

Judicial (1895) Department.

ORDINARY PRINTED.

G.O., No 1258-59

Dated 14 June 1895

INDEXED.

[Despatch Abstract.]

RETURN OF JAIL OFFENCES AND WHIPPINGS.

Recording, with remarks,---for the quarter ending 31st March 1895; and forwarding copy of Proceedings to the Government of India.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	371		19-2-95				
	961		9-5-95				

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	3780		95				
	Cuo 3362/97						
	Cuo 4960/97						

14TH JUNE 1895, Nos. 18, 1259, JUDICIAL.

GOVERNMENT OF MADRAS. JUDICIAL DEPARTMENT.

READ—the following paper :—

From A. G. CARDEW, Esq., M.A., Inspector-General of Prisons, to the Chief Secretary to Government, dated Oacamund, 6th May 1895, No. 2392.

With reference to paragraph 6 of Home Department Resolution, No. 1-33-43, dated 11th January 1882, I have the honour to submit the return of jail offences and whippings for the quarter ending 31st March 1895. The delay in the submission of the return is due to the late receipt of the monthly returns of the Madura District Jail.

2. The number of whippings inflicted during the quarter is 34, which is rather less than the number (36) in the previous quarter. It will be seen that the resort to corporal punishment is very small, being at the rate of less than two whippings per jail per quarter. In view of the reduction in the power of awarding penal diet which has resulted from the passing of Act IX of 1894, a larger amount of corporal punishment will, probably, be necessary in future.

3. The only case in which ten stripes only were administered occurred in the Bellary District Jail and the convict whipped was a juvenile. The attention of the Superintendent has been drawn to the orders of the Right Honourable the Secretary of State, of the Government of India and the Local Government, as marginally noted, directing that corporal punishment, if resorted to, must be sufficiently severe to act as a real deterrent.

4. In two jails, whippings were inflicted in which the number of stripes did not exceed fifteen. With reference to paragraph 3 of Home Department letter, No. 669, dated 17th May 1882, these cases do not seem to call for explanation, as the number is not unusually large.

5. In one case, occurring at the Cuddalore District Jail, the Superintendent has been informed that the punishment of whipping was inappropriate, as no trial had been first made of other punishments and the prisoner's offence was not so grave as to demand an exemplary penalty.

6. From this return it will be observed that column 8 (b) shows several cases in which convicts have been admitted into hospital after whipping. In none of these cases was there any serious illness, but the convicts were admitted to hospital in order that the wounds produced by flogging might be treated. The question whether such cases are rightly shown in this column seems to require further consideration, as the orders passed on the subject in paragraph 2 of G.O., dated 19th February 1895, No. 371, and 4th April 1895, No. 713, have not decided the matter.

7. The column 8 (b) was originally prescribed in the Secretary of State's despatch, No. 6, dated 2nd March 1882. The wording of that despatch (paragraph 6) distinctly requires the exhibition in it of all prisoners who were "admitted into hospital" after whipping. Subsequent correspondence, however, shows that the object in view was merely to discover whether "death or illness" was caused by whipping, and admission to hospital for treatment of sloughing sores would, probably, not

* Lord Kimberley's despatch, No. 13, dated 12th April 1883. [G.O., dated 17th October 1883, No. 2762.]

have been comprehended within the term "illness." In paragraph 5 of Home Department Resolution, No. 6—297—7, dated 18th February 1887, it is mentioned that the Bengal returns did not then include admissions to hospital for the purpose of healing sores caused by a flogging, it no ruling as to whether such admissions should appear in the column can be ascertained. It appears to me that the Government of India should be asked to state clearly whether cases in which convicts are admitted to hospital for treatment of wounds produced by flogging, and in which no further direct or indirect illness results, should be included in column 8 (b) of the statement prescribed in G.O., dated 8th June 1888 No. 424, or not.

8. It will be seen that the order noted in paragraph 3 prohibit the frequent resort to whipping in small doses.

ENCLOSURE.

RETURN of Punishments in the Jails of the Madras Presidency, for the quarter ending 31st March 1895, submitted in accordance with G.O.s, Nos. 172 and 424, dated 30th January and 8th June 1882, respectively.

1	2	3	4	5					6	7	8		
Serial Number.	Jails.	Total number of male prisoners for the quarter.	Total number of jail offences.	Total number of prisoners punished by whipping.					Percentage of columns 5 to 8.	Percentage of columns 5 to 4.	The number of prisoners in whose cases (a) death or (b) illness has been directly or indirectly the effect of corporal punishment.		
				From 5 to 10 stripes.	Above 10 to 15 stripes.	Above 15 to 20 stripes.	Above 20 to 25 stripes.	Above 25 to 30 stripes.			Total.	(a) Death.	(b) Illness.
Central Prisons.													
1	Rajahmundry ..	957	231	..	..	1	..	1	2	21	87	..	..
2	Vellore ..	1,184	343	..	..	..	..	..	2	17	58	..	..
3	Trichinopoly ..	1,050	246	..	..	..	2	..	2	29	122	..	..
4	Coimbatore ..	1,148	158	..	..	1	..	..	3	09	63	..	2
5	Cannanore ..	1,071	66	..	..	..	..	1	1	47	758	..	1
6	Salem ..	779	201	..	..	..	..	1	5	64	249	..	4
7	Penitentiary ..	1,384	306	..	..	2	..	3	5	14	65	..	5
	Total ..	7,573	1,551	..	4	4	8	20	26	129	..	..	12
District Jails.													
8	Russellkonda ..	121	23	..	..	..	..	..	..	..	..	..	..
9	Berhampore ..	153	32	..	..	..	..	..	..	..	..	..	..
10	Vizagapatam ..	295	59	..	..	..	..	..	..	..	..	..	..
11	Parvatipuram ..	306	60	..	..	..	..	..	..	..	..	..	..
12	Nellore ..	179	22	..	..	..	..	..	..	..	..	..	..
13	Bellary ..	573	119	1	..	..	..	..	..	..	..	..	..
14	Cuddapah ..	280	59	..	..	2	..	..	..	..	..	..	..
15	Cuddalore ..	573	128	..	..	..	..	7	122	588	..	..	1
16	Tanjore ..	493	242	..	..	..	..	..	2	35	156	..	..
17	Madura ..	550	47	..	..	3	..	2	3	61	124	..	..
18	Palamcottah ..	484	214	..	..	..	..	..	3	..	..	..	..
19	Mangalore ..	87	15	..	..	1	1	..	2	41	93	..	..
	Total ..	4,094	1,020	1	6	1	2	14	34	137	..	..	1
20	Criminal Leper ward, Madras ..	17	3	..	..	..	..	..	..	..	..	..	..
	Grand Total ..	11,684	2,574	1	10	5	10	34	29	132	..	..	13
	Figures corresponding quarter of last year ..	11,919	2,028	1	5	..	1	12	10	59	..	..	..

ORDER—dated 14th June 1895, No. 1258, Judicial.

Recorded.

2. The Government has no doubt that it was not the intention of the Secretary of State that admission into hospital for the treatment of ordinary sores caused by whipping should be shown in column 8 (b) of the statement. The Inspector-General will therefore exclude such cases from the statement in future.

3. A copy of this Proceedings will be forwarded to the Government of India for information.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Inspector-General of Prisons.
" Surgeon-General.

ENDORSEMENT—dated 14th June 1895, No. 125, Judicial.

Copy forwarded to the Government of India, Home Department, for information.

Chief Secretary.

Gobt. of {1895} Madras.
JUDICIAL.

Issued

Recd.

Encl.

G.O., &c., 14th June 1895,
Nos. 1258, 1259.

JUNE.

Return of Jail Offences and
Whippings.

Recording, with remarks, — for the quarter
ending 31st March 1895, and forwarding copy of
Proceedings to the Government of India.

CURRENT NO. 2316

JUDICIAL. *Sept.*

JAIL (1895) DEPARTMENT.

From

THE INSPECTOR-GENERAL OF JAILS,

Prisons

To

THE CHIEF SECRETARY TO GOVERNMENT.

Dated

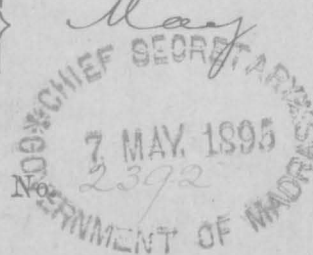
Despatched

Received

Rept 8th

6th
7th

1895.



ENCLOSURES. *One*

Subject.

*Submitting, with remarks,
the Return of Jail offences
and Whippings for the
Quarter ending 31 March
1895.*

To forward the return to the

24/5/95

371 of 19-2-95

2061 of 27-8-94

1301 of 30-5-94

961: 9.5-95

713: 19.2.95

2774: 17.4.94

65: 12 Jan 95

1340: 25 June/87

** Rec 8th*

Return of Punishments in the Jails of the Madras Presidency, for the quarter ending, *31st March* 189*5*, submitted in accordance with G.Os. Nos. 172 and 424, dated 30th January and 8th June 1882, respectively.

Serial No.	Jails.	3	4	5					6	7	8		REMARKS.
				Total number of prisoners punished by whipping							(a) Death.	(b) Illness.	
1	2	Total number of male prisoners for the quarter.	Total number of jail offences.	From 5 to 10 stripes.	Above 10 to 15 stripes.	Above 15 to 20 stripes.	Above 20 to 25 stripes.	Above 25 to 30 stripes.	Total.	Percentage of columns 5 to 3.	Percentage of columns 5 to 4.		
9-2-80													
Central Prisons.													
1	Rajahmundry	957	231			1		1	2	.21	.87	4	4
2	Vellore	1184	343				2		2	.17	.58		2
3	Trichinopoly	1050	246			1		2	3	.29	1.22		1
Coimbatore													
ward Madras													
Grand Total		11684	2574	1	8	10	5	10	34	.29	1.32		13
Figures corresponding quarter of last year		11919	2028	1	5	5		1	12	.10	.59		

No.

Colacauandy
6th May 1895.

Submitted to Government with the quarterly statement showing the nature of each offence for which punishment of whipping was awarded.

A. G. Carter
Inspector-General of Jails, Madras

Sail { 189 } Department.

THE INSPECTOR-GENERAL OF JAILS,

THE CHIEF SECRETARY TO GOVERNMENT,

Despatched

Received

189

No.

ENCLOSURE.

Subject.

RETURN of punishments for the quarter
ending 189

189

1995
Tad
Dep
Hno. 108. No. 1
To
O. No. 2316.

Return of Punishments in the Jails of the Madras Presidency, for the quarter ending, 31st March 1895, submitted in accordance with G.Os. Nos. 172 and 424, dated 30th January and 8th June 1882, respectively.

[illegible]

14	Cuddapah	117	1	4	2	"	"	7	1.22	5.88	1
15	Cuddalore	59	"	"	"	"	"	"	"	"	1
16	Tanjore	128	"	"	"	2	"	2	.35	1.56	"
17	Madura	242	"	"	3	"	"	3	.61	1.24	"
18	Palani	47	"	"	"	"	"	"	"	"	"
19	Trichinopoly	214	"	"	1	1	"	2	.41	.93	"
20	Mangalore	15	"	"	"	"	"	"	"	"	"
Total		1020	1	4	6	2	14	1.37			1
Criminal Department											
Grand Total		2574	1	8	10	5	10	.29	1.32		13
Figures corresponding quarter of last year		2028	1	5	5	1	12	.10	.59		

Costacumandy
6th May 1895.

No. Submitted to Government with the quarterly statement showing the nature of each offence for which punishment of whipping was awarded.

A. G. Carter
Inspector-General of Prisons

No. 2392

Office of the Inspector-General of Jails,
Prisons

Dated 10th May 1895.

18

From

A. G. CARDEW, Esq., M.A.,

Inspector-General of Jails, Prisons

To

The Hon'ble Mr. J. F. Price, C.S.I.
Chief Secretary to Government,

SIR,

Enclosure.

With reference to paragraph 6 of
Home Department Resolution No. 1-33-43,
dated 11th January 1882, I have the honour
to submit the return of Jail offenders and
whippings for the Quarter ending 31st March
1895. The delay in the submission of the
Return is due to the late receipt of the
monthly returns of the Madras District
Jail.

2. The number of whippings inflicted
during the Quarter is 34, which is rather
less than the number (36) in the previous
quarter. It will be seen that the resort
to corporal punishment is very small,
being at the rate of less than 2 whippings
per jail per quarter. In view of the re-
duction in the power of awarding penal
dial which has resulted from the passing
of Act IX of 1894, a larger amount of corporal
punishment

* One ml may

punishment will, probably, be necessary in future.

3. The only case in which 10 stripes only were administered occurred in the Bellary District Jail and the convict whipped was a Juvenile. The attention of the Superintendent has been drawn to the orders of the Right Honble the Secretary of State, of the Government of India and the Local Government as marginally-noted, directing that corporal punishment, if resorted to, must be sufficiently severe to act as a real deterrent.

4. In two Jails, whippings were inflicted in which the number of stripes did not exceed 15. With reference to paragraph 3 of Home Department letter No 669, dated 17th May 1882, these cases do not seem to call for explanation, as the number is not unusually large.

5. In one case, occurring at the Cuddalore District Jail, the Superintendent has been informed that the punishment of whipping was inappropriate, as no trial had been first made of other punishments, and the prisoner's offence was not so grave as to demand an exemplary penalty.

6. From this Return it will be observed that Column 8(b) shows several cases in which Convicts have been admitted into Hospital after whipping. In none of these cases was there any serious illness, but the Convicts

Secretary of State's Despatch No 6 of 12th March 1882 para 6.
[G.O. 8th June 1882 No 424 C.D.]
Home Department Resolution No 14-884-94 of 19th June 85 para 5.
[G.O. 13th July 1885 No 1818.]
G.O. 25th June 1887. No 1340-Judd

Convicts were admitted to Hospital in order that the wounds produced by flogging might be treated. The question whether such cases are rightly shown in this column seems to require further consideration, as the orders passed on the subject in paragraph 2 of G.O. dated 19th February 1895, No 371 and 4th April 1895 No 713, have not decided the matter.

7. The column 8(b) was originally prescribed in the Secretary of State's Despatch No 6, 20th March 1882. The wording of that Despatch (paragraph 6) distinctly requires the exhibition in it of all prisoners who were "admitted into Hospital" after whipping. Subsequent correspondence, however, shows that the object in view was merely to discover whether "death or illness" was caused by whipping, and admission to Hospital for treatment of cloughing sores would, probably, not have been comprehended within the term "illness".

In paragraph 5 of Home Department Resolution No 6-297-307, dated 18th February 1887, it is mentioned that the Bengal returns did not then include admissions to Hospital for the purpose of healing sores caused by a flogging, but no ruling as to whether such admissions should appear in the column can be traced. It appears to me that the Government of India should be asked to state clearly whether cases

G.O. 18 June 82.
No 424

Lord Kimberley's
Despatch No 13.

12 April 1883

[G.O. 17 Oct 83 No 2762]

G.O. 11 March
87, No 558
P 4

in which Convicts are admitted to Hospital for treatment of wounds produced by flogging, and in which no further direct or indirect illness results, should be included in column 8(b) of the Statement prescribed in G.O. 8th June 1882 No 424, or not.

8. It will be seen that the orders noted in paragraph 3 prohibit the frequent resort to whipping in small doses.

I have the honor to be,
Sir,

Your most obedient servant

R. G. Cardew
Inspector General of Prisons

Genl. DEPARTMENT.

[G.]
[25.]
600-95.

C. No. 2316

FOR ORDERS.

The last Quarterly return of jail offences & whippings seems to call for no remarks except with reference to what the Sup^r Genl says regarding the classes of cases which should be shown in column 8(b) of the statement.

2. See G.O. of 19. Feb. '95, no 371, the Genl directed

(1) That, as a rule, convicts should not be admitted into hospital for treatment of sores caused by whipping, &

(2) That such cases should not be shown in col 8(b) of the statement.

x G.O. of 9. May '95, no 961.

This order has since been modified so far as regards the admission of whipped convicts

into hospital, but the direction regarding the exclusion of these cases from the statement has presumably been allowed to stand. An Carbow now enquires whether it is correct to show such cases in the state and suggests that a definite ruling may be obtained from the S. G. S. on the point.

3. Col 8(h) was prescribed in G. O of 8. June '82, no 424, presumably with a view to facilitate the discovery of cases in which cases "illness was directly or indirectly the result of corporal punishment." It would not perhaps have been the intention of the Secy. of State that admissions on account of sores caused by whipping should be classed as admissions on account of "illness," seeing that sores are the result of corporal punishment.

FOR ORDERS.

* Vide para 3 of the Secy of State's despatch in G. O of 17. Feb. '83, no 2762.

[G.]
25.
190-17-5-95.

DEPARTMENT.

C. No.

FOR ORDERS.

* Vide Secy of State's Dep. in G. O of 8. June '82, no 424.
Resoln. of the S. G. S. in G. O of 30. Jan. '82, no 172.

almost always produced by a sound whipping (such as it should be to act as a real deterrent) and thus necessitate treatment in the hospital. This view is supported by the fact that, when the S. G. S. reviewed the whipping returns of 1884 & 1885, it did not object to the omission of such cases from the statement subd by the Bengal Comd. (Vide para 5 of the Home Dep't. Resoln. recorded in G. O of 14. March '87, no 558). In these circumstances, the orders issued in G. O of 19. Feb. '95, no 371, directing the exclusion of these cases may perhaps be adhered to and the

The Supp. Court told to
 exclude such cases from
 col 8(b) of
 the statement. If considered
 necessary, a copy of the Progs.
 of this Court may be forward-
 ed to the S. of S. for information
 so as to place that Court
 in a position to controvert the
 views of the local Court, if it
 seems fit.

29-5-95 5/8/95

It clearly was not the intention
 that if a convict was admitted
 into hospital to have a piece
 of wood & simple dressing applied
 after a whipping he was to
 be shown under Col 8(b). Surely
 as usual shows they were whipped
 as suffering from ill-effects of
 consequences on the flogging; this
 is abund.

5/8/95

7/6/95

Ordy. return of jail
 offences & whipping

FOR ORDERS.

H. M.

In G.O. 14/6/95
 No. 1258-5

C6/6-
 R9/6-

Papers to be read in Proceedings: J.P. DEPARTMENT.

Again G.O., dated 18, No.
 Again G.O., dated 18, No.
 Current No. of 18, dated from

4P

A Current No. 2316 of 1895, dated May from the S. of S. of Prisoners
 of 14th June 1895 No. 1258
 index (P.S.) recorded.
 2. The Court has no doubt
 that it was not the intention
 of the Secy. of State that admission
 into hospital for treatment of
 sores caused by whipping should
 be shown in col 8(b) of the
 statement. The Supp. Court
 will therefore exclude such
 cases from the statement in
 3. A copy of this Progs. will
 be forwarded to the S. of S.
 for information.

including the statement.

(For use)
 13/6/95
 S. of S. 6/6/95
 No. 1259

31/6/95
 Copy forwarded to the S. of S. for
 information

10-5-95

*July.. return of jail
offences & whipping*

1st copy sent to Press.

Returned for signature.

Despatched in print.

READ AGAIN G.O. No.
189

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