

Government of
Bengal. }

1911

{ MUNICIPAL
DEPT.

33

SANITATION.

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MARCH.

File S. $\frac{2-A}{2}$

No. 4.

Amendment of the Bengal Vaccination Act.

बिहार सरकार
मंत्रिमंडल सचिवालय विभाग
(बिहार राज्य अभिलेखागार निदेशालय)

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| 4. To the Chairman of the Calcutta Corporation, No. 835 San., dated the 22nd March 1911, inviting attention to the more important features of the Bill, and requesting that necessary steps might be taken to bring the law into operation so far as Calcutta was concerned. | 1-2 |
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AMENDMENT OF THE BENGAL VACCINATION ACT.

[No. 4.]

[FILE S. $\frac{2-A}{2}$ 2.]

MUNICIPAL DEPARTMENT.

SANITATION.

No. 835 San.

CALCUTTA, THE 22ND MARCH 1911.

FROM H. WHEELER, Esq., C.I.E., I.C.S.,

Secretary to the Government of Bengal,

TO THE CHAIRMAN OF THE CORPORATION OF CALCUTTA.

SIR,

I AM directed to refer to the late Sir Charles Allen's letter No. S-II5506, dated the 9th January 1908, in which it was proposed that either the Bengal Vaccination Act (Act V of 1880), should be amended to suit the requirements of Calcutta, or that a short separate Act, applicable to Calcutta only, should be passed. The principal changes in the law which were suggested by the Health Committee of the Corporation were as follows:—

- (i) The reduction of the period after birth within which a child should be required to be vaccinated from one year to six months, with a consequential reduction of the time within which an unprotected child brought into Calcutta from outside should be vaccinated.
- (ii) The reduction of the period of currency of a certificate that a child was not in a fit state to be vaccinated from three months to one month.
- (iii) Provision for the charge of lower fees for operations in excess of one performed at the same time otherwise than at a public vaccine station.
- (iv) Permission to appropriate a portion of the fees realised under the Act for the purpose of rewarding the vaccinators for good work.
- (v) The general revision of the nomenclature and chain of subordination of the different officers referred to in the Act.

It was represented generally that the existing law, having been in operation since 1880, i.e., for more than a quarter of a century, there were good reasons for its revision, while the conditions prevailing in Calcutta were in various respects peculiar.

2. The Lieutenant-Governor having agreed with the Corporation that an amendment of the law was necessary, the draft Bill, as submitted by the Corporation, was circulated to various public bodies for an expression of their opinion, and upon receipt of their replies the subject was considered by Government in consultation with selected officers of the Indian Medical Service. It was eventually decided that an amending Act was all that was necessary, and a Bill was therefore introduced into the Bengal Council which has since been passed into law as Act II of 1911 and published in the *Calcutta Gazette* of the 22nd March 1911. Under section 6 of the Bengal General Clauses Act I of 1899, the Act came into force within the area defined in section 1 (2), with effect from the date of its publication in the Gazette.

3. It will be seen that the principal changes in the law which were suggested by the Committee have been embodied in the amending Act. The suggestion to reduce the fees payable in some instances for more than one operation was not adopted, as the retention of the elasticity of the present law (sections 15 and 33), which enables the scale of fees to be fixed by rule, appeared to be desirable, and the object which the Committee had in view

could be attained without an amendment of the Act. The suggestion to authorize the return to public vaccinators of a portion of the fees earned by them for vaccinating children elsewhere than at a public vaccine station was objected to by the Select Committee on the Bill on the ground that it appeared likely to lead to malpractices.

4. Attention is invited to the following important changes which have been made :—

(i) The new definition of "inspector" in section 4 of the amending Act has been purposely drawn in wide terms, so as to permit of the appointment of any officer now employed, whatever his designation, as an inspector for any of the purposes of the amending Act. Inspectors and sub-inspectors are officers possessed of qualifications superior to those of the ordinary public vaccinator, and it is desirable definitely to recognise them by law, and to assign to them, where possible, certain functions which under the Act of 1880 devolved upon public vaccinators.

(ii) In section 7 (1) of the amending Act the words "a day not less than seven or more than ten days" have been substituted for the words "the same day in the following week," in order to meet the convenience of parents and guardians who may find it difficult to cause their children to be inspected on the seventh day, and there is no objection, on medical grounds, to allowing some greater latitude.

(iii) In section 9 of the amending Act a certificate exempting a child from liability to vaccination has been given currency in some cases for one year only, after which the matter shall be reconsidered. Power has also been taken to transfer from public vaccinators to the inspectors the duty of granting certificates of unfitness for vaccination, certificates of insusceptibility to successful vaccination, and certificates of successful vaccination. It will also be noticed that the reference to inoculation which existed in section 6 of the Act of 1880 has been omitted.

5. I am to request that the necessary steps may now be taken to bring the law into operation so far as Calcutta is concerned.

I have the honour to be,

SIR,

Your most obedient servant,

H. WHEELER,

Secretary to the Govt. of Bengal.

No. 836 San.

Copy forwarded to the Commissioner of the Presidency Division, for information and necessary action, with reference to the municipalities lying within his jurisdiction.

No. 837 San.

Copy forwarded to the Commissioner of the Burdwan Division for information and necessary action so far as the Howrah Municipality is concerned.

No. 838 San.

Copy forwarded to the Sanitary Commissioner, Bengal, for information, and for communication to the Health Officer of the Port of Calcutta.

By order of the Lieutenant-Governor in Council,

E. L. TANNER,

Under-Secretary to the Govt. of Bengal.

CALCUTTA,

The 21st March 1911.

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MUNICIPAL DEPARTMENT.

SANITATION.

FILE S. $\frac{2-A}{2}$

K.-W.—A PROCEEDINGS FOR MARCH 1911, No. 4.

Amendment of the Bengal Vaccination Act.

A DRAFT is submitted addressing those concerned with the recent Vaccination Act Amendment Bill, which it is proposed to issue directly the Governor-General's assent is given to the Bill. It calls attention to the more important features of the Bill and requests steps to be taken to give effect to the changes in the present law. It may be approved.

H. WHEELER—20-3-1911.

F. A. S[LACKE]—21-3-1911.

If, as I understand, assent to the Bill has since been given, fill in the blanks in the draft and issue. Then record the papers.

H. WHEELER—21-3-1911.

THE Bill has been passed into law as Act II of 1911, and has appeared in to-day's Gazette. Blanks in the draft filled in.

C. C. G.—22-3-1911.

[No. 4.] Letter No. 835 San., dated the 22nd March 1911, to the Chairman of the Calcutta Corporation, and endorsements Nos. 836-38 San., of the same date, to Commissioners, Presidency and Burdwan Divisions, and Sanitary Commissioner, Bengal.

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REFERENCE TO FORMER CASES.

FILE S. $\frac{2-A}{2}$, B PROCEEDINGS FOR MARCH 1911, No. 39, AND BACK.

बिहार सरकार

मंत्रिमंडल सचिवालय विभाग

REFERENCE TO LATER CASES.

(बिहार राज्य अभिलेखागार निदेशालय)

L. S. & A. Kay/27-20-23

KEEP-WITH.

Office notes (printed).