

RODRIGUES CEMETERIES REGULATIONS 1925

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RODRIGUES, ST. BRANDON AND AGALEGA

CHAPTER I

INTERPRETATION OF TERMS

1. "Cemetery" and "burial ground" shall be construed as synonymous, and shall be held to mean land set apart for the burial of corpses.
2. "Grave" shall mean a burial place formed in the ground, by excavation, and without any internal wall of brick or stone work. The excavation may, however, contain a wooden framework, open at the bottom and covered with planks.
3. "Private grave" shall mean a grave in land which has been purchased from the owner of the cemetery.
4. "Common grave" shall mean a grave in which persons have been buried in land still belonging to the owner of the cemetery. ,
5. "Tomb" shall signify a construction in masonry covering a grave.
6. "Vault" and. "mausoleum" shall be considered as synonymous and shall include burial places of every other description than those already mentioned.
7. The measures mentioned in the following regulations are those of the metric system in use in Rodrigues.
8. "Contagious disease" shall be construed as synonymous with communicable disease, and this term shall include cholera, yellow fever, small-pox, typhus fever, scarlet fever, typhoid or enteric fever, puerperal fever, relapsing fever, diphtheria, measles and such other diseases as shall from time to time be declared to be contagious by the Sanitary Authority.
9. The "surface" of a burial ground shall be held to mean the level of the ground adjoining a grave, exclusive of earth heaps or stones placed over a grave.
10. "Sanitary Authority" shall mean the Government Medical Officer of Rodrigues.

CHAPTER II

PUBLIC CEMETERIES AND KEEPERS

11. Every cemetery shall be in the charge of a keeper, whose duty it shall be to maintain cleanliness, order and decency, and to take care that all regulations and orders relating to burial grounds are duly observed. He shall keep a plan of the burial ground showing its several sections or squares, and he shall mark or cause to be marked each square or row of graves as also each single grave, if possible, with stones or pieces of painted wood having letters or numbers to correspond with their counterparts which are to be noted in the cemetery register. He shall have charge of a register in which he shall insert the date of all interments and exhumations, with the names of the persons interred or exhumed, and such other particulars as are, or shall be, set forth in the form of registration approved by the Sanitary Authority.
12. The keeper of every public cemetery shall open the cemetery at sunrise, remain in it or its immediate vicinity all day, and close it at sunset unless otherwise directed by a competent authority.
13. All graves not covered with stones or otherwise protected, shall be planted with short grass or flowers, so as to prevent the earth heaps from being effaced by heavy rains.
14. It is forbidden to tread on any grave or burial place, to leap over the enclosures, and to write on, or otherwise deface any monument. It is also forbidden to pluck, take away, or remove, any flowers, plants, shrubs, vases, or other articles deposited in a cemetery, without authority from the keeper.
15. It is forbidden to introduce dogs or other animals into a cemetery.
16. It is forbidden to introduce intoxicating liquors into a cemetery, to light candles or to form processions by torchlight or with drums, horns, or other instruments of music therein.
17. No interment shall take place except in a public cemetery, or in a private one already authorized, unless under very special circumstances to be approved by the Sanitary Authority.
18. Burial grounds may be divided into consecrated and unconsecrated portions; and portions may be set apart for persons professing particular religious creeds, should such a course be deemed desirable.
19. Any person desirous of purchasing a plot of ground in a public cemetery, or of having a vault or monument built in the same, shall make application to the Island Secretary.
Amended by [\[Act No. 3 of 1988\]](#); [\[Act No. 12 of 1990\]](#)
20. In all cases where there shall be produced to the cemetery keeper the receipt of the Clerk of the Island Secretary, he shall at once cause the plot of ground to be measured and marked; and shall permit the work to be commenced agreeably to the conditions attached to the purchase.
Amended by [\[Act No. 3 of 1988\]](#); [\[Act No. 12 of 1990\]](#)

21. There shall be set apart in each public cemetery rows of common graves for the burial of bodies of paupers and others unclaimed by their relatives or friends. Those graves shall be of the minimum depth prescribed in regulation 31, Chapter III. If for want of space in a burial ground or for any unforeseen reason, it shall become necessary to use these common graves for new interments, the re-opening shall not take place before five years from the date of last interment.

22. The tariff of the cemetery charges shall be as follows-

All parcels of ground sold in cemeteries shall be paid for according to the following rates, and the purchasers shall be bound to conform to the regulations, plans and divisions laid down for the management and for the distribution of the land of the said cemeteries.

Any plot of ground not exceeding one metre sixty-seven centimetres square or one metre eighty-three centimetres by ninety-one centimetres shall be paid at the rate of one rupee for each plot of ground.

For any plot of ground exceeding one metre sixty-seven centimetres square, the sum of two rupees shall be paid up to three metres thirty-five centimetres by two metres thirteen centimetres.

For tombs and monuments the following rates shall be paid in addition to the price of the ground-

	Rs
Vault or tomb of more than one metre eighty-three centimetres in height.....	10
Vault or tomb not exceeding one metre eighty-three centimetres in height.....	5
Simple grave stone placed horizontally or vertically with inscription.....	5
Tomb covered with plaster, without a grave stone, not exceeding thirty centimetres in height.....	3
Grave board with inscription.....	1
For the construction of a subterranean vault, in addition to the price of the ground.....	10
For an enclosure in plain boards (trellis or bars).....	1
For four pillars with chains.....	2
For all iron railings being not more than one metre in height.....	2
For an enclosure of stone.....	2
For the re-opening of a grave or vault.....	5
Digging a grave.....	2

23. The opening of vaults for deodorizing, or other purposes than the depositing or removing of bodies may be permitted by the keeper and will be subject to no payment, except for the cost of labour and of the disinfecting agent, when supplied.

24. In each public cemetery there shall be kept ready dug as many graves as may be required for the wants of the locality.

- 25.** The Island Secretary and the Sanitary Authority shall have at all time free access to all burial grounds, and have authority to inspect any graves or trenches which may be dug or vaults which may be opened and to examine any books, papers and plans connected therewith.

Amended by [\[Act No. 3 of 1988\]](#); [\[Act No. 12 of 1990\]](#)

- 26.** Whenever any tomb or vault shall be left in a dilapidated state it shall be competent for the authority in charge of the cemetery to compel the owner of any such tomb or vault to put the same in proper repair; and in case of refusal of the owner to do so, it shall be competent for such authority to make these repairs at the cost of any such owner.
- 27.** All contractors or other persons who undertake to perform private work within any public cemetery, shall be responsible for any damage caused by their workmen, and this without prejudice to any punishment or penalties that may be awarded against the said workmen. And all contractors and others aforesaid shall be bound to remove all rubbish and put the spot in proper order, after the completion of the work.
- 28.** Permission for the re-opening of vaults or tombs shall be granted by the keeper whenever required by the owner, however short a time may have elapsed since the last burial, provided regulations 47,48 and 49 of these regulations be not infringed and on payment of the sum fixed by the tariff.

CHAPTER III INTERMENTS

- 29.** Burials shall only take place between sunrise and sunset, unless in extraordinary circumstances and with permission in writing from the Sanitary Authority.
- 30.** No burial shall take place until after the production to the keeper of the permit of interment furnished by the office of the Civil Status of Rodrigues. Whenever an interment shall take place in any public or private burial ground the keeper thereof shall retain every such permit, and shall show it to the Sanitary Authority when required so to do.
- 31.** Each inhumation shall take place in a grave which shall be of the necessary length and not less than sixty-four centimetres wide, and of such a depth as not to allow any part of a coffin containing the body to be at a less depth than one metre below the level of the surface of the ground adjoining the grave, except in cases of contagious disease when a depth of one metre fifty centimetres must be left before reaching the coffin.
- 32.** No grave shall be used unless it can be sunk to the required minimum depth without meeting subsoil water.
- 33.** It shall be lawful to sink a grave to any greater depth provided no subsoil water be met with.

- 34.** A space of at least fifty-one centimetres shall be left between each two graves, and of seventy-five centimetres between each two rows of graves in which inter-spaces no interment shall be allowed, except by special order of the Sanitary Authority.
- 35.** It shall not be lawful for burial grounds to be situated within any town, village or camp, nor at less than five hundred metres beyond the boundaries of any town, village or camp; nor within seventy-five metres from any river, stream, canal, spring, well or other source of drinking water.

CHAPTER IV

INTERMENTS IN GRAVES IN WHICH BURIALS HAVE ALREADY TAKEN PLACE

- 36.** The provisions of this chapter shall not be applicable to exhumations ordered by any Judge or Magistrate to meet the ends of justice.
- 37.** The grave in which the corpse of a person who has died of a contagious disease has been buried, shall for the purpose of identification, be marked by the letters C.D. cut in stone or painted on wood.

PRIVATE GRAVES

- 38.** No grave in which has been buried the corpse of a person having died of any contagious disease, shall be opened for another interment without the special permission of the Sanitary Authority, and then only under such sanitary precautions as the Sanitary Authority may prescribe and no such permission shall be granted unless the second interment or interments shall follow the first within a space of seven days or after the lapse of six years. No second interment shall be permitted within the space of seven days, unless the previous one has been effected in strict conformity with the provisions laid down in regulation 42.

But in cases of cholera it shall be forbidden to have the grave re-opened within any period before ten years.

- 39.** The re-opening of a grave not containing the remains of a person dead of communicable disease, for a fresh burial, shall not be permitted until two years after the last burial in the same grave of a child under six years of age, nor until five years after the interment of a person above that age.

The cemetery register shall be considered sufficient proof of all facts relating to previous burials; but in the event of the register being incomplete the person applying to have the grave opened shall supply an extract from the Civil Status Register or, if this is unobtainable, a certificate from the medical man who attended the person last buried in the illness from which he died. If none of these documents furnish the proof required that no person having died of a contagious disease has been interred in the grave, no new burial shall be allowed by the keeper before the periods specified in regulation 38 unless under authority of the Sanitary Authority.

But if upon consulting the cemetery register or the documents just mentioned the information is found to be such as to allow a new burial according to these regulations, the keeper may then forthwith permit such burial to take place after payment of the fee fixed by the tariff.

- 40.** In the case of a new interment in a grave which has already been used for burial, the minimum depth of such grave as set forth in regulation 31 of Chapter III, must also be attained without coming to an unbroken coffin, or to undecomposed human remains (bones or other reliquiae humanae) still exhaling a cadaverous odour.
- 41.** If, in the sinking of a grave, there be met with, before the minimum depths aforesaid shall have been reached, a coffin which is entire, or undecomposed human remains having a cadaverous odour, the sinking shall not be proceeded with; and neither the coffin nor the remains shall be removed, disturbed or broken; and the cemetery keeper shall, in such cases, forthwith place over the same a sufficient quantity of some deodorizing substance, and then fill up the grave.

No such grave shall be allowed to be used for a period of twelve months after that date.

- 42.** In the case of fragments of a coffin, or of human remains which have not a cadaverous odour, being reached either within or beyond the minimum depth, such human remains or fragments of a coffin may be removed and decently covered over until after the new interment has been proceeded with, when they shall be carefully replaced in the same grave from which they were taken, and the grave deepened, if no subsoil water is met with, so as to obtain the minimum depth of one metre between the lid of the uppermost coffin and the surface of the adjoining ground; after which the exhumed coffin shall be carefully replaced and the new interment effected.
- 43.** No corpse shall be buried within seventy-five metres of any well, river, canal, marsh or stream, unless in a vault, the side-walls, ends and bottom of which shall consist of well cemented stones or bricks, and be at least thirty-two centimetres in thickness and lined with a coating of cement of seven millimetres thick; nor unless the side-walls and end-walls project above the surrounding ground to a height of fifty centimetres (see regulation 35).

COMMON GRAVES

- 44.** If from want of space in a burial ground or from any unforeseen reasons, it should become necessary to again use for burial purposes the ground previously employed in a cemetery for common graves, the re-opening of this plot of ground shall not take place before five years from the date of the last burial therein.
- 45.** Before proceeding to break ground for graves in land which has already been used for common graves, the keeper shall pierce the ground with trial rods at either end, each piercing to be made at a distance of fifteen or twenty centimetres from the ends of the intended graves, also in the centre of the spot proposed to be used for burial.

He shall make two piercings in each of these situations; and should he find, from the resistance offered, that there is a coffin in the ground at a less depth from the surface than the minimum depth aforesaid, or that the trial rods have a cadaverous smell, he shall on no account within a period of one year proceed to dig a grave in that situation.

He shall carefully note in the cemetery register all such trials, with the dates and results thereof.

CHAPTER V VAULTS

46. The vault in which the corpse of a person who has died of a contagious disease has been buried, shall, for the purpose of identification, be marked by the letters C.D. cut in stone or painted on wood.
47. The floor surface of a vault must be less than two metres below the surface of the surrounding ground; and the masonry or brick work of such vault shall be of sufficient thickness (not less than twenty-five centimetres) to guard against the filtration of water; and be painted with hydraulic lime or cement, as also coated inside with a layer of cement seven millimetres thick; and the internal height of such vault, from flooring to ceiling, must not be more than three metres.
48. No corpse shall be deposited in a vault unless enclosed in a leaden coffin; and any number of corpses it is capable of containing may be deposited in the same vault.
49. Vaults not containing the remains of persons who have died from communicable disease may be opened at any time for the interment of another body or for the removal of a corpse. In any case disinfectants must be used immediately after such re-opening.

The cemetery register shall be considered as sufficient proof of facts required in this regulation relative to previous burials, but when the register does not give all the information required, the person asking for the re-opening of the vault shall obtain an extract from the Civil Status registers, or if the extract be unobtainable, a certificate from the medical man who attended the deceased in their last illness. Unless such certificate plainly show that the death occurred from non-contagious disease, the vault shall not then be opened without special permission of the Sanitary Authority (see regulation 39).

50. If the corpse of a person who has died of any contagious disease be deposited in a vault, such vault shall be immediately thereafter effectually closed, and shall not be again opened for another interment without the special permission of the Sanitary Authority, and under such sanitary precautions as the said Sanitary Authority may prescribe, which permission shall not be given unless the second interment or interments shall follow the first after the lapse of six years.

But in case of cholera it shall be forbidden to have the vault re-opened within any period before ten years,

CHAPTER VI THE MANNER OF CONDUCTING FUNERALS

- 51.** In the case of persons who have died of non-contagious diseases, no corpse shall be carried to nor interred in a cemetery otherwise than in a decent and safe manner; that is to say, when no closed coffin is used the corpse must be carefully shrouded and covered with a clean cloth, or decently covered, surrounded by charcoal or otherwise deodorized; it may be placed in a wicker coffin; or it may be placed in a coffin which can be opened and the corpse may be removed from such coffin for interment provided it be duly shrouded and disinfected. All the above corpses must be conveyed to the cemetery on men's shoulders or in a bier, litter, hearse, cart or boat.
- 52.** In case of death from cholera or small-pox, the corpse shall not, in any circumstances, be carried by men to the cemetery.

Such corpses may be interred either with or without coffins.

- (1) When no coffin is used the body shall be swathed in thick cloth coated with tar and surrounded with another cloth or cloths thoroughly soaked in a solution of anyone of the disinfectants authorised by the Sanitary Authority, the whole being also surrounded with a sufficient quantity of sawdust to the thickness of twenty-five millimetres carefully saturated with any disinfectant authorised by the said Sanitary Authority and the whole swathed in a third outer cloth. The body thus swathed shall be decently covered with a clean cloth, which shall be buried along with the body in the grave.
- (2) When a coffin is used it shall be strongly and well made with wood not less than twenty-five millimetres in thickness fastened securely with screws with or without a leaden lining, The coffin shall have at the bottom a layer of charcoal or sawdust having a thickness of five centimetres saturated with a solution of anyone of the authorized disinfecting agents above mentioned; the corpse to be surrounded with a layer of sulphate of copper or zinc, mixed with equal parts of sawdust to the thickness of twenty-five millimetres and the clothing and other coverings of the corpse sprinkled with a solution of one of the disinfectants above mentioned.

In the case of other contagious diseases than cholera or small-pox a coffin must be used and the precautions mentioned in last sub-paragraph (2) must be strictly adhered to.

- 53.** And it shall also be permitted, in the case of Mahomedan and other burials, to place in the grave over a well-shrouded and deodorized corpse, a strong wooden framework, provided the height of such framework from the bottom of the grave do not exceed fifty-five centimetres, and that there be at least one metre twenty-five centimetres of earth over it when the grave is filled up,

CHAPTER VII
EXHUMATIONS

- 54.** Permission for re-opening a grave, for the exhumation or removal of any corpse, shall be considered by the Sanitary Authority and if the corpse be enclosed in a wooden coffin only or have been interred without a coffin, permission shall not be granted as a rule until two years after the last burial in the grave of a child under six years of age, not until five years after the interment in it of a person above that age. Exhumation of a corpse that has been properly embalmed may be allowed at any time if less than one year elapsed since its burial. If a corpse has been interred in a leaden coffin properly closed the Sanitary Authority may permit the exhumation at any time.

Applications for special cases shall be dealt with agreeably to the decision of the Sanitary Authority, according to the circumstances of each case.

The provisions of this regulation shall not be applicable to exhumations ordered by any Judge or Magistrate to meet the ends of justice.

- 55.** Exhumations shall take place in the morning and as many workmen as possible shall be employed in order to hasten the operation. Special tools with long handles shall be supplied to those employed in digging the grave; and the coffin so soon as brought into view, shall be sprinkled with a strong solution of the disinfectants authorized by the Sanitary Authority for this purpose. In cases of judicial exhumation, however, the Government officer who has charge of the exhumation will be the only judge of the kind of disinfectant, if any, to be made use of.
- 56.** Should the re-interment take place in the same cemetery, the exhumed remains and coffin (leaden or not) shall be placed in another coffin, new and air-tight.

But should the re-interment take place in another cemetery, there shall be provided, in addition, another outer case large enough to contain besides sawdust, bran, or small coral, or coarse sand which are to be provided and soaked with a solution of any of the disinfectants authorized by the Sanitary Authority.

CHAPTER VIII
PRIVATE BURIAL GROUNDS

- 57.** It shall be lawful to possess burial grounds, provided such burial grounds be not situated in sites forbidden in these regulations (regulations 35 and 43) and to inter corpses therein after such burial ground shall have been duly registered at the office of the Island Secretary.

- 58.** No such burial ground shall be registered nor shall any land be used for purposes of interment, until it shall have been duly inspected by the Sanitary Authority.

If after such exhumation it be shown, to the satisfaction of the Sanitary Authority, that the land proposed for a burial ground is suitable in regard to its nature, site and other particulars, it shall be licensed according to the specification of its site and extent.

- 59.** All land so set apart and duly registered shall be enclosed by a wall paling or impenetrable hedge, and remain in perpetuity, and be respected as a cemetery. It shall be subject to the same regulations as public cemeteries (except the tariff), and shall never be diverted to any other purpose, even after interments shall have ceased to be made therein and it shall, if closed, be planted with trees and shrubs of quick growth.

- 60.** Private burial grounds shall be under the immediate care and control of the owners thereof (or of the Churchwardens or Fabrique, if belonging to a religious community), who shall be held responsible for the proper keeping of the same, and the due observance of all sanitary regulations made or which shall hereafter be made, in regard to burials and burial grounds:

Provided always that if such owners or persons responsible shall have appointed a keeper for any such cemetery, the said owners or persons responsible shall be held liable for every case of neglect on the part of such keeper to register any burial that may have taken place therein.

PENALTY

- 61.** Any person who shall do any act which is prohibited by these regulations and any person who shall refuse or neglect to do anything which by these regulations is directed to be done by such person, shall for each such act of commission or omission, be liable to a fine not exceeding 100 rupees