

Public (1896) Department.

ORDINARY PRINTED.

G.O., No. 301

DATED 28 Feb. 1896

INDEXED.

[Despatch Abstract.]

SUBORDINATE MEDICAL CHARGE OF JAILS.

Informing the Surgeon-General that no allowance for a jail should be passed to a Medical Subordinate without the sanction of Government, and cancelling the appointment of Hospital Assistant Fernandez to the "Subordinate Medical charge" of the Sub-Jail at Otacamund and retrenching the allowance drawn therefor.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
80	774		31-7-1896				
~~0~~	~~1010~~		~~1896~~				
80	R 338		19-3-96				

Gobt. of {1896} Madras.
PUBLIC.

Issued

Recd.

Encl.

G.O., No. 301, 28th February 1896.

FEBRUARY.

Subordinate Medical charge of Jails.

Informing the Surgeon-General that no allowance in connection with a jail should be passed to a medical subordinate without the sanction of Government and directing that the appointment of Hospital Assistant Fernandez to the "subordinate medical charge" of the sub-jail at Ootacamund be disallowed and the allowance already drawn by him retrenched.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following papers:—

From A. G. CARDEW, Esq., M.A., Inspector-General of Prisons, to the Chief Secretary to Government, dated Ootacamund, 16th July 1895, No. 4160.

I have the honour to submit, for the orders of Government, copies of the marginally-noted correspondence.

1. Copy of endorsement, No. 245, dated 25th May 1895, from District Medical and Sanitary Officer, Ootacamund.
2. Letter to Surgeon-General, No. 3180, dated 6th June 1895.
3. Letter from Surgeon-General, No. Tour-411, dated 11th July 1895.
2. Under Rule 1338 of the Jail Code, as amended by the sixth list of corrections, the senior medical officer of the station in which a sub-jail is situated shall be the medical officer of the jail, and under sections 13 to 15 of the Prisons Act, 1894, certain duties are imposed on

the medical officer of a jail. There is no provision in the Jail Code for the appointment of any officer to the "sub-medical charge" of a sub-jail.

3. In his order, No. 1634, and said to bear date 25th February 1895, the Surgeon-General has confirmed an order of the District Medical Officer, Nilgiris, appointing a hospital assistant to be in "sub-medical charge" of the Sub-jail, Ootacamund. These orders appear to be in conflict with Rule 1338 of the Jail Code and to have the effect of imposing an extra charge of Rs. 10 per mensem on the budget of this department which contains no provision for the same.

4. There appear to be two practical questions raised by this correspondence, viz.—

(1) Whether the District Medical Officer or Civil Surgeon is authorized by a posting order to appoint a hospital assistant to be "in sub-medical charge" of a head-quarter sub-jail, whereas Rule 1338 of the Jail Code appoints the Civil Surgeon or District Medical Officer himself to be the medical officer of the sub-jail. In G.O., No. 433, dated 20th February 1894, the Government censured Surgeon-Major Lee for leaving the conduct of the medical duties in connection with the sub-jail at Coonoor to a medical subordinate. These duties are light, involving usually only a visit once a week (Rule 1339 of the Jail Code), and there can be no doubt that the effect of such a visit from the District Medical Officer or Civil Surgeon is much more useful than one from a hospital assistant.

(2) Whether, if the practice above referred to is authorized, a special allowance of Rs. 10 per mensem chargeable to the Jail budget is admissible to the hospital assistant thus placed "in sub-medical charge," without the special sanction of Government. As I have remarked on previous occasions, the system of allowances appears to me to be generally objectionable, and as it is presumed that the scale of salaries allowed to hospital assistants is adequate, the necessity for extra allowances for the charge of sub-jails in head-quarter stations is not apparent.

5. Whatever decision is arrived at will be naturally applicable to all head-quarter stations, and if the orders referred to in paragraph 3 *supra* are correct, Rule 1338 of the Jail Code will apparently require to be amended.

From Surgeon-Major-General C. SIBTHORPE, F.R.C.P.I., Surgeon-General with the Government of Madras, to the Chief Secretary to Government, dated Ootacamund, 19th August 1895, No. 615-Tour.

In returning the letter from the Inspector-General of Prisons referred to me for remarks with your endorsement, No. 1728, of the 25th July 1895, I have the honour to state that in January 1895 the District Medical and Sanitary Officer, Ootacamund, brought to notice that Hospital Assistant Fernandez, posted to the Police Hospital, Ootacamund, who, since the withdrawal of a reserve civil apothecary, assisted in the out-patient department of St. Bartholomew's hospital for which he draws no allowance, ~~He~~ had also to perform the duties of subordinate medical officer to the Sub-jail, Ootacamund. As these duties were very heavy, the medical officer recommended that the hospital assistant should be granted an allowance for his work in connection with the sub-jail.

2. On receipt of this communication I made a reference on the subject to the Accountant-General, who in reply stated that, if the hospital assistant was formally appointed to the additional charge of the lock-up by competent authority, there was no objection to my sanctioning the extra allowance of Rs. 10 per mensem under G.O., No. 1232, Public, dated the 18th September 1877.

3. Accordingly, I directed the District Medical and Sanitary Officer to submit a formal order posting the hospital assistant to the additional charge of the sub-jail for my confirmation and informed him at the same time that he should continue to visit the sub-jail as usual.

4. I am aware that the senior medical officer of the station in which a sub-jail is situated is the officer in medical charge of it as he is also of all other institutions at his head-quarters such as police hospitals, district and central jail hospitals, &c., but, as it is impossible for one officer to carry out the details of his duties in connection with the several institutions under his charge, he is assisted by a medical subordinate in the administration of each of his charges and this subordinate is recognized in the Medical department as being in subordinate medical charge of that institution. The Jail department may not be familiar with this term, but it is one that has been in use in the Medical department, both Civil and Military, from a very old date.

5. The Inspector-General of Prisons is apparently under the impression that the appointment of a hospital assistant to the sub-medical charge relieves the medical officer of his responsibility. This is not correct. As already pointed out by me, the medical subordinate is only required to assist the medical officer in carrying out the details of his duties. The medical officer reports that he himself regularly visits the sub-jail every week as required by Rule 1339 of the Jail Code, examines and prescribes for those who complain of illness, and inspects the building and surroundings, &c. The medical subordinate carries out the orders of his superior officer and himself visits the sub-jail twice or oftener in a week and attends to any of the inmates there who may require treatment. It is on these considerations that a full-time hospital assistant was recently sanctioned by Government for the sub-jail at Calicut.

6. The Inspector-General appears to forget that, except during the "season," there is but one medical officer (District Medical and Sanitary Officer) at Ootacamund, and when he goes out on tour there must be some one competent to take charge of the sub-jail in his absence. The arrangement sanctioned by me is authorized by paragraph 8 of the Resolution of the Government of India recorded in G.O., No. 1232, Public, dated the 18th September 1877, which distinctly states that "when a hospital assistant attached to a dispensary, jail or other institution is appointed to an additional charge, such as a lock-up or a police hospital or normal school, he will be entitled to an extra allowance of Rs. 10 per mensem." This arrangement is also advantageous to the Jail department from a pecuniary point of view, as the appointment of a full-time subordinate will entail larger expenditure.

7. The Inspector-General of Prisons' reference to Surgeon-Major Lee's case does not bear on the present question, as that officer had failed to pay his weekly visits to the sub-jail at Coonoor and left the hospital assistant in sole charge of it, whereas in the case under consideration the duties required of the medical officer by the Jail Code have been regularly performed.

8. The Inspector-General does not appear to realize the responsibility of additional charges when he says that the necessity for extra allowance is not apparent to him. His conviction that the scale of salaries allowed to hospital assistants is adequate will probably undergo a change if he obtains greater insight into the working of the Medical department or becomes more acquainted with the nature of duties and responsibilities of a hospital assistant. My letter to Government, No. 127, dated the 9th February 1895, on the subject of hospital assistants, fully deals with this question, and a perusal of it will convince Government how ill-paid and over-worked these subordinates are. This is a fact which is admitted by all, as will be seen from the Bengal Committee's report referred to in my letter quoted above.

9. Under the above circumstances, I request Government will be pleased to confirm the present arrangement whereby the Police Hospital Assistant draws an extra allowance of Rs. 10 per mensem for the additional charge of the sub-jail, or to sanction the employment of a full-time hospital assistant for the sub-jail, which has a hospital with four beds attached to it, to assist the medical officer in treating the sick and to take charge of it during his absence from head-quarters.

From Surgeon-Major-General C. SIBTHORPE, F.R.C.P.I., Surgeon-General with the Government of Madras, to the Chief Secretary to Government, dated Madras, 2nd November 1895, No. 483.

With reference to your memorandum, No. 2244, Judicial, dated the 24th September 1895, I have the honour to submit the following information as obtained from the District Medical and Sanitary Officer, Nilgiris:—

(a) The daily average of sick prisoners in the sub-jail during the past three years was as follows:—

1892	..	..	..	..	..	..	..	..	14
1893	..	..	..	..	..	..	..	..	28
1894	..	..	..	..	..	..	..	..	42

(b) Hospital Assistant Fernandez is now paid—

Rupees 35,	grade pay.
"	5, clothing allowance.
"	10, jail allowance—now under dispute.

The first two items are drawn from the Police department and the third from the Jail department.

(c) The District Medical and Sanitary Officer was absent from his head-quarters—

in 1892	..	..	..	..	..	for 25 days.
in 1893	..	..	..	..	..	" 2 "
in 1894	..	..	..	..	..	" 28 "

2. Until 1894, the medical officer was only Civil Surgeon of Ootacamund and had not much inspecting work. Now that he has been appointed District Medical and Sanitary Officer, Nilgiris, it will necessitate his absence from head-quarters for a much more considerable period than has hitherto been the case.

From A. G. CARDEW, Esq., M.A., Inspector-General of Prisons, to the Chief Secretary to Government, dated Camp, Madras, 11th December 1895, No. C-1787.

In compliance with your memorandum, dated 24th September 1895, No. 2245, I have the honour to report that the daily average population of the sub-jail at Ootacamund during each of the three years ending 1894 has been as follows:—

1892	..	..	..	..	..	..	9.22
1893	..	..	..	..	..	..	8.29
1894	..	..	..	..	..	..	9.38

2. This information, not being available in this office, was called for from the District Magistrate, Nilgiris, on the 28th September last and was received only on the 4th instant. Hence the delay which has occurred.

Transferred to the Public Department.

17th December 1895.

(Signed) W. FRANCIS,
Ag. Under Secretary.

Letter from the Surgeon-General, No. 47, dated 27th January 1896.

ORDER—No. 301, Public, dated 28th February 1896.

The Surgeon-General will be informed that no allowance in connection with a jail should be passed to a medical subordinate without the sanction of Government. The appointment of Hospital Assistant Fernandez to the "sub-medical charge" of the sub-jail at Ootacamund will be disallowed and the allowance already drawn by him retrenched.

(True Extract.)

for Chief Secretary.

To the Surgeon-General.
 „ Inspector-General of Prisons.
 „ Judicial Department.
 „ Accountant-General.

N^o 845.

Civil Surgeon's Office -
Ootacamund, 17th January 1895

From,

Surgeon Major G. L. Walker M.D.
Civil Surgeon, Ootacamund.

To

The Secretary - Surgeon-General,
with the Government of Madras,
Madras.

Sir,

I have the honour to bring to your notice that 2nd class Hospital Assistant J. D. P. Fernandez No 352 who was posted to the Police Hospital, Ootacamund by Surgeon General order N^o 74 dated 27th August 1894, has also to perform the duties of Subordinate Medical officer to the Suljail Ootacamund, in addition to these duties I have to impress him for duty at the outpatients department of St. Bartholomew's Hospital (where the average daily attendance is 87.28) since the withdrawal of the second Civil Apothecary of St. Bartholomew's Hospital who did duty there, which appointment was found not to be a sanctioned one, the duties therefore of Hospital Assistant J. D. P. Fernandez are very heavy and I venture to request that the Surgeon General will be so good as to sanction an allowance to the Hospital Assistant for his work in connection with Suljail.

I have etc

Sy G. L. Walker M.D.
Surgeon Major, Civil Surg. Dept.

II

N^o 259.

Office of the Surg. Genl with the Govt of Madras
Dated 17th January 1895.

Referred to the Accountant General for favour of opinion whether the undersigned can sanction an extra allowance of Rs 10/- to the Medical Subordinate.

in accordance with G.P. N° 1232 dated the 18th September 1877, Public.

Return requested

sd/ H. Thompson
Surgeon Capt.

Secy, Surg: Genl with the Govt
of Madras.

III

Acct: General's office
20th January 1895.

N° JACQ.
be

From

The D^o Acct: General to the Govt of Madras

To

The Surg: Genl with the Govt of Madras.

With reference to your Endorsement No 259, dated the 17th January 1895, on Letter from the Civil Surgeon Ootacamund N° 845, dated 9th January 1895, herewith returned, I have the honour to state that the Hospital Assistant's mere performance of medical duties in connection with a lock up under instructions from Civil Surgeon, Ootacamund would not entitle him to the extra allowance in question but if he has been formally appointed to the additional charge of the lock up by Competent authority there is no objection to your sanctioning the extra allowance of Rs 10/- per mensem under G.P. quoted by you.

I have etc
sd/ W. H. Michael
D^o Acct: General.

IV

N° 1164.

To

The Civil Surgeon
Ootacamund

Forwarded for information.

2. Please submit a formal order posting the

Hospital Assistant to the Subjail as an additional charge.

It will be confirmed and returned to you when the allowance may be drawn

3. You must, however, continue to visit the Subjail as usual.

4. Return requested.

(By order).

Madras
13.2.95.

sd/ H. Thompson, Surgeon Capt.
Secy, Surg: Genl with the Govt of Madras

V

N° 978.

To

The Secretary to the Surgeon General with the Government of Madras.

I submit herewith the formal order for favour of confirmation and return as directed in Minute IV.

Ootacamund
18th February 1895. } sd/ G. H. Walker M.D
Surgeon Major, Civil Surgeon,
Ooty

Copy of the order

Hospital Assistant, T. D. P. Fernandez
No 352 will be in Sub Medical charge of the Subjail Ootacamund in addition to his duties at the Police Hospital from the day of his taking over charge from Civil Apothecary P. Gopalan.

Civil Surgeon's office
Ooty 28th Sept. 1894.

(Signed) G. H. Walker. M.D
Surgeon Major
Civil Surgeon, Ooty

1634.

To
The Civil Surgeon
Ooty

The posting order is herewith returned duly countersigned.

Return of the correspondence is requested.

(By order).

sd/ H. Thompson
Surge Captain
Secy Surgeon General with
the Government of Madras.

N^o 245
25.5.95

True copies of correspondence are communicated to the Inspector General of Prisons, as regards the extra allowance of Rs 10/- being sanctioned to the Hospital Assistant T. D. Fernandez for his sub-medical charge of the Subjail, Ootacamund.

Office of the D^o Med^l
and Secy^r Officer Ooty
25th May 1895.

sd/ H. D. Cook M.B.
Surge Lt. Col.
D^o Med^l and Secy^r Officer,
Ootacamund

(True Copy).

sd/ Cardew
Insp^r Genl of Prisons.

Copy of a Letter N^o 3180 dated 5th June 1895 from the Inspector General of Prisons to the Surgeon General with the Government of Madras.

The District Medical and Sanitary officer, Ootacamund, having, in his Endorsement N^o 245 dated 25th May 1895, furnished me with copy of his correspondence with you ending with your N^o 1634 undated and with his N^o 978, dated 18th February 1895, I have the honour to invite attention to Rule 1338 of the Jail Code under which the Senior Civil medical officer of any station where a subsidiary Jail is located is appointed to be in medical charge of such Jail, and as the Code appears to contain no reference to "Sub Medical charge" of a Subjail, to enquire under what Rule the District Medical officer has apparently delegated the charge of the Subjail to the Hospital Assistant.

Copy of a Letter N^o 411, dated 11th July 1895, from the Surgeon General with the Government of Madras, to the Inspector General of Prisons.

With reference to your Letter N^o 3180 dated the 5th June 1895 I have the honour to state that although according to Rule 1338 of the Jail Code the Senior Civil Medical officer of a station where there is a subsidiary Jail is the officer in medical charge of such Jail, he must still be assisted when necessary by a medical subordinate to carry out the several details of his duties especially when the Senior medical officer has other important charges at the station and can hardly devote sufficient time to the Jail.

2. Para 7 of the Government of India Resolution recorded in G.O. N^o 1232, Public of the 18th September.

September 1877 provides for such cases and quite recently Government have sanctioned a full time Medical Subordinate for the Subjail at Calicut.

3. The fact, however, of a medical subordinate being so detailed does not relieve the medical officer of his charge or responsibility, as will be seen from this office No 1634 of the 13th February 1895, which is a part of the correspondence referred to by you.

4. The term "Subordinate medical charge" is peculiar to the Medical Department and made use of in connection with all medical institutions.

5. The delay in replying to your Letter has been due to the District Medical and Sanitary Officer, Ootacamund having been requested to furnish me with copies of the correspondence referred to above. He has just supplied the same and from these I observe that this office No 1634 was not dated as stated in your Letter but bears date the 25th February 1895.

(True Copies).

Ag Cardew
Insp^r Genl of Prisons.

are correct, Rule 1338 of the Jail Code will apparently require to be amended.

I have the honour to be,
Sir,
Your Most obed^t Serv^t

Ag Cardew
Insp^r Genl of Prisons.

JUDICIAL. Dept

JAIL (1895) DEPARTMENT.

From

THE INSPECTOR-GENERAL OF PRISONS,

Madras,

To

THE CHIEF SECRETARY TO GOVERNMENT,

CHIEF SECRETARY
17 JUL 1895
GOVERNMENT OF MADRAS

Dated

16th

Despatched

July

1895.

Received

17th

Recd 18th

No. 4/100

ENCLOSURES. two

Subject.

Submits for the orders of Government certain copies of correspondence in which the Surgeon General has confirmed an order of the D. Med. Officer Nilgiris appointing a Hospital Asst. to be in sub-med. charge of the Saljeat Accommodated and to draw an allowance of Rs 10/- per mensem, contrary to Rule 1338 of the Jail Code.

SO. 1053 : 18.5.95 m.
SO. 764/5 : 11.4.95
SO. 1022 : 23 Nov. 1894 and 2

SO. 1049 : 3.5.94 m.

SO. 433 : 20 Feb 94 m.

SO. 1008-7 of 91 : 22 Feb

SO. 2232 : 18 Sep 77. 3.5.94 m.

Current No. 801 of 1005

Enforcement No. 1728.

Referred to the Surgeon-General
for remarks.

24/7/95 (By order)

Lionel Davidson

M. Lankar Secretary

Order accompanied
25 July 1895

22/7/95

To the Surgeon-General

CURRENT NO. 37
Judicial (1895) DEPARTMENT.

From

SURGN. MAJOR-GENL. C. SIBTHORPE, F.R.C.P.I.,

SURGEON-GENERAL WITH THE

GOVERNMENT OF MADRAS,

Madras,

To

No.

200

ENCLOSURES. 3415 m.
Enc. 241

Dated

19th

Recd

20th

Recd

21st

No.

20 AUG 1895

Subject.

Rebuses letter from J. G. Prison
referred for remarks with Encl.
No. 1728 of 25.7.95 requests to con-
firm the present arrangements whereby
the Police Hospital draws an extra allowance
of Rs 10/- per mensem or sanction the
employment of a full time Hosp. Asst.
for the sub-jail which has a hos-
pital with 4 beds attached to it.

Please see para 8 of the S. S. S.
13 S.G. - 500 - 9.3.95 letter. Should this allow the Pri-
sonal of Pub. Ch. 455 please, which is
now in use? 27/8/95

Ref. No. 1728 of 954

papers marked therein

Abstract of Pub. Ch. 455/98

Ref. No. 2245 of 24-9-95

with reference to his letter of 19. Aug. 95,
No. 1, the S. S. is requested to
furnish information on the follow-
ing points:—

(a) The daily average number
of sick prisoners in the sub-
jail at O.P. during the past
3 years.

(b) The present pay and allowances
of the Hospital Asst. Fernandez
and the departments to which
they are debited.

(c) The number of days during
which the D. Med. Officer
officer, O.P., had been absent
from his headquarters during the
last 3 years.

21/9/95
To the S. S.

Ref. No. 2245 of 24-9-95
with reference to his letter of 16. Aug. 95
No. 416, the S. S. of Prisons is requested
to report the daily average popula-
tion of the sub-jail at O.P. during
the past 3 years.

21/9/95
To the S. S. of Prisons
Please see information on these points
referred to the necessary. The present corre-
spondence seems to be one for the Public
to deal with. 15/9/95
Inspector-General of Jails.

realize the responsibility of additional charges when he says that the necessity for extra allowance is not apparent to him. His conviction that the scale of salaries allowed to Hospital Assistants is adequate will probably undergo a change if he obtains greater insight into the working of the Med. Dept. or becomes more acquainted with the nature of duties and responsibilities of a Hospital Assistant. My letter to Govt. No. 127 dated the 9th July 1895 on the subject of Hosp. Assistants fully deals with this question (and a perusal of it will convince Government how ill paid & overworked these subordinates are. This is a fact which is admitted by all as will be seen from the Bengal Committee's report referred to in my letter quoted above.

I. Under the above circumstances I request Government will be pleased to confirm the present arrangement whereby the Police Hospital Assistant draws an extra allowance of Rs 10/- per mensem for the additional charge of the Sub-jail or to sanction the employment of a full time hospital Assistant for the sub-jail which has a hospital with four beds attached to it, to assist the Medical Officer in treating the sick and to take charge of it during his absence from head quarters.

I have the honor to be
Sir,

Your Most Obedt. Servant.

C. S. S. Thorpe
Surgeon-Major-General.
Surgeon-General with the Govt. of Madras

Judicial (1895) DEPARTMENT.

From

SURGN.-MAJOR-GEN. C. SIBTHORPE, F.R.C.P.I.,

SURGEON-GENERAL WITH THE

GOVERNMENT OF MADRAS,

Madras,

To

No. 483

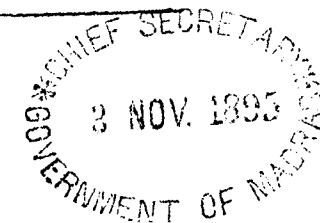
ENCLOSURES.

Dated

Received

2nd 3rd 4th

No.



Subject.

Furnishing certain information called for by Govt. re the sub-jail at Coimbatore

19 S.G.-490-13-4-95.

Ref. 44.24.9.95
1053: 10.5.95 ab
764/15: 11.4.95 sc
1022: 23.11.94. Sub. sc
2347/2348: 27.9.94 sc
1049: 3.8.94 hd
433: 20.2.94 ab
1008/9: 31.11.91 sc Pub.
1232: 18.9.77 sc
167: 8.3.95 Pub. ab.

To await the receipt
of reply to Ref. d 24. Sep. 95.
No 2245.

At 5/11/95 W. S. S.

Inspector-General of Jails.

No. C. 1787.

Camp Madras
OFFICE OF INSPECTOR-GENERAL OF Prisons
Dated 11th December 1895.

From

A. G. CARDEW, Esq., M.A.,

INSPECTOR-GENERAL OF Jails, Prisons.

To

THE CHIEF SECRETARY TO GOVERNMENT.

SIR,

Enclosures.

In compliance with your Memorandum dated 24th September 1895 N: 2245, I have the honour to report that the daily average population of the Sub-jail at Ootacamund during each of the three years ending 1894 has been as follows:—

1892 — 9.22

1893 — 8.29

1894 — 9.38.

2. This information not being available in this office was called for from the District Magistrate Nilgiris on the 28th September last and was received only on the 4th instant. Hence the delay which has occurred.

I have the honor to be,

Sir,

Your most obedient Servant,

A. G. Cardew
Inspector-General of Jails.

JUDICIAL.

JAIL (1895) DEPARTMENT.

From

THE INSPECTOR-GENERAL OF Jails, Prisons.

To

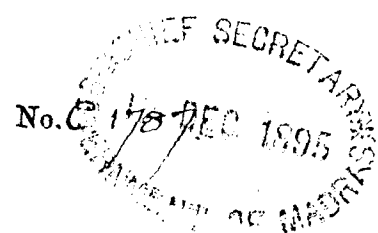
THE CHIEF SECRETARY TO GOVERNMENT.

Dated

Despatched

Received

December 1895.



ENCLOSURES. nil.

Subject.

Refce. 2245:24. 9-95-

on CA. 3975/95

J.C. 5189.

1083: 18-5-95 ab

764/8: 11-4-95 sc

1022: 23-11-94 sc Trial

2347-48: 27-9-94 sc

1649: 3-5-94

433: 20-2-94 ab

1008/9: 30-4-91 Pub sc

1232: 18-9-77 sc 24

167: 8-3-95 ab

23-24: 8-10-95 ab

C. Nos. 3415, 3975, 5189 & 5877.

Public

4343

Endorsement

Transferred to the Public Dept.

Revised 21.12 }
Revised 31.12 } 1895.

Francis

H. L. Secretary.

17/12/95.

Reporting the daily average population of the Subjail at Ostaca. mand during each of the 30 years ending 1894.

To the Public Dept.

Public Dept

4343

C.Mos. 341F, 397F, 5189 & 5879.

REFERENCE

163
8721-1-96.

In para 1 (a) of his letter No. 483, d/ 2nd November last, the S.G. states that the daily average of sick prisoners in the Sub-Jail at Cotacacmun during the past three years was as follows:--

1892	14
1893	38
1894	42

But in his letter No. 1787, d/ 11th Decr. last, the I.G. of Prisons gives the average daily population of the Sub-Jail as

1892	9.22
1893	8.29
1894	9.38

The S.G. is requested to verify the figures quoted by him and to report the result without delay.

7513
10.1.96.

12/1/96.

To

The Surgeon-General.

349 Pub-

No 47.
Encl.
From

OFFICE OF SURGEON-GENERAL
WITH THE GOVERNMENT OF MADRAS,
Madras, 27 January 1896.

SURGEON-MAJOR-GENERAL F. SIBTHORPE, F.R.C.P.I.,
SURGEON-GENERAL WITH THE
GOVERNMENT OF MADRAS,
Madras,

THE HON'BLE THE CHIEF SECRETARY TO GOVERNMENT,
Public DEPARTMENT.

SIR,

With reference to your Memorandum
No 163 Public dated the 21 January 1896. I have
the honor to state that the figures quoted in
para 1(a) of my letter No 483 of the 1st November
1895 are not whole numbers but decimals viz:-

. 14

. 28

. 42

Probably the decimal points were not
marked in the fair copy of the letter or
have not been noticed in your office.

I have the honor to be,

Sir,

Your most obedient Servant,

Chittambram,

Surgeon-Major General
Surgeon-General
with the Govt. of Madras.

349

Publi (1896) DEPARTMENT.

From
SURGN.-MAJOR-GENERAL C. SIETHORPE, F.R.C.P.I.,
SURGEON-GENERAL WITH THE
GOVERNMENT OF MADRAS,
Madras,

To
The Honorable the Chief Secy,
to Government

No. 47
ENCLOSURE.

Dated 27th
Received 28th } January 1896

CHIEF SECRETARY
28 JAN. 1896
No.
GOVERNMENT OF MADRAS

SUBJECT.

Stating that the figures
quoted in para 1(a) of his
letter No 483 of 1st Nov. 1895
are not whole numbers
but decimals

In Order

In Jan^y of '95 the Civil Surgeon Ootacamund (designated Dist. Med. San'y Officer, ^{Shigiris} since March last) brought to the Surgeon Genl's notice that 2nd class Hoapl. Asst. Fernandez, ^{attached} ~~transferred~~ to the Police Hoopl, Ootacamund, had also to perform the duties of Sub. Medl. Officer to the Sub-jail at that station, and further to assist in the Out-patient dept of St Bar-
tholomew's Hoopl, where the average daily attendance was 87.28, as the reserve Civil Apothecary had been withdrawn. The Civil Surgeon, D. Walker, therefore recommended Mr. Fernandez for a special allowance for his work in connection with the Sub-jail.

The Asst. Genl, on a reference from the Surgeon Genl, stated that if the Hoapl. Asst was formally appointed to the additional charge of the lock-up by competent authority, there would be no objection to the Surgeon Genl's sanctioning the allowance of Rs 10 per month (the sum suggested by Dr. Sibthorpe) under G.O. N° 1232 Pat d/18th Sept '77. [Query - who is a "competent authority"?

The Civil Surgeon was therefore instructed to submit a formal order posting the Hoapl. Asst to the additional charge of the Sub-jail, but wrote the Surgeon Genl, "You must, however, continue to visit the Sub-jail as usual".

The order was on receipt countersigned by the Surgeon Genl and returned.

+ vide Pub Co. 167 d/18th March '95

(1) Letter N° 845 d/9th Jan'y '95

(2) N° ^{L.A.C.B.} _{bc} d/25th Jan'y '95

(3) ²⁵⁵ N° 1164 d/13th Feb'y '95

(4) S. 11636 [d/ 26th Feb'y '95]

On these proceedings being
countd. to the J. G. of Prisons,
he invited D. Sibthorpe's atten-
-tion to rule 1338 of the Jail Code
under which the ^{Civil} Medl. Officer
of any station where a sub-jail
is located is appointed to the
medl. charge of such jail,
& inquired under what rule
the Dist. M.O. had seemingly
delegated this charge to the
H.A. seeing that the code con-
-tained apparently no reference
to such "sub-medical-charge".

The Surgeon Genl. replied that
altho' according to the rule quoted
the Dist. M.O. of a station where
there is a subsidiary jail is the
officer in medl. charge, he
must still be assisted when
necessary by a medl. subordinate
to carry out the several details
of his duties, especially when the
Dist. M.O. has other important
charges at the station & can
hardly devote sufficient time
to the jail; and that India's
Resolution recorded in G.O. 1232
Subd/18th May '97 provided for
such cases, while quite re-
-cently this Govt had sanctioned
a full time medl. subordinate
for the sub-jail at Calicut. He
explained that the M.O. was
thereby relieved of his responsibility
with regard to the phrase "sub-
medl. charge" stated that it
was a term peculiar to the
Medl. Dept, sanctioned by
long usage.

(5) Ltr. N^o. 245 d/25th May 95

(6) Ltr. N^o. 3180 d/15th June 95

(7) Ltr. N^o. 3000 d/11th

* G.O. N^o. 1053 Jrd d/18th May 95 when however
the circumstances were very different

(1) Ltr. 4160 d/16th Jul 95

x as amended. vide G.O. 764 Jrd d/11-4-95

Mr. Carden was not satisfied
with this explanation and sub-
-mitted the correspondence for
orders of Govt.

Adverting to rule 1338⁺ he
pointed out that under sections
13-15 of the Prisons Act, 1894, certain
duties are imposed on the medl.
officer of a jail, & that there was no pro-
-vision in the Jail Code for the appnt.
of an officer to the "sub-medl. charge"
of a sub-jail.

The Surgeon Genl's confirmation of
the order posting Mr. Fernandez to the
sub-jail appeared to him to conflict
with rule 1338 & to have the effect
of imposing an extra charge on the
Jail Budget which contains no
such provision.

Mr. Carden ^{is of opinion} ~~thought~~ that two
practical questions are raised
by the correspondence.

(1) Can the Dist Medl. Officer or
the Civil Surgeon make such a
posting in the face of rule
1338?

In G.O. 433 Jrd d/20th Feb 94
Govt censured Surgeon Major Lee for
leaving the conduct of these duties
in connection with the sub-jail
at Coonoor to a medl. subordinate.
The duties involve usually only a
weekly visit the efficacy of which
could be considerably lessened by the
M.O. being represented by a Hospital
Asst.

(2) Granting the M.O. to have
this power, can the special
allowance Rs 60 per mensem
be chargeable to the Jail Budget
without the special sanction of Govt?

Con- he - the - un- of it is +
The system of allowances is purely objectionable. The scale of salaries allowed to H.A.s. is, it is presumed, adequate. When then is the necessity for extra allowances?

~~Answer~~

However ^{on the subject} Govt might decide, a general ruling, Mr. Cardew's opinion, would appear necessary and if the Surgeon General's orders be taken as correct rule 1338 would apparently require to be amended.

Govt having ^{replied} Mr. Cardew's letter to the Surgeon General for remarks, he replied in his letter N° 615 d/19th August 95.

* Current N° 3975

In the first three paragraphs Dr. Sibthorpe gives a resumé of the correspondence ab initio, and then points out that

(1) as it is quite impossible for one officer to carry out the details of his duties at the several institutions under his charge, he is assisted by a Medl. Sub-ordinate in the administration grace of these charges, & this Sub. is recognized in the Medl. Dept as being in Sub-Medl. charge of that instⁿ.

(2) Mr. Cardew is evidently under the impression that the arrangement in question relieves the M.O. of his responsibility, whereas that official still regularly visits the sub-jail weekly as reg'd by rule 1339, Examines & prescribes for those complaining of illness, inspects the buildings & surroundings &c. The H.A. visits

visits bi-weekly or oftener, & to patients & carries out the details of his Superior Officer's duties.

Mr. Cardew's reference though to G.O. 433 just d/20.2.94 is quite mal à propos as Surgeon General had failed to pay his weekly visits to the sub-jail at Coonoor & had left the H.A. in sole charge.

(3) That except during "the season" (when there is an additional M.O. vide G.O. 167 Pab d/8th March 95) the S.M. & S. Offr is the only Civil Surgeon at Ootacamund, & during his absence, on tour there must be some one competent to take charge of the sub-jail.

(4) That the arrangement sanctioned by him is authorised by India's Resolution no. 1232 para 2 of which distinctly states that "when an H.A. attached to a dispensary, jail or other institution is apptd. to an additional charge such as a lock up etc, he will be entitled to an Extra allowance of Rs 10 per month - and is advantageous to the jail dept as a full time subordinate would cost more.

Dr. Sibthorpe thinks that the Inspector General does not realise the responsibility of additional charges when he says the necessity for extra allowance is not apparent. ~~and~~ ⁱⁿ his remarks that Mr. Cardew's conviction as to the adequacy of the scale of salaries allowed to H.A.s. would probably undergo a change if he obt'd greater insight into

working of the med. dept or become better acquainted with the nature of H. Assistant's duties & responsibilities.

On this point the Surgeon Genl refers Govt to his letter N° 127 d/9th Feb '95 ~~which is now under disposal~~ which he thinks will convince Govt of the inadequacy of the salaries.

Under the circumstances explained he requests that Govt will confirm the arrangement or else sanction the employment of a full time H.A. for the sub-jail which has a hospital with four beds attached to it.

No 2244 d. 24.9.95

Govt however considered that Dr. Sibthorpe & Mr. Cardew should be called upon for further information, which these officers submitted in Nov. & Dec. last respectively. But as there was a doubt as to the nature of the figures quoted by the Surgeon Genl another reference was made to him, to which he now replies in Current 349 d/27th instant. The correspondence has thus lasted over a year.

The information now supplied shows as follows -

(a) daily av. pop. at sub-jail	daily av. Sick
1892 — 9.22	— .14
1893 — 8.29	— .28
1894 — 9.38	— .42
3/26.89	31.84
9.	.28

Pub. C 455
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50,1062 paid. d/18.6.95
(vide Mr. Cardew's letter)

* now under dispute

It will be observed that the daily average population is only 9 but at the sub-jail of Calicut over 70.

(b) Pay allowances at present fixed by Mr. Remond

Rs 35 grade pay debited to the Police Dept
Rs 5, clothing allowance. — " "
Rs 10. Jail allowance — Jail

(c) Period of the D.M. & S. O's absence from H.A. Ars.

1892 —	25 days
1893 —	2 "
1894 —	28 "

~~CCO~~ Dr. Sibthorpe explains that until 1894 the Civil Surge, Ootacamund, had not much inspection work, but now that he has been appointed D.M. & S. O., his absence from H.A. Ars. will be more prolonged.

The above figures somewhat damage the Surgeon Genl's arguments.

The 10 Rs. amount in this case is easily earned but the Jail Dept pays nothing for the Const. M.O's services. As it has been decided that the latter shall not leave Ootacamund in future on duty one objection to his doing the work alone is removed. The sub-jail is situated in the old Jail buildings and quite close to St. Barts Hospital.

50B H.A. For orders.
18.2.96
If any allowance at all

Note
Under the C.S.'s instructions this file was kept back pending the settlement of the question of an Asst Surgeon for the Nilgiris. That proposal has now been negatived.

50B
18/2/96

80306
23

is required, it should be necessary
for more than the season at
the outside.

No jail allowance to a Med.
off subordinate sh^d. be ad-
missible except with the
sanction of Govt.

J.H. 2/6
21. 2. 6

The S.G. went altogether beyond
his power in, particularly, antici-
pating appt. & attaching a salary
to it - The appt. of the man to the
"Subordinate Medical Charge"
should be considered & the salary
drawn when called & stopped for
the future

W.S.
24/2/96

I have spoken to the H.A.
Draft as ordered: (I leave
it to the H.A. to come up
if he thinks he has a case)

J.H. 2/6

"Sub-Medical Charge"
Sub-jail Ootacamund

Hon^{ble} Mr. H. W. Bliss C.H.

C 22/2
Q 24/2

Public Current 4343 of 95
+ Cor. 349 of 96.

Order No 301 d/28 Feb 96

The Surgeon Genl will
be informed that no
allowance in connection
with a jail should be
passed to a ^{medical} subordinate
without the sanction of Govt.

The appt. of the Hosp. Asst.
Fernaudez to the "Sub-medl charge" of
at Ootacamund
the sub-jail will accordingly
be disallowed and the
allowance already drawn by the
Hosp. Asst. will be repd.
him retrenched.
~~to refund the extra al-~~
~~lowance of Rs 10 per mth~~
~~drawn by him, that al-~~
~~lowance being discon-~~
~~sistent for the future.~~

from Orders

J.B.
27.2.96. J.H. 2/6
for Cl.

To The Surgeon Genl
" I.G. of Prison
" Jail Dept 1
" accy Genl

Depd
11/3/96

[Faint handwritten notes on the left margin, including "Post-... and ..."]

Sub-Medical Charge
Sub-jail Botacamun

from orders

Not copy sent to Press.

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AD AGAIN G.O., No.
189

DATE

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CLOSURES TO C. No.

GOVERNMENT

OF GOVERNMENT.

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