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MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 5824 Press

60-61

Dated 19—5— 1857

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 19th May 1857.

No. 60. Read the following letter from H. RICKETTS, Esq., Commissioner for the Revision of Civil Salaries and Establishments throughout India; to the Chief Secretary to the Government of Madras, dated 1st May 1857, No. 977.

SIR,

I have the honor to forward for the consideration of the Right Honorable the Governor in Council, copy of my purposed remarks on the Salaries of the "Inspectors General of Prisons."

(Signed) H. RICKETTS,

Commissioner for the Revision of Civil Salaries and Establishments throughout India.

INSPECTORS GENERAL OF PRISONS.

These offices date from 1845, when the first Inspector of Jails was appointed in the North West Provinces. The objects in view were both political and financial—the introduction of a stricter system of classification, management, and discipline—the prevention of all unnecessary expense for establishments, food, &c.—the profitable employment of the convicts—and the employment, to the best purpose of whatever sums might be expended in the construction of new prisons, or the alteration of old ones. The immediate supervision of the jails was to remain with the Sessions Judges, but they were to correspond with the Government through the Inspector, in order that he might have the opportunity of expressing his opinion on any proposals that a Sessions Judge might desire to submit.

	Per annum. Rs.
Bengal	Salary 30,000
Travelling allowance 10 Rs. per day.	
N. W. Provinces	Salary 30,000
Travelling allowance Rupees 3,000 in the year.	
Punjab	Salary 12,000
Travelling allowance 1 Rupee per mile travelled.	
Madras	Salary 30,000
Travelling allowance Rupees 250 per mensem.	
Bombay	Salary 30,000
Travelling allowance permanent at 10 Rs. per day, and tentage at Rs. 55-8-11 per mensem.	

The salary of the Inspector of Jails in the North West Provinces was fixed at Rs. 30,000 per annum. It was considered desirable to secure the services of Mr. E. Woodcock as the first Inspector, and the salary appears to have been fixed, more with reference to his position in the service, than to considerations connected with the responsibilities of the office, though they are not inconsiderable.

The Inspector sanctions all disbursements not exceeding Rs. 500, and rewards not exceeding Rs. 100; audits all contingent bills, and countersigns all indents for accoutrements, arms, and ammunition; has authority to release prisoners, under sentence not exceeding three years, whose bodily infirmity has been certified by the Civil Surgeon; and hears appeals from officers of the jails punished by the authorities in immediate charge of the prisons; and has general charge of all matters connected with Lunatic Asylums.

The Inspector General in the Western Provinces has under his charge 45 jails. He is expected, if possible, to visit each jail twice a year, to accomplish which he must travel 7,000 miles.

Many of the objects aimed at in the appointment of an Inspector General, among them the concentration of all long term convicts in central prisons, and the employment of all prisoners in productive labor within the walls of the jails, remain to be accomplished. When these reforms shall have been fully carried out, the present officiating Inspector thinks the office might be dispensed with. The Lieutenant Governor also is of opinion that when central prisons shall have been built in the different sections of the Provinces, and the system of their management has been matured and established, it may be possible to abolish the office of Inspector General, and to transfer the duties to the several Commissioners.

The Inspector of Jails in Bengal has under his charge 55 Zillah Jails, and 39 out-station Lock-ups. The extreme range of his jurisdiction extends from Debroogurh, in Upper Assam, to Sandoway, in Arracan, and from Mootiharree in Behar, to Pooree in Orissa. The jails in the South Western Frontier are also under his charge. In order to visit each of these jails once a year, the Inspector must travel 7,000 miles.

In addition to the superintendence of the jails, the Inspector is charged with the duty of inspecting the dispensaries.

In Bengal, the power of the Sessions Judge, in regard to jails, is confined to a monthly visit, and a Minute in the Jail visiting book. The Judge possesses no executive control over the Magistrate, or the jail; if he perceives any circumstances requiring notice, he sends copy of the Minute to the Inspector of Jails for disposal. The Inspector's reports on Jails are sent to the Judge for persual, and transmission to the Magistrate without remark. The appointment and removal of jail officers are vested in the Magistrate. If the Inspector finds cause for blame, he reports to the Government. It is expected that the powers of the Inspector in Bengal will be considerably enlarged.

In the Punjab, the Inspector has the superintendence of 29 jails, among which is the Lahore Central Prison, containing nearly 2,000 prisoners of the worst possible description. He has also to inspect 25 dispensaries, and is Superintendent of Vaccine. In order to visit the establishments once in the year, he has to travel about 3,000 miles.

The Superintendent represents that—"it was fully understood the salary of the appointment would be made equal to that of the Inspector of Prisons in the North West Provinces or Bengal, the latter appointment being held by a medical officer; that the work, both mental and physical, has increased nearly threefold since the commencement of his duties; and that the annual report called for by Government requires fully six months of close labor in its preparation." There appears to be exaggeration in these representations. When the office of Inspector of Prisons in the Punjab was created, the office in Bengal was not held by a medical officer. It seems quite impossible that with any diligence, the preparation of a report on 29 jails should occupy six months.

The Inspector at Madras represents that he is the adviser of Government in all matters connected with the enforcing of Judicial sentences; that he has to check Officers in charge of jails, many of whom are Sessions Judges, in matters connected with the jails; and that he is the referee in all questions that may arise between Officers in charge, Medical Officers, Magistrates, Executive Officers, and others, and is the immediate channel of communication in all such matters with the Government; that he has the whole control and superintendence of all prisons, the buildings, accounts, &c.; that it devolves on him to suggest all improvements and alterations in the system of prison discipline; and that he has to visit every jail in the country, which in area is double the North West Provinces. *

The office of Inspector of Prisons at Bombay was created on the 26th June 1856. It is united to the Office of Commissioner of Police, a new office also lately established. The office of Inspector of Prisons has been sanctioned by the Court of Directors on the same salary as is allowed to the Inspectors in Bengal, and the North West Provinces. The junction of this office with that of Inspector of Prisons, with reference to the extent of the Bombay Presidency, appears a very judicious arrangement. The Superintendent represents that he must be continually travelling in order to superintend the important reforms which are in progress with a view to the introduction of the silent and separate system which has been sanctioned by the Government.

From the accounts which the several Officers give of their respective duties, it appears that their authority has not been adjusted on any uniform system. At present the Inspector in the North West Provinces has more authority than the Inspector in Bengal, and apparently the Inspector at Madras has more authority than either, but the expressions used by the Inspector at Madras are so indefinite, it is not to be gathered from them what extent of authority is vested in him. It has been ruled that under Act 18 of 1844, Sessions Judges still have control over

* This is a mistake, Madras is larger by one-ninth only:—

	Sq. miles
N. W. Provinces	1,17,601
Madras	1,32,090

the management of jails, and can issue orders direct to the Magistrate respecting their management. The Magistrates have the nomination to all superior appointments in the jails; the confirmation of such nominations is with the Inspector. The jail guards are entirely subordinate to the Inspector in every respect. The Inspector can dismiss any jail servant on the representation of the Magistrate. The Inspector of the North West Provinces says—"according to law some supervision of jails is still vested in the Sessions Judge, but in practice it has entirely passed to the Inspectors."

The Inspector of Bombay says—"the jail establishments in this Presidency have not yet been revised, or settled on any uniform plan. I reported the fact to Government, and have obtained sanction for a revision. The views however of the Sessions Judges, under whom, (as you are aware) rests the immediate charge of the prisons in this Presidency, differ considerably both as regards the requirements of the prisons, and the number of peons who can be parmanently transferred from the Adalut establishments, and, some further information is requisite."

It appears very desirable that some general rules for the management of jails, laying down the extent of authority to be exercised by the Inspector General, the Magistrate and the Judge, respectively, should be framed without delay. There evidently is a good deal of uncertainty, and inconsistency, in the existing economy and superintendency of jails.

As before mentioned, when the 1st Inspector of Prisons was appointed in 1845, it was thought necessary to secure the services of Mr. E. Woodcock, who was considered peculiarly qualified for the duty, and the salary was consequently fixed with reference to his position in the service, and prospects in other departments. When an Inspector was appointed in Bengal, the precedent was followed, without reference being had to the peculiar circumstances under which the salary of the Inspector of the North West Provinces had been adjusted.

Though the duties are onerous, and require much energy and activity, and much general information, besides acquaintance with jail economy, I do not think the office can be considered as of equal importance with that of a Civil and Sessions Judge.

The underwritten statement shows, as far as can be shown with figures, the relative responsibilities and labors of the several offices:—

No. of Prisons.	No. of Prisoners.	Actual cost of Jail Establishment per annum.	Distance to be travelled in order to visit all the jails.
Bengal 55 and 39 out-post lock-ups.	18,807	2,52,981 0 0	7,000
N. W. Provinces.....45	25,591	2,62,992 0 0	3,500
Punjab.....29	12,785	2,43,004 8 0	2,845
Madras.....39	5,918	61,157 15 0	5,000
Bombay.....16	3,874	59,808 10 0	2,375

There are several curious results observable in this statement. The establishment for 12,785 prisoners in the Punjab, costs very near as much as the establishments for 18,807 prisoners in Bengal, and for 25,591 in the North West Provinces. The prisoners in the whole of the Madras territory are little more than one-fifth of the prisoners in the North West Provinces, though the population is less by one-third only, and supposed to be much poorer.

The position of the Inspectors of Prisons appears to be inferior to that of Judge, and in some respects superior to that of a Magistrate and Collector. I would allot a salary of Rs. 25,000 per annum to the Inspectors of Bengal and the North West Provinces, Rupees 22,000 to the Inspector at Madras, Rs. 28,000 to the Inspector at Bombay who is also Commissioner of Police, Rupees 18,000 to the Inspector in the Punjab, with a travelling allowance of 10 Rupees per day for each when actually travelling, and 5 Rupees per day when, though not actually travelling, absent from Head-Quarters, wherever established.

The saving will be Rs. 14,000 per annum, as shown in the underwritten statement :—

	Present scale.			Proposed scale.		
Bengal	30,000	0	0	25,000	0	0
N. W. Provinces	30,000	0	0	25,000	0	0
Punjab	12,000	0	0	18,000	0	0
Madras	30,000	0	0	22,000	0	0
* Bombay	30,000	0	0	28,000	0	0
Total per annum Rupees	1,32,000	0	0	1,18,000	0	0
Deduct.						
Proposed Scale	1,18,000	0	0			
Saving per annum Rupees	14,000	0	0			

* Is also Commissioner of Police.

No. 61. ORDER THEREON, No. 584; dated 19th May 1857.

To be recorded.

(Signed) E. MALTBY.

Acting Chief Secretary.

(3)

The figures in the statement of the Commissr. have evidently shown that whilst the distance which the Inspector of Prisons has found results that of the other Presidencies of India. Bengal excepted is yet that the number of prisoners & the expenditure for Bombay are much smaller.

It is therefore proposed that his Salary shall be proportionally lessened.

I shall not now offer any opinion as to the expediency or not of the Retrenchment mentioned - but I will take the opportunity to point out - that the figures here given will I think be found to mislead considerably - so far as this Presidency is concerned - which ~~those~~ has adopted

(4)

a very unlike the pitch discipline prepared -

The establishments of the forces are now inadequate - insufficient & ill-paid - & ~~require~~ the whole system requires both changed -

Stanley.

Jersey 14/5/7 -

Sir — Dumr: 19 May

Judicial - 1857 - Separate

584

From the Commissioner for the revision of Civil Salaries.

No. 977.

Office
14th May 1857.

No. 732.
Encls.

The Fin. Secy.
Judl. 444
19 May 1857

Forwards a copy of his purport remarks on the salaries of the "Inspector General of Prisons" for the consideration of Govt.

No. 584
To be Recorded
19 May 57

59-60.

C.J. 3 June
R.B.