

2/10
Educational (1905) Department.

1
ORDINARY MS.

G.O., No. 493

DATED 17-7-05

RECEIVED.

Depd

[Despatch Abstract.]

Reformatory School, Chingleput.

Stating that the Govt see no sufficient
reason to ~~order~~ the discharge of
Mutyalu Venkatar from the —

BACK PAPERS.

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

FURTHER PAPERS.

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

Stock Form No. 135
3,700-17-6-05.

EDUCATIONAL DEPARTMENT.

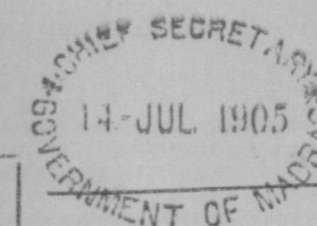
Received



190 , Registered 6-7-190 S.

Subject.

Requesting sanction of Government to the discharge of Mutyala Venkadu pupil No. 663 in the Reformatory School Chingleput.



ENCLOSURES.

No. 1

Spare copies

Ref on Cur No. 5020/05

Station Madras , Dated the 4th July 1905.

From (Name) The Hon'ble Mr. A.G. Bourne, D.Sc., F.R.S.,

(Designation) Director of Public Instruction,

To The Secretary to the Government of Madras,
Educational Department.

Sir,

I have the honour to request the orders of government on the following case:-

2. Mutyala Venkadu was admitted into the Reformatory School, Chingleput as pupil No. 663 on the 7th April last in accordance with the enclosed copy of the Proceedings of the District Magistrate of Godavari directing the detention of the boy in a Reformatory School for a term of five years. At the time of his admission into the Reformatory School the boy was found to be in a very poor state of health and the Superintendent reports that since then he has been in hospital under treatment for general debility with scrofulous ulceration of his pharynx and that he suffers from guinea worm also. In his capacity of District Medical and Sanitary Officer

the Superintendent examined the boy and thinks that there is very little hope of his improving in health for some considerable time to come and in these circumstances he recommends his immediate discharge from the Reformatory School. The boy has been sentenced to be detained in the school for five years and it appears to me that instead of discharging him finally he might be sent to a suitable prison hospital for treatment - preferably to the District Jail in Godavari- and that he might in case of recovery be sent back to the Reformatory school for detention for the remaining period of his sentence, if any, or until he attains the age of 18 years.

I have the honour to be,

Sir,

Your most obedient servant,

E. W. Middlehurst

For Director of Public Instruction,

Proceedings of the District Magistrate,
Godavari
Calendar Case No. 1/Mag. of 1905.

J.A. Cumming Esquire, I.C. S.,

Read:-

No. 116 of 05 dated 13th January 1905 from the Superintendent, Central Jail, Rajahmundry forwarding nominal roll of Juvenile Convict No. 548 Mutyala Venkadu together with copies of Judgments in C.C Nos. 989 to 992 of 04 on the file of the 2nd Class Magistrate Rajahmundry to pass ~~final~~ orders for his detention in the Reformatory School, Chingleput.

Order

Accused pleaded guilty in C.C Nos. 990, 991, and 992 of 04 on the file of the Sub Magistrate of Rajahmundry to three acts of house breaking in which he committed theft of metal cups. He also pleaded guilty in Calendar Case No. 989 of 04 on the same file to another act of the same nature. He was sentenced to 4 months' imprisonment.

2. He has been sent up by the Superintendent, Central Jail under section 10 Act VIII of 1897 and I consider he is a suitable subject to be sent to a Reformatory. I have enquired into his age and find him to be 13 years of age.

3. I direct that instead of undergoing the sentence of imprisonment he be sent to the Reformatory for 5 years.

Signed/ J. A. Cumming,

Dt. Magistrate.

/True Copy/

E. W. Middlehurst

For Director of Public Instruction.

C. No. 1246 From the D.P.I.

No. 5720, dated 4-7-1905.

SUBJECT. Discharge of a juvenile offender from the Reformatory School.

Quote the rule.

1 Can this be done?

H. D. J. 6-7-05

Under section 14 (1) of the Reformatory Schools Act, 1897, the local Govt. may at any time order any youthful offender to be discharged from a Reformatory School.

2. There is no rule under which the boy can be sent to a prison hospital as suggested by the D.P.I.

Sect

7/2
6-7-05 H. D. J. 6/7/05

The boy has only served three months out of the total period of 5 years detention ordered. He is only 13 years of age and has already been found guilty of four separate acts of house breaking and theft. ^{Detention in the} ~~Reformatory for 3 months cannot~~ ^{with improvement did not prove it any} way deterrent. He cannot be transferred to a jail or jail hospital, and it seems undesirable that he should be so soon let loose to prey upon the public.

Ed. L. 500 D 77/7/5-

lesh. 7-7
Inst. LOR. 372
7-7-05

Dist. u. of remarks

H. D. J.

7-7-05

Jull. dept.

For the A.S.

Submitted.

2. As stated in the ~~last~~ Edl. dept. note there is no provision for transferring a youthful offender from a Reformatory School to a jail.

Sub
8-7-05

8705

Edl. 40.

For over

for
The Hon. W. H. H. C. C.

8705

The boy requires to be cured in body. Cannot that be done as easily in Champaign as anywhere else? Why should he be moved from one prison hospital to another - perhaps that the Reformatory wants to be rid of him?

The S. of jails may offer his remarks.

h 11-705

I do not see why the boy should be discharged or removed from the Reformatory. I agree with the opinion to S. H. jail.



I am not sure we were right. Under the natural construction of Ref. Schools Sec. 14, you can't transfer to a prison, but what about the provisions of the Prisoners' Act ss 28, 29 (as recently amended)? Perhaps they are right. The view is that they are applicable only as far as consistent with the spirit of the Ref. S. Act. 3-8-5

96 SP9: letter will be referred to the Sg. Prison
for remarks

HOS
12.7.05

The S. G. of Prisons. U.S.

No. 4399
13.7.05

The transfer of the Jonthal offender to the Rajahmundry Jail hospital would violate the terms of Sec 16 of the Reformatory Schools Act No VIII of 1897. and it is not apparent what advantage would accrue from the transfer, since the Reformatory Med. Officer does not specifically recommend a 'change' & certainly the conveniences for medical treatment are not better in the Jail hospital Rajahmundry than at Chingaput. As far as I can see however, there appears to be no reason why this boy should not improve under suitable care and treatment at Chingaput. His release is plainly undesirable at present:- and in my opinion it only remains for the Medical Officer of the Reformatory to do all he can to speedily restore the boy to health.

13.7.05

Bohara

Please draft for approval

HOS
14.7.05

A draft is placed below for approval.

Secy

TH
15.7.05

15/4/05

HOS

15.7.05

1770-

Est. no. 507 D 8712715
12.7



READ ALSO :—

Quis

Leesh. 17-7

2. There is no provision of law under which his transfer to a jail hospital could be ordered. ~~nor are the Gov^t satisfied by~~

1514105

2. Prisoners Feb 2
5.29 14 3.65
no

To

The D.P.I.

Prison 4.8.5
3.8.5
No

45

700

5805

17/7/5

The Govt. See no ^{sufficient} reason for the
to order the ~~immediate discharge~~ of the boy's
~~discharge~~
from the Reformatory School [or
why he should not improve under
suitable treatment at Chingleput.
The Govt. should do all he can
to ~~speedily~~ restore the boy to
health.]

$$\frac{76}{15705}$$

17. 605

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

190

READ AGAIN G.O., No.
190

, DATED

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 UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

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