

Public Works Dept

5158

Govt. of {1894} Madras.

1894,

JUDICIAL.

No 1804 W. d. 17 July 1894

B

Communicated

Communicated

to officers of the P. W.
Dept. for careful
attention in con-
tinuation of the
undermentioned
proceedings.

G.O., 26th June 1894, No. 1579.

No: 1661 W d. 30th June 1886
No: 1661 W d. 30th June 1894
" 676 W d. 10th March 1894
" 676 W d. 10th March 1894
A

JUNE.

CLM

1254

2 S.C. Sub. to Dy.

Ch: Engr for Survey

Com: Engr for Rep.

Supt: Engr

Com: Architect to Govt.

Supt. of Works, P. Projects.

Ex: P. W. accounts.

Despts 1877-1878

O.L.S. 197

Jail Manufactures.

Directing heads of Civil consuming departments, before calling for tenders for woollen, cotton or coir goods, to enquire whether the Jail Department is prepared to supply the articles.

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READ—again the following paper :—

G.O., No. 1493, Judicial, dated 7th June 1886.

Read—the following extract from the Proceedings of the Government of India, in the Home Department (Judicial), under date Simla, the 7th May 1886, No. 10—605-18 :—

Resolution—

7. As regards the preferential supply of articles of jail manufacture to Government departments, Her Majesty's Secretary of State has decided that local Governments and Administrations should in future adapt their intramural industries as much as possible to the requirements of the public consuming departments, these departments being compelled to take articles of jail manufacture which they require, as long as such articles can be supplied by the jails of the same quality and at the same price as they can be obtained in the open market. It is not intended by these orders to preclude the jails from special industries, such, for example, as carpet-making, which have been found suitable as a means of employing convict labour, but for which there is practically no market in the departments of Government. Nor is it intended that these orders, so far as they oblige the public consuming departments to take articles of jail manufacture, should affect existing contracts, which must be allowed to run for the stipulated periods.

8. With regard to the principles which should regulate the price of articles manufactured in jails, whether offered for sale to the public or to the consuming departments of Government, Her Majesty's Secretary of State has accepted the view of the Government of India that the simplest course is to follow as closely as possible the prevailing market rates for similar articles. Where such market rates do not exist or cannot be ascertained, the procedure laid down in paragraph 20 of the Resolution of 22nd September 1882 should be adopted, care being taken that, in estimating the price to be assigned to jail products, due allowance is made for the admitted inferiority of convict labour to free labour.

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Communicated to the Inspector-General of Jails, for very careful consideration and attention.

(True Extract.)

E. F. WEBSTER,
Chief Secretary.

To the Inspector-General of Jails.
Copy to the Public Works Department.

READ—also the following paper :—

From A. G. CARDEW, Esq., M.A., Inspector-General of Jails, to the Chief Secretary to Government, dated 12th May 1894, No. 2346.

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2. The general principle which should determine such purchases has been authoritatively laid down in the Resolution of the Government of India, in the Home Department, No. 10—605-18, dated 7th May 1886, which states as follows :—

“As regards the preferential supply of articles of jail manufacture to Government departments, Her Majesty's Secretary of State has decided that local Governments and Administrations should in future adapt their intramural industries as much as possible to the requirements of the public consuming departments, these departments being compelled to take articles of jail manufacture which they require, as long as such articles can be supplied by the jails of the same quality and at the same price as they can be obtained in the open market.”

3. But a practical difficulty arises as to the manner in which the question whether the articles of jail manufacture can be supplied of the same quality and at the same price as they can be obtained in the open market. On this point the Finance Committee of 1886 wrote as follows :—

“The Commissary-General-in-Chief suggests as ‘the simplest and the only practical way, that as the requirements of this department are, as a rule, advertised for, Superintendents of Jails should, with reference to those advertisements, submit, with the general public, their offers for consideration.’ In the same way the Superintendent of Army Clothing, Calcutta, suggests that the officers concerned should ‘consult the *Exchange Gazette*, in which tenders for materials required are always invited, and submit their tenders with sample of the articles which they are prepared to supply.’”

182. “In the letters from which these extracts are quoted both these officers profess their desire to meet the objects which the Jail Department has in view, but it is evident that they fail to apprehend the financial bearing of the case. The practical result is equivalent to a refusal to carry out the instructions of the Secretary of State. It is obviously a piece of extravagance for the Government in the Military Department to pay cash to third persons for doing that which the Government in the Jail Department can do without extra cost. The latter department has to maintain its factories and to feed its labour, whether fully employed or not; and if it can buy its raw material cheaper than the Military Department can buy the finished article, it is a great economy to Government that the requirements of the Military Department should be met, as far as they can be, through the jails. The proper course is obviously that definite contracts for periodical supplies from jails during lengthened periods should be made between the two departments. As the Secretary of State's instructions indicate, the greatest economy is obtained when the jail industries are adapted to the requirements of consuming departments, but such adaptation is an impossibility when the consuming department reserves the right of stopping the supplies at any moment. No person in private business would dream of calling for tenders from the public for articles which he himself manufactured and had exceptional facilities for cheaply manufacturing and supplying. And it should also be remembered that many private firms, which entirely admit the right of Government to supply itself from its own departments, make the strongest objection, when public tenders are called for, to the right of Government departments to under-bid them. At the same time the purchasing department should have full power, under proper precautions, to reject all articles supplied which are not up to sample, and to fix prices at the rates for which they can purchase in the open market.”—*Report, Volume I, paragraphs 181, 182.*

4. The view of the Finance Committee on this point was accepted by the Government of India and in the marginally-noted orders, instructions were issued directing the great consuming departments to ascertain what articles were procurable from jails and to procure them accordingly.

5. The instructions of Government thus issued, though at the time they had some effect, appear now to have been lost sight of. The system of tendering which the Finance Committee declared that “no person in private business would dream” of employing in similar circumstances is in universal use among public departments, and Superintendents are obliged to tender in precisely the same manner as private persons in order to obtain a chance of orders. The only exception is furnished by the Police

Department, which under the rules printed in Appendix II (4) to the Jail Code obtains certain articles from the jail department. The Inspector-General of Ordnance has also in the current year been so good as, for the first time, to exclude certain articles from the call for tenders and to allot the supply of them to the jails.

6. Nor is it to be supposed that the competition among tenderers which Superintendents of Jails have to undergo is a mere form. So far as I can see, no preference whatever is shown to the Government manufacturer, whose tender is considered altogether on the same lines as those of private tenderers and the lowest offer is accepted. Many jail tenders are thus rejected to the considerable loss of the State, and even when a tender is accepted, there is no security that it will be given the following year or that, when infinite pains have been taken in learning exactly what article is required by the consuming department and in manufacturing it to the exact standard, the whole contract will not after 12 months be allotted to a private merchant who offers a supply at a pie per lb. or per yard cheaper.

7. At the present time there is considerable difficulty experienced in finding sufficient work for the convicts in jails to do. The arrears in the production of Police articles have been cleared off and the demands of that department have also been reduced. Ordnance supplies, tents for the Salt and Public Works Departments, and cumbles and carpets for the Native army, give some occupation, but it is not sufficient. The manufacture of articles for sale to the public is on many grounds undesirable, and the extramural employment of convicts except on jail land is prohibited. I am, therefore, compelled to seek anew the assistance of Government in impressing on all consuming departments their obligation, before seeking other means of supply, to ascertain whether the jail department cannot meet their wants.

8. The practical proposals which I beg to submit for the sanction of Government are the following, namely—

(1) that the consuming departments, Civil and Military, shall, at least one month before calling for tenders, send to this office a statement of any woollen, cotton or coir goods that may be needed, along with samples, and shall inquire whether the Jail Department is prepared to supply these articles in accordance with the sample at the price then actually being paid or at the price last actually paid for the same.

(2) that the great military consuming department—the Commissariat—shall furnish the Jail Department with a forecast, a year in advance, of the main supplies of cotton or woollen articles it will require and of the rates which would be paid for them, so that if the Jail Department is able to manufacture at those rates the articles may be prepared in advance and all chance of inconvenience to the consuming department avoided.

9. I submit that the adoption of these proposals, while giving effect to the orders of the Secretary of State and the Government of India, cannot cause any loss to the consuming departments and will give the jails the chance of steady orders year after year at known rates. As the price would depend on that last paid, the consuming department cannot be required to pay more than it has already agreed to pay in the previous year. The quality would be fixed by the sample, and the Jail Department would have to keep up to that quality. While, if the Jail Department were unable to supply, the consuming department could fall back on its present resource of calling for tenders. The only requisite involved in my proposal appears to be that the probable demands of the next ensuing year shall be considered and ascertained a month or two earlier than has hitherto been the case. As most of the supplies vary little from year to year there can be little difficulty in doing this. It will be observed that my proposal is limited to woollen, cotton and coir articles, and in practice, after a year or two, the articles which the jails can supply will be ascertained and limited.

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Enclosures

Spare copies

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8. The practical proposals which I beg to submit for the sanction of Government are the following, namely—

(1) that the consuming departments, Civil and Military, shall, at least one month before calling for tenders, send to this office a statement of any woollen, cotton or coir goods that may be needed, along with samples, and shall inquire whether the Jail Department is prepared to supply these articles in accordance with the sample at the price then actually being paid or at the price last actually paid for the same.

(2) that the great military consuming department—the Commissariat—shall furnish the Jail Department with a forecast, a year in advance, of the main supplies of cotton or woollen articles it will require and of the rates which would be paid for them, so that if the Jail Department is able to manufacture at those rates the articles may be prepared in advance and all chance of inconvenience to the consuming department avoided.

9. I submit that the adoption of these proposals, while giving effect to the orders of the Secretary of State and the Government of India, cannot cause any loss to the consuming departments and will give the jails the chance of steady orders year after year at known rates. As the price would depend on that last paid, the consuming department cannot be required to pay more than it has already agreed to pay in the previous year. The quality would be fixed by the sample, and the Jail Department would have to keep up to that quality. While, if the Jail Department were unable to supply, the consuming department could fall back on its present resource of calling for tenders. The only requisite involved in my proposal appears to be that the probable demands of the next ensuing year shall be considered and ascertained a month or two earlier than has hitherto been the case. As most of the supplies vary little from year to year there can be little difficulty in doing this. It will be observed that my proposal is limited to woollen, cotton and coir articles, and in practice, after a year or two, the articles which the jails can supply will be ascertained and limited.

10. I earnestly trust that I shall receive in this matter the strongest support from Government. An immense amount of trouble has been taken, both in the jails and in my office, in endeavouring to secure the patronage of Government departments and the results have certainly been inadequate. I do not trouble Government now with

instances of the difficulties which have been met with, because to do so would obscure and distract attention from the main question, but, if needed, plenty of illustrations are available.

11. In conclusion, I venture to ask that early orders may be passed on this matter, and to this end it may be advantageous that the case of the Military departments, such as the Commissariat and Ordnance Departments, should be dealt with separately from that of the Civil departments, such as the Medical Department, the Stationery Department, the Public Works Department and the Salt Department.

ORDER—dated 26th June 1894, No. 1579, Judicial.

The Government has no doubt that the Inspector-General's complaints are well founded and that in many cases articles which could be obtained from the Jail Department with advantage to the State are procured from private contractors. The results are a great waste of public money and a difficulty in providing suitable and sufficient employment for convicts. The Inspector-General proposes that all consuming departments shall be required to send to his office, at least one month before calling for tenders for woollen, cotton or coir goods, statements of their requirements, along with samples, and to enquire whether the Jail Department is prepared to supply the articles in accordance with sample at the price then being actually paid or at the price last paid for the same. The Government approves of this proposal and stringent orders will now be issued to all heads of Civil departments drawing their attention to paragraphs 7 and 8 of Home Department Resolution, dated the 7th May 1886, No. 10—605-18, Judicial, and directing the adoption of the plan advocated by Mr. Cardew. The Inspector-General of Jails will also be requested to report to Government any cases of neglect of these orders which may come to his notice.

2. With regard to the Military consuming departments, the necessary representation will be made to the Government of India in the Military Department.

(True Extract.)

W. H. P. S.
Chief Secretary.

To the Inspector-General of Jails.
„ the Revenue Department.
„ the Public Works Department.
„ the Military Department.
„ all Heads of Departments under the Chief Secretariat.
„ the Hon'ble the Chief Justice, with C.L.

Government {1894} of Madras.

JUDICIAL.

Recd.

Regd.

} 1894.

Enclosures

Spare copies

G.O., No. 1579, 26th June 1894.

JUNE.

G.O. No. 1579, 26th June 1894.

Communicated
to officers of the P. W. D.
for careful attention
in continuation of the
undoubtedly proceedings

G.O. No. 1661, 27th June 1894

.. 676, 27th June 1894

(Signed) J. Kanyam
G.O. No. 1661

Jail Manufactures.

Directing heads of Civil consuming departments, before calling for tenders for woollen, cotton or coir goods, to enquire whether the Jail Department is prepared to supply the articles.

to
the Chief Sup. for Irrigation
.. Cong. Sup. for Railways
.. Sup. for Engineers
.. Cong. Architect to Govt
.. Sup. of Woods & Forests
.. Sup. of S. W. Works