

Law (Ed) (1925) Department.

M 15 SERIES.

G.O. No. 433

DATED 30-3-1925

[Despatch Abstract.]

Madras Children Act. Creation of
an executive machinery in Madras
city to look after children -
Negotiations with the Societies for
the Protection of children
Committee appointed

BACK PAPERS.

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

FURTHER PAPERS.

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

V.E.
Please issue today
2/11/24
2 drafts

Law (Edu) Deptt

[C.No. 3013 B]

v

Endt. 3013 B-1 dt. 3.12.24

Forwarded to the D.P.I.
who is requested to report
in Consultation with the
Chief Presidency Magistrate
whether there is immediate
need for the establishment
of a juvenile Court in the
City of Madras, and if so,
to submit proposals therefor.

Recd
24.11.24

The D.P.I. (with copy of
original take up with
reply)

CPA
13.12.24.
8/11
13.11.24

13/11

R. A month after issue.

18/11

2

Law (Edu) Deptt

Letter. 3013 B.2. D. 3-12-20

To

The Chief Secretary to the
Govt of Bengal.

Dtd 3/12

Sir,

Establishment of juvenile
the Bengal Children

Act. Courts.

The Madras Govt
understand that a
juvenile Court has been
established in Calcutta
under the Bengal Children
Act, 1922. The question of
establishing such a Court
in Madras is under
consideration. I am to
request that, with the
permission of His Excellency
the Governor in Council,
you will be so good as
to furnish this Govt with
particulars regarding
the Constitution and the
method of working of the

the juvenile Court at ³
Calcutta.

I have etc.

CPA
18.11.24
8/11
18.11.24

Plan
18/11
V.TK
18.11

sb
22/12/24
DESPATCHED
22nd DEC 1924

Page 2 of cf.
22/12/24

Post copy to be sent.

DESPATCHED
22nd DEC 1924

To

R. Littlehailes Esq., M.A.,
D.P.I.

Law (Education) Department

Telegram No 3013 B-3 d. 22/12/24

To

The Chief Secretary to the Govt. of
Bengal, Calcutta

Please refer my letter 3013 B-2,
dated 3rd instant, regarding juvenile
courts under Children Act. Madras
Government will be obliged if early
reply can be sent.

Madras Law

8/11
22.12.24.

Plan
22/12
V.TK
22.12

D.O. 3013 B-4. d. 22/12/24

My dear Littlehailes,

Please refer to
Govt. Endtt. No. 3013 B-1, dated the 3rd
instant, regarding the establishment
of a juvenile court in the City of
Madras. I am to request you to sub-
mit a very early reply on the subject.

Yours sincerely,

8/11
22.12.24.

Plan
22/12
V.TK
22.12

All Communications to Government should give the Number, Date, and Subject of any previous Correspondence, and be addressed to the Secretary of the Department concerned.

GOVERNMENT OF BENGAL.

Judicial DEPARTMENT.

BRANCH.



No. 190 J.

FROM

H. C. Liddell, Esq., I. C. S.,
Offg. Secretary to the Government of Bengal.

THE Secretary to the Government of Madras,
Law (Education) Department.

Calcutta, the 12th January 1925.

Acknowledgment
issued.

CBA
16/1

Returned to
office

VTK
24

SIR,

I am directed to refer to your letter No. 3013 B-2, dated the 3rd December 1924, asking that the Government of Madras may be furnished with particulars regarding the constitution and the method of working of the Juvenile Court at Calcutta.

2. In reply, I am to say that prior to the passing of the Bengal Children Act, 1922, a scheme was under the consideration of the Government of Bengal to secure the protection of juvenile offenders from the evil influences to which they may be exposed by association with hardened criminals both before and after trial. To give partial effect to it, a house in the town of Calcutta was rented and by notification No. 49 H.P., dated the 22nd May 1914 (copy enclosed) it was gazetted as a House of Detention under section 541, sub-section (1) of the Code of Criminal Procedure 1898 (Act V of 1898), with effect from the 1st June 1914. The object of the House of Detention was to make it unnecessary that children should enter a jail and juvenile offenders are detained

detained there during their trial and also after conviction. The House is under the immediate control of a whole-time superintendent, and a Committee of visitors consisting of officials and non-official gentlemen and ladies was also formed. Along with the establishment of the House of Detention, a Juvenile Court was also established by notification No. 4914 P., dated the 22nd May 1914 (copy enclosed), and the House was declared at the same time to be the place where the said court should be located. No separate whole-time stipendiary magistrate was, however, appointed for the trial of the youthful offenders, but a Bench was formed with some specially selected Honorary Presidency Magistrates who were empowered under section 8 of the Reformatory Schools Act, 1897 (VII of 1897). Copies of the rules for the conduct of the House of Detention, as well as for the regulation of the conduct of business and the practice in the Juvenile Offender's Court in Calcutta, are also enclosed.

3. The Bengal Children Act was passed in 1922 and as only a portion of it has been brought into force in the town of Calcutta and its suburbs, no separate House of Detention under the Act, has yet been established, but to suit its provisions, new rules (copy enclosed) for the management and control of the existing House have been made. The Juvenile Court referred to has not yet been notified as a court constituted under the Act for trial of the cases arising in the town of Calcutta, but the Chief Presidency Magistrate, Calcutta, deputes a stipendiary magistrate and five selected Honorary Magistrates to try cases there. All these Honorary Magistrates have single sitting powers and also powers under the Reformatory Schools Act. For cases arising within the suburbs, a stipendiary sub-deputy magistrate has been empowered under the Bengal Children Act.

I have the honour to be,

Sir,

Your most obedient servant,

[Signature]

Offg. Secretary to the Govt. of Bengal.

Notification.

No. 4911 P.- The 22nd May 1914.- In exercise of the Calcutta powers conferred by section 541, sub-section (1) of the Code of Criminal Procedure 1898 (Act V of 1898), the Governor in Council is pleased to direct that the premises No. 85 Lower Circular Road, Calcutta (hereafter to be called the " House of Detention"), shall, with effect from the 1st June 1914, be a place for the confinement of persons liable to be imprisoned or committed to custody under the said Code within the town of Calcutta, who are at the time of such liability under the age of fifteen.

Sd/- J. G. Cumming,

Chief Secy. to the Govt. of Bengal.

D.

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NOTIFICATION.

No. 4914 P.- The 22nd May 1914.- The Governor in Council Calcutta is pleased to establish, with effect from the 1st June 1914, a Court for the trial of juvenile offenders in Calcutta, and in pursuance of rule 2 of the Rules published under Notification No.4913P., dated the 22nd May 1914, is also pleased to appoint, with effect from the same date, the premises No.85 Lower Circular Road, in Calcutta, as the place where the said Court shall be located.

Sd/-J. G. Cumming,
Chief Secy. to the Govt. of Bengal.

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a

Rules for the conduct of the House of Detention for
Juvenile Offenders.

I.- Classification of inmates.- Boys of 10 years of age and over shall be kept separate from girls of 10 years of age and over, except at meals and in classes. The sleeping accommodation for boys shall be separate from that for girls.

II.- If possible, the inmates shall be further classified according to age and character.

III.- Management and discipline.- The Superintendent shall take every precaution against the exercise of bad influence by the inmates of bad character upon other inmates. An older inmate of bad character must never be left alone in the company of younger children.

IV.- The inmates shall have separate beds, with a sufficiency of cubic space. They shall wear their own clothing, unless on sanitary grounds this is undesirable. If necessary, they shall be supplied with plain useful clothing.

V.- The inmates shall be supplied with plain wholesome food.

VI.- Provision shall be made for the suitable instruction of inmates.

VII.- Suitable occupation shall be found for inmates. The employment shall include work of an industrial nature. Suitable books shall be provided.

VIII.- The moral training of the inmates should be insisted on.

IX.- Punishments shall consist of -

- (a) Loss of recreation.
- (b) Reduction in quality or quantity of food.
- (c) Confinement in a light room or light cell.
- (d) Moderate personal correction.

Referring to (b), when deprived of any regular meal, an inmate shall be allowed in lieu of it bread and water or gruel, or fried rice and molasses. No inmate shall be deprived of two meals in succession.

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Referring to (c), no inmate shall be confined under any pretext whatever for more than two days, or, if under 14, for more than one day.

In confinement each offender shall be allowed at least one pound of bread with gruel or milk, or an equal quantity of fried rice and molasses.

Referring to (d), personal correction shall be inflicted only by the responsible Head of the House of Detention.

X.-The inmates shall be allowed not less than two hours daily for recreation and exercise.

XI.-The Superintendent shall be furnished by the Commissioner of Police, Calcutta, with the name of a Doctor who can be summoned when necessary. This Doctor, who shall be the Medical officer, shall make periodical visits.

XII.- Each inmate shall, on or shortly after admission, receive a bath and shall be thoroughly cleansed. The inmates' clothing, where necessary, shall be cleansed. A girl's hair may not be cut short, except on sanitary grounds, on the special instructions of the Medical Officer.

XIII.- Application should be made to the Local Government for the discharge of any inmate received on conviction who is certified by the Medical Officer as medically unfit for detention.

XIV.- In the case of the death of any inmate, immediate notice should be sent to the Coroner of Calcutta, and the circumstances of the case reported to the Commissioner of Police, Calcutta, along with a copy of the Coroner's finding. The parents and relatives should also be informed of the fact as soon as possible.

XV.- In the case of an inmate under remand or waiting trial, the parent or a near relative or friend or a qualified legal practitioner (who should only see the child in the presence of the parent or friend who provides him) shall be allowed to visit him once or oftener, if necessary, for the proper submission of the case to the court.

XVI.- In the case of the serious illness of any inmate, notice shall be sent to the parents or near relative and special visits

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allowed. Notice shall be sent to the parent or near relative of the removal of any inmate from a place of detention.

XVII.- The Superintendent shall keep a journal of admissions, discharges, punishments and every event of importance connected with the detention. The journal shall be open to the visitors when called for.

XVIII.-The Superintendent shall regularly send accounts for maintenance of the inmates to the Commissioner of Police in the form and at the time prescribed.

XIX.- All books and journals of the place of detention shall be open to the Commissioner of Police, Calcutta, or an officer deputed by him for examination.

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JUVENILE OFFENDERS' COURT.

Notification.

No. 4913 P.- The 22nd May 1914.- The following rules have been Calcutta made by the Chief Presidency Magistrate, Calcutta, in exercise of the power conferred by sub-section (1) of section 21 of the Code of Criminal Procedure, 1898 (Act V of 1898), and with the sanction of the Governor in Council, to regulate the conduct of business and the practice in the Juvenile Offenders' Court in Calcutta, and are hereby published for general information.

Rules.

1. In these rules "juvenile offender" means any person who Definition of "juvenile offender" abets, commits or attempts to commit, within the town of Calcutta any offence within the meaning of the Code of Criminal Procedure, 1898, and who is under fifteen years of age at the time when such offence is committed or attempted, but does not include any such person when charged jointly with any other person who is over fifteen years of age.

2. The Court for the trial of juvenile offenders shall be Location of Court located in such place as may be appointed by the Local Government, from time to time, by notification in the Calcutta Gazette and in one or more of the local newspapers.

3. (1) Every juvenile offender shall be ordinarily tried by a Constitution of Court Bench, consisting of three Presidency Magistrates (other than the salaried Presidency Magistrates) authorised to sit singly for the trial of cases, the senior of whom shall act as Chairman.

(2) If one of the members of the said Bench is unable to attend any sitting thereof, the other two members shall proceed with the work of the Court, without the absent member.

(3) If two of the members of the said Bench are unable to attend any sitting thereof, the third member present may in his discretion, either proceed with the work of the Court, as a Magistrate authorised to sit singly for the trial of cases, without

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the absent members, or may apply to the Chief Presidency Magistrate to appoint a substitute or substitutes under sub-rule (4).

(4) If two, or all, of the said members are unable to attend any sitting of the said Bench, the ^{Chief} Presidency Magistrate may appoint substitutes to perform the functions of the absent members at that setting, or until further orders.

(5) Nothing in this rule shall be held to empower any Magistrate to give a decision in any case unless he has heard the whole of the evidence.

4. When any member of the said Bench sits singly, he may Magistrate when sitting singly discharge all or any of the functions given to the said Bench or any of its members under these rules.

5. During the trial of any juvenile offender, the Court may, if Court may be cleared of public the Bench thinks fit, be cleared of the public.

6. The said Bench of Magistrates shall ordinarily sit from Hours of attendance. midday till 5 p.m., on all days that are not gazetted holidays, in accordance with the roster to be drawn up by the Chief Presidency Magistrate.

Provided that a special Bench may be convened by the Chief Presidency Magistrate for any day or hour.

7. The Chairman shall ordinarily record the evidence and judgment Recording of evidence and judgment (in all cases where a record of evidence and judgment are necessary) with his own hand, provided that such duty may, with his consent, be performed by any of his colleagues.

8. (1) Every member of a Bench shall be entitled to give his opinion on the determination of all points arising in any case before Rights of members of Bench in determining the Bench, and in respect of the finding and sentence; but the decision of the majority of the members of the Bench with regard to such points, finding and sentence shall prevail.

(2) In a Bench composed of two members, the opinion of the Chairman shall prevail on all points, except the finding. In the event of a disagreement as to the finding, the case shall be referred to the

Chief Presidency Magistrate.

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9. Every application for a process against a juvenile Application for process, to offender shall be made to a Bench whom to be made. Every Bench issuing a process appointed to try such offenders, against a juvenile offender shall proceed to try and dispose of the case in which it has previously issued process.

10. (1) Every application for a process (including an Form of application for process application to summon a person to give evidence or to produce any document or other thing) shall be made in writing on foolscap, which must be properly stamped, when necessary.

(2) Every application to summon any person to give evidence, or to produce any document or other thing, must show, if possible, the father's name, as well as the address, of such person, unless he be a European British subject.

11. Every such process or summons shall be signed by one of signing of process and summons the members of the Bench issuing such process or summons.

12. Where a juvenile offender has been sentenced to be Whipping whipped, the sentence shall be executed in the presence of the members forming the Bench which passed such sentence either at the conclusion of the case in which such sentence has been passed, or at the rising of the Court, on the day on which such sentence has been passed.

Sd/- J. G. Cumming,
Chief Secy. to the Govt. of Bengal.

NOTIFICATION.

No. 8033J.—The 12th December 1923.—In exercise of the power conferred by clause (c) of sub-section (2) of section 48 of the Bengal Children Act, 1922 (Bengal Act II of 1922), and with the previous approval of the Governor General in Council, the Governor in Council is pleased to make the following rules for the detention of children and young persons under arrest or remanded or committed for trial in Calcutta :—

Rules.

1. The House of Detention in Calcutta shall be the place ordinarily set apart under the provisions of sections 18 and 19 of the Act.

Classifications of inmates.

2. (1) Boys and girls shall be kept separate.
(2) So far as in the opinion of the Superintendent of the House of Detention is possible, the inmates shall be further classified according to age and character.

Management and discipline.

3. (1) The Superintendent shall take every precaution against the exercise of bad influence by inmates of bad character upon other inmates. An older inmate of bad character must never be alone in the company of younger children.

(2) The inmates shall have separate beds, with a sufficiency of cubic space. They shall wear their own clothing, unless on sanitary grounds this is undesirable. If necessary, they shall be supplied with plain useful clothing.

(3) The inmates shall be supplied with plain wholesome food.

(4) Provision shall be made for the suitable instruction of inmates.

(5) Suitable occupation shall be found for inmates. The employment shall include work of an industrial nature. Suitable books shall be provided.

(6) Moral training shall be given.

(7) An inmate who is unruly may be detained in segregation in a light room or light cell.

(8) The inmates, unless segregated for unruly behaviour under sub-rule (7), shall be allowed not less than two hours daily for recreation and exercise.

(9) Each inmate shall, on or shortly after admission, receive a bath and shall be thoroughly cleansed. The inmates' clothing, where necessary, shall be cleansed. A girl's hair may not be cut short, except on sanitary grounds, on the special instructions of the Medical Officer.

(10) In the case of an inmate under remand or waiting trial, a parent, relative, or friend of the inmate or a qualified legal practitioner (who should only see the inmate in the presence of the parent, relative, or friend who engages him) shall be allowed to visit the inmate once or oftener, if necessary, for the proper submission of the case to the Court.

(11) The Superintendent shall be furnished by the Commissioner of Police, Calcutta, or the Magistrate of Howrah with the name of a doctor who can be summoned when necessary. The doctor shall also make periodical visits.

(12) In the case of the serious illness of any inmate notice shall be sent to the parents or near relatives and special visits allowed. Notice shall be sent to the parents or near relatives of the removal of any inmate from a place of detention.

(13) In the case of the death of any inmate, the circumstances of the case shall be reported to the Commissioner of Police, Calcutta, as the case may be, and the parents or near relatives shall be informed.

(14) The Superintendent shall keep accounts, in such form as the Local Government may direct, of the expenditure incurred for the maintenance of the inmates and shall send the same regularly to the Commissioner of Police or the Magistrate of Howrah.

(15) The Superintendent shall keep a journal of admissions and discharges, and of every event of importance connected with the detention. The journal shall be open to the visitors when called for.

(16) All books and journals of the place of detention shall be open to inspection by the members of the Visiting Board, or any officer deputed by them or by the Government or the Commissioner of Police.

4. (1) The control and management of the House of Detention shall be vested in a Visiting Board of which the Chairman shall be the Judicial Secretary of the Local Government.

(2) The following officers and such others as Government may from time to time appoint in this behalf will be *ex officio* members of the Visiting Board, namely :—

For Calcutta.

1. The Secretary to the Government of Bengal, Judicial Department.
2. The Commissioner of Police, Calcutta.
3. The Director of Public Instruction (or an officer nominated by him in his behalf).
4. The Chief Presidency Magistrate, Calcutta.
5. The Magistrate or Additional Magistrate of the 24-Parganas.

(3) The Local Government may also appoint as members of the Visiting Board persons of either sex who are likely to take an interest in the welfare of the inmates and are willing to accept the duty. The number of such members shall ordinarily be limited to 8 and they shall hold office for two years, but any member may be reappointed at the discretion of Government on the expiry of that period if he or she is desirous of continuing in office.

(4) The Board shall make rules for the transaction of its business.

5. For special reasons the Commissioner of Police in pending cases or the Court may, instead of sending a child or young person to the House of Detention, order his detention in an approved institution or commit him temporarily to the charge of an approved person in a place approved by the Commissioner of Police or the Court.

J. BARTLEY,

Secretary to the Government of Bengal (offg.)

Law(Education)

DEPARTMENT.

Received 192 . Registered 192 .

Subject.

Children Act - Establishment of a juvenile court

in the city of Madras- Proposals submitted.

Please put up with
the file 9 sent in
this morning.

V.K.
27.1

ENCLOSURES.
No. <i>Copy 1/10</i>
Spare copies



R. O.C.No. 755 A/24

Station Madras , Dated the 24-1-25 192 .

From (Name) R.Littlenailles Esq., M.A.,

(Designation) Director of Public Instruction,
Madras.

To The Secretary to the Government of Madras,

Law(Education) Department.

Sir.

I have the honour to reply to Government
Endorsement No.3013 B-1 dated 3-12-24 regarding the
establishment of a juvenile court in the city of Madras.

2. I enclose a copy of letter ^(none) R.C.No.1012 Genl of 24
dated 18-12-1924 of the Chief Presidency Magistrate.

3. I discussed the question in considerable detail
with Dr.Pandalai, the Chief Presidency Magistrate, Madras
and with Mr.Kershaw, the Chief Inspector of Certified
Schools, Madras on two separate occasions. The conclusion
reached was that there is an immediate need for the

establishment

establishment of a juvenile court in the city, and to attain this end, I suggest that there should be created under Section 4(g) of the Children Act a sufficient number of honorary Magistrates including women, and possibly a psychiatrist, authorised to officiate under the Act. All these might be non officials. In addition, there should be a stipendiary magistrate appointed to act as Chairman. It is probable that for the present he would have to sit for an hour or two, twice or thrice a week. A remuneration of Rs.100 per mensem would suffice, Government perhaps appointing one of the existing stipendiary magistrates in the city and giving him this amount as remuneration for the additional work entailed.

4. Regarding the accommodation of the detained children, I suggest that this be left to private enterprise. If a philanthropic body will only come forward. This body could be subsidised by Government to meet a portion of the cost, the amount to be fixed in consultation with the philanthropic body which is prepared to open and maintain the institution. If, however, no such agency is forth coming, the necessary accommodation will have to be provided by Government. In either case the person in charge of the proposed institution for accommodating and detaining children should be one who would be recognised by the magistrates as a suitable person to whom children might be entrusted. A small bungalow, which would be necessary, might be obtained in the neighbourhood of Park town (Madras) which is a suitable central position.

5. For the accommodation together with the pay of the matron in charge at least Rs.200/- per mensem would be necessary. Besides, there should be attached to the institution, two probation officers of not lower rank than

than Sub Inspectors of Police assisted by two other officers of the grade of constables, a medical officer, a peon on Rs.15-20 per mensem, a cook on Rs.20 per mensem, a sweeper on Rs.10 per mensem and a maty on Rs.15 per mensem. In addition a clerk on the ordinary scale of Rs.40-65 per mensem will be required for the performance of the clerical duties.

Since the area of the city of Madras is large, I consider that at least two Probation officers in the scale of pay viz Rs.90-3-135 per mensem sanctioned for Sub Inspector of Police assisted by two other officers in the scale of pay viz Rs.22-1-35 sanctioned for constables, are necessary. As regards the medical officer it is desirable that he should have a knowledge of juvenile mental defects, in order that he might examine the children and suggest suitable treatment. If Government appoint a medical officer, a psychiatrist in fact, an honorarium of Rs.50 per mensem might suffice.

4. The essential cost to Government will therefor be Rs.1200/- per annum for the stipendiary magistrate, together with a subsidy or grant to the institution which takes up this work of detaining children under trial.

If, however, no suitable agency can be obtained the cost to Government will be as shown below:-

(a) Cost during the first year.

Remuneration to the Stipendiary Magistrate at Rs.100 per mensem.	Rs.1,200
Provision for accommodation and matron at Rs.200 per mensem.	2,400
Pay of two probation officers at Rs.90/- each per mensem.	2,160
Pay of two officers in the grade of constables at Rs.22 each per mensem	528
Honorarium to the Medical Officer at Rs.50/ per mensem	600

Pay

Pay of clerk at Rs.40 per mensem.	Rs.480
Pay of peon at Rs.15 per mensem.	180
Pay of cook at Rs.20 per mensem.	240
Pay of Sweeper at Rs.10 per mensem.	120
Pay of maty at Rs.15 per mensem.	180

Total 8088

Rs.8000 in round figure(per annum)

(b) Average cost.

Remuneration to the Stipendiary Magistrate at Rs.100 per mensem.	Rs.1,200
Accommodation and matron	2,400
Accommodation and matron Average pay of two probation officers at Rs.115 each per mensem.	2,760
Average pay of two officers in the grade of constables at Rs.27 each per mensem.	648
Honorarium to the Psychiatrist	600
Average pay of clerk at Rs.52½ per mensem.	630
Pay of peon at Rs.17½ per mensem	210
Pay of cook at Rs.20 per mensem	240
Pay of sweeper at Rs.10 per mensem.	120
Pay of maty at Rs.15 per mensem.	180

Total 8,988 of

Rs.9000 in round figure(per annum)

I have the honour to be,

S i r,

Your most obedient servant,

Francis
for Director of Public Instruction

A.R. 26-1-25

Copy of letter R.O.C.No.1012 Genl/24 dated 18th

December 1924 from the Chief Presidency Magistrate,

Egmore, Madras to the Director of Public Instruction, Madras

"With reference to your R.O.C.No.755 A/24

dated 4th December 1924, I have the honour to forward the

following observations with reference to the immediate

need for the establishment of a juvenile court in Madras

and the provision thereof.

After our conversation on this subject on the

9th instant, I had the advantage of a conversation with

Mrs. Standford on the subject. The principal objects for

which a children's court is, according to her, immediately

wanted are:-

1. To create an agency for the prevention of begging

by juveniles. The method proposed is to apprehend

juvenile beggars and hand them over to their parents or

guardians with a warning against repetition and, in case

of persistent repetition or where there is no parent or

guardian forthcoming, to send the juvenile to a home

to be established or to private homes which may offer to

receive them.

2. To follow up through probation officers the

subsequent life of juvenile offenders and children, after

they are liberated from certified schools, junior or

senior.

3. To act in the inquiry into cases against

juveniles, always with the advice of a skilled psychiatrist

who will be able to see from what mental defect the

juvenile is suffering and to indicate suitable treatment.

2. At present the only portion of the Madras Children

Act

22-10-22

Act IV of 1920 which is in practical operation is part III dealing with juvenile offenders. Such cases are always tried by Stipendiary Magistrates in chambers where care is taken to avoid as far as possible all appearances of policemen and a criminal court. But the chamber itself is in the police court and it is impossible to prevent the police court from appearing what it is. Again, there is no place for the detention of juveniles while under trial or pending their despatch to certified schools and no other agency to keep them except the police. Every effort is made to restore the juvenile to his parent after arrest pending trial. But there are many cases where owing to the absence or refusal of parents and guardians, the police have themselves to keep and produce the children and it must be often a difficult matter to do so without keeping them in restraint. The establishment of a juvenile court with separate quarters and staff and a house of detention attached under proper supervision would be of use to carry out more effectively the object of the children Act with regard to youthful offenders.

3. Part 4 of the Act which deals with juveniles who are not offenders is now very little used. I have only dealt with 3 such cases in 8 months. But this part of the Act if properly worked is probably even more important than dealing with juvenile offenders. The first of the three objects mentioned by Mrs. Stanford falls under this head. Whether there is immediate need for a childrens court to deal with the large number of poor and uncared for children in Madras is in my opinion largely a question of finance. The need to prevent children from entering the avenues to crime is obvious. How far a

Childrens

11 23 10

Childrens court will succeed in the objects mentioned by Mrs. Stanford will depend on the personnel of the court, the zeal of the officers and the money Government are willing to spend. Though there may be several persons willing to help a scheme with so strong an appeal to generous feelings, I doubt whether much money will be forthcoming from private sources. The difficulties arising from the caste system will stand in the way of private persons coming forward to accept children into their homes.

4. As far as I know the only place in India where a children's court is working is at Calcutta. I regret I have been unable to obtain any information about its working.

5. At present I recommend that a children's Court may be established as an experimental measure, say for 1 or 2 years.

The following provisions will have to be made.

1. The Court itself should consist of one Stipendiary Magistrate and 2 Honorary Magistrates preferably ladies. A sufficient number of lady Magistrates will have to be appointed to allow for absences or other inconveniences.

2. A suitable building in a Central part of the City will have to be made available. It must have accommodation for the Court, and also for detention of children under trial or till they are finally disposed of with the necessary quarters for a Superintendent, preferably a lady, to live on the premises.

3. The necessary clerical, ministerial and menial establishment.

4. Two officers not lower than the grade

of

12 24
of Sub Inspector who will act as probation officers and
2 officers of the grade of constables under the former.

5. A medical man with knowledge of juvenile mental
defects who may have to be paid a fee for examining the
children.

Whether provision for the Court and house of
detention can be made in Dr. Varadappas Home for Children
may be enquired into. Mrs. Stanford expressed the view
that the authorities of the home are not inclined to
favour the conversion of the institution into a
certified school under the Act.

(True copy)

Tranes
for Director of Public Instruction

	Initials.	Date.
Received in Fair-copying Section.		
Copied	on	5/1/25
Examined		
Signed		
Despatched		

A.D. dress to be
entered
properly
V.T.K.

DESPATCHED
6/5 FEB 1925 MS

in the manner
indicated below

1 - that is, practically
with cases of cruelty to and
ill-treatment of children -

at fault

* Reports are stitched with
old for placed below.

It is probably the
case that in recent
years the activities of
the Society have been
gradually concentrating
round the children's Home
and that the
wider larger problem
of regulating and reforming
the incipient criminal
is not prominently
kept in view

25 17
Law (Education) Dept

Letter. No 3013 B/24-5
5. 2. 25

To

The Honorary Secretary,

The Madras Society for the

Protection of Children

305, Dinwiddie High
Road, Madras.

Sir,

I am directed to address you
on the subject of the expansion of
the activities of the Madras Society
for the Protection of Children)

2. The Government observe that
the ~~above~~ society when it was start-
ed, proposed to work in a compara-
tively large sphere. Its earlier
reports, for example, show that it
dealt not only with cases where the
children were not at fault but also
with cases where the children
themselves were ~~at fault~~ ^{blameless at fault}. The classi-
fied statement contained in the
earlier reports furnishes statis-
tics under two separate heads deal-
ing with these two categories. In
the later reports, this classifica-
tion has been curtailed and the duty
of the society to deal with cases
where the children themselves are
at fault does not appear to ^{have} been so
distinctly recognised.)

3. In connection with the
administration of the Madras Childre

2/10
Act, 1920, the Government desire that an executive machinery should be set up in the city which would be in touch with the court dealing with juvenile offenders and would not only be able to place it in possession of information about children charged before it and assist in the disposal of them but would also be able in many cases to obviate the necessity for bringing such cases into courts at all. It would obviously be the duty of such an executive machinery (i) to arrange for the custody of children while under trial, (ii) to assist the court in collecting information about the antecedents etc., of children brought before them ^{(iii) to} assist in finding suitable institutions or homes in which they can be placed and ^{(iv) to undertake the} supervision of children released on probation. ⁽⁴⁾ The Government consider that welfare work of this kind is best undertaken under the auspices of non-official societies. I am to enquire whether the Madras Society for the Protection of Children ~~will take over such work and revert to its original position and will~~ ^{may} enlarge itself so that it ^{may} be able to fill the place which has now to be filled — namely, ~~that~~ a powerful non-official society which will act as an agent and representative of the Government in handling generally the problems connected with the rescue and reformation of children in Madras City who are either convicted of crime or need to be taken out of surroundings and occupations which threaten to undermine and pervert their moral character and to make

Paragraph 3 of P.O. at slip (A)

Paragraph 4 of P.O. at slip (A)

(paragraph 4)

Page 12 of n.f.

	Initials.	Date.
Received in Fair-copying Section.		
Copied	..	
Examined	..	
Signed	..	
Despatched	..	

3
27
g
them easy victims to the temptations to commit crime. As the matter is of considerable urgency it would be ~~con-~~ ^{a great convenience} venient if the President of the Society could see his way to call a special meeting of the society and furnish ~~an answer~~ a reply to the Govern- ^{on the subject} ment at the earliest possible date.

I have etc.

8/1
4.2.25.

Plu
7/2. S

V.T.K.
5/2

Letter to No 3013 B/m-6 D. 23.2.25

To, The Hon^{ble} Secretary,

The Madras Society for

The Protection of

children.
305. Tiruvottiyur High Road,
Madras.

Expansion of the activities of
the Madras Society for the Protection
of children.

I am directed to invite

your attention to this office

letter No 3013 B/Sec-5, dated

the 5th February 1925, on

the above subject and to

enquire whether a special

meeting of the Society

was held as suggested

& if so, when a reply

may be expected.

I have &c,

SA
23.2.25

SA
23/2

And to
23/2

(Placed below)

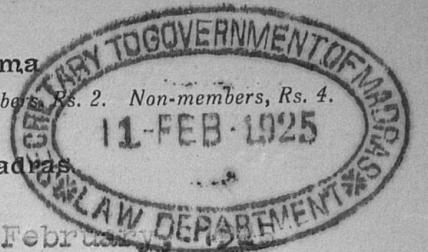
I am to say that a very
early reply will be
appreciated as the Govt
wish to ~~decide to have~~
~~the arrangements~~
made are anxious
that a decision on
the subject should
be reached soon.

Women's Indian Association

President: Mrs. Annie Besant
General Secretary: Mrs. Dorothy Jinarajadasa
Joint Secretary: Mrs. M. Cousins, B. Mus.
Treasurer: Mrs. Mahadeva Shastri

Official Organ
Stri Dharma
Per Annum: Members, Rs. 2. Non-members, Rs. 4.
Headquarters
Adyar, Madras

10th February



The Hon. Sir Arthur Knapp,

Chairman Executive Council,

Government of Madras.

Dear Sir,

Following up the Memorial which this Association sent to the Government re the appointment of more Women Magistrates and the establishment of a Children's Court, this Association desires now to take a further share in the responsibilities that the Children's Court will entail.

The Government has kindly granted our request for additional Women Magistrates including this Association's Commissioner for the Children's Act. It has also intimated its readiness to establish a Children's Court for Madras. It seems an indispensable part of the working of such a Court ~~that~~ on up-to-date and practical lines that a "Place of Safety" should be organised.

This Association requests the Government to accept its services in connection with this "Place of Safety."

The Women's Indian Association is willing to undertake the maintenance and supervision of the "Place of Safety" provided (1) that sufficient financial subsidies are guaranteed for its upkeep by the Government and public bodies, and (2) provided that its Commissioner, Mrs Stanford at present, has a position of legal official responsibility connected with it arising out of machinery appointed for the establishment of the Children's Court. This offer is made because one of the aims of our Association is "To band women into groups for the definite service of others." Our credentials for steadfast, conscientious work for women and children are well-known and the wide and long experience in other countries of our Commissioner gives us the expert knowledge necessary for undertaking a new venture and responsibility.

Appended is a rough estimate of the amount which we reckon will be needed for the upkeep of the "Place of Safety." We would stipulate a guarantee of subsidies of Rs 5,000 for the first year. Trusting the Government will accept our offer and that the Court may soon come into existence,

I have the honour to be,

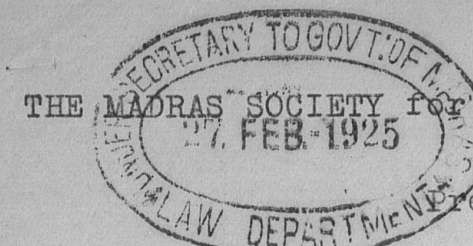
Yours truly,

Margaret E. Cousins
Hon. Sec.

PLACE OF SAFETY Estimate of Cost for the First Year

Rent for House at Rs 80 per month	Rs 960
Wages of Watchman, Peon-gardener, Scavenger and Cook	450
Furnishing of House	1,500
Wages of Pensioner and Wife at Rs 50 per. Men	600
Food for Children	500
Conveyance Charge for Commissioner at Rs 75 p.m.	900

BBBBBBBBBB
Total Rs4,910



THE MADRAS SOCIETY for the PROTECTION OF CHILDREN.

His Excellency The Right Honourable Viscount Goschen of Hawkhurst, G.C.I.E.,
G.B.E.,
Vice-President and Chairman of the Committee.

The Honorable Justice Sir Charles G. Spencer, I.C.S.,

Vice-Presidents.

Dewan Bahadur Sir P. Theagayya
Chetty Garu, Kt. M.L.C.

Mr. The Honourable C.P. Ramaswamy Iyer,
C.I.E.,

Dewan Bahadur Govindas Chaturbujas Doss Garu.

From

M.R. Ry Rai Bahadur B. Mopurappah Garu,

Honorary Secretary,

The Madras Society for the Protection of Children,

305, Tiruvottiyur High Road, M A D R A S.

To

The Secretary to the Government of Madras,

Law (Education) Department,

Fort St. George, M A D R A S.

Sir,

I have the honour to acknowledge receipt of your letter No. 3013-B/24-5 of 5th February 1925 and to state that as therein desired the subject matter thereof was duly considered at the meeting of the Managing Committee held on Wednesday, the 25th instant and I am desired to reply as follows:-

The activities of the Society have been carried on without any curtailment and all that could be done to give effect to the object of the Society has been done commensurate with the means and accommodation at the Society's disposal.

It is not quite correct to say that the rescuing work has been concentrated round the Children's Home and that no attention has been paid to rescuing children at fault. A number of such children have been rescued and there was once such case during 1924 as will be seen from case No. 1038 dated 8-4-'24 on page 7 of the Report ~~1924~~ for 1924. A reference to the reports will show that the classification of both children not at fault and at fault has been duly maintained. It is true that the Society has not attempted of late to take children from their parents' custody as they had no authority to retain them against their parents' wishes until the Childrens' Act was put into force.

In a large majority of rescues of children at fault in past years, it has been found that most of them absconded and while doing so induced other children to follow them. A reference to the Annual Reports will show how many such children absconded from year to year from the beginning till 1920. For facility of reference a summary is attached.

This Society can undertake to act as an agent and representative of the Government in handling generally the problem connected with the rescue and reformation of children in the

92

Sir,

W. B. Thompson
Honorary Secretary.

Honorary Secretary.

Summary of Children Class B at fault

A Years	1 No. rescued	2 Alcohol and sent away	3 Wanted and sent away	4 Handed over to Police	5 Housed over to parents or guardians	6 Futile	7 Placed in families	8 No. in the Home
1909	17	13			1			3
1910	30	3			19	1		7
1911	41	3			26			12
1912	NIL	NIL			NIL			NIL
1913	9	2			4			3
1914	20	5	6		3		1	5
1915	49	10	12		20			7
1916	50	12	2		28			8
1917	49	5			34			10
1918	38	10			19			9
1919	42	18			10	5		9
1920	28	16			6			6
1921	NIL				NIL			NIL
1922	NIL				NIL			NIL
1923	11							11
1924	1			1	+			
Totals	385	97	20	1	170	6	1	90

In order,

26-2-25

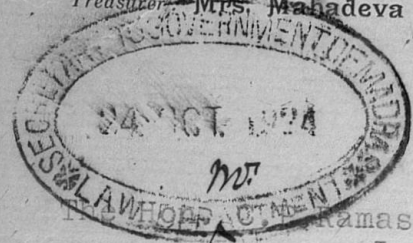
Summary of Children's Court

Age	Gender	Religion	Marital Status	Occupation	Address	Notes
1	F	H	M			
2	F	H	M			
3	F	H	M			
4	F	H	M			
5	F	H	M			
6	F	H	M			
7	F	H	M			
8	F	H	M			
9	F	H	M			
10	F	H	M			
11	F	H	M			
12	F	H	M			
13	F	H	M			
14	F	H	M			
15	F	H	M			
16	F	H	M			
17	F	H	M			
18	F	H	M			
19	F	H	M			
20	F	H	M			
21	F	H	M			
22	F	H	M			
23	F	H	M			
24	F	H	M			
25	F	H	M			
26	F	H	M			
27	F	H	M			
28	F	H	M			
29	F	H	M			
30	F	H	M			
31	F	H	M			
32	F	H	M			
33	F	H	M			
34	F	H	M			
35	F	H	M			
36	F	H	M			
37	F	H	M			
38	F	H	M			
39	F	H	M			
40	F	H	M			
41	F	H	M			
42	F	H	M			
43	F	H	M			
44	F	H	M			
45	F	H	M			
46	F	H	M			
47	F	H	M			
48	F	H	M			
49	F	H	M			
50	F	H	M			
51	F	H	M			
52	F	H	M			
53	F	H	M			
54	F	H	M			
55	F	H	M			
56	F	H	M			
57	F	H	M			
58	F	H	M			
59	F	H	M			
60	F	H	M			
61	F	H	M			
62	F	H	M			
63	F	H	M			
64	F	H	M			
65	F	H	M			
66	F	H	M			
67	F	H	M			
68	F	H	M			
69	F	H	M			
70	F	H	M			
71	F	H	M			
72	F	H	M			
73	F	H	M			
74	F	H	M			
75	F	H	M			
76	F	H	M			
77	F	H	M			
78	F	H	M			
79	F	H	M			
80	F	H	M			
81	F	H	M			
82	F	H	M			
83	F	H	M			
84	F	H	M			
85	F	H	M			
86	F	H	M			
87	F	H	M			
88	F	H	M			
89	F	H	M			
90	F	H	M			
91	F	H	M			
92	F	H	M			
93	F	H	M			
94	F	H	M			
95	F	H	M			
96	F	H	M			
97	F	H	M			
98	F	H	M			
99	F	H	M			
100	F	H	M			

Women's Indian Association

President: Mrs. Annie Besant
 General Secretary: Mrs. Dorothy Jinarajadasa
 Joint Secretary: Mrs. M. Cousins, B. Mus.
 Treasurer: Mrs. Mahadeva Shastri

Official Organ
 Sri Dharma
 Per Annum: Members, Rs. 2. - Non-members, Rs. 4.
 Headquarters
 Adyar, Madras



M. Ramaswami Iyer, C.I.E.,
 Law Member,
 Madras Government.

Inwarded to the
 Law Secretary
 B/o Clerk 24/10/24

RECEIVED NO. 6043
 LAW DEPT. C

Dear Sir,

I have the honour to bring before you for your favourable consideration the following Memorandum from the Women's Indian Association, one of whose objects is the definite service of others, under which object our members are particularly desirous of securing the welfare of children through health, legal and social agencies.

We request you to issue your orders for the establishment of a Children's Court which will then make the Madras Children's Act a practical working protection for the children of Madras.

On behalf of the members of the Association in Madras,

I remain

Yours sincerely,

Annie Besant, D.L.
 President of the W.I.A.

Margaret E. Cousins
 Hon. Sec.

Note on this
 ✓ 24/10

Women's Indian Association

President: Mrs. Annie Besant

General Secretary: Mrs. Dorothy Jinarajadasa

Joint Secretary: Mrs. M. Cousins, B. Mus.

Treasurer: Mrs. Mahadeva Shastri

Official Organ

Stri Dharma

Per Annum: Members, Rs. 2. Non-members, Rs. 4.

Headquarters

Adyar, Madras.

MEMORANDUM on THE ESTABLISHMENT OF A JUVENILE COURT for The City of Madras

From
The Women's Indian Association

To
The Hon. Mr. C. P. Ramaswami Aiyar, C.I.E.

The Women's Indian Association requests the Government of Madras to make provisions for the establishment of a Children's Court in the City of Madras for the following reasons:

- (1) The Madras Children's Act No. IV of 1920 contains provisions for the establishment of Juvenile Courts, but the Act remains almost a dead letter for want of such children's Courts.
- (2) The public conscience has awakened up to the value of child life, and to its responsibility for looking after children whose circumstances force them to become beggars or vagrants or delinquents. It is urgent that these children be removed from the streets for moral, health and humanitarian reasons.
- (3) Institutions are available in Madras to which such children can be sent, such as the Dr. Varadappa Naidu's Home, the Ashram (for prostitute girls), certified industrial Homes, etc.
- (4) A Juvenile Court has been working in Calcutta City for some time, and provisions for one have been made in the Bombay Children's Act.
- (5) a) The present seems an opportune time for starting this Court in Madras as interest in Child Welfare is ripe for welcoming the new step. (b) Also the presence in Madras of Mrs. Hume Stanford, a lady who worked in Juvenile Courts in South Africa, enables us to have trained and expert help in this movement. She is a member of our organisation and is prepared to give her services on its behalf in connection with Juvenile Court work. (c) The appointment of women honorary magistrates recently in the Presidency can call for assistance of women with legal powers to the helping of Juvenile Courts and we press for the appointment of more women magistrates in Madras in this connection.
- (6) We request that rooms in the Law Courts or other convenient room entirely apart from Police Courts and police associations be set apart to be used as a Children's Court; that a Magistrate (one woman and man magistrate together) shall be appointed to preside over this Court assisted by a Lady Probationer officer, special plain clothes constables, and such other officers as may be necessary; that orders be given that cases connected with children and young persons shall be remitted from the ordinary Courts to this Juvenile Court; and that the Court be established as soon as possible.
- (7) The Women's Indian Association, The Madras Child Life Protection Society, The Child Welfare Associations, The Society for the Protection of Cruelty to Children will all welcome the establishment of such a Court.

35
26
Women's Indian Association

President: Mrs. Annie Besant

General Secretary: Mrs. Dorothy Jinarajadasa

Joint Secretary: Mrs. M. Cousins, B. Mus.

Treasurer: Mrs. Mahadeva Shastri

Official Organ

Stri Dharma

Per Annum: Members, Rs. 2. Non-members, Rs. 4.

Headquarters

Adyar, Madras.

2.

—ment of Juvenile Courts and will co-operate we believe in making them effective for the rescue and protection of the child life of the City.

We therefore, appeal to you as the Member for Law, to provide for the immediate establishment of the first Juvenile Court in Madras as provided for in the Madras Act IV 1920, Part VI, Section 36.

Annie Besant, D.L.
President of the W.I.A.

Margaret E. Cousins
Hon. Secretary W.I.A.

Page 1 ante

p 14 of Act put up

Sub-Section (2) of section 36

Page 18 of P. 1406 17.11.22 (L)

Rule 51 on

p 8 of G.O. 801 &c

(F) 9.6.23

The Women's Indian Association requests that a separate juvenile court may be established for Madras City. Section 36 of the Madras Children Act provides for the establishment of such courts. The establishment of ~~the court~~ ^{the court} is not obligatory and the section provides that where no separate juvenile court is established, the court before which a child or young person is brought shall, whenever practicable, sit either in a different building or room from that in which the ordinary sittings of the court are held or on different days or at different times from those at which the ordinary sittings are held.

2. In 1920, the D.P.I. was asked to submit proposals for the constitution of juvenile courts. He forwarded a letter from the Chief Presidency Magistrate on this subject. The proposals of the Chief Presidency Magistrate were as follows:-

(1) Until the establishment of a separate juvenile court, the trial of juveniles might be held in the Magistrate's chambers in the Egmore and George Town courts.

(2) That a juvenile court be held at 8 or 9 A.M. in the morning on all days on which there are juveniles ^(for trial)

(3) That two spare rooms attached to the Egmore Court house might be used for the detention of juveniles under trial.

As the rules under the Children Act provide that "cases under the Act might be heard in camera" no specific orders were passed on the suggestions of the Chief Presidency Magistrate.

3. The Women's Indian Association states that a

37 ⁴
juvenile court has been working in Calcutta for some time. The provisions in the Bengal Children Act regarding juvenile courts are practically the same as those in Madras. No details are, however, available as to the constitution of the court in Calcutta.

4. The Madras Children Act is at present in force in the Madras City, in the municipalities of Trichinopoly, Salem, Coimbatore, Vellore, Cuddalore and Madura, and in places within the jurisdiction of the Railway Police. In all these places it applies only to boys and not to girls. Orders have just been issued applying sections 25 and 26 of the Act to children of both sexes throughout the Presidency. The number of cases till now dealt with under the Act is small. From January 1923 to the 30th September 1924 only 35 boys have been sent to the Junior Certified School, Banipet. There is no information as to how many boys were sent to the Senior Certified School during this period.

5. It is for consideration whether the D.P.I. may be asked to report in consultation with the Chief Presidency Magistrate whether there is immediate need for the establishment of a separate juvenile court. In connection with the question of applying sections 25 & 26 of the Act to all parts of the Presidency it was recently decided that Section 36 relating to juvenile courts need not be introduced. In view of the limited number of cases coming up for disposal it may suffice if the rule that cases might be heard in camera is enforced for the present. For orders. *Proposed*

C.P.A. may be called for from the D.P.I.
S.A.
11.11.24

p 2 c.f.
Sec 37 of the Bengal Act.
(~~not in~~)

Pr. 1406 (L)
17.11.22

Pr. 946 (2)
5.7.23

Pr. 1059 (B)
1.8.23

G.O. No. 1610 (P)
18.10.24

p 3 of notes to G.O.
(P)

[An extract from Halsbury's Law of England under the head juvenile courts is at Slip (V).]
n

4-5. A draft endt. to the D.P.I. is submitted.

Submitted

C.P.A.

12.11.24

S.A.

13.11.24

18/11

Ask Bengal for a note about the Court there

V.T.K.
18.11
A draft letter to the Govt of Bengal is submitted below.

C.P.A.

18.11.24

S.A.

18.11.24

[Endt No 3013 B-1 8 3. 12. 24]

[Letter No 3013 B-2 8 3. 12. 24]

I hope the file regarding Children's courts will be got ready without delay. I want about January 5th to confer with the Chief Presidency Magistrate and others about some definite step in that direction.

A.K. 22-12-24

The D.P.I. has not yet offered his remarks on the proposal to constitute a juvenile court in the City nor has the Bengal Government yet furnished particulars about the juvenile courts in Calcutta. Both of them may be reminded. A draft telegram to the Govt. of Bengal and a draft d.o. to the D.P.I. are submitted below.

S.A.
22.12.24

18/11
V.T.K.
22/12

Telegram sent to Govt. of Bengal
C.P.B.
22/12

The representation by the Women's Indian Association ~~is also~~ relates more especially to juvenile courts for girls.

2) Information about children's courts is found on pages 196 et seq of the report of the Indian Jails Committee.

(Volume put up)

3) I have asked the Chief Pres^y Mag^{te} to collect figures showing the number etc of juveniles ~~be~~ charged with offences under the I.P.C in each of the last three years. I understand 15 to 20 ^{such} ^{come up} cases ~~occur~~ in a year.

4) Most of the cases in which juveniles ~~etc~~ are concerned are minor cases - ~~that~~ not under the I.P.C. In such cases, the practice

is to warn ~~the~~ or fine the parent. It should be a rule to ^{the attendance of children in such cases.} ~~conspire~~ with

5) The question as regards offence under the I.P.C may be discussed with the Chief Pres^y Mag^{te}. The following are

my suggestions:-

Custody:-

a) Remand:- Remand ~~s~~ There should be very few cases in which the offenders should be remanded to custody before trial. Ordinarily offenders should be released on bail. In cases in which remand is absolutely necessary, the children should be detained in the Home maintained by the society for the protection of children. The Society's Inspectors will produce them before the court.

b) Trial:- The Chief Pres^y Mag^{te} (with a Bench of experienced

Hon^y presidency magistrates) may hear these cases. This Bench should be a permanent one & its personnel should not be changed.

The hearing should be on a particular day of the week, specially set apart for the purpose & outside the ordinary hours. A separate room should be set apart for such trials.

6. More or less the same procedure may be adopted in regard to girl offenders as soon as arrangements for a Home for them are made.

7. On the Calcutta Court please see paragraph 372 (page 197) of the Report of the Jails Committee.

V.TK

27.12

The decision arrived at yesterday morning when the Commissioner of Police, the Chief Presidency Magistrate, the Secretary and Mrs. Stanford were present was that as regards the actual holding of a Children's Court nothing more is wanted than is described in the Secretary's note above. It appears from our conversations that what Mrs. Stanford and her association have in mind is not so much the actual holding of a Children's Court but the creation of an executive machinery which would either act under the orders of or at least be in touch with the court and would not only be able to place it in possession of information about children offenders charged before

it ~~the~~ and assist in the disposal of them but would also be able in many cases to obviate the necessity for bringing the case into court at all.

I think it would be as well in view of the public notice which this matter has attracted to issue a G.O. or communiqué giving a correct description of what happened at our Conference. Perhaps Secretary would kindly draft this.

What we want is a definite declaration that Govt. instead of setting up a separate Executive department of its own would much prefer to see the actual welfare work done under the auspices of ~~an~~ a non-official Society which Govt. would be prepared to recognise and assist. Such a

Society already exists in the S.P.C.C. but a much larger organization than that Society is able

to maintain will be needed if the problem is to be systematically and thoroughly tackled.

The above is only a slight indication of the lines on which our communiqué should proceed and I hope (Secretary will not in any way consider himself to be bound to my language ~~and~~ restricted to this mere indication.

With reference to the statistics with which the Secretary supplied me and which are in the file it would I think be useful to elaborate them by getting a list of all the cases mentioned in those tables and entering against each the offence and the disposal. We shall then be able to see exactly what treatment was accorded to ~~the~~ children, the charges against whom indicated that they might be prospective criminals e.g. children accused of theft, house-breaking etc.

10.1.25

Please typewrite these
Lewin

Draft submitted
for approval.

V.TK
27.1.

C1

M
26.1

Issue.

V.TK
27.1.

Since
I attach to the file a report rec^d
from ^{the} D.P.I. on the subject of
Children's Courts.

2) His first idea about a bench for
of magistrates for trial of juvenile offences
does not appear to me to need any
action at present. I believe most
such Courts (in England etc) are
presided over by stipendiary
magistrates.

3) His other proposals proceed on the
assumption that a Govt. agency
of probation officers is to be
provided. On this, H.M. has
already laid down the policy

4) No action need be
taken on the D.P.I.'s letter
& the order already approved
by H.M. may issue

C1

V.TK
27.1.

x Issued as G.O. No. 169
S-2-25

I agree that no definite action
is needed at present on the D.P.I.'s letter.
The draft G.O. as amended by me may issue.

I have had an interview with
Mrs. Cousins and Mrs. Stanford and have explained
to them the position which I take up which is this.
We have already in existence a Society for the
Protection of Children which has been recognised
and subsidised by Government for a good many
years past. That Society when it was started
proposed to work in a comparatively large sphere.
Its earlier reports for example show that it
dealt not only with cases where the children
were not at fault -- that is practically with
cases of cruelty to and ill-treatment of
children but also with cases where the children
themselves were at fault. The classified
statement contained in the earlier reports
contains two separate heads dealing with
these two categories. In the later reports
this classification has been curtailed and the
duty of the Society to deal with cases where
the children themselves are at fault is not now
apparently so distinctly recognised. Indeed
I suspect that the activities of the Society
have been gradually concentrating
round the Children's Home so that they have
become rather the Managing Committee of a Home
and Orphanage than an organization which tackles
the larger problem of rescuing and reforming the
incipient criminal.



NOTES.

Page 64

I feel ~~however~~ that as long as this Society is in existence we are bound before we try to set up any new organization to give it an opportunity of reverting to its original position and ~~enlarging~~ itself so that it may be able to fill the place which has now to be filled, namely a powerful non-official Society which will act as an Agent and representative of the Government in handling generally ~~with~~ the problems connected with the rescue and reformation of children in Madras City who are either convicted of crime or need to be taken out of surroundings and occupations which threaten to undermine and ~~pervert~~ ~~make~~ their moral character and to make them easy victims to the temptations to commit crime.

The details of the reorganization and expansion which would be necessary to enable the Society for the Protection of Children to tackle what will now become a heavy and very important task can only be settled by later negotiation in which will be ~~involved~~ ~~involved~~ the question of the extent to which Govt. can assist in their efforts financially and otherwise. But a preliminary enquiry should at once be addressed to them setting out the position and asking whether the Society is inclined to take up the ~~function~~ ^{functions} which I have indicated.

It might be suggested that as the matter is of considerable urgency it would be convenient if the President could see his way to call a special meeting of the Society and let us have an answer at the earliest possible date.

The management of the Home and Orphanage would of course continue in the hands of the Society for the protection of children but would be their individual effort connected with but separated from the general administrative and executive functions which the Society would perform for the whole of Madras. ~~In connection with this latter function~~ It is expected that other Societies and Associations may come forward to start Orphanages and Homes including Remand Homes or Houses of refuge and these like the Society's own Children's Home would work under the auspices of the large Society and would be constituent parts of the general machinery. It is contemplated that the staff of agents and probation officers would be appointed by the Society though they might still be allocated for purposes of work to special duty in connection with each individual Home. It is proposed when such Agents are appointed to give them powers under the Children Act. Under this organization the Women's Indian Association would be prepared to manage a Remand Home somewhere in the neighbourhood of the Presidency Magistrate's Court provided that Government would contribute the whole or part of their expenses. I have asked Mrs. Cousins to send us an official proposal on this matter.



in No 3013 B/24-5
5.2.25

Letter sent to
C.I.B. in
5/2

1-2-25

A draft letter to the Hon. Secy, Madras Society for the Protection of children, is submitted for approval.
1-2-25.

46

Page 29 of cf.

Page 30 of cf.

From the Women's Indian Association, dated the 10th February 1925.

From the Honorary Secretary, Madras Society for the Protection of Children, dated 26-2-25.

Page 29 of cf.

Page 30 of cf.

yes
V.T.F.

Mrs. Cousins has sent an estimate of cost for the establishment of a "Place of Safety" in connection with the administration of the Madras Children Act. The Madras Society for the Protection of Children is also prepared to extend its activities if the Government would provide the necessary funds for the purpose. The Honorary Secretary to the Society has not furnished any estimate of cost of his proposal. It is for orders whether he may be requested to send up definite proposals with an estimate of cost. The question of making provision in the next year's budget for remand home in Madras city ~~the next year~~ is separately under consideration.

8/4
3.3.25.

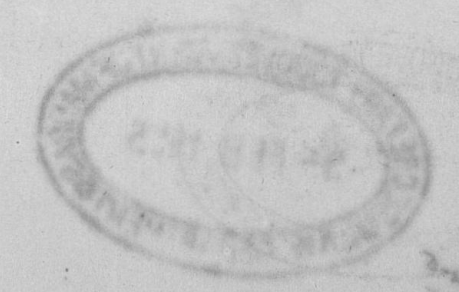
Heu S
3/3.

V.T.F.
4.3

C1

There is no use in asking the Hon:Secretary of the Society to send up proposals. The proposals will have to be made for him and I am afraid I must ask the Secretary if he ~~would~~ ^{will} kindly take the matter up himself. Much as I should have liked to do so I have not now time to take it myself though I am in hopes that before I leave it may be possible to say that we have a definite organization either actually established or in preparation.

Some of the things that we want are First the creation of an experienced and energetic sub committee of the Society for



A draft of the Bill for the protection of children is being prepared by the Hon. Secretary of the Society for the Protection of Children.

47
the Protection of Children to deal with
the Children Act. Who should be on this
I cannot quite say. Mrs. Cousins has
I think ideas on the subject and there
would be no harm in consulting her.
We should then have to suggest to the
Society for the Protection of Children
that they ought to add these members to
their list.

The Society or the Children Act Sub
Committee will need an executive officer
as a sort of organising Secretary and this
post I think ought to be held by Mrs.
Stanford. It might be ascertained what
kind remuneration or allowances she would
need and also whether the Society would
be willing to put her into this position.
Govt. would have to re-imburse her cost
to the Society.

We next want to know how many probation
officers are needed and we want to settle
their jurisdictions.

The easiest way of tackling this
matter would of course be to get the Society
for the Protection of Children to appoint
Mrs. Stanford, honorarily perhaps in the
first instance, as their official and let
her work out the details. What might be
made clear is that Mrs. Stanford's appoint-
ment should be such as not to give her any
right to supersede the officers and
members of the Society who at present look
after the Homes at Washermanpet.

Once we have got an executive officer
and probation officers working under the
S.P.C. the time will have come for the
establishment of the place of safety.

48
36

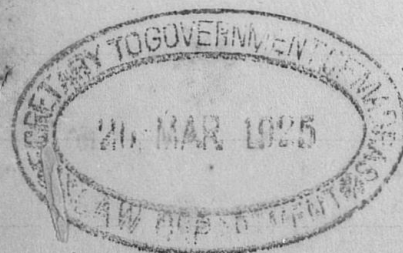
$$\frac{\sqrt{h}}{b^3}$$

V. TK
17.3

84
21.225

V.TK
23.3

2/3 C



ASK the members
if they
shop
agree to serve
V-TE
24/3

49

A draft of is submitted for approval.

84
26.3.25

Plan 5
20/3 17/3 6/3

Received in Fair-copying Section.

	Initials.	Date.
Received in Fair-copying Section.	Typed by SB	
Copied ..		
Examined ..	AD	27/3
Signed ..		
Despatched ..		

50

Law (Education) Department.

D.O. No 3013 B-7 of 26-3-25

Dear Sir,
Madam

The Government ^{propose} consider that

for the ~~proper~~ administration of the Madras Children Act in Madras City

to create an executive machinery ~~should be created~~ which would (i) arrange for the custody of children while under trial, ⁽ⁱⁱ⁾ assist the courts in collecting information about the antecedents etc., of children brought before them and (iii) assist in finding suitable institutions or homes in which they can be placed and in supervising children released on probation. The Government are of opinion that welfare work of this kind is best undertaken under the auspices of non-official societies. Accordingly the Madras Society for the Protection of Children was consulted as to whether it would act as the ~~agent~~ and representative of the Government in handling generally the problems connected with the rescue and reformation of children in Madras City who were either convicted of crime or had to be taken out of surroundings and occupations which threaten ~~the~~ to undermine and pervert their moral character and to make them easy victims to the temptation to commit crime. The Society is now considering the question.

2. The Government are anxious that the preliminary arrangements for bringing the executive machinery into operation should be taken up immediately. They ^{consider} are of opinion that progress in this direction can best be made by forming at once a provisional committee of persons acquainted with or interested in the subject and by entrusting to that committee the task of investigating in more detail than has yet been found possible the measures necessary for entering upon and coordinating the various activities arising out of the Children Act. It will be for the committee to continue on behalf of Government the negotiations with the Society for the Protection of Children which are already on foot and to consider what subsidiary arrangements are called for to deal with any part of the work which the Society for the Protection of Children may not find itself able to undertake.

3. I am to enquire whether you are willing to serve as a member of the Committee.

The following persons are also being invited to serve on the committee:-

1. M.R.Ry. Rao Bahadur V.T. Krishnama Achariyar Avl., Chairman
2. Arthur Davies Esq., Bar-at-law
3. M.R.Ry. Rao Bahadur K.S. Kodanda Ramanjulu Nayudu Garu.
4. " K. Govinda Achariyar
5. Mir Amiruddin Esq., Bar-at-law
6. Mrs. Vira Singh Chinnappa
7. Mrs. Hume Stanford, Secretary.

I am to request you to send a very early reply.

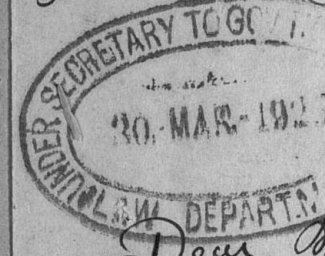
3-25

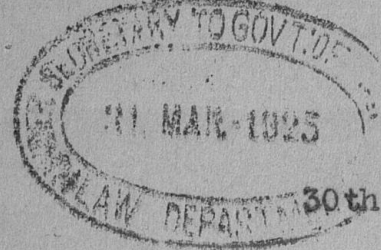
Yours sincerely
VTK
26/3

DESPATCHED to 6, 3, 4.
28 MAR 1925

In the fair copy the name of the person to whom this is despatched should be omitted from this list.
Law College
25, Hume Road, Hume Road
Post Office
High Court
24, Police Lines
Road, Egmore
To all except nos 6, 3, 4.
The Members of the Committee
(except the Secretary)

D.O. No 2013 B.T.
52 26
28 Leachletter Chambers
28. 3. 25.
28. 3. 25.
28. 3. 25.
Dear Mr. Krishnamachari.
Your letter of 26th inst. just to hand today 10 am.
I shall have much pleasure in serving on the Provisional Committee
With kind regards
Sincerely yours
Maud Hume Stanford





Post Box N° 63,

MADRAS.

30th March 1925.

The Secretary,
LAW DEPARTMENT,
Madras.

L. & 903 B
31/3/25

Dear Sir,

I am in receipt of your d/o dated
26th instant.

I shall be very pleased to serve on
the committee to be formed in connection with
the administration of Madras Children Act and
thank you for the opportunity you have been
good enough to afford me in this direction.

Yours sincerely,

K. G. Gopinathan

54

L. Cu 907 B W
31/3/25



Dear Sir,

In reply to your D.O. No. 3013 B-7 dated 26-3-25, I have to say that, as I have already informally informed Sir Arthur Knapp, I would be willing to serve as a member of the Committee in connection with the Madras Children Act.

Yours sincerely,

Arthur Knapp

To V.T. Krishnamoorthy Achariyar
Law Department
7th. 87 George



55 *L. Ed. 908 B*
25, Harris Road *24/3/25*
Mount Road,



Dear Sir,

With reference to your D.O.
No. 3013.B-7, dated the 26-3-1925, I --
am to inform you that I am quite ---
willing to serve on the Executive Com-
mittee to be formed in connection with
the Child Welfare Work.

I thank the Government for --
having thought of me in connection --
with this work.

My initials are 'G' and not
'K.S.' as noted in the above D.O.

Yours sincerely,

Sho. M. A. Ramani

P.T.C

M.R.Ry.

Deo Bahadur

V.T.Krishnam Achariar Avl.,

Secretary,

(Law Department)

Port St. George.



57
Kenstall
College Road
Nungambakam
31st March 1925

L. 601 910B
31/3/25

Dear Mr. Krishnama Achariyar,

With reference to
your D.O. No 3013 B-7 dated the 26th
March 1925, I shall be very pleased
to serve as a member of the Committee
proposed in connection with the
administration of the Madras Children
Act in Madras City.

Yours sincerely,

Ar. Chinnappa

When despatched

Government also stated its opinion that

59
welfare work of this kind was best undertaken under the auspices of non-official societies. Accordingly the Madras Society for the Protection of Children was consulted as to whether it would act as the agent and representative of the Government in handling generally the problems connected with the rescue and reformation of children in Madras city who were either convicted of crime or had to be taken out of surroundings and occupations which threaten to undermine and pervert their moral character and to make them easy victims to the temptation to commit crime. The Society is now considering the question.

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60
Children Act. It will be for this committee to continue on behalf of Government the negotiations with the Society for the Protection of Children which are already on foot and to consider what subsidiary arrangements are called for to deal with any part of the work which the Society for the Protection of Children may not find itself able to undertake. The Committee will consist of:-

1. M.R.Ry. Rao Bahadur V.T. Krishnama Achariyar Avl., Chairman
2. Arthur Davies Esq., Bar-at-law
3. M.R.Ry. Rao Bahadur K. S. Kodanda Ramanjulu Nayudu Garu.
4. " K. Govinda Achariya
5. Mir Amiruddin Esq., Bar-at-law
6. Mrs. Vira Singh Chinnappa
7. Mrs. Hume Stanford, Secretary.

The Committee will meet as early as possible and submit detailed proposals to Government.

To

Shd 14/50/3.
The Members of the Committee

" Hon. Secretary, Madras Society for the Protection of Children, 305 Tiruvottiyur High Road, Madras.

M.R.Ry Rao Bahadur V.T. Krishnama
Achariyar Avl. (Copy need not)
Arthur Davies Esq Bar-at-law (20)
Principal, Law College, Y. N. C. A.
Bahadur K. S. Kodanda Vepery.
In Nayudu farm, 25, Harris Road
Govinda Acharya Mt. Road.
Sangapuri Street, Mount Road.
Mir Amir Esq Bar-at-law
Hos. Regs. Hill Cont.
M. R. Chinnappa 24, P. R. Road, S. S.

V.T. 61
(7) Mrs. Hume Stanford
Theosophical Society
Adyar.

When given for copying _____
When copied _____
When examined _____
When signed _____

192

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192

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