

PROCEEDINGS OF THE PLAGUE COMMISSIONER.

(1899)

Miscellaneous
~~PRINTED~~

No. 996

DATED 14. 4. 99

Depd 14. 4. 99

[Despatch Abstract.]

Detentions of passengers at Tungabadda Ry Station

Informing the Agent & Manager Madras
Railway that the — are made in accordance
with the Madras Plague Regulations.

3376+4176 (1899)

P. C.
14 APR. 1968

CURRENT No.

<i>Progs.</i>	<i>Letter</i>	<i>Ref.</i>
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Si

Le 12/12/1912

11658
2518

J. L. T. L. long but
the detention at

Large birds are not
in abundance with the
hundreds of young
birds that are to be seen
with the forest

 $\frac{14}{4} h$

Dep 14/4/49

From The Collector of
Bellary

His. No. 734-P

Dated 11-4-99

Received 14-4-99

Registered 14-6-91

Enclosures C. No 3376 recte

Spare copies

SUBJECT.

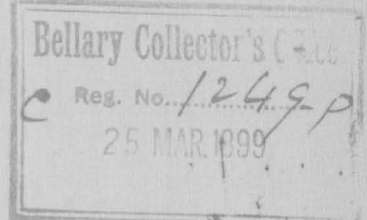
Stating that the persons
referred to in his no: 3876d/29.3.44
were detained during the time of
Major Hakim I.M. Medical Officer
Tengabhadra &

for urgent and emergency.

PLAGUE COMMISSIONER'S OFFICE.

(1899)

CURRENT No. 3376



Forwarded to
the Collr of Bellary
for forwarding report.

From

Plague Commissioner

Agents Manager
Onadmo Railway

No. 11656
2910.

22/3/99
Order

To Collr of Bellary with papers
orig. & copies.

Ref: on C 1249-P
27.3.99
11

Forwarded to the medical officer in
charge of the Tungabhadra inspection station
for forwarding of early report.

Dated 18. 3. 99 -
Received 20-3-99
Registered 20-3-99
Enclosures 3
Spare copies

[Signature]
For Collector

26/3/99

SUBJECT.

Enclosing copies of letters
addressed to him by the
Company's medical officer
on the subject of plague recent
at Tungabhadra & that by
Mr H. C. King, Solicitor containing
his opinion as to the legality of
the present practice & requesting
to instruct the plague inspecting
officers to exercise more care
for urgent and manager.

BACK PAPERS.

No.	Date.

FURTHER PAPERS.

No.	Date.

BACK PAPERS.

No.	Date.
36 396 P	27-6-98
36 466 P	13-5-98
36 835 P	13-8-98
36 1105 P	17-9-98
Prigo 381 A	25-10-98 D.C.

FURTHER PAPERS.

No.	Date.

(A. & M. IV.)

Enclosure

P. C.

20 MAR. 1899

No. 11656
2918

Madras Railway Company,

AGENT & MANAGER'S OFFICE,

RAYAPURAM TERMINUS,

Madras, 18th March 1899.

From

The Agent and Manager,

Madras Railway Company.

To

The Plague Commissioner,
Fort Saint George.

SIR,

I have the honor to enclose for your consideration copies of letters addressed to me by the Company's Medical officer on the subject of plague examination at Jungabhadra also copy of a letter from Mr H. B. King, Solicitor, containing his opinion as to the legality of the present practice. I shall be obliged if you will kindly instruct the plague inspecting officials that great care must be exercised at Jungabhadra and other examining stations in detaining passengers who may have come from an infected district but who do not infringe the rules of the Plague Act.

I have the honor to be,
Sir,

Your most obedient servant,

Redmond
for Agent and Manager.

Enclos

Letter from the Medical officer dated 23.1.99. to S.M.
15.3.99. A.M.
Mr H. B. King, Solicitor dated 14.2.99

Madras Railway Company.

Medical Officer's Office.

Rayapuram, 15th March 1899.

No 352

The Agent and Manager.

Dear Sir,

your No ¹¹⁶⁵⁶/₁₉₆₂ of 22nd ultimo.

With reference to your letter quoted above, the passengers whom I saw detained at Tungabhadra, on the occasion under reference, were not travelling in dirty clothes, but were a group of as respectable and cleanly dressed natives as one could wish to see. Some of them looked like students, wearing black Eton like jackets, fez on head, and snow white cloths round their loins and legs.

The Inspector informed me that the men were detained for the sole reason that they came from an infected area, and that it was the practice followed at Tungabhadra for a long time to detain such persons for 10 days. He pointed to the group referred to in the detention shed, and said all of them would be detained 10 days.

It was from the Inspector himself, you will observe, that I learned what the practice followed

followed at Tungabhadra was in respect of passengers coming from an infected area, and his account is more likely to be correct than one proceeding from some other quarter.

Regulation 14 is perfectly plain, and according to para 2, a person may be coming from an infected area, but if he is not dressed in dirty clothing, and can satisfy the Inspecting Officer that he is proceeding to a fixed residence, he is entitled to pass. What I say, however is this, that from information obtained from the Inspecting Officer himself, he takes no notice of the addresses to which passengers are going, nor the state of their clothing, but detains every 3rd class passenger coming from an infected area.

yours faithfully

(sd) J. Currie.

Medical Officer.

—H. R.

(True copy)

D.H.

23/26 off 11/29

Henry Lark King,
Collector and Magistrate.

Maddur.

4th February 1899.

The Agent and Manager,
Maddur Railway,
Rayapuram.

Dear Sir,

I thank you for yours of the 3rd instant with extract from a letter from your Medical Officer. For the purpose of answering the question contained in your letter of the 26th ultimo, I ^{assume} ~~assume~~ that Tungabhadra is an inspection station duly notified in the Gazette and that the Officers who detain the passengers have an authority to do so.

To enable a Medical Officer to detain a passenger under the first paragraph of clause 14 and deal with him under regulation 3 the passenger must be (a) suffering from plague (b) have lately suffered from plague so as to be in an infectious state and (c) have from recent contact with plague cases likely to have been infected or to be in an infectious state. If the passenger does not come within the class of persons referred to in a, b, and c, I am of opinion that the officer is acting contrary to the regulations in detaining him.

To enable a Medical Officer to detain

a passenger under the second paragraph of clause 14² - the passenger must not only have been within a part of India believed by such Medical Officer to be infected by the plague but also unable to satisfy the Officer that he is proceeding to any fixed place of residence.

If either of these conditions was about with respect to the passenger to whom your Medical Officer refers then I am of opinion that their detention was contrary to the regulations.

It is evident that the intention of the Government of India is not to restrict the movement of the general public by Railway and the inference to be gathered from their Resolution dated 3rd February 1898 is, that persons from an infected area who do not appear to be suspicious by reason of their appearance or the dirty condition of their cloths or the fact that they are not travelling in gangs or do not belong to classes which are likely to disseminate the disease or can be traced on arrival at their destination or depended upon to give information should plague occur among them after arrival at their destination, ought not to be detained. The question however under both paragraphs of clause 14 depends upon the state of facts applicable to each passenger detained, and it is impossible to advise generally whether the Medical Officer is or is not acting in accordance with the Plague Regulations

Incorrect
24/3

Page 71
of the Manual
May E

MADRAS RAILWAY.

To The Agent and Manager,
M. R. Co.,

From The Consulting Engineer
for Railways.

Dated 188

Recd.

No.

The Consulting Engineer for Railways.

P. W.

Copy of a letter from the Medical Officer, to
the Traffic Manager, dated 23rd January 1899.

When returning to Madras, on Tuesday, the
17th from plague duty on the North West line, I
took the opportunity at Tungabhadra of
witnessing the inspection of the passengers
in the train in which I travelled. I observed
that about 15 or 20 of your passengers were
removed from the train to be detained 10 days
at the camp. They were all clean, respectable
healthy looking natives, and in a conversation
I had with the plague inspector I enquired
the reason for taking the men to the plague
camp and he said it was because they had
come from an infected area. I said to him
I thought the plague regulations did not
authorise such a proceeding but he replied
it was left to the Inspector's discretion.

2. If you refer to the plague regulations you
will find that according to them a person in
health, on leaving an infected area to go on a
Railway journey is entitled to assure him-
self that he will reach his destination with-
out detention provided he is going to a fixed
place of residence. At Tungabhadra however
this regulation is ignored, and all 2nd and
3rd class passengers, natives and on some
occasions

occasions Eurasians and Europeans coming from an infected area, are as a matter of routine practice, marched off to the camp for detention, whether they can furnish a fixed address or not.

3. I think the plague inspectors are acting in this matter outside of their rights, and the act does not say that they are entitled to use their own discretion. The plague regulations issued by Government are strict and far-reaching enough to attain the end for which they were framed, and I don't think there is any necessity for plague inspectors introducing their own methods of carrying out the work.

4. As long as this practice is continued at Tungabhadra passengers will always be uncertain as to whether they will be allowed to pass or not, and they are to be pitied in being kept in this state of panic and suspense when they undertake a journey on the Railway. If they are in health and can give a fixed address no inspector has any right to interfere with them, and of course natives will stop travelling rather than run the risk of camp detention if it is to be carried on in the manner it is done at Tungabhadra. These poor people have no doubt engagements to fulfil which are as important to them as

ours are to us, and it is a painful sight to witness their disappointment and despair when ^{they} are taken out of a train and marched off to the camp by the Police like a band of criminals.

(True copy)

Dated 11 — 4 — 1899.

E. A. E. leoni Esq

ag COLLECTOR OF
BELLARY.

To

SIR,

passengers unnecessarily, and I suggest that the matter may be dropped

having regard to the clear instructions issued in your proceedings 838 dated 27.3.99 to which the particular attention of the Medical Officers in charge of the Railway Trains Inspection Stations has been called by me.

I have the honour to be,
Sir,
Your most obedient Servant
J. H. [Signature]
For Collector

R
12/4/99

First copy sent to Press.

Returned for signature.

Despatched in print.

NUMBERS OF COPIES REQUIRED. { Order complete: Letter only. Order complete with Letter.

AD AGAIN No. 189

DATED

CURRENT No.

ENCLOSURES TO C. No.

N.B.—

- A = Print in full.
- H = Not to be printed.
- P = Print abstract only.
- Q = Print heading only.