

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 2476.

Dated 28th Nov 1895.

INDEXED.

[Despatch Abstract.]

BURMESE PRISONER.

Agreeing with the Inspector-General of Prisons in considering that Mr. McGready is responsible for the over detention of convict No. 3755 Nga Pan Bung, and requesting the Government of India to sanction his transfer from the Madras Penitentiary to the Rangoon Central Jail.

McG.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
C	5647		95				

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
L 6	2572		3/12/95				
C	5747		95				
C	298		96				

1,000—November 1894

FORM No. 53.

Nominal Roll of Convict No. 3758 Nga Paw Baung

Crime.	Sentence.	Date of Sentence.	Adjudicating Court.	Present Age.	State of Health.	Conduct in Jail.	Result of the Appeal to Appellate Court	Number of previous convictions if any and remarks.
Belonging to gang of dacoits Dec 400-200 C	Transportation for 10 years	7 January 1887	District Magistrate Thamawaddy.	36 years	good	fair.	did not appeal	No previous convictions

Mr. District Attorney,
Madras 31 (Cell No. 1895.)

Rules 701 and 704.

Superintendent of Prisons,
Jail.

5,000—9-91.

Madras 31 (Cell No. 1895.)

To

Trail.

From

To

2. The amount of Jubilee Remission awarded to the

FORM No. 46.

Supplemental statement showing the names of Convicts to be released under the Remission System from the ~~the~~ *Madras Penitentiary* Jail, *Madras* during the ~~month~~ ^{quarter ending} of *31 March* 189*6*, and the amount of remission earned.

Jail Regr. No.	Name.	Crime.	Sentence.	Date of Sentence.	PARTICULARS OF REMISSION EARNED.						Total remissions earned up to date of submission of statement.	Probable amount of remission to be earned in interval before date of release.	Total remission.	Total period served exclusive of re- mission earned.	Date of release.	Amount of gratuity payable.	
					In 3rd class.	In 2nd class.	In 1st class.	As Maistry.	As Work Overseer.	As Warder Guard.						RS.	A. P.
					No. of days.	No. of days.	No. of days.	No. of days.	No. of days.	No. of days.							
3756	Nga Paw Bang.	Belonging to a gang of dacoits to 400 R.P.	10 years	Trafficking for Opium 1887	27	20	162	28	55	237	21	258 and one month plus nine months	3364	23 June 1895	4 12 6		
* One month's remission on account of the 1st Jubilee was granted. This prisoner while he was in Raipur Jail. Plus nine months' Jubilee Remission admissible under para. 4 of the Resol. No. 4-344-53 dated 29 May 1889.																	

Madras Penitentiary Jail,
Madras 31 Oct 1895.

No. 641
To

The Inspector General of Prisons.

Attestation

P. W. Bready
Superintendent, *Madras* Jail.

Encls. To O. No. 57

JUDICIAL (JAIL) DEPARTMENT.

DIARY NO. 9899
2-11-1895

From THE SUPERINTENDENT, JAIL,
To THE INSPECTOR GENERAL OF PRISONS,

Dated
Despatched 189

Received
No. 57
MADRAS

Statement showing the names of Convicts to
be released under the Remission System from the
Jail during
the month of 189 , and
the amount of remission earned

No. 5945

OFFICE OF THE INSPECTOR-GENERAL OF PRISONS, MADRAS,

Dated Pootacamund, the 19th November 1895.

From

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

INSPECTOR-GENERAL OF PRISONS,

MADRAS,

To

THE HONOURABLE MR. J. F. PRICE C.S.I.

CHIEF SECRETARY TO GOVERNMENT,

SIR,

4. Enclosures.

1. Remission Sheet
2. Warrant
3. Nominal Roll
4. Remission Statement

On the receipt from the Superintendent of Prisons, Madras, of the list of Burmese Convicts in his Jail eligible for release during the 2nd Quarter of 1896, (the consolidated return being due in the Government office on the 1st January 1896) it was noticed that it included Convict No. 3756 Nga Paw Bang whose nominal roll is enclosed. This Convict was not credited with any Jubilee Remission, nor was his name to be found in the List of Convicts to whom Jubilee Remission was given, a copy of which was submitted to Government with this office No. 333 dated 31st August 1891. Nevertheless, as no reasons for his exclusion from the Jubilee Remission were apparent, a reference was made to the Superintendent of Prisons, Madras, with the result that it has been ascertained that the Convict actually was granted Jubilee Remission in Burma, but that, though this was clearly stamped on his warrant, no entry of it was ever made in his Remission Sheet. I enclose the original warrant and Remission Sheet from which it will be seen that the error occurred originally in the Trichinopoly Central Jail in 1888, when the number of Marks earned in Burma was correctly brought forward but the one months Jubilee Remission was omitted.

2. The amount of Jubilee Remission awarded to the

to this convict in Burma was, it will be seen, only one month, but under the provisions of Home Department Resolution No 4-344-53 dated 29th May 1889, he became entitled, on his transfer to an Indian Tail, to one month of remission for every year of his original sentence or to ten months' Jubilee Remission. The date on which his release would have fallen due according to the Remission Statement first submitted by the Superintendent of Prisons, Madras, was the 23rd April 1896. By the deduction of the one month's Jubilee Remission granted in Burma, this date becomes the 23rd March 1896 and by the addition of the nine months' additional remission allowed by para 4 of Home Department Resolution, No 4-344-53, dated 29th May 1889, the correct date of release is carried back to the 23rd June 1895. The Convict has therefore, already been detained much beyond the date at which he should have been released, and I request that early sanction for his retransfer to Burma may be obtained.

50195
11-6-89

3. Although the original error in not bringing to record in the Remission Sheet the Jubilee Remission awarded to Convict No 3756 occurred in the Central Tail Trichinopoly in 1888, the Superintendent of Prisons Madras must be held responsible for the overdetention which has now occurred. When I was directed in G.O. 22nd December 1893 - No 2665 to make enquiries and ascertain whether any mistakes existed in the list of Convicts entitled to Jubilee Remission in Tails other than that at Salem, the Superintendent of Prisons was instructed (along with other Superintendents) in this office No 53 dated 16th January 1894 "carefully to examine that List and to report whether it is correct and complete or whether it requires to be supplemented or amended in any way". In some Tails errors were discovered, as reported in my Letter No 4440, dated 26th July 1894, recorded in G.O. 13th August 1894, No 1939, but the Superintendent of Prisons in his Letter No 96 dated 1st February 1894 states that the List he had furnished in 1891 was "correct". That List does not contain the name of Convict No 3756 Nga Paw Bang. The Superintendent's explanation apparently is that the List was checked only by the Remission sheets and not with the warrants, but it seems to me that, as the

as the number of Convicts concerned was small and as the Superintendent was aware that the administration of his Tail in 1890, when the Convict was admitted from the Trichinopoly Central Tail, was lax, more care ought to have been taken and that Mr. McCready, though usually most careful, is to blame on this occasion.

I have the honour to be
Sir,
Your Most Obedt. Servant
R. G. Carden
Inspector General of Prisons

50195
11-6-89, h
995

JUDICIAL.

JAIL (1895) DEPARTMENT.

From

THE INSPECTOR-GENERAL OF PRISONS,

Madras,

To

THE CHIEF SECRETARY TO GOVERNMENT,

1939: 13. 8. 94

2665: 22. 12. 93

1829: 9. 9. 91

Refd 8 6-7-91

995: 11. 6. 89 L.C.

Dated 19th

Despatched

Received 21

Rep 22

No. 594-5



Subject.

Submitting with remarks the Nominal Roll, Remission sheet etc of Burman Convict No 3756 Nga Pau Bang who is overtaimed in Her Majesty's Penitentiary Madras, his date of release being 23rd June 1895, and requesting to obtain early sanction for his retransfer to Burma.

501 28-12-87, 2112

16-5-17 2112

23-5-17 171

11-1-18 30

22-1-18 171

27-1-18 171

[G. 24.]

23-7-95.

Jud. DEPARTMENT.

Papers to be read in proceedings:—

Again G.O., dated

189 , No.

Again G.O., dated

189 , No.

Current No. 5517

of 1895, dated 14. Nov. from The Jll of Prisons

" "

" 189 , " " "

" "

" 189 , " " "

ORDER.

28 Nov 1895 No 2476

The Court agrees with the Supp. Jll of Prisons in considering that the one party is responsible for the overdetention which has occurred in this case. An explanation should be obtained from him and subd to Court.

2. The following telegram will be despd to the S.G.P. H. D.:-

The remission on account of Her Majesty's Indulgence proposed to be granted to convict No 3756, Nga Pau Bang, is sanctioned.

" No 722 Please obtain a wire sanction transfer from Penitentiary, Madras, to Rangoon jail of Burman convict 3756 Nga Pau Bang overdetained owing to mistake in calculating julien remission."

26/11/95

27/11/95

for circulation

To The Jll of Prisons (H. D.)

Re The release of a Burman
Communist now detained in
H. H. Bunkin, Madras

E

H. M.

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

189

READ AGAIN G.O., No.
189

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.

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.