

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	<i>2004</i>	Press ~~Mis~~
Dated	<i>29-12-1986</i>	

190-1904

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,

29th December 1866.

No. 190. Read the following Proceedings of Government in the Public Works Department, dated 3rd December 1866, No. 3842.

Communicating to all Superintending Engineers the orders passed in this (Judicial) Department, regarding the necessity for providing sufficient and suitable Subsidiary Jail accommodation in this Presidency. (Vide Proceedings, Public Works Department, dated 3rd December 1866, Nos. 42 & 43.)

No. 190A. ORDER THEREON, 29th December 1866, No. 2004.

Communicated to the Inspector Generals of Police and of Jails.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

To the Inspector General of Police:

„ „ of Jails.

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*Proceedings of the Madras Government, Public Works Department,
3rd December 1866.*

No. 42. Read the following Proceedings of the Madras Government in the Judicial Department, dated 19th November 1866, No. 1,324 :—
Read the following letter from the Sanitary Commissioner for Madras, to the Chief Secretary to Government, Fort Saint George, dated Bellary, 24th October 1866, No. 267 A.

The Governor in Council, in an Order, dated 29th March 1866, No. 470, ordered a detailed Report to be submitted by the Magistrates throughout the Presidency, aided by the Executive Engineers and Police Superintendents, on the Subsidiary Jails in each District. This Report was to contain an exact account of the dimensions of these "Lock-ups," and of the number of prisoners which they could safely contain.

2. This information was required in order to increase the minor prison accommodation in every district. In the meantime, as considerable delay would necessarily take place in providing additional Jail accommodation, the Magistrates were authorized, without further reference to Government, in all cases in which present places of confinement were absolutely unfit for the incarceration of prisoners, to rent suitable houses near the Sub-Magistrates' Cutcheries.

3. While passing through districts recently, on special duty, I have become aware that Magistrates have not taken sufficient advantage of the liberal permission accorded by Government; and the Inspector General of Police, with whom I am now in personal communication, and who has far larger means of experience, fully confirms my statement.

4. The necessity for more vigorous action being taken to carry out the intentions of the Government is every day becoming more urgent. The number of prisoners described by the Inspector General of Police as annually incarcerated in Subsidiary Jails for an average period of ten days, and not more than a month, is now more than 15,000; but the number of those arrested and confined in the Lock-ups through the country, while under trial by the Subordinate Magistracy, is estimated, and I believe correctly, as mounting to 50,000.

5. It is true that these persons are only for a short time in confinement, but it is a well established fact that the health of prisoners suffers most while they are under trial, and during the commencement of their confinement in Jail after conviction.

6. Anxiety in the case of prisoners under trial, and a radical change in their mode of life in the case of the convicted prisoners, have been given by competent authority as the causes of this increased susceptibility to disease. If, in addition to this tendency to disease, be added over-crowding for days and nights in ill-ventilated places of confinement, we can hardly be surprised at the constant occurrence of fatal cases of cholera in Subsidiary Jails and Lock-ups.

7. Six months have passed since the issue of the Government Order which should have remedied the dangerous over-crowding in these places, but I believe that little has been done to improve the condition of the persons imprisoned in these buildings. To take examples from this district: the Bellary Police Lock-up is capable of containing two persons; as many as six or eight persons are often confined here. A few days ago a case of cholera (an East Indian woman) occurred here after a few hours' incarceration.

8. The Bellary Sub-Magistrate's Lock-up is capable of containing thirty prisoners; a few days ago there were fifty prisoners, and there have been as many as seventy in this place. Again, at Ramandroog, the Lock-up is capable of containing seven persons; on the 20th of October, there were twenty-six prisoners in confinement, so that each prisoner had only ten square feet superficial space, instead of thirty-six.

9. In the three Subsidiary Jails of the sub-division there is accommodation for thirty-seven prisoners, allowing them each only 500 cubic feet instead of 648. At the time of a recent report submitted by the Sub-Collector, dated 27th August 1866, there were in confinement 113 prisoners.

10. I mention these instances as occurring in a district where I am at present, but the Inspector General of Police can furnish Government with illustrations of this being by no means an unusual condition of Subsidiary Jails and Lock-ups throughout the Presidency.

11. I think it unnecessary to describe the sufferings endured by persons thus over-crowded, the filthy condition of most of these places, the neglect of conservancy, or the pestilential atmosphere produced by all these causes.

12. The Magistrates of Districts, as I have before stated, seem in many cases to have misunderstood the intentions of Government, and to have supposed that where native houses were not available near the Taluq Cutcheries (and these houses can seldom be obtained for hire), nothing could be done to relieve over-crowding. It does not seem to have occurred to them to hut out prisoners; and the result has been that the condition of the minor places of confinement has been but very little ameliorated since the date of the Government Order in March last.

13. I venture, therefore, most respectfully to suggest that a Circular should be issued to all Magistrates, directing them, as rapidly as possible, to ascertain from the Superintendents of Police, who can afford the information, what is the *maximum average* number of prisoners under trial, and committed for terms of imprisonment not exceeding one month, requiring accommodation in every taluq of their districts.

14. These details having been ascertained, they should, wherever native houses cannot be hired, at once build the number of huts needed in addition to the existing Jail capacity (calculated at not less than thirty-six superficial square feet per prisoner), to contain this average maximum number of prisoners. When the nature of the buildings will admit of it, 648 cubical feet should be given to each prisoner; but when this is not possible, a reduction of cubical space is of less importance if the full maximum superficial area is secured.

15. There is great neglect in furnishing any latrine accommodation during the night in the Lock-ups and Subsidiary Jails. The consequence is that, as it is dangerous with the small Police guard over prisoners at night to open the Jails, the atmosphere in these ill-ventilated buildings becomes pestilential.

A brick and mud—or, where procurable, a stone—trough, three feet long by eighteen inches wide, and one foot deep, filled with three inches of sifted earth, will prevent the excreta becoming offensive, if each prisoner throws a handful of sifted earth into the trough each time it is used.

A supply of this earth (which can be prepared by the prisoners themselves) should be deposited by the side of the trough.

16. I would also suggest that brief instructions should accompany the Government Order, regarding—

1stly.—The best means of rendering available such native houses and Choultries as are procurable as temporary Lock-ups. All that will be generally necessary is to face the verandahs with bars, and to open ventilating-windows in end and side walls at about six feet in height, and to bar these.

2ndly.—The cheapest form of hut, where houses are not procurable, should be described, so as to economize timber as much as possible.

3rdly.—Where bamboos and matting cannot be procured, the best means of constructing huts with mud and stone, or brick and mud, should be detailed.

Any Officer of the Public Works Department, who has been accustomed to hut out troops in standing camps, or who has hutted large bodies of coolies on public works, could draw out simple instructions on these points, which would be very useful.

17. In connection with this important subject, I have examined the standard plans of 2nd, 3rd, and 4th class Taluq Cutcheries. (The 1st class standard plan I have not seen.)

I observe that the accommodation provided for persons under trial and prisoners is quite insufficient to meet even present requirements. The annexed Memorandum exhibits the exact measurements. The result shows that if the minimum space is afforded to each prisoner, *i. e.*, 36 square feet superficial area, and 648 cubic feet, the 2nd class Taluq Cutcherry Lock-up can contain four men and two women only; the 3rd class three men and one woman; and the 4th class, 2½ men and one woman.

18. It may be roughly stated that in almost all these Taluq Lock-ups, accommodation is required for from fifteen to twenty men, and three or four women. The average maximum number of persons under trial and imprisoned for short periods in each Taluq Cutcherry Lock-up must, however, be ascertained before any decision as to the proper size of the Lock-up to be attached to each Cutcherry can be determined.

19. It is evident, however, that the standard plans now prescribed require re-consideration.

P.S.—Since signing the foregoing letter, I have been able to obtain the standard plan of a first Class Cutcherry (as prepared by the Department Public Works), and I find the following to be the dimensions and capacity of the Lock-ups:—

	Length.	Breadth.	Height.	Total superficial area.	Cubic contents.	No. at 36 square feet.	No. at 648 cubic feet.	Remarks.
Male Ward	30	10	12	300	3,600	9	5	* Nearly.
Female do.	12	10	12	120	1,440	3	2	

In another "standard plan, approved by the Board of Revenue and the Inspector General of Mofussil Police," dated 20th June 1864, the following dimensions are proposed for the same purpose, and are much less deficient than those

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3rd December 1866.*

noted above; but I am not aware that any Cutcheries have been yet constructed on this design:—

	Length.	Breadth.	Height.	Total superficial area.	Cubic contents.	No. at 36 square feet.	No. at 648 cubic feet.	Remarks.
Female Prisoners (short sentence) ...	14	12	12	168	2,016	*5	3	*Nearly.
Solitary cell ...	14	6	12	84	1,008	2	*2	
Male Prisoners (short sentence) ...	17	14	12	238	2,856	*7	4½	
Females under inquiry.	14	12	12	168	2,016	*5	3	
Males do. ...	22	14	12	308	3,696	*9	*6	

APPENDIX.

Memorandum on the capacity of prisons for Males and Females in Taluq Cutcheries, according to Standard Plans, and the numbers of persons who may be confined therein, with the usual amount of superficial area and cubic space for Native Jails.

	Length.	Breadth.	Height.	Total superficial area.	Total cubic space.	No. to be accommodated at 36 square feet, superficial.	No. do. do. at 648 cubic feet of air.
4th Class Cutcherry (Male Ward).	20	8	10	160	1,600	4½	2½
" " " (Female do.).	8	8	10	64	640	*2	1
3rd " " (Male do.).	22	9	10	198	1,980	5½	*3
" " " (Female do.).	9	9	10	81	810	*2	1
2nd " " (Male do.).	24	10	12	240	2,880	*7	4
" " " (Female do.).	10	10	12	100	1,200	*3	*2

REMARKS.—If both requirements are to be fulfilled, the smaller number shown in last two columns must be selected as the regulation number.

* Nearly.

BELLARY,
24th October 1866.

(Signed) H. B. MONTGOMERY, M. D.,
Secretary to Sanitary Commissioner.

1. The Governor in Council resolves to circulate the foregoing letter to all Magistrates, and to inform them that, where houses are not available, they should, under G. O., 29th March last, No. 470, put out the prisoners, and make the best arrangements in their power for the relief of over-crowded Jails. The Officers of the Public Works Department will be best able to furnish them with plans of huts, and to suggest the most suitable method of improving existing buildings.

2. Paragraphs 17 to 19 of Mr. Ellis' letter will be communicated to the Board of Revenue, who now have the fitness of the standard plans of Taluq Cutcheries under their consideration.

3. Colonel Wilson will be requested to inform the Government how many reports he has received from Magistrates under paragraph 12 of G. O., 29th March

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last. The subject of providing sufficient and suitable Subsidiary Jail accommodation is one of pressing importance, and the Government are desirous to be placed in a position to take immediate action on it, and to apply to the Supreme Government for the funds necessary to remedy the evils which undoubtedly exist at present.

(True Extract.)

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

No. 43. ORDER THEREON, 3rd December 1866, No. 3,842.

CIVIL WORKS, No. 8.

Communicated to the Superintending Engineers for information and guidance.

(True Extract.)



Colonel, R. E.,
Secretary to Government.

To the Superintending Engineers,
Judicial Department.

Ed. S. T. Augustin,

From 29th March 1888 to 29th April 1888
19th Nov 1888 - 19th Dec 1888

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