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MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. 1154	Press Mis. —
201-202.	
Dated 14 - 4 - 1866.	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
14th April 1866.*

No. 261. Read the following Proceedings of the Madras Government in the
Judicial Department:—

Passing orders on certain correspondence relative }
to the erection, &c., of Subsidiary Jails in the } (Here enter 23th March 1866, No. 470.)
several Districts of the Madras Presidency.

No. 262. ORDER THEREON, 14th April 1866, No. 1,154.

CIVIL WORKS, No. 37.

Communicated to the Superintend-
ing Engineers, whose particular atten-
tion will be called to the orders which
are contained in paragraph 10.

(True Extract.)

(Signed) CHARLES A. ORR, Colonel, R. E.,
Secretary to Government.

To the Superintending Engineers.

Exd. S. T. Augustin.

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Proceedings of the Madras Government, Judicial Department,
29th March 1866.

Read the following papers —

From the Magistrate of Ganjam.	(Here enter 5th August 1864, No 171.)
" Vizagapatam.	" 27th " " " 286.)
" Godavery District	" 30th " " " 23.)
" Kistna District	" 16th Nov. " " 30.)
" Nellore.	" 29th Sep. 1865, " 33.)
" " Cuddapah.	" 30th " " " 46.)
" " Kurnool.	" 16th Dec. 1864, " 71.)
" " Bellary.	" 15th " " " 24th March 1865.
" " South Canara.	" 5th Aug 1864, " 28.)
" " North Arcot.	" 16th Dec. " " 67.)
" " Madras.	" 13th Sep " " 63.)
" " South Arcot	" 25th Jan. 1865, " 6.)
" " Salem.	" 29th Mar " " 13.)
" " Trichinopoly.	" 22nd Sep. 1864, " 30.)
" " Tanjore.	" 27th Dec. " " 1305.)
" " Coimbatore.	" 4th Oct. " " 78.)
" " Malabar.	" 16th Sep " " 126.)
" " Madura.	" 10th Aug " " 243.)
" " Tinnevely.	" 24th Aug. " " 318.)
" Inspector General of Police.	" 24th Aug 1865, " 1713.)
" Deputy Inspector General of	
" Police, Western Range	" 19th Jan. 1866, " 10.)
Proceedings of the Board of Revenue.	" 2nd Mar " " 1451.)

ORDER THIRTEEN, 29th March 1866, No. 470.

Referring to the numerous requisitions for the erection of new offices for Sub-Magistrates, of Subsidiary Jails and Police Station-houses, and for the extension of existing buildings for these purposes, while the means of complying with such requisitions were limited, the Government, in their Order of the 20th July 1864, No. 1090, called upon the several Magistrates to submit lists of the buildings which required to be constructed or improved, with rough estimates of the cost, and an explanation of the necessity in each case. The letters from the District Magistrates above recorded are replies to this call.

2. But the question of providing Subsidiary Jails either by the erection of new buildings, or the adaptation of existing ones, had previously come under consideration, when, in 1862, the Government, with reference to objections then urged

Proceedings, 26th March 1862, No 503
" 21st July " " 1150.

against the practice of forwarding to the Zillah Jail persons sentenced to short periods of imprisonment, legalized Taluq

Cutcheries under the charge of Sub-Magistrates as places for the confinement of such short sentenced prisoners. On that occasion, the Government called upon the Magistrates for lists of the Subsidiary Jails they would recommend in their several Districts, with information as to the cost of the repairs or additions necessary to provide the requisite accommodation. In reviewing some of these lists, Govern-

Proceedings, 23rd December 1862, No 2114

ment subsequently pointed out that the requirements of some of the Districts had been computed on too large a scale,

and that it was not necessary to provide prison accommodation wherever a Magis-

*Proceedings of the Madras Government, Judicial Department,
29th March 1866.*

trate might be stationed. They directed that fresh lists should be submitted, including only those stations where lock-ups were absolutely necessary, and the Magistrates were to consider themselves restricted for the present to three or four Subsidiary Jails for each District. On the receipt of amended lists, prepared in

Proceedings, 28th January 1863, No 124	
do 20th March " " 448	
do 15th September " " 1479	
do 2nd November " " 1719	
do 23rd do. " " 1897	
do 30th March 1864, " 427	
do 13th April " " 516	
do 22nd do. " " 563	
do 23rd June " " 926	
do 25th October " " 1539	
do 19th September 1865, " 1314	

accordance with these instructions, estimates for providing the necessary accommodation in the Districts of Malabar, Cud-dapah, Kistna, Godavery, Coimbatore, Trichinopoly, Madura, South Canara, North Arcot, South Arcot, and Tanjore, were sanctioned on the dates noted in the margin.

3 There remain eight Districts regarding which no orders have yet been passed. In the lists submitted by the Magistrates of Ganjam and Vizagapatam with their letters recorded at the head of these Proceedings, there are no separate entries on account of Subsidiary Jails but it is probable they are included in the Sub-Magistrates' offices required to be erected. The Magistrate of the Madras District recommends the addition of a Subsidiary Jail to the Taluq Cutcherry at Sydapett, which it appears, though only recently sanctioned, does not provide for the accommodation of short sentenced prisoners. He also proposes the addition of a room, for a similar purpose, to the present Tahsildar's Cutcherry at Ponneri, at an estimated cost of 400 Rupees, and likewise certain alterations in the buildings occupied by the Sub-Magistrates at the Stations named in the margin, to fit them for the accommodation of prisoners. The probable cost of these

Poonamallee
Streeperumadur
Ootramalur

alterations is not given. It appears that, at other stations in the District, Taluq Cutcheries are either in course of erection, or are about to be commenced, which include lock-ups for prisoners. The Acting Magistrate of Salem proposes the construction of three Subsidiary Jails for the whole District, to be located at Oosoor, Tripatore and Namkul, the stations of the Joint, Head Assistant, and Deputy Magistrates, but no estimate of the cost is given. The Magistrate of Bellary requires Subsidiary Jails at the stations marginally noted, at an aggregated cost of 9528 Rupees. He also states that two lock-ups will be required

Siroogooppah
Bellary
Alur
Raidrug

at Adoni, if no provision has been made for them in the plan of the Taluq Cutcherry. The list from Tinnevely contains five Sub-Magistrates' offices, required to be newly erected, with provision for Subsidiary Jails, and eight existing buildings, which it is proposed to alter and improve, in order to adapt them to present wants. The aggregate estimated cost of these buildings is put down at 47,910 Rupees. The Magistrate of Kurnool states that he has forwarded to the Board of Revenue estimates for the extension of three of the Sub-Magistrates' Cutcheries in his District, as new Record-rooms and other alterations are required as urgently as any extension for merely Magisterial purposes. The Collector of Nellore submits a plan and estimate for the construction of a Sub-Magistrate's Cutcherry and Subsidiary Jail at Vencatagiri, at an estimated cost of Rupees 4160. Referring to the

*Proceedings of the Madras Government, Judicial Department,
29th March 1866.*

plan on which Taluq Cutcheries should be built, he gives it as his opinion that the Taluq Treasury and Subsidiary Jail should be placed under the same roof and distinct from the rest of the Cutcherry.

4. Although, as already stated, expenditure for the purpose of Subsidiary Jails has been sanctioned and incurred in the Districts of Malabar, Trichinopoly, and North Arcot, still the Magistrates of those Districts submit lists for further alterations, and for the provision of further fresh accommodation. In Malabar, the erection of a female ward in the Cutcherry at Manjeri, and some alteration in the female prisoners' room at Quilandi, are proposed, at a cost of 300 Rupees. In Trichinopoly, the prisoners at the Sub-Magistrates' Stations of Torriore and Rajendrapatam are, it appears, now confined in the Police Stations, and it is, therefore, recommended that Sub-Magistrates' Cutcheries should be built there with Subsidiary Jails. For these, and for improving and repairing the prison-rooms and Treasury attached to the Taluq Cutcherry at Trichinopoly, the Magistrate submits an estimate, amounting to Rupees 2300. In North Arcot, an Office for the Deputy Collector at Pootoor, with Subsidiary Jail and Station-house attached, is stated to be required, at an estimated cost of 10,000 Rupees.

5. Thus, the proposals now before Government are in some cases unaccompanied by any estimates of cost, and in others are mixed up with plans for new Tahsildars and Sub-Magistrates' Cutcheries and Police Station-houses, which, involving a large expenditure of money, cannot, consistently with other important and pressing demands on the Public Treasury, be sanctioned.

6. But, even if the proposals in regard to Subsidiary Jails were in the required shape before Government, the Governor in Council would deem it necessary to pause before sanctioning any further expenditure for the object, except on some well matured systematic plan. In those Districts in which it was supposed that all that was required in the way of Taluq lock-ups had already been provided, fresh estimates are submitted for further accommodation. In some cases the requirements in this respect are separately brought forward in the Judicial Departments; in others, in connection with Revenue and other buildings in other Departments. In other cases, again, Magistrates express doubts as to whether the

requisite provision for prisoners has been included in sanctioned plans and estimates for Taluq and Sub-Magistrates' offices. In South Arcot, it

has been found necessary to abandon buildings expressly constructed to serve as Subsidiary Jails, because they were not built under the same roof as the Sub-Magistrates' offices.

7. Then, again, as regards the places now actually used as Subsidiary Jails, the Inspector General of Mofussil Police submits, with his letter of the 24th August last, prefixed to these Proceedings, an extract from an Inspection Report of the Deputy Inspector General of the Western Range, in which the Namkul Subsidiary Jail in the Salem District is described as a sickly hot den, which is used not only for short sentenced prisoners, but as a lock-up for prisoners in charge of the Police pending investigation of the charges preferred against them, and persons under

trial by the Magistracy Mr. Robinson states that this is no solitary instance; that many of the so called Subsidiary Jails in other Districts are precisely in the same condition, that in many places the old prisoners' rooms of the 'Tahsildars' offices are being used as Subsidiary Jails; that "these, at the best, were terrible places, but that, with the addition of convicted persons to their usual inmates, they have become perfectly unfit for the confinement of human beings" In a more recent Inspection Report of the same Deputy Inspector General, viz, of the Western Range, Captain Dwyer, referring to the lock-ups in all the Cutcheries is not only inadequate, but in many cases quite unfitted for their detention; one small ill-lighted, unventilated, inaccessible room in the Cutcheries for the most part serving the purpose of Subsidiary Jail and prison for under-trial or committible prisoners of all ages and sexes He adds that, though one Subsidiary Jail can scarcely be called worse than another in Malabar, the lock-up in the Cutcherry at Manuntoddy in Wynaad is in a miserable condition. And yet Malabar is one of the Districts in which some* expenditure of public money has been incurred in putting the Subsidiary Jails in order

* Rupces #26 6-8 -Vile Proceedings of Government, 25th
January 1863, No 124

8 Although, as already noticed, similar expenditure has been incurred in other Districts also, the Governor in Council entertains no doubt that the description given of the state of the Taluq prison rooms in Malabar and Salem applies more or less to all Districts; the present Taluq lock-ups appearing to be mere make-shifts, improvised to meet the sudden emergency which arose when it was found objectionable and inexpedient to crowd the District Jails with short sentenced prisoners, and it consequently became necessary to find other accommodation for them.

9 The Inspector General of Police points out that upwards of 15,000 convicted persons are annually incarcerated in the Subsidiary Jails for an average period of eight days, that many of them pass a full month in them, and that the time so spent is quite sufficient, from the way in which the prisoners are confined and looked after, to cause loss of health of some duration

10. Under all these circumstances, His Excellency the Governor in Council is of opinion that the whole subject of these Subsidiary Jails should be dealt with on some definite plan, in order to place them on a satisfactory footing; and he resolves, accordingly, to direct that each Magistrate will cause each place now used as a Subsidiary Jail in his District to be inspected and reported on by one of his European Assistants, in company with the Executive Engineer of the Range, and will thereupon submit a clear statement showing the name of each place at which a Subsidiary Jail is located, the dimensions of the building used for the purpose with a rough plan of it, the number of prisoners it may safely contain, the average number at present confined, the degree of ventilation; whether there exist separate wards for male and female prisoners, and such other particulars as may be necessary to a proper understanding of the state of each lock-up and of the remedy to be applied. The Magistrate should also distinctly state his opinion in each case whether he considers the present building to be fit for the use it is put to, or whether it should be given up as a place of confinement till better accommodation can be secured.

11. The number of Subsidiary Jails required for each District should be carefully considered and settled with reference to the distances of Sub-Magistrates' stations from the places where it is proposed to locate the Jails, and from the Zillah and District Magistrates' Jails.

12. The Reports now called for should be submitted through the Inspector General of Jails, who will forward them, as they are severally received, with his own remarks and suggestions. Colonel Wilson will also be so good as to prepare, after communication with such Magistrates as he may wish to consult, and with the Inspector General of Police, a few simple and precise rules for the management of Subsidiary Jails, including the rationing of the prisoners.

13. The Governor in Council is aware that the wants of the several Districts in respect to safe lock-ups for prisoners under sentences of short periods of imprisonment cannot be met all at once or in any limited time; but when their number and locality and the place of the buildings are settled, a few at a time may be put in hand, in the order of their urgency, and according as funds are available.

14. Meanwhile, in all cases in which the present places of confinement are pronounced to be absolutely unfit for the incarceration of prisoners, the Governor in Council authorizes the several Magistrates to rent suitable houses near the Sub-Magistrates' Cutcheries until lock-ups, fit for use, can be provided. This will be done without further reference to Government, the arrangement made in each case being reported for confirmation.

15. The Governor in Council directs, in conclusion, that every building used as a Subsidiary Jail shall be inspected, not less than once in three months, by one of the European Officers of the Magistracy, and that the reports of such inspections shall be submitted quarterly to the Inspector General of Jails, in such form as that Officer may prescribe. Such inspections should be made at irregular intervals and without any previous notice.

(True Extract).

G. J. Constantine
Chief Secretary.

To the Inspector General of Jails.
" " of Police.
" Magistrate of
" Public Works Department.

Exd. J. H. Futt.

W. S. Phillips

JW 1868 Dept
 Pro. of Govt for April
 Pro. of the diaries Govt
 in the last Dept

29 March } 1866
 22 April }

4/40

1157-1162

Bying orders
 on certain receipt
 - due relation to the
 enclosure of Subsidia
 fails in the account
 District of the Madras
 Presidency -

26/26

26/18

21

1157

Comme? to the
 Supr Engineer, whose
 handwriting is the same
 will be called to
 the notice which are
 contained in page 10

Print at 1863
 11/10/1863

25/3

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20/15/1863