

[$\frac{J}{63}$]
1,000 25-7-26

Judicial (1895.) Department.

ORDINARY MS.

G.O., No. 642.

DATED 27th Mar 1895.

INDEXED.

[Despatch Abstract.]

JAIL CODE.

and.

FOR WHAT PURPOSE.

BACK PAPERS.

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

FURTHER PAPERS.

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

G. No. 395 of 11. (24 of Prisons)

JUDICIAL.

MAIL (1895) DEPARTMENT.

From

THE INSPECTOR-GENERAL OF JAILS,

To

THE CHIEF SECRETARY TO GOVERNMENT.

Madras

Dated

Despatched

Received

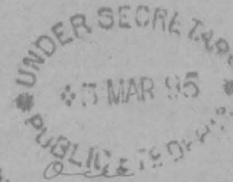
Recd

No.

9/270

ENCLOSURES

Subject.



Submitting a revised draft of Rule 698 of the Jail Code modified in accordance with G.O. 21 Feb 95 No 386.

383-21-7-89 ✓
406-2-7-89 ✓
3129-10-12-94 ✓
20 177-21-6-96 ✓
659-15-3-94 ✓
215-28-11-94 ✓

Inquired with the J.G. reference to illman may be sent out

H.H.

For orders with reference to para. 2 of the letter. - with reference to para. 3; it is to be observed that the mistake of not referring to the P.O. of 2 July 1889 is due to the wording of Mr. Carden's own report. paras 244 to 246. & the 31st para of P.O. of 6. 11. 91 No 2286 passed thereon.

The revised rule might be sanctioned with the remark that the rule of 2 July 1889 was originally a dead letter & that it was only subsequently to the introduction of the new rule code that the rule was really given effect to.

18.3.95

Order 27 March 1895 Public

The Govt. agrees with the J.G. of Prisons in considering that the words "or from those who ask for release on the ground of illman" may be omitted. Subject to the correction the draft rule is approved to be sanctioned under S. 60 of the Prisons Act of 1894, in supersession of the existing Rule no. 698. There appears no need to subdivide it into two rules, 698 & 698A. 2. With reference to para. 3 of the J.G.'s letter it will be observed that paras 244 to 246 of Mr. Carden's report and in P.O. of 6 Nov 91 No 2286 show that P.O. of 2 July 1889 No 1134 was a dead letter from order of 5 MAR 95

then given for
copies

Enclosure

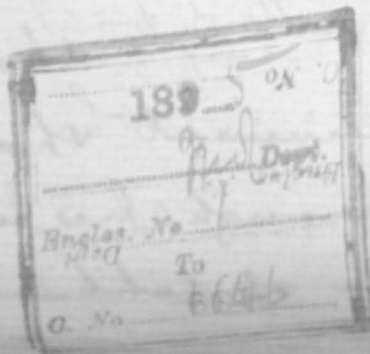
Revised draft of Rule 698 of the Jail Code

698. Every Convict desiring to make a petition to Government, shall be allowed either to prepare his own petition or to adopt or supplement one prepared for him by friends or counsel. If he wishes to write his own petition, he shall be furnished with the necessary writing materials and shall be given the necessary opportunity for writing it. If he is unable to write his own petition and if he has been sentenced by a Sessions Court, acting with the aid of Assessors, to death, transportation or imprisonment for more than 6 months, the Superintendent shall have the petition written for him, at his dictation, by an officer of the Jail Establishment. In other cases it shall not be incumbent on the Superintendent to have petitions written for Convicts.

698A. Every petition written in Jail for a convict shall be read over to and signed by him in the presence of the Superintendent or Tailor, and every petition written in Jail by a convict, or prepared by friends or counsel and adopted or supplemented by a convict shall be signed in the presence of the Superintendent or Tailor. Every petition from a convict in Jail to Government shall be submitted to Government through the Inspector General, except in the case of petitions from convicts

convicts under sentence of death [or from those who ask for release on the ground of illness]. Every petition shall be accompanied by a copy of the final judgment passed in the Petitioner's case, showing the facts of the case. If the convict has appealed, a copy of the judgment of the Appellate Court shall be sent also. These copies will be supplied by the Court free of cost except in summary cases.

A. G. Cardew
Inspector-General of Prisons.



then given for
copies

CURRENT NO. 1046
No. 12/10 Camp Madras

OFFICE OF THE INSPECTOR-GENERAL OF JAILS,

Dated 1st March 1895.

From

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

INSPECTOR-GENERAL OF JAILS, Prisons

To

THE

CHIEF SECRETARY TO GOVERNMENT,

SIR,

/ Enclosure.

As directed in paragraph 5 of G.O. 21st February 1895, No. 386, I have the honour to submit a revised draft of Rule 698 & the Jail Code modified in accordance with the remarks of Government. The rule can be treated as a single one, or can be broken up into 2 rules 698 and 698A, as shown.

2. The words "or from those who ask for release on the ground of illness" should, I think, be omitted from the rule. If the case is one in which release on this ground would be suitable, the Medical Officer will act

under Rule 593, and the case will be submitted direct to Government under Rule 594. If the Medical Officer does not consider it necessary to act under Rule 593, the petition may be allowed to be forwarded through the usual channel.

3. With reference to paragraph 3 of the G.O., I beg to state that the provision there referred to was introduced by G.O. 2nd July 1889, No. 1134, which revised Rule 756 of the Code of 1883.

I have the honour to be,
Sir,

Yours most obedient servant,

A. G. G. G.

Inspector General of Prisons.

Yes, but apparently without being carried into effect for Mr. Cardno's own inspection in 1890 showed that the rule was a dead letter. vide para 246 of his report m.l. 7 of 6. 11. 91 No 1286.
X
18.3 55
It was probably affected by the last part of rule 745 in the old code, which contained the remark that "it was however no part of the duty of the jail authorities to undertake the preparation of appeals."
D
(18.3

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