

Ref. DEPARTMENT.
Marine
Public Works (1899.) Department.

✓ G.O., No. 784 *Marine*

DATED 18th August '99

21/8/99

[Despatch Abstract.]

Vaccination on board.

Directing that the incidence of the charge on account of lymph for vaccinating ship passengers be met from Municipal and Local Funds in equal shares.

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W

[P. W. 85.
200-18-7-99.]

29/8/99

[P. W. 8
200-18-7-99.]

Indexed.

25/8/99

Directing that the incidence of the charge on account of lymph for vaccinating ship passengers be met from Municipal and Local funds in equal shares.

Indexed

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

READ—the following paper:—

From J. A. CUMMING, Esq., Acting Collector, Gó dávari District, to the Secretary to Government, Marine Department, dated Cocanada, 26th June 1899, D. Dis. No. 2393/Rev.

Several cases of small-pox having been imported to Cocanada, vaccination was performed on those passengers in the steamers from Rangoon who required it and were willing, as laid down in the quarantine rules.

2. The lymph was obtained from the District Board at a cost of Rs. 12 and the bill sent to the Presidency Port Officer for payment out of Port funds. He refused to accept it.

3. The Municipality was asked to pay it, but demurs and I think with reason.

4. Under section 36 (5) (d) the charge seems to be debitable to Port funds, but this requires the previous sanction of Government. I request that sanction be now accorded for the present charge and similar charges in future.

ORDER—No. 784, Marine, dated 18th August 1899.

In his letter read above, the Collector of Gó dávari requests that the cost of lymph purchased for vaccinating passengers under the rules for the medical inspection of vessels, may be paid from Port funds, as, in his opinion, it is a legitimate charge on those funds under section 36 (5) (d) of the Indian Ports Act.

2. It is observed that this section restricts the expenditure of Port funds to vessels and their crews, and does not include passengers.

3. As regards similar expenditure for plague purposes, the Government of India has decided* that it is a charge against local corporations. The same principle would seem to apply to other infectious diseases. In any case, there is a legal objection to debiting any portion of the cost to funds raised under the Indian Ports Act. The incidence of the charge will be met from Municipal and Local funds in equal shares.

(True Extract.)

(Signed) W. B. DEWINTON,
Secretary to Government.

To the Presidency Port Officer.

„ Collector of Gó dávari.

„ Financial Department.

„ Local and Municipal Department, with copy of

note in the Financial Department and copy of note by

His Excellency the Governor.

Exd. T. K. Narayana Aiyangar.

Marine DEPARTMENT.

READ the following:—

Letter from the Collector of Godavari, No. 2393, dated 26th June 1899.

Circulated to—

ORDER.

No. 784, Mar. of 18-8-99

Please see para alteration in last sentence of order. This would save another order on the subject being issued.

18. viii. 99

In his letter read above, the Collector of Godavari requests that the cost of lymph purchased for vaccinating passengers under the rules for the medical inspection of vessels, may be paid from Port Funds, as in his opinion, it is a legitimate charge on those funds under section 36(5) (d) of the Indian Ports Act.

2. It is observed that this section restricts the expenditure of port funds to vessels and their crews, and does not include passengers.

3. As regards similar expenditure for plague purposes, the Government of India has decided that it is a charge against the local corporations.

* vide G.O. 479, Fin. Dept. April 1899

16 C.No. 901

With reference to the proposed alteration of the draft, it is submitted that it is left for the Marine Dept. to apportion Municipal and Local Funds; but as the Local & Municipal Dept. itself suggests the order, we need raise no objection.

L.F.
18 Aug. 99

W.H.L.
18.8.99

wing:-

Godavari, No. 2393, dated June 1899.

DEERS

In his letter read above Collector of Godavari requests to the cost of lymph purchased from the District Board for inoculating passengers, disembarking at the port of Ananda, under the second clause of Rule VII in Appendix to G.O. 280 Marine, dated 24 May, may be paid from Port so, as in his opinion it legitimate charge on Port Funds under Section 51 (d) of the Indian Ports

under this subaction contributions under the provision of Large Superintendence and special aid for the Shipping in

corporations. The same principle would seem to apply to other infectious diseases. In any case, there is a legal objection to debiting any portion of the cost to funds raised under the Indian Ports Act.

The incidence of the charge will be met from Municipal & Local Funds in equal shares.

be met from Municipal & Local Funds in equal shares.

W.H.L.
18.8.99

W.H.L.
18.8.99

To The S. P. O. Collector of Godavari
a Financial Dept.
a L. & M. Dept. with copy of note in the Financial Dept. and copy of note by H.E. to Governor.

5/9/99

in the port are admissible
with the previous sanction
of the Local Government.
The question therefore for
consideration is whether the
expenditure in question is for
the provision of Sanitary
Superintendence or medical
aid for the Shipping.

As regards similar expenditure
for plague purposes, the Government
of India has remarked that
a Municipal body owes it to
its neighbours to prevent the spread
of infection from itself, and
on this principle the cost
will have to be met by the
Municipality. But the Collector
says the Municipality does not
and in his opinion with reason.

It is submitted that a
clear ruling should ^{now} be made
for future guidance.

It will be observed that
in adopting the rules for the inspection
of vessels at Flag R as port rules
under section 6 (2) (h) of the Ports
Act, Government has
omitted

vide G.O. 9 dated 17 January 1890
Flag R

omitted from Part II (d) the
second sentence of Rule VII
which provides for the
vaccination of those on board,
presumably because it is a
municipal, and not a port,
requirement.

R.S. Sec: 36 (5) (d) of Act X
of 1884 seems clear
to refer to vessels &
their crews, & not to
passengers. The expenditure
in this similar case
should, it is submitted,
be borne by the Municipality.

L. H. S.
F. V. S.

I do not think the charge is one
which appertains to Port Funds
under s. 36. 5 (d) of Act X of
1884. I think the fairest apportion-
ment would be to require the
Municipality & the Local Board
contribute in equal shares. There
being the no good reason why the
Municipality alone should pay.

17/1/99.

This is the right solution of the
question.

5.8.99

Ref. 7
Marine
Local & Munl. (1899) Department.

CURRENT No. 901

Order

From

*The Collector
Godavari.*

*S. D. S. No. 2393 of 99
Rev*

Dated *26. 6. 99*

Received *5-7-99.*

Registered

Enclosures *{ plans. nil
other. nil }* *Total nil.*

Spare copies ..

SUBJECT.

*Requesting sanction for certain
charges incurred in connection
with the protection of passengers
on board the steamers from
small pox.*

BACK PAPERS.

G.O.	No.	Department.	Date.
	Act E 71889.		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

GODAVARI DISTRICT, COLLECTOR'S OFFICE,
Cocanada, 26-6-1899.

RECEIVED
30 JUN. 1899

From

J. A. Cumming Esq.,
Collector,
Godavari District.

To
The Secretary to Government
Marine Department.

Sir,

Several cases of Small-pox having
been imported to Cocanada, vaccination
was performed on those passengers in the
Steamers from Rangoon who required it
and were willing, as laid down in the
quarantine rules.

Rule VII in appendix
to G.O. 280 dated 20-5-79.
Flag Q.

2 The lymph was obtained from the
District Board at a cost of Rs 12 and the
bill sent to the ^{presidency} Port officer for
payment out of Port funds. He refused to
accept it.

3 The Municipality was asked to pay it but
demurs and I think with reason.

REVENUE (189) DEPARTMENT.

FROM

THE COLLECTOR,

Godavari District.

TO

THE

Dated

Despatched

Received

189 .

No.

ENG.

ENCLOSURES.

SUBJECT.

4 Under Sec 36 (5) (4) the charge seems to be debitable to Port Funds but this requires the previous sanction of Government. I request that sanction be now accorded for the present charge and similar charges in future.

I leave the honor to the
Sir

Your most obedient servant
(by) J. A. Cumming
By Collector

J. A. Cumming
20.6.99
For Collector

30