

BACK PAPERS.

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

FURTHER PAPERS.

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

Memorandum by R.H. Hollingbery Esq^r, Assistant Secretary to the Government of India Financial Department, dated Simla the 18th October 1871.

Forwarded to the Government of Bengal for information and guidance.

N^o 4308.

Government of India
(Financial Department. Accounts.
Simla, the 18th October 1871

Read:

The undermentioned papers relative to the mode of providing for charges for the transportation, beyond sea, of convicts of the Bengal Presidency.

Home Department N^o 786 dated the 16th May 1871 and enclosure.

Letter to the Comptroller-General N^o 1472 dated 23rd June 1871.

Home Department N^o 1538, dated 18th September 1871.

Resolution — The Governor-General in Council observes that the expense of sending Convicts from Calcutta to Port Blair has all along been treated as a Bengal

Tail

Tail charge, even when incurred for convicts from other provinces, and that Rs 15,000 were provided for this expense in the Bengal budget estimate for 1870-71 and were included in the grant for provincial services.

2. It appears now that the Government of Bengal has been claiming from other Governments the cost of sending their convicts to Port Blair, and the Home Department recommends that this expense should be borne as an imperial charge. The Governor-General in Council is pleased to comply with this recommendation, and to direct that the amount granted to Bengal for this purpose, viz Rs 15,000 be deducted from the provincial assignment for that province.

Order — Ordered that a copy of the above be forwarded to the Home Department for information and further orders and to the undermentioned officers for information and guidance.

Comptroller-General, Accountant-General, Bengal, North-Western Provinces and Punjab; Deputy Accountant-General, Central Provinces, the local Governments of Bengal, North —
western

Western-provinces, Punjab, and Central Provinces.

(signed) R. H. Hollingbery.
asst. Secy to the Govt. of India.

N^o 3653 1/2.

Copys forwarded to the Officiating Inspector-General of Tails, Lower Provinces, for information and guidance

By order of the Lt. Governor of Bengal

(signed) H. L. Harrison.

Fort William. } offg. Jun. Secy. to the Govt. of Bengal
Judl. Dept. Tails
The 9th November 1871

(True Copy)

A. G. Cardew
Inspector-General of Prisons.

No. 6839.

6846 150
Ootacamund.
OFFICE OF THE INSPECTOR-GENERAL OF JAILS,
Dated 18. December 1894.

From

A. G. CARDEW, Esq., M.A., C.S.

INSPECTOR-GENERAL OF JAILS, Prisons.

To

THE Honourable Mr. J. F. Price C.S. I.

CHIEF SECRETARY TO GOVERNMENT,

SIR,

Enclosure.

In para 57. of the Administration Report of the Jails of Bengal for 1893 a reference was made to the fact that charges on account of clothing to transportation prisoners in that Presidency are borne by Imperial Revenues. The Inspector-General of Prisons, Bengal was asked to furnish a copy of the orders under which this procedure is followed, and in reply he has forwarded a copy of Financial Resolution No. 4308, dated 18th October 1871 directing that the cost of deporting convicts to Port Blair should be borne as an Imperial charge. A copy of this Resolution is enclosed.

2.

In Bengal the arrangement thus sanctioned appears to be still in force, and though in para 5 of Financial Resolution

Does not appear to have been covered by the Govt. Financial Resolution attached to it

7th

1

150

1894

Ind. Dept.

Encl. No. 1

6846

N^o 1142, dated 17th March 1892 interprovincial adjustments are forbidden, it appears that there is no objection to extraordinary charges incurred by Local Governments on account of other Government or in imperial interests being charged to Imperial Revenues. When in 1891 the Government of Madras agreed to transportation prisoners from Bombay and the Berars being deported via Madras, it was remarked (Judicial Letter N^o 1965, dated 19th September 1891) that the cost of the arrangements would, of course, be borne by the Provinces concerned and this stipulation was impliedly assented to in Home Department Telegram N^o 1061 communicated in G.O. dated 9th October 1891 N^o 2075. The recovery of the charges in question from the Local administrations concerned was rendered impossible by para 5 of the Resolution of the 17th March 1892, but the information now obtained of the procedure being followed in Bengal seems to show that a recovery of the charges can be made from Imperial Revenues. No allotment was, it is believed, made to Madras in the last contract on account of these charges, and

G.O. 391
30.3.92
7th

G.O. 391 of 1892
Berars
up

and the action of the Government of India in the case of Bengal in 1871 seems to show clearly that the charge is one which may legitimately be made against Imperial Revenues. It is therefore suggested that the Government of India may be moved to apply to Madras with effect from 1893-94 the same principle as was adopted in Financial Resolution N^o 4308 dated 18th October 1871 in the case of Bengal.

I have the honour to be,
Sir,

Your most obedient servant,

R. G. Cardew
Inspector General of Prisons.

JAIL (1894) DEPARTMENT.

From

THE INSPECTOR-GENERAL OF ~~JAILS~~, *Prisons*

To

THE CHIEF SECRETARY TO GOVERNMENT.

Dated 18

Despatched

Received

December 1894.

ENCLOSURE. - one -

R R: put up all the
Compos^{es} refd to - I
want this - Complete
Subject.

Submitting copy of the Govt.
of India Resolution No. 4308
of 18th October 1871 directing
that the cost of deporting
Convicts to Port Blair should
be borne as an imperial
charge and requesting to
move the Govt. of India to
apply to Madras the same
principle adopted in the
above Resolution in the
case of Bengal. 30. 10. 86

2. Index of 21-1-95 no 113.

Referred to the Financial
Department for remarks in
Continuation of No. 722 Dec.
1894 No 3170

(By order)
Lionel Davidson
for Under Secretary

19. 6. 55

Find it 150.

Note for the H.M.

The Resolution of 1871, which determines the incidence of the charge in Bengal, has no bearing whatever on the arrangements in Madras, where the terms of the Provincial contract have since been revised ~~or~~ thrice in 1882, 1887 and 1892. Under the old Interprovincial rules the starting point for adjustments was always the actual outlay as it stood on 31st March at the end of each contract period. When these rules were *revoked*, the Government of India took the average of 10 years and fixed the grant at Rs. 32 lakh. This must be assumed to be a quittance of all liabilities due by other Governments.

The Government of India declined to give details for the above figure (.82) in common with the other contract figures (paragraph 9 of Resolution in G.O. 594 dated 31st May 1892) and it ~~is~~ ^{would be} useless to re-open the question now.

re-open the question now.

CS
11/21/95

k. I submit of no use.
Whatever goes up to India:
they will listen to nothing on
this subject

BB
4/2/95

Refce d/13. 2. 95 no 280

Convict transportation
charges

The Accountant is
requested to ^{be so good as to} ~~reconsider that~~ ^{whether} ~~the~~ ^{may} ~~be~~ ^{claim} ~~to the~~ ^{reim-} ~~bursement~~ ^{of the} ~~amount~~ ^{charges} ~~as proposed by the~~ ^{Inspector} ~~General of Prisons~~

(From Order)

CS.
8/2/95

11/2/95

Acct General with current ^{to be returned} } despt
13/2/95
7/4/95

Final (1895) DEPARTMENT.
CURRENT NO. 525

From
THE ACCOUNTANT-GENERAL,
MADRAS,

To
THE Chief Secy to Govt
Financial Dept.

No. 444

Dated 27 February 95-
Received 28 Feb 95

Encl. 711/50
to Encl.

28 FEB 1895
No. 6816
DEPARTMENT OF MADRAS

Subject.

stating that the Madras
Government has no claim
to be reimbursed for
the cost of deporting
convicts to Port Blair
with other prospective
or retrospective effect

Pl. put
up. Original
copy sent for 93
+ show papers
supd to
8/6
27/2/95

CURRENT NO 1061
C. No. 150 8525

Transferred to the Judicial
Department
Richardson
Chief Secretary

CS.
1/3/95

For order

Order 26-2-95
no 628
8/3/95
Communicated to the
Accountant J. P. of Prisons
ref to his letter no. 6839 7/18/12

22/3/95
29 MAR 95
27/3/95

Budget DEPARTMENT.

525
FORT ST. GEORGE, 1061

Accountant-General's Office,

26th February 1895.

No. 444

From

J. W. Rawlins Esquire,

ACCOUNTANT-GENERAL TO THE

GOVERNMENT OF MADRAS,

To

THE Chief Secretary to Government,
Financial Department,
Fort Saint George

SIR,

With reference to your official memorandum
no. 280 dated the 13th February 1895, I have the
honour to state that the Madras Government
has no claim to be reimbursed for the cost
of deporting convicts to Port Blair with
either prospective or retrospective effect.

2. It will be seen from the papers —
submitted by Mr. Cardew that the charge
was imperialized in Bengal in 1871 in order
to put a stop to the recoveries which the
Bengal Government had been in the
habit of making from other local Govern-
ments as their share of the charges; and a

the provincial grant previously assigned for the purpose was at the same time withdrawn, the arrangement does not appear to have been so favourable to that Government as Mr Cardew supposes.

3. But favourable or unfavourable the orders quoted refer solely to Bengal and were based upon the conditions existing there. In Madras the charge has for many years past been a Provincial one and must therefore have been taken ^{into} account in making each successive contract.

I have the honour to be,
Sir,

Yours Most Obedt Servt.

J. L. ...
Accountant General

Mr
26/2

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