

Public (1896) Department.

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G.O., No. 994

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INDEXED.

[Despatch Abstract.]

Fees for Chemical Analyses

Declining to modify G.O. No. 684 Sub.
of 12-8-89 deciding that
the Chemical Exam^r & Medical
officers are not to levy fees
for analytical work req^d
by Municipalities; and directing
that in the special case of
the Municipality of Bangalore
the usual fees sh^d be charged
and credited to Govt.

BACK PAPERS.

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Government (1896) of Madras. PUBLIC.

Recd.

Regd.

1896.

Enclosures

Spare copies

G.O., No. 994, 11th September 1896.

SEPTEMBER.

Fees for Chemical Analyses.

Declining to modify G.O., No. 684, Public, dated 12th August 1889, deciding that the Chemical Examiner and Medical Officers are not to levy fees for analytical work required by municipalities; and directing that in the special case of the Municipality of Bangalore the usual fees should be charged and credited to Government.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—again the following papers:—

G.O., Nos. 586, 587, Public, dated 8th July 1889.

ABSTRACT.—Communicating to the Accountant-General and the Chemical Examiner letter from the Government of India stating that no fee should be levied for the analysis of the samples of beer sold in the Civil and Military Station of Bangalore, and ordering the recovery from the Chemical Examiner of the fee already drawn by him from the Mysore Residency.

G.O., No. 684, Public, dated 12th August 1889.

ABSTRACT.—Deciding that the Chemical Examiner and Medical Officers are not to levy fees for analytical work required by municipalities.

READ—also the following papers:—

From Surgeon-Major J. L. VANGEYZEL, M.B., F.I.C., F.C.S., Chemical Examiner, to the Chief Secretary to Government (through the Surgeon-General with the Government of Madras), dated Madras, 20th July 1896, No. 720.

I have the honour to request the favour of orders as to whether the Chemical Examiner may accept the fees offered by the Special Health Officer on behalf of the Municipality of Bangalore, for analyses of samples of poudrette, of which he wishes to have several analysed as to manurial value. The object of the analyses is stated to be "to advertise the analyses" and obviously to increase the revenue of the municipality by the sale of the poudrette. If the funds of this municipality fall under "Imperial revenues," then the question is settled by G.O., No. 587, Public, of 8th July 1889, but in this order only "the Civil and Military Station of Bangalore" is referred to, while the municipality appears to be on a different footing.

2. In this connection, I beg leave to appeal for a re-consideration of G.O., No. 684, Public, dated 12th August 1889, by which Government withdrew from the Chemical Examiner the privilege of receiving fees for analytical work performed on behalf of *Municipalities*. This order was passed upon a reference from the Accountant-General who pointed out that municipalities were entitled to the gratuitous services of "Government Medical, Sanitary and Educational Officers" and inquired whether municipalities should not be exempted from payment of fees for chemical analyses performed by "the Chemical Examiner or by District Surgeons." I beg leave to suggest that the apparent intention of the Government Order quoted by the Accountant-General is that particular kinds of *services*, viz., Medical, Sanitary and Educational, should be rendered by Government officers in their respective departments, and not that services of any descriptions are to be rendered by medical and the other officers referred to. The analytical work performed by the Chemical Examiner for municipalities can hardly be called "Medical, Sanitary or Educational."

3. In the Government Order sanctioning the scale of fees to be levied from municipalities and other bodies "the Chemical Examiner" was coupled with the "Zillah Surgeon" (G.O., No. 1733, Public, dated 26th December 1877), because twenty years ago Zillah Surgeons probably had time to include chemical analyses amongst their

duties; but since their conversion into "District Medical and Sanitary Officers" I doubt whether a single chemical analyses has been performed by a Zillah Surgeon for the municipalities within his charge, and I would venture to state that it would have made no difference whatever to the Zillah Surgeon had Government withdrawn from him the privilege of receiving fees for "chemical analyses from foreign Governments and private parties" (which he still retains) as well as from "Municipalities." Further, the relations of a District Medical and Sanitary Officer with the local bodies in his district are, I venture to submit, on quite a different footing. He would naturally be expected to render gratuitous medical and sanitary or any other services in his power as such services fall within the duties of the administrative and executive charges of hospitals and sanitary establishments in his district.

4. While the Government Order withdrawing the privilege of charging fees has not affected the Zillah Surgeon at all, it has withdrawn from the Chemical Examiner a privilege which he had held since the institution of his office, and one which, I understand, is enjoyed by his contemporaries at Bombay and Calcutta—a privilege which is to him what private practice is to the Zillah Surgeon. In the correspondence which led up to G.O., No. 1733, Public, of 26th December 1877, it was conceded that it was "alike reasonable and equitable that the Chemical Examiner be allowed to receive fees for all analyses not effected on behalf of Government," and I beg that the limitations which Government has placed upon this principle may be removed by a re-consideration and modification of G.O., No. 684, Public, dated 12th August 1889, so as to restore to the Chemical Examiner the privilege of receiving fees from municipalities for the performance of analytical work other than medico-legal analyses.

Endt. No. 324.

Forwarded. As in the present case the analysis is intended for increasing the Municipal and not Imperial revenues, and as it is not a medical analysis required on sanitary grounds, the fees may, I think, be accepted.

2. The contention of the Chemical Examiner in paragraphs 2 to 4 of his letter seems to be reasonable and therefore deserving of consideration; and I consider that if this privilege obtains in the other two presidencies, it should not be withheld from the Chemical Examiner, Madras.

MADRAS, (Signed) D. F. BATEMAN, Surgeon-Colonel,
24th July 1896. Ag. Surgeon-General with the Govt. of Madras.
To the Chief Secretary.

Ref. No. 1575.

With reference to his endorsement No. 324, dated the 24th instant, the Surgeon-General is requested to call upon the Chemical Examiner to quote the authority for the statement in paragraph 4 of his letter, forwarded therewith, that the Chemical Examiners at Bombay and Calcutta are permitted to charge municipalities for work done by them and to retain the fees.

OOTACAMUND, (Signed) J. F. PRICE,
6th August 1896. Chief Secretary.
To the Surgeon-General.

From Surgeon-Major J. L. VANGEYZEL, M.B., F.I.C., F.C.S., Chemical Examiner, to the Surgeon-General with the Government of Madras, dated Madras, 19th August 1896, No. 826.

With reference to memorandum No. 1575, Public Department, dated Ootacamund, 6th August 1896, I have the honour to state that my authority for the belief that the Chemical Examiners at Calcutta and Bombay were allowed to charge for work done on behalf of municipalities was the replies which I had received from those officers to private communications in which I had made inquiries some time ago.

I have now again inquired and am informed that the practice at Calcutta now is to charge municipalities and to credit the fee to Government, while at Bombay the Chemical Examiner is permitted to charge municipalities and to retain the fee less 4 per cent. which is credited to Government as in the case of all other private fees. I regret that I had not obtained the very latest information before forwarding my appeal to Government, but I had not the slightest suspicion that the practice in Calcutta had been so modified since I had last communicated with the Calcutta Examiner. I do not know on what principle the change was made in Calcutta, and I have therefore in paragraphs 2 and 3 of my appeal asked for a re-consideration only of the rulings quoted by the Accountant-General in G.O., No. 684, Public, dated 12th August 1889, in consequence of which the Chemical Examiner's relations to municipalities were brought on a par with the relations of Zillah Surgeons to the local bodies in their zillahs. I beg respectfully to submit that these relations are not alike, and to request that Government may be pleased to restore to the Chemical Examiner the former privilege of charging municipalities for work performed by him on their behalf and of retaining the fees, subject to the usual deduction of 4 per cent. as in the case of other fees.

Endt. No. 385.

Forwarded for your information with reference to your memorandum No. 1575, Public, dated the 6th August 1896.

MADRAS, (Signed) D. F. BATEMAN, Surgeon-Colonel,
25th August 1896. Ag. Surgeon-General with the Govt. of Madras.
To the Chief Secretary.

ORDER—No. 994, Public, dated 11th September 1896.

The Government sees no reason to modify G.O., No. 684, Public, dated 12th August 1889.

2. In the special case of the Municipality of Bangalore the usual fees should be charged and credited to Government.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Surgeon-General.
,, Accountant-General.

Ed. C. M. Thambuswamy.

Madras, 24th July 1896.

To

THE HON'BLE THE CHIEF SECRETARY TO GOVERNMENT,

Public DEPARTMENT.

Forwarded. As in the present case the analysis is intended for increasing the Municipal and not Imperial revenues and as it is not a Medical analysis required on Sanitary grounds, the fees may I think be accepted.

2. The contention of the Chemical Examiner in paras 2 to 4 of his letter seems to be reasonable and therefore deserving of consideration and I consider that if this privilege obtains in the other two Presidencies, it should not be withheld from the Chemical Examiner, Madras.

[Signature]
Surgeon-Colonel,

Acting Surgeon-General with the
Government of Madras.

[Handwritten notes and signatures]

Public (1896.) DEPARTMENT.

From

Sarg. Genl. A. S. Bateman,

Adj. SURGEON-GENERAL WITH THE
GOVERNMENT OF MADRAS,

No. 324

Dated

24th July 1896.

Received

26th July

Regd 27-7-96.

Encl. one.

Subject.

*Forwarding with remittance
letter from the Municipal Engineer
Madras requesting orders as above.
He may receive fees for ana-
lytical work done on behalf of
the Special Health Officer of the
Municipality of Bangalore, etc.*

Public Dept.

C. 2468

Ref. No. 1575

With ref. to his Endt.
N^o 324, of the 24th instant,
the Surgeon Genl is requested
to call upon the Chemical
Examiners to quote ^{the} ~~the~~
authority for the state-
ment in para 4 of his
letter, forwarded ~~herewith~~
that the Chemical Ex-
aminers at Bombay
& Calcutta are per-
mitted to charge Mu-
nicipalities for work
done by them and
to retain the fees.

To
The Surgeon Genl

30 B
28/7/96
5/8/96
C.W.
28.7.96

Fees for Chemical Analysis

Ref

[G.]
[25 A.]
1,000-21-3-96.

Public DEPARTMENT.

Cs Nos 24 15, 2816

Fees for Chemical Analyses

Henr M B H W B L S C S S

Henr M B H W B L S C S S FOR ORDERS.

* A
I think Govt may well continue
to assist Municipalities in this Resg
by requiring the Chem. Ex.
to make analyses for them. Every
other Dept has to assist Municipalities
gratuitously - Why not the
Chem. Ex.?

As the Bangalore Municipality
he should charge send it
the Govt to Govt.

BS
8/9/96

I agree.
JS
7/9/96

vide C. 2816

In his letter with C. 2418 the
Chemical Examiner begs a
reconsideration of G.O. N° 84
Public d/12.8.09 in view to the re-
-storation to him of the privilege of
receiving fees from Municipalities
for the performance of analytical
work other than medico legal.
D. Van Geyzel states his belief
that the privilege is enjoyed
by his contemporaries at
Calcutta & Bombay, and says
Col Wakenham considers that
if this is the case, the privilege
should not be withheld
from the Chemical Examiner
Madras.

Subsequent enquiries
however have elicited the facts
that the existing practice at
Calcutta is to charge the
Municipality.

Municipalities and to credit
the fests foot, while at Bombay
the Chemical Examiner is
permitted to retain the fee
less 4 p.c., which is credited
to foot in the same way as in
the case of all other private
fees.

FOR ORDERS.

H. E. THE GOVERNOR.

THE HON'BLE MR. H. W. BLISS, C.I.E.

THE HON'BLE MR. J. GROSE, C.I.E.

It will be observed that
D. Vanfayzel does not make a point
of his ordinary work being sufficient
for himself & his staff, thus necessitating
the analyses for which he wishes to be
allowed to charge being carried
out out of office hours. It is
not yet eighteen months since
the Chem. Exam. was given a
Second Assistant - G.O. 328 Pubd
27th April 1895.

B

Notwithstanding what is
said in Art 88 (b) C.S. Regn -
it is a question whether Mu-
-nicipalities should not be
charged for analyses other
than medico-legal & the fees credited
to foot as in Calcutta. These analyses
are confined almost entirely
to water vide Statement on page 12
of G.O. No 746 Pubd 15th Jan 90.
Order

On an also concerned
on the first question raised
by the Chem. Exam. in C.
2418 as to whether he may
accept the fees offered by
the Special Health Officer
on behalf of the Bangalore
Municipality for analyses
of samples of pondrotta,
the avowed object being
"to advertise the analyses".
The Surgeon Genl remarks that
as the analysis is intended
to increase Municipal &
not Imperial revenues,
and is not a medical
analysis on sanitary
grounds, the fees may
be accepted.

G.O. 586 Public 4/8th
D. 1895. It is stated that when the
Standard requires an analysis, no fee should
be levied, as it would be
payable from Imperial
revenues & not by a Foreign
body. The G.O. would
prohibit charging a fee if
the Municipal funds
be supposed to fall
under "Imperial Revenues".
But D. Vanfayzel says
that in the G.O. referred to
only "the Civil and Military
Station of Bangalore" is
alluded to, and that the
Municipality appears

to be a different
font used.
Attention is solicited to
G.O. No 1733 Pubd/26.12.77
from which the word
"Municipalities" was or-
dered to be struck out by
G.O. 684 Pubd/12.8.89. The
reason given is that the
number of analyses reqd
by Municipalities is small
& that the services of the C.E.
in respect to them can be
rendered without detri-
ment to the public service A

It is observed however
that whereas the total
number for the triennium
1886-1888 was only 53,
last year alone it was
55. Vide statement info.
746 Pubd/15.7.96. C
~~submittal of the Municipalities~~
~~for the purpose of the C.E.~~
~~for the purpose of the C.E.~~
~~for the purpose of the C.E.~~
~~for the purpose of the C.E.~~
~~for the purpose of the C.E.~~
~~for the purpose of the C.E.~~
~~for the purpose of the C.E.~~
~~for the purpose of the C.E.~~

There is nothing to show
that these analyses for municip-
alities interfere with the C.E.'s
purely Govt. work and they
shd. be considered as part of
the day's work as appears to be
the intention of Govt.

The Ag. S.G. should not
address Govt. by Endorsement.
J.B. 1.9.6.

The analyses for municipalities
are about 1/2 of water and
1/2 for sanitary grounds and I submit
the C.E. should be allowed to
charge for these. He can then be able
to do the work which such analyses
are in the nature of a plant
analysis of a number
11/9/96

G.
24.
1,000-15-11-95.

Papers to be read in proceedings:-

Again G.O., dated 8th July 1889, No. 586 Pubd/26.
Again G.O.; dated 8th August 1889, No. 684 " " "
Current No. 2418 of 1896, dated 24th July, from The Surgeon General (a. & stand)
" " 2816 " 1896, " 27th Aug., " " " (a. & do)
" " " 189 " " " " " "

ORDER. No 994. 21st September 1896.

The Govt sees no
reason to modify G.O.
No 684 Pubd/12.8.89.
2. In the special case
of the Municipality of
Bangalore the usual
fees should be charged
and credited to Govt.

1 from Orders!
11/9/96

To The Surgeon General
" Acct General

J.B.
10/9/96.
25/9/96

be on a d 11

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FROM ORDERS.

C. S.

GIN. G.O., No. 189

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