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MADRAS RECORD OFFICE.

Government of Madras.

Public works DEPARTMENT.

G.O. No. 493	Press ~~Mis.~~
394-95	
Dated 15-2-	1869.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
15th February 1869.*

No. 394. Read the following Circular from the Government of India in the Public Works Department, (Civil Works—Buildings), dated Fort William, 14th January 1869, No. 5:—

Read the following papers:—

Office Memorandum from the Officiating Secretary to the Government of India, Home Department, to the Secretary to the Government of India, Public Works Department, dated 13th November 1868, No. 1,889.

1. The undersigned is directed to forward to the Public Works Department the accompanying copy of a report* by a Committee assembled

*From Chief Commissioner of Oudh, No. 4,533, dated 19th October, and enclosures. at Lucknow on the standard plan of jails, and to state that the proposals made by the Committee are generally approved in this Department, except those regarding the addition of (C) cellular dormitories in jails yet to be built, and the construction of (K) model villages for the residence of guards and others belonging to the jail establishment. If the solitary cells were increased to the sanctioned standard of 15 to 17 per cent., the construction of cellular dormitories in the manner proposed would be unnecessary.

2. It is requested that the Public Works Department will consider how far the Committee's proposals can best be amalgamated with existing buildings or plans. If to carry them out would involve any considerable increase of expenditure, either over the estimates sanctioned for jails in Oudh, or for prisons elsewhere, it is requested that the Public Works Department will inform this Department accordingly, and point out those of the proposals which seem most expensive or least necessary.

3. On the subject of quarantine, the view taken by the Sanitary Commissioner for Oudh seems sound; but the percentage of prisoners for whom quarantine accommodation should be provided, is a point in which the opinion of the Sanitary Commissioner with the Government of India has been asked, and will be communicated to the Public Works Department when received.

From the Secretary to the Chief Commissioner of Oudh, to the Secretary to the Government of India, Home Department, dated 19th October 1868, No. 4,533.

1. I am directed to forward herewith,* for submission to the Government of India, the report of a Committee assembled at Lucknow, by order of the Chief Commissioner, to review the standard plan of jails, and to suggest such alterations as experience may have shown to be needed.

2. The modifications proposed are the following:—

(a).—The addition of quarantine barracks in the proportion of two for every 500 prisoners, to contain 50 each, to be placed outside the jail, but form part of the accommodation available for the whole number of prisoners.

(b).—Increase of solitary cells to provide for 10 per cent. instead of as now for only 5 per cent. of the prisoners. Each cell to have a separate walled airing yard, combining good ventilation with seclusion.

(c).—In jails yet to be built, the addition of cellular dormitories for 10 per cent. of the prisoners by partitioning barracks 12 feet broad into separate compartments, so as to make each cell 12' by 8' equal to 96' with free lateral ventilation. No airing yard would be necessary.

(d).—The addition of a dead-house to be placed between the main wall and circle.

(e).—Separate hospital for women.

(f).—Ditto for boys.

(g).—The addition of a Civil Jail to be in a distinct building, but under the same supervision as the Criminal Jail.

(h).—The addition of a Lock-up for prisoners under trial to be placed near the Court-house.

(i).—The annexation of a space of 50 yards round the main wall of the jail, inclusive of the garden, for houses of warders, &c.

(j).—The size of the gardens to be in the ratio of two acres per 100 prisoners.

(k).—The construction of a village for the residence of the guards and persons required to reside near the jail, on a plan laid down by the Sanitary Commissioner by means of prison labour, and of advances for first cost of materials from Jail Manufactory Funds, to be recovered out of the rents charged for the houses.

3. Of these suggestions the Chief Commissioner considers (h) the Lock-up and (g) the separate Civil Jail those which are most pressing. Absolute want of funds alone can justify the incarceration of unconvicted persons and debtors together with condemned prisoners. These buildings are necessary appendages to the simplest plan of a jail.

4. (d) —The Dead-house.

(e).—Hospital for women.

(f).— Ditto for boys.

(i).—Space round the walls.

(j).—Garden proportioned to jail population.

All appear to the Chief Commissioner to be very desirable enlargements of the standard plan.

5. There remained for consideration—

(a) —Quarantine barracks.

(b).—Additional solitary cells.

(c).—Cellular dormitories.

(k).—Model villages.

6. The Chief Commissioner believes that opinions are not unanimous as to the protection from disease afforded to the population of a jail by the practice of quarantine. He is, however, himself inclined to the cautious side, in consequence of the probable greater accessibility to contagion of an imprisoned, than of a free, population. It does not appear that additional expense would be entailed in a jail yet to be built, by including two quarantine barracks in the plan. Of 500 prisoners, 100, say, would be, during the first month of their term, confined in them outside the main wall, but the total number of prisoners would remain the same. The two barracks would be divided into two compartments each, in order to secure a classification of the inmates; and prisoners sentenced to solitary confinement might be placed in the cells at once, as they are there sufficiently isolated. On the whole, the Chief Commissioner considers that the advantages are on the side of altering the plan in conformity with the recommendation of the Committee.

7. (b).—The additional solitary cells would cause additional expense, but the Chief Commissioner considers that they are necessary to the proper execution of judicial sentences and to the maintenance of jail discipline, and he will be glad if the Government see fit to add them to the plan.

8. (c).—Cellular dormitories would also entail some extra expense, as the cubic space required for each prisoner is considerably larger than that now allowed. As an experiment, this modification might be valuable, but the Chief Commissioner does not pretend that it is of the same urgency as the other proposals of the Committee.

9. (k).—The model villages. The novelty of this proposal may militate against it, but the Chief Commissioner concurs with the Sanitary Commissioner in thinking it of importance that the jail establishment should be kept apart from the neighbouring towns, and made to reside close to the jail. As it is not intended that any part of the expense should be borne by Government, the Chief Commissioner thinks such a village might well become a normal adjunct to the ordinary jail.

10. The Chief Commissioner also recommends for adoption the suggestion of the Committee to throw back the inner-walls of the frontage compartment of the Central Jails at Lucknow, Fyzabad, and Sectapoor, so as to take in a portion of the open space outside the circle; this will facilitate the provision of additional accommodation for juveniles and women, who are occasionally overcrowded, and always too much exposed to damp and impure air.

11. On learning the views of the Government of India on the foregoing points, a modified plan of a jail will be prepared, together with an estimate of the cost in the Department Public Works.

Dated 17th July 1868.

Report of a Committee assembled by order of the Chief Commissioner in his Secretary's letter, No. 1,494, dated 18th April 1868, to consider what additions and improvements are desirable to the existing new jails, and what changes should be made in the plans of those now in course of erection.

PRESIDENT :

MAJOR F. CHAMIER, Offg. Commr. of Lucknow Division.

MEMBERS :

MR H. J. SPARKS, Offg. Deputy Commissioner of Lucknow.

ASST. SURGEON G. S. SUTHERLAND, M. D., Sanitary Commr. for Oudh.

ASST. SURGEON J. CAMERON, M. D., Supdt. of Lucknow Central Prison.

MR. J. P. BROCKMAN, Executive Engineer, 1st Oudh Road Division.

1. The Committee met on the 25th April, on the 22nd June, and 2nd July 1868, and the following is an abstract of their opinions on the several points referred to them :—

I.—With regard to the standard plan of future jails, which accompanied Department Public Works Circular No. 114, of 30th November 1865.

A.—Quarantine Barracks.

2. The Sanitary Commissioner, in his letter No. 704, of the 19th May 1868, to the President of the Committee, states that, for a practically useful degree of quarantine in a jail, two barracks, each sufficient to contain the average number of admissions of adult male criminals for one month, would suffice; that less accommodation than this would be comparatively useless; and that the buildings for this purpose should be outside the circle, or, still better, outside the main wall of the jail.

3. The Committee observe that no provision is made in the standard plan for quarantine, and (with exception of the Deputy Commissioner, whose views on the subject are recorded in a separate Minute appended to this report) are of opinion that quarantine barracks to the extent advocated by the Sanitary Commissioner, with a margin of 10 per cent. for fluctuations of crime, are necessary; and they agree that they should be placed outside the main wall of the jail, and out of the direction of prevailing winds.

B.—Separate Confinement.

4. The Sanitary Commissioner recommends that the proportion of separate cells should be increased from that of the standard plan, which is 5 per cent. to 10 per cent., and that each cell should be provided with a separate walled airing yard, this being the only method of combining sufficient natural ventilation with seclusion, as has been done in the Lucknow Central Prison.

5. The Committee are of opinion that cells of this construction are necessary for 10 per cent. of the strength, to meet the requirements of judicial sentences, and punishment for breaches of jail discipline.

6. They regard the question of a separate confinement at night, as a general reformatory measure, as quite a distinct subject, and agree in opinion that this system could not be carried out in existing jails, or in those hereafter to be built on the standard plan, for want of space.

7. They are of opinion that, considering the overcrowded state of the Oudh jails at present, it would not be advisable to attempt the conversion of any of them into separate dormitories; but they agree in recommending that, in future jails, separate dormitories should be provided for 10 per cent. of the prisoners, exclusive of those for whom solitary cells shall be provided. Such separate dormitories would not require separate walled airing yards, and might be obtained by partitioning barracks 12 feet broad into separate compartments, giving each man a space of 12' by 8' equal to 96' of floor, with free lateral ventilation.

C.—Dead-house.

8. The Committee observe that no dead-house is provided in the standard plan. They are of opinion that one is necessary, and that it should be placed behind the hospital, between the main wall and the circle.

D.—Hospital for woman.

9. The Committee observe that there is no hospital for women in the standard plan, and are of opinion that one should be provided.

E.—Hospital for boys.

10. The Committee observe that there is no hospital for boys, and are of opinion that one is necessary.

F.—Civil Jail.

11. The Committee observe that no quarters are provided in the standard plan for Civil and Revenue prisoners. The Sanitary Commissioner recommends, on grounds of discipline and quarantine, that Civil prisoners should not enter the Criminal Jail, because they wear their own clothing, purchase and cook their own food, and see their friends at pleasure, and would be likely to introduce forbidden articles and disease into the jail.

12. The Committee are of opinion that the Civil Jail should be connected with, and under the supervision of the Officer in charge of, the Criminal Jail, and that it should be in the immediate neighbourhood of the latter, but in a distinct building.

13. They recommend at the same time that Civil prisoners should be shown separately in the annual returns, so as not to interfere with the averages of the cost of, or with the vital statistics of, the criminal prisoners.

G.—Lock-up for prisoners under trial.

14. The Committee observe that no provision is made in the standard plan for prisoners under trial. The Sanitary Commissioner recommends, on similar grounds to those already stated with regard to Civil prisoners, that prisoners under trial should not be received into the Criminal Jails.

15. The Committee are of opinion that a separate Lock-up is necessary for prisoners under trial; that it should be near the Court-house; that the Officer in charge of the Jail should not have the control of these prisoners, but that the Magistrate of the District should be responsible for their management.

16. They recommend, moreover, that the returns of prisoners under trial should be entirely separate from those of convicted prisoners.

H.—Jail area.

17. The Sanitary Commissioner recommends that there should be a clear space of 200 yards around the main wall of the Jail, exclusive of the garden and room for the houses of establishment.

18. The Committee are of opinion that a space of 50 yards is necessary and sufficient.

J.—Jail Garden.

19. The Sanitary Commissioner recommends that there should be a space in the proportion of two acres per cent. of strength for a jail garden.

The Committee are of opinion that this amount of ground is necessary, and that it should be contiguous to the open space around the Jail.

K.—Model village for the jail servants and their families.

20. The Sanitary Commissioner recommends that a model Native village should be built by prison labour upon jail ground for the families of jail servants; that the cost of materials should be paid for, in the first instance, out of the Manufactory Fund; and that a moderate rent should be charged for each house occupied to defray expenses for the following reasons:—

1st.—To prevent jail servants from residing in the city or bazaar in times of epidemic disease,

and being the means of conveying the same into the jail.

2nd.—To serve as a model for imitation by natives of the District for improvement of their villages as regards ventilation, drainage, arrangement of streets and conservancy.

21. The Committee approve of the idea of a model village and of a sketch of the same produced, and recommend that ground for the purpose should be taken up in the proportion of one acre per cent. of the strength of each jail, exclusive of the clear space round the main wall of the garden, and of such buildings as are provided for in the standard plan.

II.—As regards permanent jails already built, namely, the Central Prison and the Divisional jails of Lucknow, Fyzabad, and Seetapoor.

A.—Frontage of the jail containing women, boys, and Civil prisoners.

22. The Committee observe that the space in the frontage of the new jails for women, boys, and Civil prisoners, is very narrow, and is, in consequence, damp and badly ventilated; and they are of opinion that these quarters might be improved by throwing back the inner wall of the enclosures, and taking in a part of the open space between them and the circle.

B.—Additional accommodation for boys in the Central Prison.

23. The Sanitary Commissioner recommends in his No. 1,193, of 3rd September 1867, to the Secretary to the Chief Commissioner, that two workshops and a hospital for boys, each 50' by 18', should be added outside the main wall of the jail.

24. The Committee are of opinion that these additional buildings are necessary, but that it will be better to make room for them, as described in paragraph 22.

C.—Assistant Jailor's and European Warders' quarters in the Central Jail.

25. With regard to the subject of the Secretary to Chief Commissioner's No. 2,306, of 9th June, to the President of the Committee, the Sanitary Commissioner states that there is an Assistant Jailor on the establishment of the Central Jail, who now lives in the city, because there are no quarters for him, and that two European Warders have been applied for in anticipation of quarters being provided for them.

26. The Committee recommend that the provision made in the Budget of the current year for quarters for an Assistant Jailor and European Warder should be applied to the proposed object.

D.—General alterations.

27. The Committee recommend that, if the alterations in the standard plan proposed by them be finally approved of, the same advantages should be extended to all the permanent jails which are already built.

They observe that none of them have any quarantine barracks; none (except the Central Prison) have any airing yards attached to the solitary cells; none have separate hospitals for women or for boys; and the Fyzabad Jail has no dead-house and no separate lock-up for prisoners under trial.

28. Drawings of the proposed additions to the standard plan made by the Executive Engineer are attached to this Report, from which, if sanctioned, the requirements of the permanent jail already built can easily be ascertained hereafter.

APPENDIX A.

Memorandum on Circular No. 21—267, dated 8th July, from the Officiating Deputy Commissioner, to the Commissioner, Lucknow Division, relative to standard plan of Jails, dated 10th July 1868, No. 3,515.

In the 3rd paragraph of the Committees's report it is said—"The Committee, with the exception of the Officiating Deputy Commissioner, are of opinion that quarantine barracks, to

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the extent advocated by the Sanitary Committee, are necessary," and, with reference to this passage, I think it best to record my opinion.

Mr. Capper, who was President at the first meeting of the Committee, was inclined to agree with me in thinking that, unless quarantine be nearly perfect, there is little practical effect to be derived from it; that the establishment should be, as far as possible, isolated; that quarantine is as necessary for women and boys as for adult male prisoners; and further, that there would arise a very serious moral evil from the indiscriminate association of adult male prisoners of all classes in one barrack for a period of at least one month, and which might extend to two months.

For the above reasons I am of opinion that, if the experiment of quarantine be tried, a building should be erected at some distance from the jail, with accommodation for all classes of men, women and boys; and that the establishment should be distinct from the regular jail establishment. I am not aware why quarantine is more necessary for the criminal population than for any other class, and think that, before adopting the system generally, it would be well to try it experimentally at one selected jail.

Another objection to the proposed semi-quarantine system is that, in some instances, it will be impossible to carry the judicial sentences into effect, *e. g.*, A. is sentenced to four months' rigorous imprisonment, of which one month shall be passed in solitary confinement. For the first month, at any rate, A. will be in the general quarantine barrack, where he cannot be put in solitary confinement; when he does enter the jail, he will have from two to three months' imprisonment to undergo; but as, under the provisions of Section 74 of the Indian Penal Code, he cannot be placed in solitary confinement for more than seven days in each month; he will not undergo more than 21 days' solitary confinement, whereas he was sentenced to pass one month in solitary confinement.

In the absence of all data, I think it will be better to try quarantine experimentally at one prison before adopting it generally, and thereby incurring a heavy expense in building and in keeping up an establishment to guard the quarantine prisoners.

APPENDIX B.

Note by the Sanitary Commissioner of Oudh, with reference to Mr. Sparks' objections to the system of quarantine recommended by the Committee.

1. The quarantine establishment can be isolated by employing Burkundauzes for quarantine duty only, and not allowing them to enter the jail.
2. The number of women and boys is but small in a jail, and as regards the body of prisoners, they are already in quarantine, and disease breaking out among them is not likely to affect the adult male population who form the mass.
3. Each of the two quarantine barracks can be divided by a partition into two compartments. This will give four wards, one for each class, into which the prisoners are, by the rules, separated in the body of the jail.
4. A separate cell is the most isolated position a prisoner can be placed in, and the most confinement during the period of quarantine.
5. The reason why quarantine is more necessary for prisoners in jails than for other classes is, because they are congregated in such numbers in barracks, and their barracks are compressed into so small a space that disease is more likely to break out and spread among them while they have no option in the matter themselves.

Memorandum from the Secretary to the Government of India, Public Works Department, to the Secretary to the Government of India, Home Department, dated 10th December 1868, No. 743 C.

1. In reply to the Office Memorandum from Home Department, No. 1,889, dated 13th November 1868, forwarding the report of a Committee assembled at Lucknow to review the standard plan for jails, the undersigned has the honour to observe that a mistake runs through all the papers, as

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no standard plan for jails has been adopted by the Government of India. A plan of a District Jail was simply circulated for information in 1865, being one of the best that had at that time been received.

2. There is no objection in this Department to the proposals in these papers which are approved in the Home Department, and the undersigned would suggest that the papers be circulated in this Department to all Local Governments for information and adoption (if desired), so far as is practicable within their powers of sanction. Any proposals involving expense beyond such powers would thus come up to the Government of India for approval.

Office Memorandum from the Officiating Secretary to the Government of India, Home Department, to the Secretary to the Government of India, Public Works Department, dated 5th January 1869, No. 11.

1. With reference to the communication from the Public Works Department, No. 743 C, dated the 10th ultimo, regarding standard plan for jails, the undersigned is directed to state that this Department approves of the proposed circulation of the papers to all Local Governments and Administrations for information, and if desired, for adoption. It is understood that the papers will be circulated in the Public Works Department.

2. A copy of the correspondence noted on the margin, respecting the amount of quarantine accommodation to be provided in each jail, is enclosed for information: the result of the present reference to the Officiating Sanitary Commissioner will be communicated on receipt.

*Letter from Officiating Sanitary Commissioner with Government of India, No. 9-1, dated 10th ultimo.
Letter to Officiating Sanitary Commissioner with Government of India, No. 10 of this date.*

From the Officiating Sanitary Commissioner with the Government of India, to the Officiating Secretary to the Government of India, Home Department, dated 10th December, 1868, No. 984.

1. As directed in your docket, No. 1,890, dated the 13th November, with enclosures, regarding the proposed alterations in the standard plan of jails in Oudh, I have the honour to report on the amount of quarantine accommodation which ought to be provided.

2. The Chief Commissioner proposes "the addition of quarantine barracks in the proportion of two for every 500 prisoners to contain 50 each." In this manner he remarks "of 500 prisoners, 100, say, would be during the first month of their term confined in them."

3. In his letter quoted by the Committee which assembled at Lucknow to consider the question of alterations in the standard plan of jails, the Sanitary Commissioner for Oudh is reported to have stated that, "for a practically useful degree of quarantine in a jail, two barracks, each sufficient to contain the average number of admissions of adult male criminals for one month, would suffice." It would seem that the Sanitary Commissioner's opinion has been either imperfectly or incorrectly quoted; for, if one of the two barracks is sufficient to contain the average number of admissions of adult male criminals for one month, it does not appear to what purpose the other is to be appropriated, as the women and children would hardly fill it. Again, looking at the average monthly number of admissions into each jail in Oudh, one barrack, unless of very unusual size, would be insufficient to accommodate new arrivals, and in many cases, even two ordinary sized barracks would be inadequate for the purpose.

4. As the object of quarantine is to separate new comers, it is evident that the extent of the accommodation to be provided for this purpose must depend on the probable number of admissions, and not on the average strength of the jail: the two bear very little relation to each other. Taking the figures given in the Oudh Jail Report for 1867, I find, for example, that in the Hurdul Jail, with an average population of 165, the admissions during the year numbered 1,421; while in the Central Prison at Lucknow, with an average of 1,765, the new prisoners amounted to only 1,225. Table No. 1 of that report shows clearly that the average strength is no index of the number of new arrivals who ought to be separated.

5. I would, therefore, suggest that the quarantine accommodation for each jail should be determined by the average number of admissions; but instead of a month, it will, I think, be suffi-

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15th February 1869.*

cient if fifteen days be taken as the period for which separation is to be provided, and on which, therefore, the wants of each jail should be calculated. In some of the small jails, where the prison population is constantly changing, the quarantine quarter required, according to the statistics of the last Oudh Report, would be as large as the other portion of the prison, but this would not lead to any increase in the total accommodation to be supplied. These statistics, moreover, appear to include persons under trial, and when separate Lock-ups have been provided for them, as recommended by the Committee, the difficulty of such frequent changes will, to a great extent, be obviated.

6. In order to provide for fluctuations in crime, a small margin should be allowed as recommended by the Committee; and the transfer of prisoners from one jail to another should, as far as possible, be regulated by the quarantine accommodation available.

7. The size of the quarantine barracks is a matter of some importance. It is proposed that each building should hold 50, and that it should be divided into two compartments. Twenty-five prisoners, however, are too many to house together for purposes of quarantine. If on the 15th day a single suspicious case appeared, it would be necessary to subject all the others to further observation, and the same thing might occur again and again in the same batch. In order fully to meet this difficulty, a separate cell would be required for each new prisoner. I do not advocate such a measure, but I believe that the smaller the barracks the greater is the likelihood of success in carrying out what is confessedly a very difficult undertaking; and I would, therefore, recommend that not more than 6 or 8 prisoners should be confined in each compartment of the quarters set aside for quarantine.

From the Officiating Secretary to the Government of India, Home Department, to the Officiating Sanitary Commissioner with the Government of India, dated 5th January 1869, No. 10.

1. I am directed to acknowledge the receipt of your letter, No. 984, dated the 10th ultimo, regarding the amount of quarantine accommodation to be provided in jails.

2. In reply, I am to state that the Governor General in Council concurs with you in opinion that quarantine accommodation for each jail should be determined by the average number of admissions; but I am to observe that in view to the issue of definite orders, the amount of accommodation to be provided on a given average of admissions should be stated.

3. You are not understood to mean that *every* prisoner when admitted should be sent to quarantine; for it will very often happen that a prisoner on admission has long been under trial, or is not reasonably open to suspicion on the score of healthiness; and quarantine would, therefore, in such a case, be unnecessary. *Primâ facie* it would seem that those prisoners only should be subjected to quarantine who come from suspected quarters in unhealthy seasons, and the question for consideration is whether any calculable average can be made for such cases on the total admissions.

4. Under these circumstances to provide a quarantine quarter "as large as the other portion of the prison," and to send all new coming prisoners there, seem to be measures of doubtful expediency. It would be hardly a quarantine at all, because it would place together and keep together those prisoners whom there is reasonable ground to consider suspected, or worse, with those whom there is the same ground to consider free from suspicion.

5. In ordinary localities, it appears to the Government, that a quarantine accommodation for 5 or 7 per cent., of average monthly admissions, including prisoners under trial, would be ample, and this would best be provided in small separate wards for 6 or 8 people of the same sex at one time.

6. I am to request that you will be good enough to submit your views on the points above noticed at an early date.

ORDER.—Ordered, that copies of these

Governments of Madras, Bombay, Bengal, North-Western Provinces, and Punjab
Chief Commissioners of the Central Provinces, Oudh and British Burmah.
Commissioners of Mysore and Coorg.
Resident at Hyderabad.
Agents to the Governor General for Central India and Rajpootana.

papers be forwarded to the Local Governments and Administrations marginally noted, for information, and adoption of the proposals, if desired, within the limits of the powers of sanction possessed by each.

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15th February 1869.*

ORDERED also, that copies be forwarded to the Sanitary Commissioner with the Government of India for information.

(Signed) C. H. DICKENS, Colonel, R. A.,
Secy. to the Govt. of India.

To the Secretary to the Government of Madras, Public Works Department.

No. 395. ORDER THEREON, 15th February 1869, No. 493.

CIVIL WORKS, No. 52.

Communicated to the Judicial Department in which Department the proposals referred to by the Government of India will be considered.

(True Extract.)

Colonel, R. E.,

Secretary to Government.

To the Judicial Department.

Exd. S. T. Augustin.

Cont. of 1869

PUBLIC WORKS.

To

THE JUDICIAL DEPARTMENT

Dated February, 1869.

Recd.

G. O., 1533, dated 14th Nov. 1868.

FEBRUARY.

Nov. 331-333

Jails.—Circular from the Government of India regarding Jails in Lucknow, communicated to the Department of Public Works.

CIRCULAR No. 5 PUBLIC WORKS.
GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.
CIVIL WORKS.
Buildings.

FORT WILLIAM, JANUARY 14, 1869.

Jails in India.

Read the following papers:—

No. 1339, dated 13th November, 1868.

Office Memo. from—A. P. HOWELL, Esq., Offg. Secy. to the Govt. of India, Home Dept.
To—Secretary to the Government of India, P. W. Dept.

The undersigned is directed to forward to the Public Works Department the accompanying copy of a report* by a Committee assembled at Lucknow on the standard plan of jails, and to state that the proposals made by the Committee are generally approved in this Department, except those regarding the addition of (K) model villages for the construction of (K) model villages for the construction of cellular dormitories in jails yet to be built, and the construction of cellular dormitories in the manner proposed would be unnecessary.

2. It is requested that the Public Works Department will consider how far the Committee's proposals can best be amalgamated with existing buildings or plans. If to carry them out would involve any considerable increase of expenditure, either over the estimates sanctioned for jails in Oudh, or for prisons elsewhere, it is requested that the Public Works Department will inform this Department accordingly, and point out those of the proposals which seem most expensive or least necessary.

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No. 4533, dated 19th October, 1868.

From—MAJOR I. F. MACANDREW, Secy. to the Chief Commr. of Oudh,
To—Secretary to the Government of India, Home Dept.

I am directed to forward herewith, for submission to the Government of India, the report of a Committee assembled at Lucknow, by order of the Chief Commissioner, to review the standard plan of jails, and to suggest such alterations as experience may have shown to be needed.

2. The modifications proposed are the following:—

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(d).—The addition of a dead-house to be placed between the main wall and circle.

- (e).—Separate hospital for women.
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 (j).—The size of the gardens to be in the ratio of two acres per 100 prisoners.
 (k).—The construction of a village for the residence of the guards and persons required to reside near the jail, on a plan laid down by the Sanitary Commissioner by means of prison labour, and of advances for first cost of materials from Jail Manufactory Funds, to be recovered out of the rents charged for the houses.

3. Of these suggestions the Chief Commissioner considers (h) the Lock-up and (g) the separate Civil Jail those which are most pressing. Absolute want of funds alone can justify the incarceration of unconvicted persons and debtors together with condemned prisoners. These buildings are necessary appendages to the simplest plan of a jail.

4. (d).—The Dead-house.
 (e).—Hospital for women.
 (f).— Ditto for boys.
 (i).—Space round the walls.
 (j).—Garden proportioned to jail population.

All appear to the Chief Commissioner to be very desirable enlargements of the standard plan.

5. There remained for consideration—
 (a).—Quarantine barracks.
 (b).—Additional solitary cells.
 (c).—Cellular dormitories.
 (k).—Model villages.

6. The Chief Commissioner believes that opinions are not unanimous as to the protection from disease afforded to the population of a jail by the practice of quarantine. He is, however, himself inclined to the cautious side, in consequence of the probable greater accessibility to contagion of an imprisoned, than of a free, population. It does not appear that additional expense would be entailed in a jail yet to be built, by including two quarantine barracks in the plan. Of 500 prisoners, 100 say would be, during the first month of their term, confined in them outside the main wall, but the total number of prisoners would remain the same. The two barracks would be divided into two compartments each, in order to secure a classification of the inmates; and prisoners sentenced to solitary confinement might be placed in the cells at once, as they are there sufficiently isolated. On the whole, the Chief Commissioner considers that the advantages are on the side of altering the plan in conformity with the recommendation of the Committee.

7. (b).—The additional solitary cells would cause additional expense, but the Chief Commissioner considers that they are necessary to the proper execution of judicial sentences and to the maintenance of jail discipline, and he will be glad if the Government see fit to add them to the plan.

8. (c).—Cellular dormitories would also entail some extra expense, as the cubic space required for each prisoner is considerably larger than that now allowed. As an experiment, this modification might be valuable, but the Chief Commissioner does not pretend that it is of the same urgency as the other proposals of the Committee.

9. (k).—The model villages. The novelty of this proposal may militate against it, but the Chief Commissioner concurs with the Sanitary Commissioner in thinking it of importance that the jail establishment should be kept apart from the neighbouring towns, and made to reside close to the jail. As it is not intended that any part of the expense should be borne by Government, the Chief Commissioner thinks such a village might well become a normal adjunct to the ordinary jail.

10. The Chief Commissioner also recommends for adoption the suggestion of the Committee to throw back the inner-walls of the frontage compartment of the Central Jails at Lucknow, Fyzabad, and Seetapoor, so as to take in a portion of the open space outside the circle; this will facilitate the provision of additional accommodation for juveniles and women, who are occasionally overcrowded, and always too much exposed to damp and impure air.

11. On learning the views of the Government of India on the foregoing points, a modified plan of a jail will be prepared, together with an estimate of the cost in the Department Public Works.

Dated 17th July, 1868.

Report of a Committee assembled by order of the Chief Commissioner in his Secretary's letter No. 1498, dated 18th April 1868, to consider what additions and improvements are desirable to the existing new jails, and what changes should be made in the plans of those now in course of erection.

PRESIDENT:

MAJOR F. CHAMBER, Offg. Commr. of Lucknow Division.

MEMBERS:

MR. H. J. SPARKS, Offg. Deputy Commissioner of Lucknow.

ASST. SURGEON G. S. SUTHERLAND, M. D., Sanitary Commr. for Oudh.

ASST. SURGEON J. CAMERON, M. D., Supdt. of Lucknow Central Prison.

MR. J. P. BROCKMAN, Executive Engineer, 1st Oudh Road Division.

1. The Committee met on the 25th April, on the 22nd June, and 2nd July 1868, and the following is an abstract of their opinions on the several points referred to them:—
 I. With regard to the standard plan of future jails, which accompanied Department Public Works Circular No. 114 of 30th November 1865.

A.—Quarantine Barracks.

2. The Sanitary Commissioner, in his letter No. 704 of the 19th May 1868, to the President of the Committee, states that, for a practically useful degree of quarantine in a jail two barracks, each sufficient to contain the average number of admissions of adult male criminals for one month, would suffice; that less accommodation than this would be comparatively useless; and that the buildings for this purpose should be outside the circle, or, still better, outside the main wall of the jail.

3. The Committee observe that no provision is made in the standard plan for quarantine, and (with exception of the Deputy Commissioner, whose views on the subject are recorded in a separate Minute appended to this report) are of opinion that quarantine barracks to the extent advocated by the Sanitary Commissioner, with a margin of 10 per cent. for fluctuations of crime, are necessary; and they agree that they should be placed outside the main wall of the jail, and out of the direction of prevailing winds.

B.—Separate confinement.

4. The Sanitary Commissioner recommends that the proportion of separate cells should be increased from that of the standard plan, which is 5 per cent. to 10 per cent., and that each cell should be provided with a separate walled airing yard, this being the only method of combining sufficient natural ventilation with seclusion, as has been done in the Lucknow Central Prison.

5. The Committee are of opinion that cells of this construction are necessary for 10 per cent. of the strength, to meet the requirements of judicial sentences, and punishment for breaches of jail discipline.

6. They regard the question of a separate confinement at night, as a general reformatory measure, as quite a distinct subject, and agree in opinion that this system could not be carried out in existing jails, or in those hereafter to be built on the standard plan, for want of space.

7. They are of opinion that, considering the overcrowded state of the Oudh jails at present, it would not be advisable to attempt the conversion of any of them into separate dormitories; but they agree in recommending that, in future jails, separate dormitories should be provided for 10 per cent. of the prisoners, exclusive of those for whom solitary cells shall be provided. Such separate dormitories would not require separate walled airing yards, and might be obtained by partitioning barracks 12 feet broad into separate compartments, giving each man a space of 12' by 5' equal to 90 of floor, with free lateral ventilation.

C.—Dead-house.

8. The Committee observe that no dead-house is provided in the standard plan. They are of opinion that one is necessary, and that it should be placed behind the hospital, between the main wall and the circle.

D.—Hospital for women.

9. The Committee observe that there is no hospital for women in the standard plan, and are of opinion that one should be provided.

E.—Hospital for Boys.

10. The Committee observe that there is no hospital for boys, and are of opinion that one is necessary.

F.—Civil Jail.

11. The Committee observe that no quarters are provided in the standard plan for Civil and Revenue prisoners. The Sanitary Commissioner recommends, on grounds of discipline and quarantine, that Civil prisoners should not enter the Criminal Jail, because they wear their own clothing, purchase and cook their own food, and see their friends at pleasure, and would be likely to introduce forbidden articles and disease into the jail.

12. The Committee are of opinion that the Civil Jail should be connected with, and under the supervision of the Officer in charge of, the Criminal Jail, and that it should be in the immediate neighbourhood of the latter, but in a distinct building.

13. They recommend at the same time that Civil prisoners should be shown separately in the annual returns, so as not to interfere with the averages of the cost of, or with the vital statistics of, the criminal prisoners.

G.—Lock-up for prisoners under trial.

14. The Committee observe that no provision is made in the standard plan for prisoners under trial. The Sanitary Commissioner recommends, on similar grounds to those already stated with regard to Civil prisoners, that prisoners under trial should not be received into the Criminal Jails.

15. The Committee are of opinion that a separate Lock-up is necessary for prisoners under trial; that it should be near the Court-house; that the Officer in charge of the Jail should not have the control of these prisoners, but that the Magistrate of the District should be responsible for their management.

16. They recommend, moreover, that the returns of prisoners under trial should be entirely separate from those of convicted prisoners.

H.—Jail area.

17. The Sanitary Commissioner recommends that there should be a clear space of 200 yards around the main wall of the jail, exclusive of the garden and room for the houses of establishment.

18. The Committee are of opinion that a space of 50 yards is necessary and sufficient.

J.—Jail Garden.

19. The Sanitary Commissioner recommends that there should be a space in the proportion of two acres per cent. of strength for a jail garden.

The Committee are of opinion that this amount of ground is necessary, and that it should be contiguous to the open space around the jail.

K.—Model village for the jail servants and their families.

20. The Sanitary Commissioner recommends that a model Native village should be built by prison labour upon jail ground for the families of jail servants; that the cost of materials should be paid for, in the first instance, out of the Manufactory Fund; and that a moderate rent should be charged for each house occupied to defray expenses for the following reasons:—

1st.—To prevent jail servants from residing in the city or bazaar in times of epidemic disease, and being the means of conveying the same into the jail.

2nd.—To serve as a model for imitation by natives of the District for improvement of their villages as regards ventilation, drainage, arrangement of streets and conservancy.

21. The Committee approve of the idea of a model village and of a sketch of the same produced, and recommend that ground for the purpose should be taken up in the proportion of one acre per cent. of the strength of each jail, exclusive of the clear space around the main wall of the garden, and of such buildings as are provided for in the standard plan.

II.—As regards permanent Jails already built, namely, the Central Prison and the Divisional Jails of Lucknow, Fyzabad, and Seetapoor.

A.—Frontage of the jail containing women, boys, and Civil prisoners.

22. The Committee observe that the space in the frontage of the new jails for women, boys, and Civil prisoners, is very narrow, and is, in consequence, damp and badly ventilated; and they are of opinion that these quarters might be improved by throwing back the inner wall of the enclosures, and taking in a part of the open space between them and the circle.

B.—Additional accommodation for boys in the Central Prison.

23. The Sanitary Commissioner recommends in his No. 1193 of 3rd September 1867, to the Secretary to the Chief Commissioner, that two workshops and a hospital for boys, each 50' by 15', should be added outside the main wall of the jail.

24. The Committee are of opinion that these additional buildings are necessary, but that it would be better to make room for them, as described in para. 22.

C.—Assistant Jailor's and European Warders' quarters in the Central Jail.

25. With regard to the subject of the Secretary to Chief Commissioner's No. 2306 of 9th June to the President of the Committee, the Sanitary Commissioner states that there is an Assistant Jailor on the establishment of the Central Jail, who now lives in the city, because there are no quarters for him, and that two European Warders have been applied for in anticipation of quarters being provided for them.

26. The Committee recommend that the provision made in the Budget of the current year for quarters for an Assistant Jailor and European Warder should be applied to the proposed object.

D.—General alterations.

27. The Committee recommend that, if the alterations in the standard plan proposed by them be finally approved of, the same advantages should be extended to all the permanent jails which are already built.

They observe that none of them have any quarantine barracks; none (except the Central Prison) have any airing yards attached to the solitary cells; none have separate hospitals for women or for boys; and the Fyzabad Jail has no dead-house and no separate lock-up for prisoners under trial.

28. Drawings of the proposed additions to the standard plan made by the Executive Engineer are attached to this Report, from which, if sanctioned, the requirements of the permanent jail already built can easily be ascertained hereafter.

APPENDIX A.

No. 3515, dated 10th July, 1868.

Memorandum on Circular No. 21—267, dated 8th July, from II. J. SPARKS, Esq., Officiating Deputy Commissioner, to the Commissioner, Lucknow Division, relative to standard plan of Jails.

In the 3rd para. of the Committee's report it is said—"The Committee, with the exception of the Officiating Deputy Commissioner, are of opinion that quarantine barracks, to the extent advocated by the Sanitary Committee, are necessary," and, with reference to this passage, I think it best to record my opinion.

Mr. Capper, who was President at the first meeting of the Committee, was inclined to agree with me in thinking that, unless quarantine be nearly perfect, there is little practical effect to be derived from it; that the establishment should be, as far as possible, isolated; that quarantine is as necessary for women and boys as for adult male prisoners; and further, that there would arise a very serious moral evil from the indiscriminate association of adult male prisoners of all classes in one barrack for a period of at least one month, and which might extend to two months.

For the above reasons, I am of opinion that, if the experiment of quarantine be tried, a building should be erected at some distance from the jail, with accommodation for all classes of men, women and boys; and that the establishment should be distinct from the regular jail establishment. I am not aware why quarantine is more necessary for the criminal population than for any other class, and think that, before adopting the system generally, it would be well to try it experimentally at one selected jail.

Another objection to the proposed semi-quarantine system is that, in some instances, it will be impossible to carry the judicial sentences into effect, e.g., A. is sentenced to four months' rigorous imprisonment, of which one month shall be passed in solitary confinement. For the first month, at any rate, A. will be in the general quarantine barrack, where he cannot be put in solitary confinement; when he does enter the jail, he will have from two to three months' imprisonment to undergo; but as, under the provisions of Section 74 of the Indian Penal Code, he cannot be placed in solitary confinement for more than seven days in each month; he will not undergo more than 21 days' solitary confinement, whereas he was sentenced to pass one month in solitary confinement.

In the absence of all data, I think it would be better to try quarantine experimentally at one prison before adopting it generally, and thereby incurring a heavy expense in building and in keeping up an establishment to guard the quarantine prisoners.

APPENDIX B.

Note by G. S. SUTHERLAND, Esq., M. D., Sanitary Commissioner of Oudh, with reference to MR. SPARKS' objections to the system of quarantine recommended by the Committee.

The quarantine establishment can be isolated by employing Burkundauzes for quarantine duty only, and not allowing them to enter the jail.

2. The number of women and boys is but small in a jail, and as regards the body of prisoners, they are already in quarantine, and disease breaking out among them is not likely to affect the adult male population who form the mass.

3. Each of the two quarantine barracks can be divided by a partition into two compartments. This will give four wards, one for each class, into which the prisoners are, by the rules, separated in the body of the jail.

4. A separate cell is the most isolated position a prisoner can be placed in, and the most perfect as regards quarantine, so that there would be no objection to his undergoing solitary confinement during the period of quarantine.

5. The reason why quarantine is more necessary for prisoners in jails than for other classes is, because they are congregated in such numbers in barracks, and their barracks are compressed into so small a space that disease is more likely to break out and spread among them while they have no option in the matter themselves.

No. 743 C, dated 10th December, 1868.

*Memo. from—COLONEL C. H. DICKENS, R. A., Secy. to the Govt. of India, P. W. Dept.,
To—Secretary to the Government of India, Home Dept.*

In reply to the Office Memorandum from Home Department, No. 1889, dated 13th November 1868, forwarding the report of a Committee assembled at Lucknow to review the standard plan for jails, the undersigned has the honour to observe that a mistake runs through all the papers, as no standard plan for jails has been adopted by the Government of India. A plan of a District Jail was simply circulated for information in 1865, being one of the best that had at that time been received.

2. There is no objection in this Department to the proposals in these papers which are approved in the Home Department, and the undersigned would suggest that the papers be circulated in this Department to all Local Governments for information and adoption (if desired), so far as is practicable within their powers of sanction. Any proposals involving expense beyond such powers would thus come up to the Government of India for approval.

No. 11, dated 5th January, 1869.

*Office Memo. from—A. P. HOWELL, Esq., Offg. Secy. to the Govt. of India, Home Dept.,
To—Secretary to the Government of India, P. W. Dept.*

With reference to the communication from the Public Works Department, No. 743 C, dated the 10th ultimo, regarding standard plan for jails, the undersigned is directed to state and Administrations for information, and if desired, for adoption. It is understood that the papers will be circulated in the Public Works Department.

2. A copy of the correspondence noted on the margin, respecting the amount of quarantine accommodation to be provided in each jail, is enclosed for information: the result of the present reference to the Officiating Sanitary Commissioner will be communicated on receipt.

Letter from Officiating Sanitary Commissioner with Government of India, No. 984, dated 10th ultimo.
Letter to Officiating Sanitary Commissioner with Government of India, No. 10 of this date.

No. 984, dated 10th December, 1868.

*From—J. M. CUNNINGHAM, Esq., M. D., Offg. Sanitary Commr. with the Govt. of India,
To—Officiating Secretary to the Government of India, Home Dept.*

As directed in your docket No. 1890, dated the 13th November, with enclosures, regarding the proposed alterations in the standard plan of jails in Oudh, I have the honour to report on the amount of quarantine accommodation which ought to be provided.

2. The Chief Commissioner proposes "the addition of quarantine barracks in the proportion of two for every 500 prisoners to contain 50 each." In this manner he remarks "of 500 prisoners, 100, say, would be during the first month of their term confined in them."

3. In his letter quoted by the Committee which assembled at Lucknow to consider the question of alterations in the standard plan of jails, the Sanitary Commissioner for Oudh is reported to have stated that, "for a practically useful degree of quarantine in a jail, two barracks, each sufficient to contain the average number of admissions of adult male criminals for one month, would suffice." It would seem that the Sanitary Commissioner's opinion has been either imperfectly or incorrectly quoted; for, if one of the two barracks is sufficient to contain the average number of admissions of adult male criminals for one month, it does not appear to what purpose the other is to be appropriated, as the women and children would hardly fill it. Again, looking at the average monthly number of admissions into each jail in Oudh, one barrack, unless of very unusual size, would be insufficient to accommodate new arrivals, and in many cases, even two ordinary sized barracks would be inadequate for the purpose.

4. As the object of quarantine is to separate new comers, it is evident that the extent of the accommodation to be provided for this purpose must depend on the probable number of admissions, and not on the average strength of the jail: the two bear very little relation to each other. Taking the figures given in the Oudh Jail Report for 1867, I find, for example, that in the Hurdul Jail, with an average population of 165, the admissions during the year, numbered 1,421; while in the Central Prison at Lucknow, with an average of 1,765, the new prisoners amounted to only 1,225. Table No. 1 of that report shows clearly that the average strength is no index of the number of new arrivals who ought to be separated.

5. I would, therefore, suggest that the quarantine accommodation for each jail should be determined by the average number of admissions; but instead of a month, it will, I think, be sufficient if 15 days be taken as the period for which separation is to be provided, and on which, therefore, the wants of each jail should be calculated. In some of the small jails, where the prisoner population is constantly changing, the quarantine quarter required, according to the statistics of the last Oudh Report, would be as large as the other portion of the prison, but this would not lead to any increase in the total accommodation to be supplied. These statistics, moreover, appear to include persons under trial, and when separate Lock-ups have been provided for them, as recommended by the Committee, the difficulty of such frequent changes will, to a great extent, be obviated.

6. In order to provide for fluctuations in crime, a small margin should be allowed as recommended by the Committee; and the transfer of prisoners from one jail to another should, as far as possible, be regulated by the quarantine accommodation available.

7. The size of the quarantine barracks is a matter of some importance. It is proposed that each building should hold 50, and that it should be divided into two compartments. Twenty-five prisoners, however, are too many to house together for purposes of quarantine. If on the 15th day a single suspicious case appeared, it would be necessary to subject all the others to further observation, and the same thing might occur again and again in the same batch. In order fully to meet this difficulty, a separate cell would be required for each new prisoner. I do not advocate such a measure, but I believe that the smaller the barracks the greater is the likelihood of success in carrying out what is confessedly a very difficult undertaking; and I would, therefore, recommend that not more than 6 or 8 prisoners should be confined in each compartment of the quarters set aside for quarantine.

No. 10, dated 5th January, 1869.

*From—A. P. HOWELL, Esq., Offg. Secy. to the Govt. of India, Home Dept.,
To—Officiating Sanitary Commissioner with the Government of India.*

I am directed to acknowledge the receipt of your letter No. 984, dated the 10th ultimo, regarding the amount of quarantine accommodation to be provided in jails.

2. In reply, I am to state that the Governor General in Council concurs with you in opinion that quarantine accommodation for each jail should be determined by the average number of admissions; but I am to observe that in view to the issue of definite orders, the amount of accommodation to be provided on a given average of admissions should be stated.

3. You are not understood to mean that every prisoner when admitted should be sent to quarantine; for it will very often happen that a prisoner on admission has long been under trial, or is not reasonably open to suspicion on the score of healthiness; and quarantine would, therefore, in such a case, be unnecessary. *Prima facie* it would seem that those prisoners only should be subjected to quarantine who come from suspected quarters in unhealthy seasons, and the question for consideration is whether any calculable average can be made for such cases on the total admissions.

4. Under these circumstances to provide a quarantine quarter "as large as the other portion of the prison," and to send all new coming prisoners there, seem to be measures of doubtful expediency. It would be hardly a quarantine at all, because it would place together and keep together those prisoners whom there is reasonable ground to consider suspected, or worse, with those whom there is the same ground to consider free from suspicion.

(8 .)

5. In ordinary localities, it appears to the Government, that a quarantine accommodation for 5 or 7 per cent. of average monthly admissions, including prisoners under trial, would be ample, and this would best be provided in small separate wards for 6 or 8 people of the same sex at one time.

6. I am to request that you will be good enough to submit your views on the points above noticed at an early date.

ORDER.—Ordered, that copies of these papers be forwarded to the Local Governments and Administrations marginally noted, for information, and adoption of the proposals, if desired, within the limits of the powers of sanction possessed by each.

Governments of Madras, Bombay, Bengal, North Western Provinces, and Punjab.
Chief Commissioners of the Central Provinces, Oudh and British Burmah.
Commissioners of Mysore and Coorg.
Resident at Hyderabad.
Agents to the Governor General for Central India and Rajpootana.

Ordered also, that copies be forwarded to the Sanitary Commissioner with the Government of India for information.

(Signed) C. H. DICKENS, Colonel, R. A.,
Secy. to the Govt. of India.

W. S. S. S. Captain, R. E.,
Asstt. Secy. to the Govt. of India.

To
The Secy. to the
Government of Madras

Three separate copies

P. W. D. 1869
Chief Secy to the Govt.

GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.

CIVIL WORKS.
Buildings.

To

No 406

CIRCULAR No. 5 PUBLIC WORKS.

Dated January 14, 1869.

Received 1st Feb/69.

No 193-15-Feb-2/69

Circulating, for information and adoption, if
desired, certain proposals connected with the
erection of Jails in India.

P. W. D. Press—15-1-69—260.

Ch 394

Public Works Department
No 493
Proceedings of the Madras Government
Under date the 15th Feb/69

Read the following

From the Secy to the Govt. of India
Circular
No 5 dated 14th January/69

Communicated to
the Judicial Department
in which Department the
proposals referred to by the
Government of India will
be considered.

To the Judicial Dept.

Recd 2.6/2/69

22
2

[Signature]

Cas 406

Court. of 1869 Madras.

PUBLIC WORKS.

To *The Judicial Department*

Dated

Recd

G. O. 15-*Feb* 1893 No. 193

Nos. 394-395

Sails Circular from the Govt
of India regarding Sails in
India - and other Depart.
-ment concerned.