the article sold by him," would make the Section nugatory, as in the vast majority of cases it would be impossible for the prosecution to establish proof of knowledge. Moreover it would be hardly possible for unassisted municipalities whose resources are very limited and whose finances are already somewhat embarrassed, to employ the necessary

off of Competent analysts and  
agency required for working the  
tion. The proposals of the Municipal  
Council cannot therefore be approved.

G.O.

12/2/99

From orders  
14 2 99

G.O.

To  
The Chairman, M.C. Canada  
Thru the Coll. of Godavari  
17/2/99

Legislation to prohibit the adulteration  
of food & drugs in unincorporated municipalities

CNo 2445 M.O.

For orders.

With his letter read above  
Chairman of the municipal Co  
of Co Canada submits a Co  
of the Council's resolution, request  
that it may be empowered to pro  
the sale of adulterated articles  
food or drugs, either by amending  
Clause (2) of Section 204 of  
Madras District Municipalities  
or by amending Sec. 255, So  
to enable the Council to make  
bylaw for the purpose. The Chair  
man points out that a prosecution  
was instituted under Sec 204  
against two persons for having  
exposed for sale, ghee which was  
unfit for human consumption  
as food or drink, but that the  
Case was thrown out as the Chemist  
Examiner to Govt, to whom Spec  
imens of the ghee were sent by  
the Magistrate, stated that altho  
the ghee was largely adulterated  
with gingelly oil, it could not  
be said to be unfit for human  
consumption, as it was not de  
leterious to health, and that  
was not means of ascertain

portions of the adulterant  
out in each of the Samples. The  
woman therefore suggests that  
section 204 of the Act, which does  
provide for Cases of adulteration,  
could be amended by the addition  
a provision on the lines of  
section 364 of the Calcutta Muni-  
cipal Act, omitting however the  
two clauses of that Section.  
It is submitted that the omission  
on the proposed addition of  
two clauses above referred to,  
specially of the one which says  
that "in any prosecution under this  
section, it shall be no defence to allege  
that the vendor was ignorant of  
the nature, substance or quality  
of the article, sold by him" would  
make the Section nugatory, as  
in the vast majority of Cases, it  
would be impossible for the  
prosecution to establish proof  
of knowledge. In this Connection,  
attention is invited to the notes  
and orders in G.O. 157 M, dated 4<sup>th</sup> W.  
February 1899, in which a similar  
proposal made by the Municipal  
Commissioners of Madras was vetoed  
by Government. Moreover it would  
be

MA

be hardly possible for muni-  
cipalities whose resources  
very limited and whose finances  
are already somewhat embarrassed  
to employ the necessary staff  
Competent analysts and the a-  
required for working the Sec-  
It is therefore submitted that  
Councils' proposals must be

V.R.  
9/2/99

H.M. They are in ad-  
vance of the time.  
H.T. 299  
10

MA.  
11.2.99

NOT FIL  
IN ORIG

C. no 629 928  
452

# Local & Munl. (1898) Department.

CURRENT No. 2445



Recd  
24/6/98

N  
To be over pending orders only  
Similar question raised by the undersigned  
Municipal Commissioners.  
20/5/98  
Order

From

The Chairman Delegate,  
Municipal Council,  
Coimbatore.

No. 285

Dated 13 June

Received 18 JUL 1898  
22-6-98

Registered

Enclosures 1

Spare copies

## SUBJECT.

Requesting to obtain the  
Sanction of Government to amend  
clause (2) section 204. or to pa  
add a sub section to 204 sing  
as to remedy the evil of adulter  
ting one substance with other  
substances and offering the  
same for human food.

26 JUN 98

# BACK PAPERS.

| G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|
|      |     |             |       |
|      |     |             |       |
|      |     |             |       |
|      |     |             |       |

## FURTHER PAPERS

| G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|
|      |     |             |       |
|      |     |             |       |
|      |     |             |       |
|      |     |             |       |

Extract from the Proceedings of the Municipal Council, Cocanada,  
passed at its Meeting held

on Saturday the  
16<sup>th</sup> April 1898.

PRESENT:

1. Mr. R. K. Perrajji Gani - Chairman
2. Dewan Bahadur S. Venkata - } Commr.  
Ramadasu Maide Gani } Cllor  
BA + Bd
3. Acting Civil Surgeon J. Lychlauder Do.
4. Mr. R. K. M. V. Somayajulu Gani Do.
5. " A. Padmanabham Gani BA Do.
6. " B. Chittaiya Gani Do.
7. " B. Venkatachelopati Gani Do.
8. " B. A. Rajajie Gani Do.
9. " B. Ramamurthy Gani Do.

4. Read report No. 66 dated 6<sup>th</sup> April  
1898 of the certificated Sanitary  
Inspector requesting to ask the  
Government to change the Section  
204 of the Municipal Act.

The Government will be  
requested to amend d(2) section 204  
so as to make adulteration of food

with any other substance and  
offering the same for human food  
punishable under the Act. or empower  
the Municipal Council to make  
a bye-law to that effect by  
enlarging the scope of Section 255

(Sd) K. Perumal  
Chairman  
(True Extract)

Municipal office  
Cocanada 20<sup>th</sup> April  
1898

Perumal  
Chairman

St  
20/4/98

LOCAL & MUNICIPAL DEPT.

CURRENT NO. 2445

No 285 Municipal Office  
Cocanada 15<sup>th</sup> June 1898

Down

Md Ky M. V. Samayalunger  
Chairman, Delegate  
Municipal Council  
Cocanada.

To

The Secretary, Government  
Local and Municipal Department  
Madras.

through the Deputy Collector  
Head Quarters Division  
and Collector

Godavari District

Sir

I have the honour to state,  
that the Certified Sanitary Inspector  
launched a prosecution, under the order  
of the Chairman, against Peruri Lalchamma  
and Kothipalli Lalchamma for having  
exposed for sale, in December 1897 in the  
local market, ghee in four tins which  
was found unfit for human consump-  
tion as food or drink. It was taken on  
file as B.C.I. of 1898. The Chemical Exa-  
miner to Government, after examining  
the four samples of ghee sent in four tins  
by the Down Sub Magistrate here, found  
that the samples A and B had been lar-  
gely adulterated with gingelly oil, and

the other two, with the same to a small extent, and expressed his opinion that the ghee could not be condemned on that account as unfit for human consumption, as it is not deleterious to health or likely to endanger it. He also added that there is no means of ascertaining the proportions of the adulterants present in each sample. The accused were therefore discharged. Gingray oil is generally being mixed with ghee, and the same offered as ghee. Other substances are also being mixed with it. The so-called ghee sometimes bears a greenish appearance and gives an offensive smell.

2. At present, a man after mixing any amount of oil with ghee and offering it for sale as ghee could not be proceeded against in an effective manner. Section 204 of the Municipal Act does not provide for cases of adulteration. Some modification or amplification of the Act is therefore necessary for the protection of the general public, and to enable the municipal executive to get hold of a fraudulent haggardman, who adulterates food or drink.

This subject having come on for disposal before the Council, it passed a resolution at a meeting

held on the 16 April last, which is herewith submitted.

It is now therefore requested that you will be good enough to ask the sanction of Government, to amend Clause 2 Section 204, so as to make adulteration of ghee with any other substance, and offering the same for human food, punishable under the Act, or add a subsection to 204 as shown below to remove the evil, or empower the Municipal Council to make a bye-law to that effect, by enlarging the scope of Section 253 of the Act. Sub-section to be added is as follows:

"No person shall sell to the prejudice of purchasers any article of food or drink or drug, which is not of the nature, substance, or quality of the article demanded by such purchaser, under a penalty not exceeding Rs 50 for the first offence and Rs 100 for any offence after a conviction for a first offence." Provided that an offence shall not be deemed to be committed under this Section in the following cases, viz.

(1) "Where any matter or ingredient not injurious to health has been added to the food or drink, or drug, because the same is required for the production or preparation thereof as an article of commerce."

"in a state fit for Carriage or Consump-  
tion and not fraudulently to in-  
crease the bulk, weight, or measure  
of the food or drink or drug, or  
conceal the inferior quality thereof."

(2) "Where the food or drink or  
"drug is invariably mixed with some  
"extraneous matter, in the process of  
"Collection or preparation". The  
"term 'food' shall include every  
"article used for food or drink by  
"man, other than drugs or water,  
"as well as all articles intended to  
"enter into or to be used in the prepa-  
"ration or flavouring of such food."  
"The term 'drugs' shall include  
"medicines for internal or external  
"use".

I have the honour to be  
Sir  
Your most obedient servant

Ch. Lemay  
Chairman - Delegate,  
Municipal Council,  
Cocanada.

84  
V.C. 15/6/98.

his name 82/ 128  
472

Submitted to the Collector of the Cocanada District  
2 Ghee and gingelly oil are both articles of food  
in this part of the Country and ghee adulterated  
with gingelly oil may not be considered unfit  
for human consumption on the ground that  
it is not deleterious to health. There is, however,  
no doubt that ghee adulterated with a large  
quantity of gingelly<sup>oil</sup> which is, in itself, had  
if not properly prepared gives an offensive  
smell which ~~the~~ people of higher classes  
undoubtedly detect, and it is, no doubt, ne-  
cessary that such detestable adulteration should  
be stopped as such adulteration is very  
common in this Municipality. Instead of  
amending Section 204 of the Municipal Act  
which has undergone a general revision only  
lately, I would recommend that the Muni-  
cipal Council be authorized to make a  
bye-law under Section 255 of the Act  
prohibiting the sale of such adulterated stuffs  
for human food on pain of criminal prosecution

Cocanada.  
23-6-98

P. J. J. J.  
Collector

Sum 2100  
rupees

Department.

When given for copying \_\_\_\_\_  
When copied \_\_\_\_\_  
When examined \_\_\_\_\_  
When signed \_\_\_\_\_ 11/6/92

189

READ AGAIN G.O. No. \_\_\_\_\_, DATED \_\_\_\_\_  
189 .

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

OF GOVERNMENT.

WITH DIET.

NOT FILED UP, BEING MEANT FOR DESPATCH  
IN ORIGINAL.

Copy in full.  
to be copied.

For order

By one 2100 07/11/98  
207/11/98  
211-7-98

Submitted to the Government  
of Madras Local and Municipal Department  
I support the Divisional  
officer's proposal.

Munro  
Collector

Pr  
28/2/98  
8798

12 JUL 98