

Law (Education) (1925) Department.

Ord. SERIES.

G.O. No. 2179

DATED 21.12.1925

[Despatch Abstract.]

Reformatory - School - Chingleput

Transfer to the Junior Certified
School, Ranipet, of a boy

Committed under the Reformatory
Schools Act - Not legal.

BACK PAPERS.

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

FURTHER PAPERS.

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

Memo: 3466B-1
23/12/25

C.F. 30

JAIL

DEPARTMENT.

2233636
9 NW

Received



192

Registered

192

Subject.

Reformatory and Senior Certified School--Chingleput--

Pupil No. 851 Subrahmaniam--transfer to Junior

certified School, Ranipet--papers submitted for orders.

ENCLOSURES.

No.

No.C.G. 1336

Spare copies

Station Camp Berhampore Dated the 7th December 1925

From (Name) Lieut-Colonel J.P.Cameron, C.I.E., I.M.S.,

(Designation) Inspector General of Reformatory Schools,

To The Secretary to the Government of Madras

Law (Education) Department.

Fort St. George.

SL

Submitted for the orders of Government.

[Signature]

Lieut-Colonel, I.M.S.,
Inspector General of Reformatory Schools.

Telegraphic Address—SENCER

REFORMATORY BUILDINGS,
CHINGLEPUT.

Dated 25th November 1925.

No. 1813.

From

W. O. FONCECA, Esquire,
SUPERINTENDENT,
Reformatory & Senior Certified School,
CHINGLEPUT.

To

The Inspector-General of Reformatory Schools,

Ootacamund.

Sir,

With reference to paragraph 2 of Proceedings No 11932, dated 20-11-1925, I have the honour to submit for the orders of the Government the case of Pupil No 851, Subramaniam of this School. The pupil was - admitted on 29-10-1925 having been convicted by the Sub Divisional Magistrate, Palghat in C. C. Nos. 96 & 97 of 1925 on the file of his Court - under sections 457 & 380 I.P.C. He was sentenced to six months R.I. and as he was only 10 years of age he was ordered to be detained in this - school for a period of 7 years under section 8 of the Reformatory - Schools Act.

The Committee of Visitors of this School consider that he - should be transferred to a Junior Certified School - please see copy from their resolution enclosed. Section 14 (b) of the Reformatory Schools Act (VIII of 1897) authorises the transfer of a pupil from one Reformatory School to another and section 35 (2) of the Madras Children Act (IV of 1920) the transfer of a pupil from one Certified School to another. I am doubtful however whether the transfer of a boy committed to this school under the Reformatory Schools Act to a Junior Certified is legally correct and am submitting the case for orders.

(Please Turn Over)

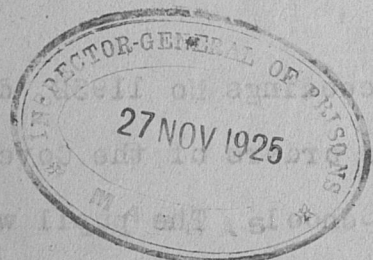
The following papers relating to the pupil are also submitted:

- (1) Detention Order
- (2) Judgment
- (3) Resolution of the Committee of Visitors

I have the honour to be,

Sir,

Your most obedient servant,



P. J. J. J. J.

SUPERINTENDENT

V. D.-/25-11.

Extract from the Proceedings of the 11th monthly meeting of the Committee of Visitors for the Calendar year 1925 held in this school on Thursday the 12th November 1925 at 5 15 p m

	X	X	X	X	X
2	X	X	X	X	X

No 851 being aged 10 may with advantage be transferred to the Junior Certified School at Ranipet. The Government will be requested to pass the necessary orders under section 35 of the Children Act IV of 1920

X	X	X	X	X
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(Sd) P Chinmasawmy Ayyangar

Chairman

(True extract)

P. J. J. J. J.

SUPERINTENDENT

Reformatory School,
Chingleput,
25-11-25

(9)

X 5

Law (EDM)

Transfer of a pupil from the
Reformatory school, chingleput,
to the Ranipet school.

CF [C.3363B] From the J. G. of Prisons, N. C. G.
1336 B, 7.12.25

u.s.

submitted that the
law (Drafting) dept. may be
requested to advise on the
question whether it is legally
correct to ^(sanction the) transfer, from the
Reformatory and senior certified
school, chingleput, to a junior
certified school, of a pupil
committed to the former school
under the Reformatory Schools
Act, 1897.

cur

9.12.25

81x
18.12.25

The School at Ranipet is not a "reformatory"
as it is a school established under the Children
Act. The boy has been sent to the school
under the Reformatory Act, but Sec 35 (2)
of the Children Act is to the effect that
"a youthful offender - - - detained in a
Senior Certified School." may be transferred to
a junior Certified School. The school at Chingleput
is a Senior Cert. School in addⁿ to being a
Reformatory. It seems to me that Sec 35 (2) is
not to be interpreted ~~very~~ narrowly. His Drafting

may perhaps see

8
11/12

V.K.

Lib. (Drafting) no.

3362B1
12/12/21
8/1922
12.12.21

The youthful offender ^{has} ~~been~~ detained in the Reformatory School, Chingleput under Sec 8 of the R.S. Act. His transfer must be governed by Sec 14 of that Act. Under that section, he can be transferred to another Reformatory School and not to a certified school. Sec 35 governs the transfer of youthful offenders detained in a certified school under the Madras Children Act, (10 of 1920).

For purposes of transfer, the circumstance that the Reformatory School, Chingleput, is also a senior certified school is an accident of little consequence. The youthful offender in question must be considered as an inmate of the Chingleput School as a Reformatory School and not as a senior certified school, attracting the provisions of sec 35 (2)(a).

of the Madras Children Act. I think the transfer recommended cannot be sanctioned.

S. 14/12

The boy was sent to the Reformatory School as the Children Act is not in force in Malabar. Otherwise he would have been sent to a junior certified school. It would be a pity to keep him in the Reformatory. Can we get the sentence modified into one of detention in a junior certified school when the Act is extended to Malabar?

V.K.
15/11

Law (Drafting) Dept.

For a youthful offender who has been dealt with under the R.S. Act, the provisions of the Madras Children Act can have no application. If the boy in question has been imprisoned the Local Govt. could have sent him to a senior certified school under Sec 23(5) of the Madras Children Act.

2E 3444B
18.12.21



15/11/21

Law (Eon)

Draft order

V.K.
18/12

Sectt. II-5 (b)—5,003—6-12-24. (6)

Date.

Initials.

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Law (Education) DEPARTMENT.

Reformatory--School, Chingleput--Transfer
to the Junior Certified School, Ranipet,
of a boy committed under the Reformatory
Schools Act.--Not legal.

READ AGAIN G.O. No. dated 192

” ” ” ” ” 192

READ ALSO:—

C. No. 3363 B. From the I. G. of Reformatory ^{C. G.} No. 1336, dated 7-12- 1925.
Schools

” ” ” ” ” ” 192

” ” ” ” ” ” 192

ORDER.

Mis.

No. 2179 dated 21-12-1925

The I. G. of Reformatory Schools is informed that it is not ~~known~~ ^{permissible under the law} to sanction the transfer, from the Reformatory and Senior Certified School, Chingleput, to a Junior Certified School, of a pupil committed to the former school under the provisions of the Reformatory Schools Act, 1897.

To The I. G. of ~~Reef~~ Reformatory
Schools
(with pages 4 to 8
returned)

cur
12.12.25
8/9
18.12.25.

DESPATCHED
22 DEC 1925

V.TK
19.12

When given for copying _____
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 When signed _____ } 192

READ AGAIN G.O. No. _____, DATED
 192

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT ... A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED OF, BEING MEANT FOR DESPATCH
 IN ORIGINAL.

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