

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 396, 397

Dated 21st Feb. 1895.

INDEXED.

[Despatch Abstract.]

JAILS --EXECUTION, DIETING AND CONVEYANCE CHARGES

Informing the Government of India that the practice followed in this Presidency as regards execution charges has been to debit all such items to the Jail department (except when new gallows are built by the Public Works Department under sanctioned estimates) and to show them in statement IX (hitherto X), and that the dieting and conveyance charges of prisoners are not debited to jails so long as they are in Police custody.

FOR WHAT PURPOSE.

Date taken out.

Department.

C. No.

Year.

Initials of clerk taking the paper or of attender.

Date returned.

Initials of attender.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
C	801		1896				
693-4: 12-5-03							

Just

Ind. Case 6752 of 1894 - 407
the paper put up therefor.

83

Just Dept

From

The Govt of India
Home Dept.
(Jails)

No to

Dated 7-1-95

Recd 11-1-95

Encl. 7 s.c.

Subject

Stating that Govt of India thinks
that all charges on account
of executions should be met
by the Jail Dept & Encl.
if H & the Govt in Council has
any objection to that;
Enquiring what the practice
is in Madras re debiting
of the charges for dieting
prisoners in lock-up etc

Order

Ind. Case 6752 of 1894 - 407

Referred to the J. G. of

Prisons for early remarks,
in continuation of G.O. of 18th

Jan 95 No. 105:

17.1

17.1

14. Prisons - despatched 19/1/95

Placed in Case No. 6752 of 94

83

No. $\frac{1}{10}$

CHIEF SECRETARY
GOVERNMENT OF MADRAS
11 JAN 1895

FROM

J. P. HEWETT, Esq., C.I.E.,

Offg. Secretary to the Government of India.

TO

*The Chief Secretary to the
Govt of Madras.*

Home Department.
Jails.

Calcutta, the 7 January 1895.

SIR,

CN 6782
(50 105)
R-195

WITH reference to Home Department Resolution No. ^{10-Jails} 668-79, dated the 13th December 1894, regarding the amendment of Statements Nos. X and XI (in future IX and X), appended to the Annual Jail Reports, I am directed to say that the procedure with regard to the debit of "Execution charges" (for which column 10-E. has been provided in the revised form) is not the same in all Provinces. In Bengal, it is understood, all such charges except those for the erection of permanent gibbets, are charged against the Judicial Department, though the cost is paid in the first instance by jail officers. In the Punjab the Jail Department pays and is charged with the fees and travelling expenses of hangmen, while the Judicial Department is charged with other items (except permanent gallows). In some Provinces the Jail Department pays only the burial expenses. In the opinion of the Government of India execution charges should be debited on a uniform principle in all Provinces. Jail charges generally are incurred in carrying out judicial sentences upon criminals, and "Execution charges" are of this nature; moreover, in most Provinces executions are carried out by jail officers. It seems to the Government of India, therefore, as at present advised, that all charges on account of executions should be met by the Jail Department and should be included in the jail accounts in column 10-E. of Statement No. X (or Statement No. IX, as it will be in future). I am to inquire whether *His Excellency the Governor in Council* sees any reason why this should not be done.

2. I am at the same time to say that a suggestion has been made to the Government of India that charges for dieting prisoners in lock-ups, *hajats* or *havalats*, or in custody in Magistrates' camps, and those for conveyance of under-trial prisoners, should be excluded from Statement No. X (the new Statement No. IX), inasmuch as such expenditure is not in any way under the control of jail officers. It has been proposed by one Local Government that they should be shown in Statement No. XIX (new Statement No. XVIII). I am to inquire what the practice is in *the Madras Presidency* in regard to the debit of such charges, and what plan for the future is recommended by the Government of *Madras*, having regard to the fact that the Jail Statement No. X (IX) is intended to include expenditure on prisoners confined in subsidiary jails.

I have the honour to be,

SIR,

Your most obedient Servant,

J. P. Hewett.

Offg. Secretary to the Government of India.

75.c Enclosed

Inspector-General of Jails.

No. 666

OFFICE OF INSPECTOR-GENERAL OF JAILS, ^{Prisons}Dated 2nd February 1895.

From

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

INSPECTOR-GENERAL OF JAILS, ^{Prisons}

To

THE CHIEF SECRETARY TO GOVERNMENT.

SIR,

No Enclosures.

In reply to Mr. Davidson's Indorsement No. 100, J.D. dated 19th January 1895 on Home Department Letter No. 1-10, dated 7th January 1895, I have the honor to state:-

- (1). that all charges connected with Executions are debited to the Jail Department (except when new Gallows are built by the Public Works Department under sanctioned estimates), and are included in the Jail Accounts in Statement No. IX (hitherto No. X).
- (2). that charges on account of Diet and Conveyance of Prisoners so long as they are in Police Custody are not debited to Jails. So soon, however, as a prisoner is placed before a Magistrate and remanded to a sub-jail, charges for his diet and conveyance are debited to this Department.

No alteration in this Procedure, which is convenient, and seems to be based on sound principles, is recommended.

I have the honor to be,

Sir,

Your most obedient Servant,

A. G. Cardew
Inspector-General of Jails, ^{Prisons}

512

JUDICIAL.

JAIL (1895) DEPARTMENT.

From

THE INSPECTOR-GENERAL OF JAILS, Prisons

To

THE CHIEF SECRETARY TO GOVERNMENT.

Dated 2nd

Despatched

Received

Recd 5/2

No. 666

ENCLOSURES. Nil

Subject.

11/2/95

Shaking in reply to Mr. Davidson's
Endorsement No 100 dt 19.1.95, that
certain charges relating to Executions
and to Diet & Conveyance of Prisoners
(with the exceptions mentioned)
are all debited to the Jail Dept.

105 - 18 - 1 - 95
913/14 - 14 - 4 - 94 out
205 - 26 - 1 - 94
110 - 18 - 1 - 93 scd
2338 - 17 - 12 - 92
667-8 - 5 - 4 - 92 -
2262 - 3 - 11 - 91 -

Judicial Dept.
CN^o 512 of 95

Order 21st Feb 195 No 396

The Govt of India will be
informed accordingly -

Letter No 397, 11/2/95

To the Secy to the G. of I.

H. D. Dept

25/2/95

Sir:

I am directed to acknowledge
the receipt of your letter No 10 of
7. Jan: 95, and in reply to state
that the practice followed in this
Presidency as regards execution (has
been to debit all such charges
to the Jail Dept (except when new
Gallows are built by the P.W. D. under
Sanctioned Estimates), and to show
them in Statement IX (hitherto X)
2 The dieting & Conveying Charges
of prisoners are not debited
to the "Jails", so long as they
are in Police Custody
but as soon as however a
prisoner is placed before

19/2/95

A Magistrate, And Commanded
 to a Sub. Jail his dictum
 & Conveyance Charges are
 debited to the Tails - His
 Excellency in Council ^{disputant} recommended
^{any} alteration in this procedure
 which is convenient, but has not
 been decided.

I have rec^d
 18/4/95
 16.2.95

15.2.95

Tails
 Execution & dictum
 Conveyance Charges -

(For orders)

[Signature]

H.M.

Issued
 20/2

C 19/2
 R 10/2

When given for copying	189
When copied	
When examined	
When signed	
READ AGAIN G.O., No. 189	DATED
CURRENT No.	
ENCLOSURE TO G. No.	
ORDER OF GOVERNMENT	A A A A A A A
LETTER OF GOVERNMENT.	
STATEMENT WITH DITTO.	
FILES NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.	

N.B. -
 A = Copy in full.
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