M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No.	1448	Press / ~~Mis.~~
15-16. Dated	3 – 10 – ~~19~~ 1864	

516

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 3rd October 1864.

No. 15. Read the following Proceedings of Government in the Public Works Department, dated 26th September 1864, No. 2791.

Calling upon the Superintending Engineers, 1st and 7th Divisions, to know if larger sums than those allotted during the current year can be spent on the Central Jails at Coimbatore and Rajahmundry. } (Vide Proceedings, Public Works Dept., dated 26th Sept. 1864, Nos. 555 & 556.)

No. 16. ORDER THEREON, 3rd October 1864, No. 1448.

Communicated to the Inspector General of Jails.

(Signed) J. D. SIM,
Secretary to Government.

To the Inspector General of Jails.

Ind; T. Carlodge.

Proceedings of the Madras Government, Public Works Department, 26th September 1864.

No. 555. Read the following Proceedings of the Madras Government in the Judicial Department:—

Stating that, as it is important for the reasons given, that the building of the new Central Jails at Coimbatore and Rajahmundry should not be retarded, application will, when necessary, be made in the Public Works Department for a special grant for their prosecution, &c. } (Here enter 20th September 1864, No. 1,384.)

No. 556. ORDER THEREON, 26th September 1864, No. 2,791.

Communicated to the Superintending Engineers, 1st and 7th Divisions, with a request that they will report, without delay, whether it will be possible to expend larger sums than those allotted for the Jails at Rajahmundry* and Coimbatore during the current official year.

* See G. O. No 2,213, dated 3rd August 1864.

(True Extract.)

(Signed) J. H. M. SHAW STEWART, Major, R. E.,
Deputy Secretary to Government.

To the Superintending Engineer, 1st Division.
" Do. do. 7th do.
" Judicial Department.

Exd. T. O'Connor.

Proceedings of the Madras Government, Judicial Department,
20th September 1864.

No. 127. Read the following letter from E. C. BAYLEY, Esq., Secretary to the Government of India; to A. J. ARBUTHNOT, Esq., Chief Secretary to the Government of Fort Saint George, dated Simla, 23rd June 1864, No. 952.

Home Department.
Judicial.

I am directed to forward five copies of a Report received from the Committee which assembled in Calcutta under the Notification in this Department, dated 3rd March last, No. 1534, for the purpose of considering the subject of Jails and Jail Discipline in India.

2. The Report contains many suggestions of value, the adoption of which cannot fail to increase the efficiency of Jails as places of punishment, while they will improve the sanitary condition of the generality of those institutions.

3. I am, therefore, desired to request that His Excellency the Governor in Council will be good enough to take early action in regard to the measures recommended by the Committee as far as His Excellency in Council may consider it expedient to adopt them.

4. I am, however, to explain that, while coinciding with the Committee in opinion that no new Central Jails should be constructed for more than 1000 prisoners, the Governor General in Council does not desire to see the prisoners, in the Jails already existing, reduced below the number for which those buildings actually afford accommodation, according to the standard which the Committee recommend as the invariable minimum of accommodation to be provided for each individual prisoner confined.

5. It is feared that, in many parts of the country, the existing Jail accommodation is very much below the standard above referred to, and where this is the case, the Governor General in Council trusts that early measures will be taken for supplying the deficiency. Having regard to the serious and important considerations attaching to this point, I am to state that the Governor General in Council will be prepared to make the necessary provision of funds for giving early effect to any carefully matured proposals for increasing Jail accommodation wherever it is now manifestly insufficient. Where the deficiency is general in any Province, the proposals for remedying it should be brought forward according to the degree of their urgency.

6. With the recommendation of the Committee at page 29 of their Report, that Judicial sentences should remain inviolate, so far as it refers to a systematic remission or diminution of Judicial sentences, the Governor General in Council coincides. At the same time it is understood that the Committee did not intend to object to the occasional reduction, or the entire remission, of a sentence where a convict may establish a claim to consideration by very special and exemplary good conduct, or by rendering special service of a valuable and important nature. If the power of granting partial or entire remission in such cases is left with the officers in charge of prisons, its possible abuse may be effectually guarded against by making the consent of the Court, by which the prisoner was tried and sentenced, a condition of its exercise.

Proceedings of the Madras Government, Judicial Department,

20th September 1864.

7. It will, of course, still be open to the officer in charge of a prison to make an application to the Local Government, if the Court, to which reference may be made as above suggested, shall demur to the remission of sentence proposed; but in that case the whole of the correspondence which has passed should be submitted with the application to the Local Government.

8. A separate communication will be addressed to you hereafter, in respect to the recommendation of the Committee regarding Jail Statistics.

128. ORDER THEREON, 20th September 1864, No. 1384.

Communicated, with the Report of the Committee, to the Inspector General of Jails and to the Commissioner of Police.

2. The Inspector General is requested to report how far the several recommendations of the Committee on matters of Jail discipline, treatment of prisoners, &c., can be carried out in the Jails under his control, and what arrangements should be adopted for the purpose.

3. Referring to paragraph 5 of Mr. Bayley's letter, the Governor in Council observes that the want of sufficient Jail room in this Presidency has been a very serious evil, productive of much embarrassment to the Government. As a means of affording immediate relief to the crowded Jails, it has been resolved as a provisional measure to permit the employment of convicts on large public works, the gangs so employed being lodged in temporary structures provided on the sites of the works. The completion of the Central Jails now in course of construction at Coimbatore and Rajahmundry will, it is hoped, go far to afford accommodation for the excessive number of prisoners for whom at present there is no adequate provision in this respect. As it is important on other grounds, besides that of the want of Jail room, that the building of the new Central Jails should not be retarded, application will, when necessary, be made in the Public Works Department for a special grant for the prosecution of the works in question, or of any other Jails under construction with reference to the offer of funds made by the Government of India.

4. As regards paragraphs 6 and 7, it is observed that by Act XVIII of 1855 the Government is the sole authority with whose sanction remissions of sentences passed by the Criminal Courts are granted in this Presidency.

(True Extract.)

Secretary to Government.

To the Inspector General of Jails, } with Report.
" Commissioner of Police,
" Sanitary Commission.
" Public Works Department.

Exd. J. Tulloch.

Proceedings of the Madras Government, Public Works Department,
26th September 1864.

No. 555. Read the following Proceedings of the Madras Government in the Judicial Department:—

Stating that, as it is important for the reasons given, that the building of the new Central Jails at Coimbatore and Rajahmundry should not be retarded, application will, when necessary, be made in the Public Works Department for a special grant for their prosecution, &c. } (Here enter 20th September 1864, No. 1,384.)

No. 556. ORDER THEREON, 26th September 1864, No. 2,791.

Communicated to the Superintending Engineers, 1st and 7th Divisions, with a request that they will report, without delay, whether it will be possible to expend larger sums than those allotted for the Jails at Rajahmundry* and Coimbatore during the current official year.

* See G. O. No 2,213, dated 3rd August 1864.

(True Extract.)

J. Macdonald Stewart

Major, R. E.,
Deputy Secretary to Government.

To the Superintending Engineer, 1st Division.
" Do. do. 7th do.
" Judicial Department.

Exd. T. O'Connor,

Proc: 20th Sept Pub Cons. Nos 127–128.

List of Accepts

And Ld 1864 Dept

Proceedings of Govt in the P W Dept
No 2791

No. 1448 – 3d October 1864.

Communicated to the Inspector Genl. of Sails.

Cadet 26
Lieut 28 } Sept/64.

No. 2002

Calling upon the Superg Engr 1st & 2d Division to know if Cadets recently attached during the current year, can be stationed at the Central Jails at Coimbatore and Rajahmundry

15. 16.

With Order.

The Inspector Genl. of Sails. } dated 3/10