

Government of Madras.

EDUCATIONAL DEPARTMENT.

Recd.

Regd.

} 1915.

Enclosures

Spare copies

G.O. No. 1121, 8th October 1915.

Reformatory School

Stating that the question of additional — accommodation will be considered in connection with the general subject of treatment of juvenile offenders which is now under examination.

2

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GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—the following papers :—

I

Letter—from S. P. RICE, Esq., I.C.S., District Magistrate of Chingleput.

To—the Chief Secretary to Government.

Dated—Saidapet, the 27th January 1915.

No.—Dis. 83 M.D.

I have the honour to invite the attention of Government to the present arrangements at the Reformatory School in Chingleput.

2. Government have, of late, shown great activity in enforcing the reformatory principle of punishment, especially in the case of juveniles. We have now or shortly shall have, the Salem jail for habituals, the ordinary jails such as Vellore and Rajahmundry for casuals, the Tanjore jail for adolescents, the Chingleput Reformatory for juveniles and the criminal settlements for the special criminal tribes.

3. The number that can be accommodated in the Reformatory School at Chingleput is 250. This includes about 20 cubicles which Mr. Coombes, the Superintendent tells me, are intended as a form of punishment, the boys being locked up in them when they are refractory. There is a block consisting of two storeys. Each of them contains 52 beds or 104 in all. There is also another long but rather dark and narrow block containing 38 beds. Outside this latter block, in the verandah is held the tailor's section, for which it seems there is no room elsewhere. This accounts for about 170 out of 250 beds but I did not see the other dormitories. The school consists chiefly of Tamil and Telugu boys in the proportion of about 2 : 1, i.e., when the school is practically full, there are about 160 Tamil boys to 80 Telugus. This year the school had to refuse 12 applications for admissions and though this is a rather unusual number, I am inclined to think that more applications have been made in view of the recent orders of Government regarding juveniles. It is quite possible also that on account of the limited accommodation, District Magistrates are unable to insist as fully as they otherwise might on the free use of the Reformatory Act.

4. It seems to me unfortunate that there should be any possibility of a refusal in such cases. When a central jail is over full, prisoners can easily be drafted from one place to another but as there is only one reformatory school in the whole Presidency, this course is impossible in the case of juveniles. I had a case only the other day in which I should like to have sent the boy to the Reformatory School but I found that there would be no vacancy for several months and I, therefore, had to use the Whipping Act instead. Mr. Coombes also tells me that he finds it very difficult to give as much attention as he would like to each individual boy. He says that he could, of course, manage double the numbers in a perfunctory fashion but with 250 boys under his charge he hardly knows the names of all. What I venture to suggest to Government, therefore, is the desirability of establishing another reformatory school either at Waltair or at Bellary for the sake of the Telugu boys in the Presidency. I might here point out that as the Tamil is generally superior to the Telugu in intelligence, a fact which is easily proved by the names of the High Court Judges, Deputy Collectors and other high officers of Government—so in a depraved condition, he brings his greater intelligence to bear on the execution of crime, and it is a point for consideration whether it is advisable to mingle the Telugu boys with their Tamil brethren. I might also say that the staff of the school are almost entirely unacquainted with Telugu so far as my enquiries go and of course a boy of tender years cannot be expected to speak anything but his mother-tongue.

5. If the Telugu boys were taken away, there would be left about 160 or 170 Tamils. There are at present, as I said before, 250 beds. The 38 beds above referred to could be removed and the block converted into a tailor's shop. This, together with the 20 cubicles which might be abolished comes to a total reduction of 58 beds, leaving altogether 192. It seems to me that there should always be a small residue of vacant beds in order that there might be no refusals and no difficulty in taking in boys sentenced to this form of punishment. If this residue were to be 10 per cent. of the total strength it would reduce the number of occupied beds from 192 to about 173, which is about the normal strength of the Tamil element in the school. If 10 per cent. is considered too much, there is still the possible expansion of the school to be considered.

6. I have not worked out all these proposals in detail because I do not know at present what the attitude of Government towards the general question is likely to be. It is impossible to disguise the fact that financial considerations may be serious but I venture to lay this matter before Government, as I think that the District Magistrate of Chingleput is probably the only District Magistrate in the Presidency who has sufficient opportunity of studying the Reformatory School and of becoming to some extent acquainted with its inner working.

II

Memorandum No. 461-1, Educational, dated 18th February 1915.

Referred to the Director of Public Instruction for early remarks.

P. RAJAGOPALA ACHARIYAR,
Secretary to Government.

To the Director of Public Instruction.

III

Letter—from the Hon'ble Mr. H. S. DUNCAN, M.A., Acting Director of Public Instruction.

To—the Secretary to Government, Educational Department.

Dated—Madras, the 21st April 1915.

No.—Ref. on Cur. 1414.

In returning herewith the letter of the District Magistrate of Chingleput regarding the establishment of a separate reformatory school for Telugus, referred to me for remarks with the Memorandum of Government No. 461-1, Educational, dated 18th February 1915, I have the honour to submit the enclosed copy of a letter from Mr. Coombes, the Acting Superintendent of the Reformatory School, Chingleput, R.C. No. 33-G1, dated 25th February 1915, in which he fully discusses the question. I agree with him in thinking that there is no urgent need at present for the opening of a separate reformatory school for Telugus. I may add that the speech of the Hon'ble Sir Harold Stuart referred to in the letter was delivered at the prize distribution of the school held on the 20th February last. I enclose an extract from the speech for facility of reference.

2. Information regarding the number of children who have been sent to jail or have been whipped instead of being sent to the Reformatory School at Chingleput is not available in my office. I think that District Magistrates will be in a position to furnish the necessary statistics if required.

ENCLOSURES.

(1)

Letter—from J. W. COOMBES, Esq., B.A., A.M.S.T., Acting Superintendent, Reformatory School, Chingleput.

To—the Director of Public Instruction.

Dated—the 25th February 1915.

No.—R. C. 33-G1.

With reference to your No. N.R.O.C. 1414, dated 24th February 1915, I have the honour to state that the number that can be accommodated in the school at present is 250. Last year was the first time that the school had to refuse admission to twelve boys and previous to this, it was found necessary to advertise in the *Fort St. George Gazette* that accommodation was available for juveniles as the number on the rolls was going down. This year we have not

refused accommodation up to date, but it happens that accommodation is not immediately available and then for a couple of months at the outside the juvenile is detained in jail and in some cases of this nature a little jail experience does good.

2. The twenty cubicles which are intended for refractory boys and for those immorally inclined cannot be abolished as it is not safe to do so. Moreover we have found them very useful in segregating new admissions who are suffering from bad skins from the rest of the inmates. They are part and parcel therefore of the existing accommodation.

3. The remark put down to me that I find it "very difficult to give as much attention as I would like to each individual boy" was made when Mr. Rice, the District Magistrate of Chingleput suggested that the school might be enlarged. With the maximum fixed at 250, the results obtained have been so far good.

4. The proposal to establish another reformatory school for the sake of the Telugu boys in this Presidency has its advantages and disadvantages. In the first place, there is the objection to removing juveniles to strange and too distant places and a Telugu boy perhaps would prefer to be in a school in the neighbourhood of his own home where his language is spoken. But I must here state that the Telugu boys who form one-third of the school begin to pick up Tamil within three months of their admission and every Telugu boy before he leaves the school is able to speak colloquial Tamil which is of use to them when they accept jobs in Tamil districts. The great disadvantage that would result from separating the Telugus from the Tamils would be the loss of the distinct influence for good that the Telugus bring to bear on the Tamil boys. The most effective influence of the school is not so much the personal influence of the Deputy Superintendent or headmaster as the influence of the inmates themselves and I must say that the Telugu boys help a great deal in forming a healthy "public opinion." At the last prize distribution, head monitor Venkayya carried off the largest number of prizes and the majority of the prizes was won by the Telugu boys as the Director himself saw.

5. I do not know from whom the District Magistrate got his information when he remarks that "the staff of the school are almost entirely unacquainted with Telugu." The Director himself is aware that half the staff is composed of Telugu teachers and half Tamil, and these latter can also speak Telugu. I myself have got a sufficient knowledge of colloquial Telugu to be able to talk to the boys and understand their complaints. The fact is that a competent staff has been provided for to teach both languages.

6. The establishment of a separate reformatory for Telugu boys can only be advocated on the ground of insufficient accommodation in this school and in the light of Sir Harold Stuart's remarks at our recent prize distribution, there seems to be no urgent necessity for such a measure.

(2)

Extract from the speech delivered on 20th February 1915 by the Hon'ble Sir Harold Stuart, K.C.S.I., K.C.V.O., on the occasion of the 27th anniversary of the school.

Mr. Coombes has mentioned two or three subjects about which I should like to say a few words. The first one was the provision of education for juveniles of the criminal classes in criminal settlements. The first criticism which suggests itself to most people is that, if the Reformatory School is going to get rid of all hard cases, it is not doing its full work. That, I think, is rather a superficial criticism because the Reformatory School wants to do effective work, and it will not be so situated as to be able to do effective work in the case of this particular class which he has referred. We have now started a number of settlements for criminal tribes, and we have attached to most of them, in fact to all of them, a school. I think we may be able to develop the schools in this direction. Mr. Coombes hopes they will take in some at least of the boys, who would, in other circumstances, come to Chingleput. That being so, it will probably be unnecessary to give effect to his third suggestion of forming a Reformatory school in one of the Telugu districts, for, if you take away boys who come from this particular section of the community, I dare say there will be sufficient room for the remaining others on behalf of the Government that we should certainly not hesitate a moment to provide another school if it is found to be needed.

The second matter Mr. Coombes noticed was the appointment of an officer unconnected with the police who will look after the interests of the Madras City boys after their discharge. I was not quite clear whether he referred only to boys of the Madras City. (Mr. Coombes said he referred only to boys of the Madras City). Then I can promise here also that I can give effect to his recommendation. The fourth suggestion is the establishment of a true form of juvenile court with probationary officers and house of detention in Madras and the fifth the establishment of an Industrial school for potential juvenile offenders. Here again, I think I can offer comfort to Mr. Coombes, and it will give satisfaction to him to know that his recommendations are already engaging our attention and I hope in the course of the coming six months to study the whole question of trial and treatment after trial of juvenile offenders and a

also the question of an industrial school for potential juvenile offenders. We want, I think, in India something on the lines of the Children's Act of the United Kingdom. I propose to examine that subject fully in the course of the next few months and probably we shall submit proposals to the Government of India on the lines of the Children's Act. We owe a recognition of Mr. Coombes' interest in this most important subject, which has led him to make these recommendations in his report.

In conclusion, I should like to repeat once more our congratulations to Mr. Coombes and his staff upon their successful year's work. I think I should ask on behalf of the boys that, as this celebration has been held on a Saturday, they might have a whole holiday at an early date (applause).

The proceedings terminated with cheers for Sir Harold Stuart.

IV

Memorandum No. 1710 B-1, Judicial, dated 9th June 1915.

The Chief Presidency Magistrate, Madras, and all District Magistrates are requested to report whether Magistrates make full use of their powers of sending youthful offenders to the Reformatory school, Chingleput, and whether there have been any cases in which they have been deterred from doing so on the ground of there being no accommodation in the Reformatory.

P. RAJAGOPALA ACHARIYAR,
Secretary to Government.

To all District Magistrates.
.. the Chief Presidency Magistrate, Madras.

V

Memorandum No. 1458-3, Educational, dated 21st June 1915.

The Director of Public Instruction is requested to ascertain from the Superintendent, Reformatory school, Chingleput, and report (1) the number of applications for admission into (or enquiries as to accommodation in) the school, received from each district during the last five years, and (2) the number of such applications which could not be immediately complied with for want of sufficient accommodation in the school.

P. RAJAGOPALA ACHARIYAR,
Secretary to Government.

To the Director of Public Instruction.

VI

Letter—from the Hon'ble Mr. H. S. DUNCAN, M.A., Acting Director of Public Instruction.

To—the Secretary to Government, Educational Department.

Dated—Madras, the 30th July 1915.

No.—Ref. on Cur. 1414.

With reference to Government Memorandum No. 1458-3, Educational, dated 21st June 1915, I have the honour to submit herewith a statement obtained from the Superintendent, Reformatory school, Chingleput, showing the number of applications for admission into the school received from each district during the last five years and the number of applications which could not be complied with immediately for want of sufficient accommodation in the school.

2. The Superintendent states that only in 1914 accommodation was not available for 23 boys immediately but that the applications were complied with after a delay of 38 days on the average and that 12 applications could not be complied with at all. He adds that no application has been refused up to date this year and that the strength has now gone down from 250 to 240, which represents the number on the rolls of the school at present.

ENCLOSURE.

STATEMENT showing the number of applications for admission received from each district during the last five years and the number of applications which could not be complied with immediately.

Names of districts.	Number of applications			
	Received during the last five years.	Complied with immediately.	Complied with after a delay ranging from ten days to two months.	Not complied with at all.
Ganjam	12	5	6	1
Vinayapatam	11	10	..	1
Godavari	11	10	1	..
Kistna	14	12	2	..
Kurnool	7	7	..	..
Guntur	9	9	..	..
Bellary	11	8	2	1
Anantapur	7	6	1	..
Godavari	6	6	..	..
Vellore	2	2	..	..
Madras	39	38	1	..
Chingleput	11	9	..	2
North Arcot	19	16	3	..
Chittoor	8	6	..	2
South Arcot	11	10	1	..
Tanjore	15	11	3	1
Trichinopoly	19	17	2	..
Madurai	18	15	2	1
Ramanad	1	1	..	..
Tinnevely	10	9	1	..
Coimbatore	16	16	..	1
Salem	12	12	..	..
The Nilgiris	4	4	..	..
Malabar	13	13	..	..
Total	286	261	23	12

VII

Letter—from C. B. N. PELL, Esq., B.A., Acting Chief Presidency Magistrate of Madras.

To—the Secretary to Government, Judicial Department.

Dated—Egmore, the 25th June 1915.

No.—R. Dis. 227.

With reference to Memorandum No. 1710 B-1, Judicial, dated the 9th June 1915, I have the honour to report as follows.

2. During the years 1913 and 1914 there were seven cases of juvenile offenders dealt with in the Egmore Court. The Superintendent, Reformatory school, wired that accommodation was immediately available in four of those seven cases and the juvenile offenders convicted in those cases were immediately despatched to the Reformatory school, Chingleput. In two of the remaining three cases the juvenile offenders had to be detained in the Penitentiary from 23rd December 1913 to 5th January 1914 and 19th December 1914 to 9th February 1915 till vacancies arose in the Reformatory school, Chingleput. In the last and the seventh case for the same reason, viz., that accommodation was not immediately available, the accused was, instead of being sent to the Reformatory, sentenced to whipping.

3. In the Georgetown Court, there were eight cases of juvenile offenders dealt with in the last three years. In only one of those cases was the youthful offender sent to the Penitentiary to be dealt with under section 12 of the Reformatory Schools Act for want of accommodation in the Reformatory school. Whipping was ordered in three other cases in lieu of detention in the school, there being no accommodation available at the time.

4. The paucity of the numbers of the youthful offenders dealt with in the Egmore and the Georgetown Courts during the years under reference cannot be taken to indicate that the Magistrates do not make full use of their powers under section 8 of the Reformatory Schools Act. Cases in which youthful offenders are fit persons

to be sent to the Reformatory school are not of frequent occurrence. Convicted juveniles were in almost all cases first offenders for whom whipping or an order under section 562, Criminal Procedure Code, was more appropriate.

5. The Magistrates are making full use of their powers in regard to juvenile offenders whenever occasions arise.

VIII

Letter—from M. Young, Esq., I.C.S., District Magistrate of the Nilgiris.

To—the Secretary to Government, Judicial Department.

Dated—Ootacamund, the 22nd June 1915.

No.—D. Dis. 355-M.

With reference to Government Memorandum No. 1710 B-1, dated 9th June 1915, I have the honour to report that Magistrates in this district make full use of their powers of sending youthful offenders to the Reformatory school at Chingleput. In no case was any magistrate deterred from using his powers for want of accommodation in the Reformatory.

IX

Letter—from F. J. RICHARDS, Esq., M.A., I.C.S., Acting District Magistrate of North Arcot.

To—the Secretary to Government, Judicial Department.

Dated—Vellore, the 21st June 1915.

No.—Dis. 807-D.M.

In reply to Mr. E. A. Harvey's Memorandum No. 1710 B-1, Judicial, dated 9th June 1915, I have the honour to report that Magistrates make use of their powers fully in sending youthful offenders to the Reformatory school, Chingleput, and that, so far, I have not come across any instances in which they have been deterred from doing so for want of accommodation in the Reformatory school.

2. It is true that in one or two instances which came under section 9 (1) of the Act before the District Magistrate, the Superintendent, Reformatory school, Chingleput, stated that there was no accommodation immediately available; but, inasmuch as the shortage of accommodation lasted for only a very short time, the detention of the youthful offenders in those cases in the Central Jail, Vellore, was brief.

X

Letter—from J. M. TURING, Esq., I.C.S., District Magistrate of Kistna.

To—the Secretary to Government, Judicial Department.

Dated—Masulipatam, the 23rd June 1915.

No.—D. Dis. 856-Mag.

With reference to Government Memorandum No. 1710 B-1, Judicial, dated the 9th June 1915, I have the honour to state that youthful offenders considered fit to be sent to the Reformatory school are generally forwarded to this court under section 9 (1) of the Reformatory Schools Act (VIII of 1897) by the subordinate courts before which they are tried in the first instance. In all such cases, this court has been freely exercising the powers given to it under the Act. Last year, four youthful offenders were sent to the Reformatory school, Chingleput, and this year two boys up to date. There were no cases in which they were deterred from doing so on the ground of there being no accommodation in the Reformatory.

XI

Letter—from R. A. GRAHAM, Esq., I.C.S., District Magistrate of Anjengo.

To—the Secretary to Government, Judicial Department.

Dated—Trivandrum, the 25th June 1915.

No.—R.O.C. 428/B. & G.

With reference to Memorandum No. 1710 B-1, dated the 9th June 1915, I have the honour to report that there have not been any cases in this district in which the accused were youthful offenders liable to be sent to the Reformatory school.

XII

Letter—from M. AZIZ-UD-DIN SAHIB BAHADUR, Khan Bahadur, I.S.O., District Magistrate of South Arcot.

To—the Secretary to Government, Judicial Department.

Dated—Cuddalore, the 27th June 1915.

No.—R.O.C. 797-M.C.

With reference to Government Memorandum No. 1710 B-1, dated the 9th June 1915, I have the honour to report that the power of sending youthful offenders to the Reformatory school was fully exercised by Sub-Divisional Magistrates and that there had been no instance in which they were deterred from doing so for want of accommodation.

XIII

Letter—from G. F. PADDISON, Esq., M.A., I.C.S., District Magistrate of Madurai.

To—the Secretary to Government, Judicial Department.

Dated—the 2nd July 1915.

No.—D. Dis. 912-Mgl.

With reference to Government Memorandum No. 1710 B-1, Judicial, dated the 9th June 1915, I have the honour to state that the Sub-Divisional Magistrates of Madurai, Melur and Usilampatti report that they have had no occasion to send any youthful offenders to the Reformatory school, Chingleput, and that there have been two cases of committal to the Reformatory school during last year by the Sub-Divisional Magistrate, Dindigul, in one of which accommodation was available at once, accommodation for the youth concerned in the other case not being available till after two months from the date of the order of detention.

XIV

Letter—from L. VIBERT, Esq., I.O.S., District Magistrate of Trichinopoly.

To—the Secretary to Government, Judicial Department.

Dated—the 3rd July 1915.

No.—D. Dis. 515/O.M.

With reference to Government Memorandum No. 1710 B-1, Judicial, dated the 9th June 1915, calling for a report as to whether the Magistrates make full use of their powers of sending youthful offenders to the Reformatory school, Chingleput, and whether there have been any cases in which they have been deterred from doing so on the ground of there being no accommodation in the Reformatory, I have the honour to report that the Magistrates empowered in that respect make full use of their powers under the Reformatory School Act and that there have been no cases in which they have been deterred from doing so on account of want of accommodation in the Reformatory school.

XV

Letter—from E. S. LLOYD, Esq., I.C.S., District Magistrate of South Canara.

To—the Secretary to Government, Judicial Department.

Dated—Mangalore, the 6th July 1915.

No.—Dis. 523 D/M.

In reply to Government Memorandum No. 1710 B-1, dated the 9th June 1915, I have the honour to state that no youthful offenders were sent to the Reformatory from this district during the years 1912, 1913 and 1914; one boy was in Sessions Case 5 of 1915 ordered by the Sessions Judge to be sent to Chingleput in March of this year.

2. My predecessor in a circular issued in August 1914 has brought the advisability of adopting this course to the notice of the Magistrates.

3. The Magistrates report that there have been no cases in which they have been deterred from proceeding on the ground of want of accommodation at the Reformatory.

XVI

Letter—from I. MACIVER, Esq., I.C.S., District Magistrate of Anantapur.

To—the Secretary to Government, Judicial Department.

Dated—the 8th July 1915.

No.—M.D. Dis. 585.

With reference to Government Memorandum No. 1710 B-1, Judicial, dated the 9th June 1915, I have the honour to report that the Magistrates make full use of their power to send youthful offenders to the Reformatory school, and to state that during 1914, in the case of one juvenile convict, action under the Reformatory Schools Act, was not taken owing to lack of accommodation in the school, and in another case three juvenile offenders were committed to the Central Jail, Bellary, for procedure under section 12 of the Reformatories Act as required in the High Court's circular Dis. No. 1183, dated 1st September 1913.

XVII

Letter—from L. T. HARRIS, Esq., I.C.S., District Magistrate of Vizagapatam.

To—the Secretary to Government, Judicial Department.

Dated—the 7th July 1915.

No.—D. Dis. 286.

In reply to Government Memorandum No. 1710 B-1, dated the 9th June 1915, I have the honour to state that Magistrates in this district make full use of their power in the matter of getting youthful offenders sent to the Reformatory school and that there have been no instances in which it has been found necessary to refrain from passing orders for their detention on the ground of there being no accommodation in the school.

XVIII

Letter—from A. F. G. MOSCARDI, Esq., I.C.S., District Magistrate of Bellary.

To—the Secretary to Government, Judicial Department.

Dated—the 9th July 1915.

No.—M.D. Dis. 772.

In reply to Government Memorandum No. 1710 B-1, dated 9th June 1915, I have the honour to state that Magistrates make use of their powers of sending youthful offenders to the Reformatory school, Chingleput, whenever there is necessity for it and that there have been no cases in which they have been deterred from doing so on the ground of there being no accommodation in the Reformatory.

XIX

Letter—from T. E. MOIR, Esq., I.C.S., Acting District Magistrate Godavari.

To—the Chief Secretary to Government, Judicial Department.

Dated—Cacanada, the 11th July 1915.

No.—D. Dis. 858/Mag.

With reference to your Memorandum No. 1710 B-1, dated 9th June 1915, I have the honour to state that Magistrates in this district are fully aware of the provisions of the Reformatory Act but cases in which recourse to the provisions of that Act are indicated are reported to arise very seldom. There was only one case in the year 1914 on the file of the joint Magistrate, Rajahmundry (C.C. No. 140 of 1914, in which a boy was ordered to be sent to the Reformatory at Chingleput. He had to be detained in the Central Jail for about six weeks as there was no room in the Reformatory during that time.

XX

Letter—from A. R. BANERJI, Esq., C.I.E., M.A., I.C.S., District Magistrate of Cuddapah.

To—the Secretary to Government, Judicial Department.

Dated—Cuddapah, the 20th July 1915.

No.—Dis. 54 D. Mgl.

With reference to Government Memorandum No. 1710 B-1, dated 9th June 1915, I have the honour to state that it was not found necessary to send any youthful

offenders to the Reformatory school during the year 1914 from this district. There were no cases in which Magistrates were deterred from making a full use of their powers on the ground of want of accommodation in the Reformatory.

XXI

Letter—from F. R. HEMINGWAY, Esq., I.C.S., District Magistrate Tinnevely.
To—the Secretary to Government, Judicial Department.
Dated—the 21st July 1915.
No.—D. Dis. 6467-Mgl.

In reply to Government Memorandum No. 1710 B-1, dated 9th June 1915, in which District Magistrates are required to report whether Magistrates make full use of their powers of sending youthful offenders to the Reformatory school, Chingleput, and whether there have been any case in which they have been deterred from doing so, I have the honour to report that there was no occasion for any of the Magistrates except the Sub-Divisional Magistrate, Koilpatti, to resort to the provisions of the Reformatory Schools Act and no Magistrate was prevented from sending youthful offenders to the Reformatory school for want of accommodation there.

XXII

Letter—from Diwan Bahadur R. RAMACHANDRA RAO, Esq., B.A., District Magistrate, Nellore.
To—the Secretary to Government, Judicial Department.
Dated—the 22nd July 1915.
No.—888-D/Mgl.

With reference to Government Memorandum No. 1710 B-1, dated the 9th June 1915, I have the honour to state that the Sub-Divisional Magistrates report that there has been no instance of a youthful offender not being sent to the Reformatory school, Chingleput, for want of accommodation.

XXIII

Letter—from J. N. ROY, Esq., I.C.S., District Magistrate of Chingleput.
To—the Secretary to Government, Judicial Department.
Dated—Saidapet, the 24th July 1915.
No.—1042 M.

In answer to your Memorandum No. 1710 B-1, Judicial, dated the 9th June 1915, I have the honour to report that the Sub-Divisional Magistrates, who have been instructed by Mr. Rice to try all cases against youthful offenders, have made full use of their powers of sending juveniles to the Reformatory School at Chingleput.

2. In two cases last year on the file of the Sub-Divisional Magistrate, Tiruvallur, want of accommodation in the school deterred the Magistrate from sending the accused to the Reformatory. In one case on the Joint Magistrate's file, a juvenile had to be detained in the Penitentiary for similar reasons till accommodation was available in the Reformatory.

XXIV

Letter—from J. F. HALL, Esq., I.C.S., Additional District Magistrate of Malabar.
To—the Secretary to Government, Judicial Department.
Dated—Calicut, the 24th July 1915.
No.—D. 1209 M.

With reference to Government Memorandum No. 1710 B-1, dated the 9th June 1915, I have the honour to report that there have been no instances in this district within the past few years in which Magistrates were deterred from sending youthful offenders to the Reformatory school for want of accommodation therein. I believe that the Magistrates make full use of their powers under section 8 of the Reformatory Schools Act.

XXV

Letter—from A. R. CUMMING, Esq., I.C.S., District Magistrate of Coimbatore.
To—the Secretary to Government, Judicial Department.
Dated—the 31st July 1915.
No.—D. Dis. 1032 M.

With reference to Government Memorandum No. 1710-B, dated the 9th ultimo, I have the honour to report that so far as I can ascertain, no cases, which might, with advantage, have been dealt with under the Reformatory Schools Act, have been otherwise disposed of by the Magistrates in this district.

2. There have been no cases in which Magistrates were deterred from taking action under the Act for want of accommodation in the Reformatory.

XXVI

Letter—from H. L. BRAIDWOOD, Esq., I.C.S., District Magistrate of Chittoor.
To—the Secretary to Government, Judicial Department.
Dated—the 31st July 1915.
No.—982 D.M.

With reference to Government Memorandum No. 1710 B-1, dated the 9th June 1915, I have the honour to report that the Magistrates of this district have been making full use of their powers of sending youthful offenders to the Reformatory school at Chingleput. There has been only one case in which the Superintendent of the Reformatory school, Chingleput, reported that there was no accommodation for an incoming youthful offender.

XXVII

Letter—from H. A. B. VERNON, Esq., I.C.S., District Magistrate of Kurnool.
To—the Secretary to Government, Judicial Department.
Dated—the 31st July 1915.
No.—D. Dis. 867-Mgl.

In reply to Government Memorandum No. 1710 B-1, dated the 9th June 1915, I have the honour to report that Magistrates in this district have been making use of their powers to send youthful offenders to the Reformatory school, Chingleput, when occasion demands it and that there have been no cases in which they have been deterred from doing so on the ground of want of accommodation in the Reformatory.

XXVIII

Letter—from A. R. LOFTUS-TOTTENHAM, Esq., M.A., I.C.S., District Magistrate of Ramnad at Madurai.
To—the Secretary to Government, Judicial Department.
Dated—the 6th August 1915.
No.—R.O.C. 1080-Mgl.

In reply to Government Memorandum No. 1710 B-1, dated 9th June 1915, I have the honour to state that Magistrates in this district make full use of their powers of sending youthful offenders to the Reformatory school as the following figures for the year 1912-1914 inclusive show :—

Number of juveniles—	
Sentenced	5
Sent to Reformatory	3
Imprisoned for lack of room in Reformatory	2

The figures also answer the other question asked.

XXIX

Memorandum No. 1710/B-3, Judicial, dated 12th August 1915.

The District Magistrate of ^{Ganjam}_{Guntur} is requested to state when his reply to

Memorandum No. 1710 B-1, Judicial, dated the 9th June 1915, may be expected by Government.

(By Order.)

E. A. HARVEY,
Under Secretary to Government.

To the District Magistrate, Ganjam.
" " " Guntur.
" " " Salem.
" " " Tanjore.

XXX

Letter—from N. MACMICHAEL, Esq., I.C.S., District Magistrate of Ganjam.
To—the Secretary to Government, Judicial Department.
Dated—Chatrapur, the 13th August 1915.
No.—Dis. 1306-D. Mgl.

With reference to Government Memorandum No. 1710 B-1, dated 9th June 1915, I have the honour to state that all cases in which youthful offenders are punished are specially scrutinised by me and I know of no case in which a youthful offender ought to have been, but was not, sent to the Reformatory school, Chingleput.

XXXI

Letter—from R. B. WOOD, Esq., I.C.S., District Magistrate of Tanjore.
To—the Secretary to Government, Judicial Department.
Dated—the 18th August 1915.
No.—D. Dis. 812 M.

In reply to Government Memorandum No. 1710 B-1, dated 9th June 1915, calling for a report whether Magistrates have been unable to send youthful offenders to the Reformatory school owing to want of accommodation, I have the honour to state that want of accommodation has not prevented any Magistrate in this district from exercising his powers under the Reformatory Act in any case. When accommodation was not immediately available, the youths are forwarded to the District Jail for detention till the date on which the Superintendent of the Reformatory states that a vacancy will occur.

XXXII

Letter—from E. W. LEIGH, Esq., I.C.S., District Magistrate of Salem.
To—the Secretary to Government, Judicial Department.
Dated—the 28th August 1915.
No.—1108 D.M.D.

With reference to Government Memorandum No. 1710 B-1, dated the 9th June 1915, I have the honour to report that during the last three years three juveniles in 1913 and three in 1914 were sent by the Sub-Divisional Magistrate, Salem, to the Reformatory school. No other Magistrate sentenced any juvenile under the Reformatory Schools Act and there have been no cases in which they have been deterred from doing so on the ground of want of accommodation in the Reformatory.

XXXIII

Letter—from N. E. MARJORIBANKS, Esq., I.C.S., District Magistrate of Guntur.
To—the Secretary to Government, Judicial Department.
Dated—the 19th August 1915.
No.—R.C. 1168 Mgl.

With reference to Government Memorandum No. 1710 B-3, dated 12th August 1915, I have the honour to state that the reply of the Divisional Officer, Ongole, is still due. A reply will be sent on receipt of this officer's report. He has been reminded.

Order—No. 1121, Educational, dated the 8th October 1915.

The question of additional reformatory school accommodation will be considered in connection with the general subject of the treatment of juvenile offenders which is now under examination.

(True Extract.)

C. G. TODHUNTER,
Ag. Secretary to Government.

To the Director of Public Instruction.
" District Magistrate, Chingleput.
" Judicial Department.

NOTES CONNECTED WITH G.O. No. 1121, EDUCATIONAL,
DATED THE 8TH OCTOBER 1915.

[SUBJECT.—*Establishment of a new Reformatory school at Waltair or Bellary for Telugu juveniles.*]

Previous papers :

G.O.	934,	Judicial,	2nd July	1897.
"	1402	"	15th September	1902.
"	425,	Educational,	16th June	1906.
"	158	"	20th March	1907.
"	1410,	Judicial,	17th September	1910.
"	608,	Educational,	1st November	"
"	802	"	17th	1911.
"	1671,	Judicial,	15th October	1912.
"	378,	Educational,	28th April	1913.
"	1813,	Judicial,	25th August	1914.

From the District Magistrate of Chingleput, dated the 27th January 1915, Dis. 83/M.D.

From the Director of Public Instruction, dated the 21st April 1915, R.O.C. 1414.

The District Magistrate of Chingleput advocates the opening of a new Reformatory school at Waltair or Bellary for Telugus, on the following grounds:—

(1) that owing to limited accommodation provided, the Reformatory school at Chingleput had last year to refuse twelve admissions and the District Magistrates are probably unable to insist as fully as they otherwise might on the free use of the Reformatory Act;

(2) that the staff of the school is unacquainted with Telugu and boys of tender years cannot be expected to speak anything but their mother tongue;

(3) that owing to the large numbers of boys in the school, the Superintendent finds it very difficult to give as much attention as he would like to each individual boy; and

(4) that it is inadvisable to mingle the Telugu boys with their Tamil brethren who bring their greater intelligence to bear on the execution of crime.

2. But the Superintendent of the school, who has been consulted by the Director of Public Instruction, is of opinion that there is no urgent need at present for a separate school for Telugus for the following reasons:—

(1) that last year was the first time when the school had to refuse admission to twelve boys and previous to this it was necessary to advertise in the gazette that accommodation was available *;

(2) that the staff is competent to teach both Tamil and Telugu;

(3) that the remark that he (Mr. Coombes) found it very difficult to give much attention to individual boys was made when the District Magistrate suggested that the school might be enlarged, but that with the maximum fixed at 250 the results obtained have been good; and

(4) that the proposal to establish a separate school for Telugus has its advantages and disadvantages. The advantage is that the Telugu boy would, perhaps, prefer to be in a school in the neighbourhood of his own home where his language is spoken; the disadvantage is the loss of the distinct influence for good that Telugu boys would bring to bear on Tamil boys.

* Vide papers with G.O. 608, Educational, 1st November 1910.

3. The Superintendent then invites attention to the opinion of the Hon'ble Sir Harold Stuart expressed on the occasion of the anniversary of the school, viz., that P.R.—7-5-15. it will probably be unnecessary to give effect to the suggestion of forming a Reformatory school in one of the Telugu districts, for if boys who belong to criminal tribes are removed to the special settlements established for them, there would be sufficient accommodation for the remaining pupils.

The Director of Public Instruction agrees with the Superintendent in thinking that there is no urgent need at present for the opening of a separate school for Telugus.

4. For orders as to whether the Collector of Chingleput may be informed that the Government are not satisfied of the necessity for establishing at present a separate Reformatory school for Telugus. A draft order is placed below which, if approved, may be sent to Judicial u.o. for acceptance.

A.S.—5-5-15.

B.G.—5-5-15.

P. RAJAGOPALA ACHARIZAR—7-5-15.

To the Judicial Department.

JUDICIAL DEPARTMENT.

Please see the Honourable Member's speech extracted at pages 4 and 5 of the correspondence. The draft order may, it is submitted, be accepted in Judicial and the file returned to Educational.

C.R.—10-5-15.

Accepted in Judicial.

E. A. HARVEY—11-5-15.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

Submitted that the draft order may issue after approval by His Excellency the Governor.

P.R.—13-5-15.

C.R.—13-5-15.

P. RAJAGOPALA ACHARIYAR—15-5-15.

It is satisfactory to know that the advantages of this method of treatment of young offenders are recognized.

It occurs to me to ask whether generally magistrates make full use of their powers of sending boys to Chingleput; and how far the exercise of their powers is affected by the present amount of available accommodation. If not, may there not be a case for further accommodation?

This point might, I suggest, be examined before the draft order is finally approved.

P[ENTLAND]—18-5-15.

The question of the committal of juveniles to prison has repeatedly engaged the attention of the Government and they have issued orders from time to time impressing upon the magistracy the un wisdom of sending juvenile prisoners to jail, especially for short terms of imprisonment, and the importance of avoiding their remand to jail as under-trial prisoners. It has been pointed out that the least harmful methods of treating juvenile offenders

are by release on probation of good conduct or by whipping in the manner of school discipline or by detention in a Reformatory school. But the point raised by His Excellency is whether generally magistrates make full use of their powers of sending boys to the Reformatory school, Chingleput, and how far the exercise of their powers is affected by the present amount of available accommodation. The only information available is that since 1909 when accommodation was provided for 250 pupils in the school, admission was for the first time refused for 12 boys in 1914. The Director of Public Instruction in paragraph 2 of his letter, dated the 21st April 1915, states that information regarding the number of children who have been sent to jail or have been whipped instead of being sent to the Reformatory school at Chingleput is not available in his office and that the District Magistrates will be in a position to furnish the necessary statistics. Submitted that the file may be forwarded to the Judicial Department for the examination of the question raised by His Excellency after, if necessary, obtaining statistics from the District Magistrates.

Page 2 of G.O. 608, Educational, 1st November 1910.

Will Judicial please offer its remarks on the points raised in His Excellency's note at page 2?

B.G.—25-5-15.

Will Judicial please offer its remarks on the points raised in His Excellency's note at page 2?

P. RAJAGOPALA ACHARIYAR—28-5-15.

To the Judicial Department.

JUDICIAL DEPARTMENT.

Please see G.O. No 1671, Judicial, dated 15th October 1912, and the notes thereto. Under clause (1), paragraph 1 of that order, the Court before sentencing a youthful offender is directed to ascertain by telegram from the Superintendent of the Reformatory school whether accommodation is immediately available. It is for orders if any reference should go to all District Magistrates on the point raised by His Excellency in paragraph 2 of his note on page 2 *ante*. If it is decided to consult the District Magistrates, the draft memorandum below is for approval.

M.C.—4-6-15.

C.R.—5-6-15.

Though no definite answer can be made to His Excellency's query, I doubt whether any useful information will be forthcoming as a result of the proposed reference.

As regards His Excellency's first question I think we may assume that the Government's repeated instructions on the subject of the treatment of juvenile convicts are not neglected in the mufassal. The best index of this would be not the number of juveniles sent to the school, but the number of applications for admission made; and this could best be ascertained from the Superintendent of the Reformatory.

As regards His Excellency's second question, speaking from actual experience of magisterial work in the mufassal I should say that the attitude of Magistrates towards sending boys to the Reformatory is not likely to be affected by the amount of accommodation available which is usually unknown to them. After all the number of cases which call for reformation treatment extending over a period of years that come before a magistrate are necessarily limited; a boy so sentenced would either have committed a fairly serious offence or be an old offender. Trivial offences would naturally be treated with release on probation, and more serious first offences with whipping. I should hardly think that in cases which manifestly called for an order for detention in a Reformatory school, magistrates would be deterred from making such an order by fear that accommodation will be lacking. If it is considered necessary to get information on this point, the official memorandum may issue; it will however take time to obtain the information as probably all magistrates will have to be consulted, and in any case all first class Magistrates and Presidency

Magistrates who are empowered to act under section 8. I submit that the easiest course would be to ascertain from the Superintendent whether there continue to be many applications for admission or enquiries as to accommodation which cannot be satisfied for want of existing accommodation.

E. A. HARVEY—7-6-15.

As His Excellency has raised a specific question, it has to be dealt with: and I would issue the official memorandum. The Superintendent of the Reformatory may also be asked for information as suggested by the Under Secretary.

P. RAJAGOPALA ACHARIYAR—9-6-15.

[Issued as Memorandum No. 1710 B-1, dated 9th June 1915.]

The memorandum to all District Magistrates and the Chief Presidency Magistrate has issued. The file may now be sent to Educational for consulting the Superintendent of the Reformatory school, as directed by the Secretary above.

M.C.—11-6-15.

C.R.—11-6-15.

E.A.H.—12-6-15.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

As directed by the Secretary above, a draft memorandum is submitted for approval.

A.S.—19-6-15.

B.G.—19-6-15.

P.R.—21-6-15.

[Memorandum No. 1458/3, Educational, dated the 21st June 1915.]

From the Director of Public Instruction, No. 1414-15, dated the 30th July 1915.

The Superintendent, Reformatory school, has submitted a statement showing the number of applications for admission into the school received from each district during the last five years and the number not complied with for want of accommodation. This statement shows that out of the 256 applications received, 251 were complied with immediately and 23 after a delay ranging from 10 to 60 days. It was only in 12 cases (all of them occurring last year) that the applications were not complied with at all. But the Superintendent adds that no application was refused up to date this year and that the present number of students on the rolls is only 240, accommodation being still available for 10 more. It is therefore probable that no application will be refused this year for want of accommodation. But as the point raised by His Excellency in paragraph 2 on page 2 *supra*, can be fully dealt with after receipt from the Chief Presidency Magistrate and all District Magistrates, of the replies to Memorandum 1710-1, Judicial, dated the 9th June 1915, the file may now be sent back to the Judicial Department u.o.

A.S.—5-8-15.

T.K.—6-8-15.

C. G. TODHUNTER—10-8-15.

To the Judicial Department.

JUDICIAL DEPARTMENT.

Reply to Memorandum No. 1710 B-1, dated 9th June 1915 is yet due from the District Magistrates of (1) Ganjam, (2) Guntur, (3) Salem and (4) Tanjore. A draft memorandum reminder to these District Magistrates is submitted for approval.

M.C.—11-8-15.

C.R.—11-8-15.

E. A. HARVEY—11-8-15.

[Issued as Memorandum 1710-B-3, Judicial, dated the 12th August 1915.]

File of replies from the Chief Presidency Magistrate, Madras, and all District Magistrates.

Reply from the District Magistrate, Guntur, which was awaited till now has not been received yet and the file is therefore submitted without that reply, as all other replies have been received.

2. The questions that were referred in Memorandum No. 1710B-1, dated 9th June 1915, to the Chief Presidency Magistrate and all District Magistrates were (1) whether magistrates make full use of their powers of sending youthful offenders to the Reformatory school, Chingleput, and (2) whether there have been any cases in which they have been deterred from doing so on the ground of there being no accommodation in the Reformatory.

3. The majority (almost all the District Magistrates) report that the magistrates make full use of their powers in sending youthful offenders to the Reformatory school and that there were generally no cases in which they were deterred from doing so, because of want of accommodation in the Reformatory.

4. The Chief Presidency Magistrate, Madras, and the District Magistrates of North Arcot, Madurai, Anantapur, Gōdāvari, Chingleput, Chittoor and Rāmnād report a few cases in which the youthful offenders committed to the Reformatory could not be sent there as at the time there was no accommodation therein but they were kept in jail temporarily and as soon as vacancies occurred, which did not take long, these juveniles were transferred to the Reformatory. The Chief Presidency Magistrate reports that in four cases whipping was inflicted instead. It will, however, be seen that in the majority of these cases the magistrates were not deterred from committing the juveniles to the Reformatory, though they were temporarily detained in a jail before actually being sent to the Reformatory.

With these remarks, the file may be returned to Educational at whose instance the information was called for.

M.C.—17-9-15.

C.R.—18-9-15.

The opinions of District Magistrates except Rāmnād are clear. They show that there is no pressing need to increase Reformatory school accommodation at present, whether by establishing a new school or extending the present one. In only six cases does it appear that juveniles, who would otherwise have been sent to the school, were on account of lack of accommodation differently dealt with:—

In the last three years, *viz.*, Egmore Court 1—whipping.
Georgetown Court 3—whipping.
Rāmnād district 2—imprisonment.

No action on Mr. Rice's letter appears to be necessary.

E.A.H.—20-9-15.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

The replies received from the Superintendent, Reformatory school, Chingleput, as well as from all the District Magistrates, do not, it is submitted, show the necessity for the provision of further accommodation in the way of opening a new school or of

ORDINARY.

PRESS SLIP.

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SPECIAL INSTRUCTIONS.

Reformatory School.

Stating that the question of additional reformatory school accommodation will be considered in connection with the general subject of treatment of juvenile offenders which is now under examination.

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