

Home (1918) Department.
(Education)
Ordinary SERIES.

G.O. No. 1085

DATED 26-8-1918

[Despatch Abstract.]

Reformatory Schools Act

Recording correspondence forwarded by the Government of India on the question of amending the ———1897 so as to legalise the detention in Reformatories in British India of juvenile offenders for native states.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

No. 591- Education.

Government of India.

Department of Education.

Simla, the 16th July 1918

Hon'ble Mr. H. Sharp, C.S.I., C.I.E.

Offg. Secretary to the Government of India.



The Governments of the United Provinces, the Punjab, Burma and Bihar & Orissa, and the Administrations of the Central Provinces and Delhi.

Sir,

I am directed to forward for consideration by His Honour the Lieutenant Governor, a copy of a letter from the Government of Bombay no.1011, dated the 7th February 1918, regarding a proposal to amend the Reformatory Schools Act (Act VIII of 1897) so as to legalise the detention in reformatory schools in British India of juvenile offenders from Native States and Administered Areas.

2. The Government of India think that the proposal made by the Government of Bombay is a suitable one and agree with them that the consent of the local Government concerned should be a necessary preliminary to the admission into a reformatory school in British India of a juvenile offender from a Native State or Administered Area. Before, however, proceeding any further in the matter they would be glad to be favoured with the opinion of His Honour the Lieutenant Governor on the proposal.

3. The Government of India are of opinion that boys whose detention has been directed by a Criminal Court in a Native State or a Court established or continued by the Government of India in the territories of any such State should be admitted to reformatories in British territory only so far as accommodation is not needed for boys of British territory.

4. The Government of India have also carefully considered the expediency of taking the present opportunity of introducing in the Reformatory Schools Act other amendments which some local Governments have suggested from time



to time
in the past. They do not feel however that the present time
is opportune for the purpose of taking any general revision
of the Act. They have accordingly decided that any legisla-
tion undertaken now should be confined to the present pro-
posal which does not touch on the substance or the policy of
the Act, and would involve purely permissive and non-contentious
legislation.

I have the honour to be,

Sir,

Your most obedient servant,

Sd/- H. Sharp.

Offg. Secretary to the Government of India.

No. 592

Copy forwarded to the Government of Madras for information.

By order,

Jayakrishna

Offg. Asst. Secretary to the Government of India.

If the Government of India approve the proposal to amend the
Formal School Act, I am to be desired that the content of the Local Govern-
ment should be made a necessary preliminary to the admission of a person
attending from a Native State or Political Agency. This content can be by
general or special order as is provided by section 15 of the Public Act 1907
(III of 1907). A provision to this effect will enable the Local Government to
exercise the necessary measure of control.

No. 1011, dated Bombay Castle, the 7th February 1918.

From—L. ROBERTSON, ESQ., C.S.I., Chief Secretary to Government, Bombay,
To—The Political Secretary to the Government of India, Foreign and Political
Department.

I am directed to submit for the favourable consideration of the Government of India a proposal for legalising, by amendments in the Reformatory Schools Act, 1897 (VIII of 1897), the detention in reformatory schools in British India of juvenile offenders as regards whom any criminal court of a Native State or any criminal court established or continued by the authority of the Governor General in Council in the territories of any Foreign Prince or Chief, and duly empowered in this behalf, has directed that they shall be sent to such a school. Their detention, it is proposed, should be for such period as the court may have directed, subject to the limits laid down in section 8 of the Act.

2. The Government of Bombay have consulted the Political officers in the Bombay Presidency, almost all of whom are in favour of the proposal. The Native States are not in a position to establish reformatory schools of their own, and therefore find themselves obliged to send their juvenile offenders to ordinary prisons, where they have to associate with hardened and habitual criminals. The Governor in Council believes that a number of Native States will be willing to send their juvenile offenders to reformatory schools in British India, and pay the cost of their maintenance, if they are permitted to do so. Smaller States may perhaps find the cost of maintaining juvenile offenders in British reformatory schools prohibitive, but there is no reason why such States as can afford it should not be allowed the advantage of the concession. The Administrator of Cambay State is anxious to take advantage of it, if made. The Khairpur Darbar and the Nawab of Savanur are in favour of the amendment, and the Chief of Phaltan proposes to introduce the Act into his State as soon as the amendment is made. The amendment will also be found of much use in the Administered Areas in Political Agencies.

3. The number of juvenile offenders confined at present in the Reformatory School at Yeravda is little more than 100, though the institution can accommodate 175 boys. The result is that the cost of maintenance is high, *viz.*, about Rs. 250 per year per inmate. The Salvation Army Boys' Industrial Home in Bombay, which the Government of Bombay recently declared to be a reformatory school, also contains very few boys. There will thus be ample accommodation for juvenile offenders from Native States and Political Agencies; and the increase in the number will tend to reduce the cost of maintenance.

4. If the Government of India approve the proposal to amend the Reformatory Schools Act, I am to observe that the consent of the local Government should be made a necessary preliminary to the admission of a juvenile offender from a Native State or Political Agency. This consent can be by general or special order as is provided by section 15 of the Prisoners Act, 1900 (III of 1900). A provision to this effect will enable the local Government to exercise the necessary measure of control.

Reformatory Schools, det

HOME DEPARTMENT.

Receiving Correspondence forwarded (Edm.)
 by the G. of I. on the question of amending the
 1897 Do as to legalize the ^{law} definition in Reformatories in
 the Union of juvenile offenders from native States

READ AGAIN G.O. No. 0, dated 19

” ” ” ” ” 191

READ ALSO:—

C. No. 1544/B From the Govt. of India, No. 592, dated 16.7.1918.
Dep't. of Ed'n

" " " " ""

191

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191

ORDER

Miss

No. 1085, dated 26-8-1918

Recorded

15.8.18

15825

Note:- The G. of I. forward
the correspondence only
for information. It does
not appear that they invite
the views of the Madras
Govt. on the proposal. A
concrete case of the ~~admission~~
transfer of a boy from
the Refractory School,
Lohimpet to the one in

The Transvaal State was
 dealt with in No. 775, 10/10/16. The case is
 not readily available: as
 directed by the W.S. the case
 is Subd: without the S.
 15.8.18
 1588

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191

REAS AGAIN G.O. No.
 191
 DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH LITTO.

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