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Go no - 2014 Federal dt 28.9.1893.

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Reg No. 412 of 1893.  
Govt

NORTH ARCOT, COLLECTOR'S OFFICE.

Camp Venkata Girikabai  
11<sup>th</sup> September 1893.

FROM H. A. Stuart  
~~H. A. Stuart~~, Esquire,

Q014

as Collector and District Magistrate,  
North Arcot.

To  
The Chief Secretary to Government  
Judicial Department  
Fort St George

Sir,

I have the honor to request the favour  
of the instructions of the Government  
on the following point.

2. In Section 392, of the Criminal  
Procedure Code, it is laid down that in  
the case of a person under sixteen years  
of age whipping shall be inflicted in  
the way of school discipline with a light  
rod. The expression "in the way of  
school discipline" is nowhere explained  
and I find that a different inter-  
pretation is put upon it by different  
Magistrates. One Magistrate has  
explained a case that merely

Came before me. The fact is to  
mean, "cutting on the palm of the  
hand" does not make any real dis-  
tinction between whippings of  
the nature and the whippings of  
adults dealt with in the first part  
of the Section. The Superintendent  
of central jail, Bellone, informs  
me that a whipping in the way of  
School discipline is here taken to  
mean a flagging on the posterior  
with a light cane, "sufficient  
force being used to make the  
place smart without breaking  
the skin". The juvenile is generally  
"lashed" on the back of a madder  
and not tied to the triangles.

2. As flagging in the way of  
School discipline is practically  
unknown in this Country, the  
expression must, I think, be taken  
to refer to the practice prevailing

in England. My own somewhat  
painful recollections are that a  
whipping meant a severe flagging  
on the posterior with a birch and  
that the lighter punishment inflicted  
on the palm of the hand was called  
a 'Caning'. It seems desirable to  
have an authoritative interpretation  
of the expression and I, therefore,  
submit the orders of His Excellency  
the Governor in Council.

I have the honor to be,  
Sir,

Your Most obedient Servant

H. H. H. H.  
Assistant Magistrate

Judicial Department.

From

THE COLLECTOR AND  
DISTRICT MAGISTRATE,

North Arcot.

To

THE CHIEF SECRETARY  
TO GOVERNMENT,

No. of enclosures. 1

Letter, dated 11<sup>th</sup> Sep 1893

Ref No. 412 of 1893  
Govt

Subject.

Requesting instructions  
As to the meaning of  
the phrase "in the way  
of school discipline"  
used in infliction of  
punishments under  
the whipping act.

Whipping file.

Amu

Order

The Amu, North Arcot, will be required  
to go to 5 April 1894 no longer which directs that  
in the case of adults the punishment of whipping  
is to be inflicted on the back, while in the case  
of juvenile offenders it is to be inflicted as provided  
by the Act with a light cane on the buttocks.

To the Amu, North Arcot (P.T.)

No. 3014

Order 23/7/93

The expression "in the way of  
school discipline" may be taken  
to mean that the whipping  
should be inflicted on the  
buttocks.

25/9/93  
22 Sept.  
To the Amu, North Arcot (P.T.)

There is no objection to the  
use of the cane.

U.C.

Back Paper, No.

of 13

Forward Paper, No.

of 13

HEAD AGAIN ORDER OF GOVERNMENT, DATED  
18, No.

MISCELLANEOUS

ENCLOSURES

ORDER No.

STATEMENT WITH DICTO.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DICTO.

PAPER NOT FOR THE USE OF THE GOVERNMENT  
OR ORIGINAL (NOT PAGED)

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[ $\frac{3}{4}$ ]

ORDINARY, MS.

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|----------------------|
| Judicial DEPARTMENT. |
| G.O., DATED 28-9-73  |
| No. 2014.            |

INDEXED.

When given for copying. 30/7

[Despatch Abstract.]

Stating that the expression  
in the way of school discipline  
in section 392 of the C. C. P.  
may be taken to mean that  
the whipping should be  
inflicted on the buttocks.