

Public Works (1898) Department.

G.O., No. 1483 *W*

DATED 14 June '98

[Despatch Abstract.]

*Jails : Gov. publ. Dept. reviewing
report on the administration of — in the
Andres Brest — During 1897, recorded.*

18/6
Indexed.

Government {1898} of Madras.
JUDICIAL.

Enclosures 1

Spare copies 11

No. 1483 W D 14.6.98.

Recorded.
AOK
12.6-98

Jails

Reviewing report on the administration of Jails in the Madras Presidency during 1897.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following paper :—

From the Inspector-General of Jails, dated 23rd March 1898.

ABSTRACT.—Forwarding report on the administration of jails in the Madras Presidency for the year 1897.

ORDER—No. 814, Judicial, dated 25th May 1898.

Mr. A. G. Cardew, I.C.S., continued to be in charge of the Jail Department throughout 1897. His report, which has been punctually submitted, is, as usual, interesting and exhaustive, and testifies to the energy and care which he has devoted to the administration of the department.

2. The main features of the year are summarised in paragraph 128 of the report. Of the results which appear at first sight most unfavourable, the increased sickness and mortality are shown to be mainly due to the prevalence of cholera, while the rise in the cost of jail management was the result of famine which caused high prices throughout the Presidency. These results were to some extent anticipated by the Government of India in its review of Jail administration in the several provinces during 1896. The scarcity was also indirectly the cause of the advance in jail population, owing to the increase in the number of offences against property for which prisoners were tried and convicted.

3. *Jail population.*—The number of admissions to jail advanced to a marked extent as compared with the previous year, but was little higher than in 1892. If the great increase in the number of prisoners transferred be taken into account, the total number of convicts admitted was probably not greater than in the latter year. It is, however, impossible to speak with certainty on this point. As was explained by the Inspector-General in paragraph 11 of his report for 1896, the figures under the heading "Admitted by transfer" are no index of the number of individuals actually committed to jail. The number of transfers depends upon the distance between the court where conviction occurs and of the district or central jail, and one prisoner may therefore represent several admissions by transfer.

4. In paragraph 12 of the report, the Inspector-General has furnished some interesting particulars regarding the effect of famine on jail statistics. Comparing the year under review with 1892—the last year in which famine declared itself—he finds a falling off in the number of convicts admitted into jail and a large decrease in the number of under-trial prisoners convicted. It is observed, however, that Mr. Cardew's deductions as to the growing disinclination of the Subordinate Magistrates to convict is not supported by the Police and Criminal Justice reports of recent years. The statistics of cognizable crime exhibit a gradual increase in convictions, while statement No. 4 of the Criminal Justice return for 1896 shows that more than 50 per cent. of the persons whose cases were disposed of were convicted.

5. The District Magistrate of Madura will be requested to report whether any explanation can be furnished of the large number of releases on appeal from the local district jail referred to in paragraph 14 of the report.

6. There was a large increase (29) in the number of juvenile convicts imprisoned, but the proportion of juveniles to total admissions continued to decline, viz., from 1.8 in 1895 and 1.5 in 1896 to 1.4 in 1897. The number of girls committed to subsidiary jails rose considerably. This is doubtless to be attributed to the commission of petty

thefts due to the prevailing scarcity. The committal of girls to subsidiary jails, where there is no means of separating them from other prisoners, and where the supervision is lax, should as far as possible be avoided. For first offences admonition, or release on security for future good behaviour either under section 31 (i) (b) of Act VIII of 1897, or under section 562 of the new Criminal Procedure Code, will in most cases be sufficient. The question of establishing in one of the Central Jails a dépôt for the reception of all girl criminals sentenced for periods of over three months is now under the consideration of Government. The Government of India has been moved to amend the Whipping Act in order to permit punishment by whipping for offences committed by male juveniles against special and local laws.

7. The Inspector-General's remark in paragraph 18 of the report that whipping cannot legally be inflicted on boys convicted under the Indian Railways Act, 1890, is not understood. Section 130 of that Act provides for the infliction of this punishment on juvenile offenders convicted of certain offences, and Judicial statement No. 5, Part 4, appended to the Criminal Justice report for 1896, shows that twelve boys were actually so punished during that year. The Inspector-General will be requested to report the nature of the offences committed by the nine boys shown in paragraph 18 as having been sentenced to imprisonment under Act IX of 1890.

8. *Identification of old offenders.*—Of the convicts admitted into jails 4,197 or 13.03 per cent. were recognized as, or confessed themselves to be, old offenders. This percentage is the largest that has been recorded for several years. In times of distress a number of casual and non-professional criminals find admission into jails, and an advance in the proportion of old offenders was hardly to be expected. The large percentage of previously convicted prisoners identified in 1897 may therefore be taken to be an indication of greater vigilance on the part of the Police and Jail officials. The introduction of the system of identification by finger impressions will, it is hoped, result in a further improvement in this direction.

9. The recognition of old offenders before conviction is a matter which concerns the Police department; and there was a decided progress in this respect during 1897, over 13 per cent. of the prisoners sentenced to imprisonment in Central and District Jails being identified by the Police as against 12.1 in 1896 and 11.4 in 1895. The increase in recognition by Jail officers was almost confined to the Penitentiary at Madras. It is of course true that as identification by the Police improves, the opportunities for identification by Jail officers diminish, but the Government considers that more attention might well be paid to this matter in most of the jails. As was remarked in G.O., No. 1482, dated 12th September 1896, the recognition of old offenders after conviction will frequently be useful to Jail officers in deciding whether particular convicts should or should not be classified as habitual criminals for purposes of jail discipline. If an habitual offender is in any case treated as a casual criminal, the reformatory effect of the jail administration will, to some extent, be prejudiced. The Inspector-General of Prisons will therefore be requested to impress upon his subordinates the desirability of giving the closest attention to this subject. He should also note in his future reports the number of convicts who are treated in jails as "habitual offenders" on identification as such before and after conviction.

10. *Escapes.*—Escapes from District and Central Jails (20) showed a slight increase, but the Inspector-General has explained that the conditions of the year rendered it necessary at times to confine prisoners in camps and temporary sheds, and, looking to the increased jail population, the increase is unimportant. Escapes from subsidiary jails, on the other hand, were more frequent. The number of prisoners who escaped was 85, of whom 69 were under-trial. This number was the largest for many years, and must be regarded as abnormal even if allowance be made for the circumstance that the jail population of 1897 was far above the average of the preceding ten years. The Police department is mainly responsible for the security of prisoners in sub-jails, and the matter can therefore be dealt with more appropriately when reviewing the Police administration report.

11. *Discipline.*—As a result mainly of the changes in the compilation of statistics of punishments in the Cannanore Central Jail referred to in paragraph 31 of the jail administration report for 1896, the number of punishments shows a decrease for the

first time since 1892. The whole of this occurred under the head of "minor" punishments, the number being 10,004 as compared with 13,675 in the previous year. The major punishments showed an increase from 1,761 in 1896 to 2,952 in the year under review. This advance is, however, shown by the Inspector-General to be wholly due to the introduction of the rule under which combinations of two minor punishments are returned as major punishments.

12. It is satisfactory to observe that the infliction of corporal punishment was found necessary in fewer instances, and that penal diet combined with solitary confinement, a punishment which is likely to have a prejudicial effect on the health of the prisoners, was less frequently resorted to. New rules were issued during the year for the constitution and regulation of a penal stage in district and central jails.

13. The number of convicts who earned release under the mark system was nearly the same as in 1896, but in commemoration of Her Majesty's Jubilee 1,743 convicts and 34 civil debtors were released, and 5,005 prisoners were granted partial remission of their sentences. His Excellency the Governor in Council fully concurs in the Inspector-General's remarks in paragraph 37 of his report as to the inadvisability of making any alteration in the present system of awarding marks to prisoners, and is convinced that the present mark system exercises a beneficial influence on jail administration.

14. There was an increase in the number of convicts employed as prison officers, but, on account of a larger jail population, the proportion of convict officers to the average number of prisoners declined. The conduct of these men, as evidenced by the statistics of punishment, shows an improvement.

15. The Government concurs with the Inspector-General in his remarks in paragraph 40 as to the special care necessary to prevent any tampering with the dietary either in quantity or in quality.

16. *Finance.*—The financial aspects of the year's administration have, as usual, been discussed in detail by the Inspector-General and but few remarks on the part of Government are necessary. The aggregate cost of the department, excluding the amount spent by the Public Works Department on jail buildings, rose from Rupees 9,97,395 in 1896 to Rs. 11,59,298 in 1897, or by 16.3 per cent. This increase occurred mainly under the heads "Dietary charges," "Hospital charges," "Sanitation charges" and "Charges for moving prisoners," and its causes have been explained by the Inspector-General. The subjoined abstract compares the total and the average cost of jail management for a period of three years:—

	Total cost.			Cost per head of daily average Jail population.			All India in 1896.
	1895.	1896.	1897.	1895.	1896.	1897.	
	RS.	RS.	RS.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
Establishment	2,44,130	2,50,561	2,45,887	24 15 0	26 2 2	23 12 11	21 3 7
Dietary charges	2,52,020	2,30,185	3,26,346	26 2 1	24 6 5	32 1 10	26 10 8
Hospital charges	25,617	24,910	31,248	2 9 10	2 9 7	3 0 5	3 1 7
Clothing and bedding ..	19,484	23,472	18,927	2 0 4	2 7 10	1 13 10	3 5 9
Other charges	57,857	57,776	92,023	5 14 7	6 0 5	8 5 10	6 2 11
Total	5,99,108	5,86,904	7,14,431	61 3 1	61 3 6	69 2 10	60 8 6

	1895.	1896.	1897.	All India in 1896.
	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
Cash earnings per head of population ..	8 13 0	16 5 0	4 0 0	13 0 2
Net cost per head of population ..	52 6 0	44 14 0	65 3 0	47 8 4

Taking individual jails, the highest cost per head was shown by the district jails at Russellkonda and Berhampur. Both these institutions were affected considerably by the prevalence of famine and high prices. The high rate in Coimbatore was in a measure attributable to the outbreak of cholera, but the Government will be glad to see the further explanation which has been called for from the Superintendent. The district jail at Palameottah shows the lowest rate of expenditure.

17. The outlay on rations on subsidiary jails rose from Rs. 34 per head in 1896 to Rs. 38.11 in 1897. The increase is no doubt rightly attributed to the high prices of food-grains. The expenditure under other heads calls for no remarks.

18. *Manufactures.*—There was a decline of activity in the manufacturing department during the year. Owing partly to the prevalence of sickness, fewer convicts were employed on manufactures with the result that the total profits fell from Rupees 1,40,162 in 1896 to Rs. 1,17,339 in the year under report. In addition to this, supplies to the value of Rs. 24,933 were issued to jails, and a saving of Rs. 21,000 was affected during the year in connection with the building operations at Cuddalore. The true profits from manufactures were as usual largest in the Penitentiary at Madras. Among district jails, Tanjore and Bellary show the largest receipts. There was, on the other hand, a retrogression in Coimbatore. The deficit noticeable in the case of this jail is to some extent unreal, being due to the erroneous inclusion of a sum of Rs. 8,971 as a receipt in the statement of profits submitted in 1896; other reasons too are given by the Superintendent for the falling off, but they are hardly sufficient to account for a net loss under manufactures, and it seems, therefore, that supervision in this jail during the year was, as observed by the Inspector-General in several passages in his report, less efficient than it should have been.

19. The attention of the Accountant-General will be invited to the remarks of the Inspector-General in paragraph 74, and the Inspector-General of Ordnance will be requested to state whether there are any reasons for the decline in the extent to which articles of jail manufacture were utilized in the Ordnance department during 1897.

20. From paragraph 76 of the report it would appear that in the Coimbatore Jail 50,000 yards of drill were purchased from the market in 1897 to complete the Police indent by the prescribed date. The supply of articles by the Jail department to the consuming departments is limited by the existing orders to articles actually produced in jails, and it is not the intention of Government that the department should undertake the task of retailing goods obtained in open market. The attention of the Inspector-General has, however, recently been drawn to the matter.

21. *Vital statistics.*—The vital statistics of the year show a very high rate both of mortality and of sickness. The daily average of sick rose from 244 to 312, and the death-rate from 19.5 to 47.5—the highest figure since 1879. The emaciated condition of a number of prisoners received from localities affected by famine swelled the sick rate, and the heavy mortality was mainly due to outbreaks of cholera, which occurred in no less than five District and five Central Jails. The Coimbatore and the Rajahmundry Central Jails suffered most seriously, and steps have been taken to improve the sanitary condition of these institutions. Beri-beri is reported to have been the cause of a number of deaths in the Rajahmundry Jail and although every precaution has been taken to combat this disease, the state of this jail is causing considerable anxiety. The health statistics of the various Central and District Jails have been dealt with in detail by the Inspector-General and require no further comments.

22. Paragraphs 106 and 107 of the report afford information of much interest. The particulars furnished by the Inspector-General prove almost conclusively, that by the complete segregation of infected patients in isolation sheds outside the prison enclosure, Jail officers can effectively deal with outbreaks of cholera and other epidemic diseases. The marked success which has attended the efforts to prevent cholera from becoming epidemic is a matter for satisfaction.

23. Prophylactic treatment was more extensively tried during 1897, and the opinions of the medical officers as to its results are indicated in paragraph 110 of the report. These opinions are not generally unfavourable to the continuance of the

experiment, from which some benefit appears to have been derived. Having regard to the success which is reported to have attended the adoption of this measure in Bengal, His Excellency the Governor in Council is of opinion that the system should be given a more extended trial. The Surgeon-General will therefore be requested to arrange, in consultation with the Inspector-General, to carry out the proposal of the latter officer in paragraph 111 of the report. At the same time all medical officers in charge of jails should be instructed to give their personal attention to the matter.

24. The results of the weighing of prisoners were less unfavourable than in the preceding year, the proportion of those who when discharged had lost weight having declined from 27.7 to 24.8 per cent.; the latter percentage was, however, higher than that recorded in the four years preceding 1896. The suggestion in paragraph 118 of the report regarding the revision of the form of statement B should form the subject of a separate communication.

25. *General.*—The tours of the Inspector-General were more comprehensive, and the visits of the non-official visitors, and of almost all classes of officials, were more frequent than in the preceding year. The Sessions Judge of Tanjore failed to pay any visits to the local District Jail, and three of the non-official visitors of the Rajahmundry Central Jail appear to have failed altogether in their duty. The number of visits of non-official members at Mangalore and Salem continued to be very satisfactory, and His Excellency the Governor in Council desires to thank M.R.Ry. Narasinga Rao Avargal and Mr. D'Vas for the interest which they have taken in the matter.

26. The salient points of the year's administration have been indicated in paragraph 2 *supra*. The statistics relating to the cost of jail management and to the health of prisoners were particularly unfavourable, but, taking into account the special drawbacks which characterized the year 1897, the administration of the department was, in the opinion of His Excellency the Governor in Council, on the whole, satisfactory. The good work done by Surgeon-Lieutenant-Colonel Leapingwell, Surgeon-Major Thomson, Surgeon-Captain Fearnside and Messrs. McCready, Cloney and Upshon is noticed with pleasure.

(True Extract.)

S. S. Roha
for Chief Secretary.

To the Inspector-General of Prisons.
" the Inspector-General of Police.
" the Commissioner of Police.
" all District Magistrates.
" all Sessions Judges.
" the Director of Public Instruction.
" the Surgeon-General.
" the Sanitary Commissioner.
" the Public Works Department.
" the Public Department.
" the Accountant-General.
" the Inspector-General of Ordnance.
" the Honourable the Chief Justice (with C.L.)
Editors' Table.

ENDORSEMENT—No. 815, Judicial, dated 25th May 1898.

Copy forwarded to the Government of India, Home Department.

A. T. ARUNDEL,
Chief Secretary.

Exd. Shaik Karim.