

Lesson 8

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Q no. 181-182 Judicial dl. 22. 4. 1872
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E. C. BAYLEY, Esq., C. S. I.,
Secretary to the Govt. of India.

THE SECRETARY TO THE GOVT. OF

Home

With reference to a correspondence upon the subject of the kidnapping and abduction of girls for immoral purposes, I am desired to ask whether it would not be possible in the opinion of His Excellency the Govt. in Council to forbid altogether the possession of girls of say 10 years of age and under by professional prostitutes and by the keepers of brothels, or other similar establishments.

2. It seems to the Governor General in Council wrong that girls should be practically committed to an immoral course of life at an age when they cannot possibly be supposed capable of any independent volition on the subject.

3. At the same time His Excellency in Council is not insensible to the difficulties which attend the question with reference to the customs of the country, and to the fact that, especially in Southern India, many such girls are dedicated to the service of the temple.

4. At an age, say, of 10 years, should be registered without interfering in any way with their custody, unless the children are proved to have been unlawfully obtained.

5. But the main question is, whether it might not be made penal in future for persons of specified classes to retain possession of girls of and under 10 years of age, not being their own children, however acquired, except such as may have been entered in the list above proposed.

6. It would be of course not very difficult to evade such a law; on the other hand it may be urged that its enactment might possibly do something to check a practice which it is impossible to defend, and which, it is believed, is revolting to many Natives of character and intelligence.

7. I am to request that, after obtaining the opinion of such officers as His Excellency the Govt. in Council may consider it expedient to consult, especially Natives who are acquainted with native feeling, a report may be furnished to the point whether any such measure, in accordance with the same object, is practicable and expedient.

I have the honor to be,

SIR,

Your most obedient Servant,

E. C. Bayley

Secretary to the Govt. of India.

22nd April 1872.

No. 181. Read the following letter from the Secretary to the Government of India, Home Department (Police), to the Secretary to Government, Fort St. George, dated Fort William, 30th April 1872, No. 231:—

With reference to a correspondence upon the subject of the kidnapping and abduction of girls for immoral purposes, I am desired to ask whether it would not be possible, in the opinion of His Excellency the Governor in Council, to forbid altogether the possession of girls of, say, ten years of age and under by professional prostitutes and by the keepers of brothels and other similar establishments

practically committed to an immoral course of life at an age when they cannot possibly be supposed capable of any independent volition on the subject.

3. At the same time, His Excellency in Council is not insensible to the difficulties which attend the question with reference to the customs of the country, and to the fact that, especially in Southern India, many such girls are dedicated at an early age to the service of temples.

4. Even if it be found practicable to devise a remedy, the Governor-General in Council would not, in any case, think it right to do more than forbid the practice prospectively, and for the present would, at most, merely provide that such girls already so circumstanced, and below the age, say, of ten years, should be registered, without interfering in any way with their custody, unless the children are proved to have been unlawfully obtained.

5. But the main question is, whether it might not be made penal in future for persons of specified classes to retain possession of girls of and under ten years of age, not being, however, except such as may have been entered in the list above proposed.

6. It would be, of course, not very difficult to evade such a law; on the other hand, it may be urged that its enactment might possibly do something to check a practice which it is impossible to defend, and which, it is believed, is revolting to many Natives of character and intelligence.

7. I am to request that, after obtaining the opinion of such officers as His Excellency the Governor in Council may consider it expedient to consult, especially Natives and persons acquainted with native feeling, a report may be furnished to this office confidentially on the point whether any such measure, or other measure with the same object, is practicable and expedient.

No. 182. ORDER THEREON, 22nd April 1872, No. 557.

The Officers noted marginally will be good enough to give their opinions, after consulting with persons who are within reach and best able to advise.

(True Extract.)

D. F. CARMICHAEL,
Acting Secretary to Government.

To the Inspector-General of Police.
Commissioner of Police.
Hon. V. Ramalingam.
To T. Montgomerie Iyer.
A. Sankar Sastri.
Lakshmaya Prasad, Pleader, Vizagapatam.

To H. E. Sullivan, Esq.
W. M. Cadell, "
W. McQuinn, "
A. Macgregor, "
J. H. Master, "
Colonel R. S. Wilson.

Ed. S. H. Pura.

