

8TH MAY 1884, No. 1155, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following paper:—

From C. S. CROLE, Esq., District Magistrate of Madura, to the Chief Secretary to Government, dated Madura, 23rd January 1884, No. 3.

In connection with the report of the committee appointed by Government in G.O., dated 9th July 1883, No. 1917 W., in regard to the location of public offices with special reference to the accommodation available in Tirumal Naik's palace at Madura, I have the honor to submit, herewith, copies of the resolution of the commissioners of the Madura municipality, and of the vice-president's letter, dated 6th August 1883, enclosing the same for the favorable consideration and orders of Government.

2. The commissioners request that the old jail buildings, situated in the centre of the town near the pagoda, may be sold to them in view to their being converted into a municipal market. The history of these old jail buildings is briefly as follows.

3. They had, for many years, been used as a district jail, and they were vacated after a new district jail was erected in 1868. The building then used as a subsidiary jail was the old Kotwall's choultry. This place was narrow, and the accommodation for the prisoners insufficient, and, on the reports and recommendations of the subsidiary jail committee, and of the district magistrate, as will be seen from the correspondence noted in the margin, the Government sanctioned, in 1870, the utilization of a portion of the old jail buildings in question as a subsidiary jail. It appears that, shortly after the receipt of the above order, the subsidiary jail and the taluk police station were so located.

G.O., No. 1052, dated 2nd July 1868, J.D.
„ No. 1500, dated 28th September 1868, J.D.
„ No. 338, 3rd March 1869, J.D.
„ No. 892, 29th June 1870, J.D.

4. The Inspector-General, who visited the place in 1873, suggested to the district magistrate that the old jail building, having been long used as a prison, the soil was much contaminated, and that it would be better to sell the whole of it and to build a new subsidiary jail. The matter was immediately taken in hand, and, in communication with the officers of the Public Works department, a plan and estimate for the construction of a new sub-jail and a police station were prepared and submitted to Government for sanction. But sanction was not accorded thereto. The Government, in their order as per margin, drew attention to the principle that the subsidiary jail should be attached to the sub-magistrate's office, and not left exclusively under the police. Further, in their order, No. 1996, dated 20th October 1874, Judicial department, the Government observed that there were many objections to the erection of a new subsidiary jail at a distance from all courts, and that sooner or later a new sub-magistrate's cutcherry would be required at Madura, and directed the district magistrate to reconsider the matter and to submit his proposals.

5. The sub-magistrate's office was then located in a mantapam, which the devastanam (temple) people were claiming as pagoda property. Further, the place was inconvenient, and there was no room for a subsidiary jail. The Collector and the Judge were against locating the sub-magistrate's office in the palace, and the public was also desirous that the magistrate's office and the police station should be located in the heart of the town, while the Madura municipality urged the necessity of moving the Government for sanction to sell the old jail building to the municipality, with the view of enabling them to convert it into a municipal market, and offered Rs. 15,000 for it. In view of all these considerations, the then district magistrate, Mr. McQuhae, proposed to sell the old jail buildings to the municipality for Rs. 15,000 for a market, and to assign as much of the present Collector's cutcherry ground as might be required for a site for the erection of a new subsidiary jail and sub-magistrate's office, and plan and estimate were simultaneously prepared and submitted for sanction. After some revision as to details, the Government finally sanctioned the plan and estimate, amounting to Rs. 15,180, for constructing a new subsidiary jail and sub-magistrate's cutcherry at Madura (*vide* G.O., No. 2988, dated 7th November 1876, Public Works department). As appears from G.O., No. 2775 W., Public Works department, dated 13th December 1877, it was intended that the work should be commenced in 1878-79, but, owing to the arrangements for the location of the public offices in Tirumal Naik's palace not having been finally settled, it was put off pending the removal of the Collector's cutcherry to the palace.

6. In the mean time, the Government in their order, No. 299, dated 23rd January 1877, Revenue department, ordered the restoration of the mantapam occupied by the sub-magistrate to the devastanam, but, as there was no suitable building available elsewhere, the mantapam was rented for the sub-magistrate's office from the pagoda people at Rs. 5 per mensem. Subsequently in 1879, when it was brought to notice that the repair of the pagoda tower in close proximity to the mantapam, which was then commenced, was likely to cause special inconvenience to the magistrate's court, it was removed from the mantapam and located in the old jail buildings. Thus, for want of suitable buildings elsewhere, the subsidiary jail, police station and the sub-magistrate's office had to be located one after the other in the old jail.

7. It will be observed that, even so far back as 1873, the then Inspector-General objected on sanitary grounds to the location of the subsidiary jail in the old jail buildings. I do not, however, suppose that the soil of that site is in any way worse than that of any other obtainable in Madura. The present buildings are, however, on grounds of security and jail discipline, most unsuitable for a subsidiary jail, the premises being, owing to the size of the place, beyond the control of the police, who are stationed outside. At the same time opportunity is afforded for irregularities on the part of the police. It is highly desirable in the interests of the prisoners' health and the security of the prison that the place should be abandoned.

8. On the other hand, the jail buildings and site are very urgently required in the interests of the health and convenience of a very crowded part of this large town, and the efforts made by the commissioners to supply an urgent want have my cordial support. The price of the jail buildings and site, as already settled in 1875, is Rs. 15,000. This amount the commissioners have agreed to pay, but they request that they may be allowed to pay the amount by yearly instalments of Rs. 1,000 a-year. They would, of course, pay interest on the balance remaining unpaid at the end of each year at the minimum rate allowed, viz., $4\frac{1}{4}$ per cent. per annum.

9. In these circumstances, I beg to submit, for sanction, the following recommendations:—

- (1) That the old jail buildings be vacated and sold to the municipality for Rs. 15,000 (less Rs. 2,000 to be deducted for that portion of the site proposed to be reserved as below), and that the Commissioners be allowed to pay the price by yearly instalments at Rs. 1,000 a-year with interest due on the balance at $4\frac{1}{4}$ per cent. per annum.

(2) That, in accordance with the recommendations of the committee appointed in G.O., dated 9th July 1883, No. 1917 W, regarding the location of public offices in Madura, the sub-jail prisoners be accommodated in the new district jail where there is ample room (accommodation for 150 prisoners is now vacant), and that the sub-magistrate remain where he now is, in that portion of the old jail buildings which the abovesaid committee propose to reserve for the erection of a sub-magistrate's office and sub-jail (*vide* plan submitted along with report of the committee).

10. I trust that Government will be pleased to assist the commissioners in the manner desiderated towards effecting a substantial public improvement, which they have in view, and which the circumstances of the rapidly growing town of Madura very urgently demand.

ENCLOSURES.

From S. SUBRAMANIAM, Vice-President of the Municipal Commission, Madura, to the President of the Municipal Commission, Madura, dated 6th August 1883, No. 870.

In enclosing copy of the resolution of the commissioners, No. 189, dated the 1st instant, I have the honor to request that you will be so good as to move the Government to convey the old jail buildings to the commissioners, and to allow them to pay the price at Rs. 1,000 per annum. The correspondence on the subject is herewith returned.

There is great difficulty felt in providing public latrines in this part of the town in which the old jail premises are situated, and if the premises are conveyed by Government, there is sufficient space over and above that required for the market to provide several latrines.

EXTRACT from the proceedings of the municipal meeting held on the 1st August 1883.

189. Proposal to purchase the old jail buildings for a market.

Resolved that Government be requested to convey the old jail buildings to the municipality for a market for Rs. 15,000, and to accept payment at Rs. 1,000 per annum.

(True Extract.)

(Signed) S. SUBRAMANIAM,
Vice-President.

From Colonel T. E. TENNANT, Inspector-General of Jails, to the Chief Secretary to Government, dated Ootacamund, 10th April 1884, No. 102.

With reference to G.O., No. 478, dated 1st March 1884, Financial department, I have the honor to remark that the admission of subsidiary jail prisoners into the district jail at Madura would be open to the following grave objections:—

1. The district jail is situated at a considerable distance from the courts causing delay and inconvenience in bringing the prisoners backwards and forwards.
2. It would necessitate the unlocking and locking of the jail at all hours day and night for the admission of prisoners.
3. It would, particularly in a place like Madura where epidemic cholera and small-pox so often prevail, expose the inmates of the district jail to an unnecessary risk from such epidemics.
4. Extra quarantine accommodation will have to be built, and also accommodation for prisoners under preliminary investigation, as these persons ought not to be herded together with convicts, and there is not more than sufficient accommodation for under-trials in the present district jail.
5. An additional police guard would be required.

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Under these circumstances, I would suggest the erection of a sub-magistrate's with a subsidiary jail attached.

ORDER—dated 8th May 1884, No. 1155, Judicial.

The Government are of opinion that the new subsidiary jail and sub-magistrate's cutcherry, sanctioned nearly eight years ago, should now be built on the site settled by the committee (paragraph 5, report in G.O., 19th January 1884, No. 170 W.), and they resolve to direct that it be constructed at an early date, the Department of Public Works treating the matter as urgent. The rest of the premises may, when the new building has been constructed, be vacated and handed to the municipality. The Government assume that the price was fixed as stated by Mr. Crole. They note that the Inspector-General of Jails has objections to the proposal, attributed to the committee though it does not appear in their report, to transfer sub-jail prisoners to the district jail. They are of opinion that there is some force in them as a temporary transfer might last another eight years. The sooner the alteration is made the better, but meanwhile the Government fail to see why their interests should suffer.

(True Extract.)

John Maclean

Chief Secretary.

To the District Magistrate, Madura.
„ Public Works department.
„ Inspector-General of Jails.

Copy to the Revenue department.

Exd. J. Wright.

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2. a. No 2988 of 7-11-76
" No 2075 W. 13-12-77
" " 1917 W. 9-7-83
" " 170 W. 19-1-84

Ms 4312

Govt. of 1884 Madras.
JUDICIAL.

Issued

Recd. 21/5/84

Encl.

G.O., 8th May 1884, No. 1155.

No 1408 W of 5th June 84

MAY.

Madura Sub-Jail Buildings.

Directing immediate construction of new sub-jail and sub-magistrate's cutcherry, the old buildings being then handed over to the municipality, and remarking on the proposal to locate sub-jail prisoners in the district jail temporarily.

C. No. 4312.

P. W. Secretariat.

Note by Budget Section.

Work New sub jail and
Sub mag's Cutcherry
at Madura.

Remarks and References.

Fund Provincial
Service Head Civil Buildings
Departmental Head Original works.
Amount of Estimate ... 15,180 ... Rs.
Expenditure in previous year ... " ...
Allotment in current year ... " ...
Balance required to complete ... 15,180 ...

Total Rs...

Note of available funds.

As the work is required to be considered as emergent, application for additional grant, to the extent required for this work will be made if a settlement of the demands (which will be very shortly) no balance of the reserve, sufficient to meet the wants of this work, is found. But as the estimate was sanctioned so late as 1876 it is desirable that the Sd should be asked to report whether the work as sanctioned can now be finished within the amount. The estimate or a revision is necessary.

Budget Clerk.

29-5-84

230-5-84 R. 4. 6. 84

Note by Budget Section.

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the

5th June

READ the following

Proceedings of Govt., Judicial Deptt. H. E. No: 1155 d/8th May 1884.

Communicated to the
Superintending Engineer, VI
Circle, for information and
guidance.

2. No provision has been
made in the current year's
Provincial Budget for a new
subsidiary jail and Sub-
magistrate's Cutcherry at
Madura, but if possible an
allotment will be made for
the work after the demands on
the reserve on account of
incomplete works have been

disposed of.

3. Meanwhile the Supg. Engineer will report without delay whether the estimate sanctioned in G. O. No: 2988 dated 7th November 1876. needs revision, and what funds are required for expenditure on the work during 1884-85.

(14)

Cd.

30-5-84

W
2-6-84

No. 1408 Waps. June/84

— J. B. A.

W
5/6

5/9/84

To
The Supg. Engr. VI Circle
" Judicial Department

Epue
11/76

24.8.87/5: 24/6
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Encl. in Recd. Regs