

G O., No. 1355

DATED 7. 12. 88

INDEXED.

Govt. Workhouse, Madras

Inviting the attention of the Comm.
of Police to certain propp. of Govt. defining
his powers to punish vagrants under the
European Vagrancy Act of 1874, and requesting
him to submit revised draft rules for the
conduct of the —

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Cus 1100/1200 (Cust 2 for 629 Police) 3-4-00							

Government {1899} of Madras. PUBLIC.

Recd.

Regd.

} 1899.

Enclosures

Spare copies

G.O., No. 1355, 7th December 1899.

DECEMBER.

Government Workhouse, Madras.

Inviting the attention of the Commissioner of Police to certain proceedings of Government defining his powers to punish vagrants under the European Vagrancy Act of 1874, and requesting him to submit revised draft rules for the conduct of the —.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—again the following papers:—

G.O., No. 296, Public, dated 9th March 1871.

ABSTRACT.—Passing orders with reference to the Resolution of the Government of India relating to the measures to be adopted for giving effect to the provisions of the European Vagrancy Act, No. XXI of 1869.

G.O., No. 1105, Public, dated 20th July 1871.

ABSTRACT.—Amending and directing the publication of the supplementary rules for the guidance of officers of the Police and Magistracy in this Presidency in the administration of "The European Vagrancy Act" and issuing certain instructions to the Accountant-General and to the Inspector-General of Police.

G.O., Nos. 579, 580, Public, dated 18th April 1879.

ABSTRACT.—Forwarding, to the Government of India, for sanction additional rules of management and discipline required for the Government Workhouse, Madras.

G.O., No. 990, Public, dated 26th June 1879.

ABSTRACT.—Prescribing certain additional rules for the management and discipline of the Government Workhouse at Madras.

G.O., Nos. 540, 541, Public, dated 16th April 1881.

ABSTRACT.—Forwarding, for the sanction of the Government of India, revised additional rules for the management and discipline of the Government Workhouse at Madras.

G.O., No. 885, Public, dated 30th June 1881.

ABSTRACT.—Prescribing certain revised additional rules for the management and discipline of the Government Workhouse at Madras.

G.O., No. 347, Public, dated 12th June 1882.

ABSTRACT.—Authorizing the Governor of the Government Workhouse at Madras, under the direction of the committee of management to punish vagrants in the manner prescribed under section 14 of the European Vagrancy Act, No. IX of 1874.

G.O., Nos. 494, 495, Public, dated 9th July 1890.

ABSTRACT.—Reviewing the statement of operations in 1889 under the European Vagrancy Act, No. IX of 1874 and notifying the appointment of the Commissioner of Police to be the controlling officer of the Government Workhouse at Madras. Copy to the Government of India.

G.O., No. 636, Public, dated 19th September 1890.

ABSTRACT.—Sanctioning the proposition statement showing the reduction in the establishment of the Government Workhouse.

READ—also the following paper:—

From A. P. AGAR, Esq., Acting Commissioner of Police, to the Chief Secretary to Government, dated Madras, 7th November 1899, No. 58.

I have the honour to report that since the re-organization of the Government Workhouse establishment in November 1890 and the introduction of a warder, the rules which were framed so far back as in 1871, and subsequent years, have now, in many respects, become inapplicable, and I therefore solicit the sanction of Government to consider a recast of the rules.

2. The increase in the number of inmates this year is due chiefly to some of them repeatedly re-declaring themselves as fast as they have been released under section 16 (clause 2) of the European Vagrancy Act, IX of 1874, and there are two now in the house who were first declared on 12th December last. For want of more stringent rules, it is found difficult to make the house less attractive to the men, and that it is at present attractive is evidenced by the fact that one inmate remarked that the accommodation was all that could be desired, and if the food were somewhat better, he would not mind marrying and settling down in the institution. Some of the inmates, notably the two above referred to, have apparently made the workhouse their home and have become so insolent, insubordinate and disrespectful to both governor and warder that only rules of a more stringent nature would meet their case.

3. I would, however, suggest as an alternative that the workhouse be removed to within the walls of Her Majesty's Penitentiary, the same as at Bombay.

ORDER—No. 1355, Public, dated 7th December 1899.

With reference to paragraph 2 of his letter read above, the attention of the Commissioner of Police will be drawn to the marginally-noted proceedings of Government, under which he has full power to punish vagrants under section 14 of Act IX of 1874.

G.O., No. 347, Public, dated 12th June 1882.
Public Notification No. 262 on page 296 of the
Fort St. George Gazette, Part I, dated 13th
June 1882.
Paragraph 5 of G.O., Nos. 494, 495, Public,
dated 9th July 1890.

2. The Government will be prepared to consider any revision of the existing rules which the Commissioner of Police may consider necessary. Before drawing up draft revised rules, however, the Commissioner should obtain copies of the rules now in force under the Act in the Presidencies of Bombay and Bengal and formulate his proposals in the light of such rules, copies of which should be submitted to Government with his proposals.

(True Extract.)

G. STOKES,
Chief Secretary.

To the Commissioner of Police.

Exd. C. M. Thumbusamy.

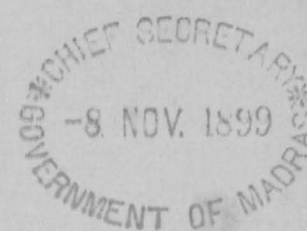
PUBLIC

~~Judicial~~

(1899)

Department.

CURRENT No. 3148



From

The Commissioner of Police,

Madras.

Order.

No. 58.

Dated 7th. November 1899.

Received

Registered

Enclosures

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SUBJECT,

Government Workhouse.

Soliciting sanction to recon-
sider the recast of rules of the
for certain reasons and suggesting
removal of to within H.P.'s.
Penitentiary.

RC
What about the
the 1899? signed
to please? 11/11/99

RC

Place put up
alter old papers
referred to 14/11/99

$$\left[\frac{G}{24} \right]$$

500-14-29.

G.O.	No.	Department.	Date.
165	792		
429-30	791		
742	790		
678	790		
stock papers			

1.1298.
R. 2-1298

G.O.	No.	Department.	Date.

C, No. 3148. From the Commissioner of Police, No. 58, dated 7-11-1899.

Para 5 of G.O. 494-5 Pub. 9-7-90 BT

* Copy in beginning
of the Stock file

* of Stock
P. 45 File

Para 8. G.O.296 Pub. Page 54
9-3-71 of stockfile

In the reorganisation of the Govt. Workhouse Establishment in 1890 the Committee of Management was done away with and the Commissioner of Police appointed as sole administrative officer under Sec. 12 of the ~~X~~ European Vagrancy Act of 1874. That Officer now addresses Govt. on the subject of the need for a recast of the Rules, those in force being considered by him, for the reasons stated in the current, to be inadequate and out of date.

2. On the establishment in Madras, in 1871, of a Workhouse under the European Vagrancy Act of 1869 certain ~~X~~ Rules, framed, under Sec. ³⁴ ~~3~~ of that Act by the Governor-General in Council, were adopted by this Govt. *and* published in the Fort St. George Gazette.

3. These were supplemented, in the same year, by some subsidiary rules

appears, ~~re~~ ~~examined~~, objectionable

23
framed by this Govt. in accordance with para 22 of the Resolution of the Govt. of India under which the original Rules referred to in the foregoing para were adopted.

4. In 1879 New rules, bearing directly on the conduct of inmates of the Workhouse, were framed by this Govt., under Sec. 14 of the European Vagrancy Act of 1874.

They were based on the proposals of the then Committee of Management and received the necessary sanction of the Governor General in Council.

Printed as Appendix to G.O. No. 1105 Pub./20-7-71. Page 76-79 of Stockfile.

G.O. 579-80 Pub.d/18-4-79 (pages 261-266 Stockfile)
,, 990 d/26-6-79 (Page# 269 269 Stockfile.)

5. These rules were, however, revised in 1881 on the recommendation of the Committee of Management who found that the conduct of inmates ^{the} required ^{called for} stricter rules - especially in the matter of apportioning work and fixing the working hours of the establishment. They were sanctioned by the Govt. of India.

G.O. No. 540-41 Pub. (Page 16-4-81 305/6 Stockfile)

6. In G.O. No. 347 Pub. d/12th June 1882, this Govt. authorised the governor of the Workhouse, under the direction of the Committee of Management, to punish vagrants under Sec. 14 of the Act. This authority was given on the representation of the Managing Committee that strict discipline was necessary to the success of a system of regular work which had been introduced.

G.O. 885 Pub.d/30-6-81 Page# 311 of Stockfile
Page 353 Stockfile

7. The foregoing paras embody all the rules now in force for the conduct of the Workhouse. In the reorganization of 1890 the Committee of Management and the salaried governor were done away with, a Warder on Rs. 60 was appointed and, as

34
already stated, the Commr. of Police made the practical Head of the Institution. The question of ^a revision of the Rules have not, however, till now, been mooted and it appears, it is submitted, reasonable to suppose a consolidation and revision of the Rules would tend to increase efficiency in the conduct of the Workhouse.

8. It is submitted that the Commissioner of Police may be told to submit to Govt. for consideration a revised set of rules embodying such changes in the conduct of the Workhouse as he considers necessary under the circumstances stated in his letter.

9. It might be useful to have copies of the Rules in force under Sec. 14 of the Act in Bombay and Bengal, with a view to better consideration of the Commissioners' proposals for revision, when they are received. It is submitted, therefore, that those Govts. may be addressed with a request to favour this Govt. with copies of all such rules.

10. The cases mentioned in para 2 of the current should apparently, be reported to Govt. separately under the provisions of Sec. 14. It should be easy for the Commissioner to frame a case against them - Perhaps the Commissioner may be told to do this if necessary? The alternative suggestion in para 3 of current appears, it is submitted, objectionable.

CJ
This may be done?
Mr. [unclear] [unclear]

CJ
The Commr. might wish to obtain these papers before he makes his proposals, then to send them to Govt. Mr. [unclear]

This is assuming that the orders of Govt. should be obtained in each case in which punishment under sec 14 is required. But sec 14 may be read as meaning that Govt. may give general authority to the Commr. to inflict certain punishments for certain offences. Mr. [unclear]

54

for, while the majority of European Vagrants are, doubtless, men deserving very little compassion or consideration it is evidently not the desire of Govt. that the European Vagrancy Act should be administered in a way that will necessarily bring disgrace, or the appearance or suggestion of disgrace, upon all who seek relief under its provisions. The Commr. will, no doubt, be able to suggest new rules which will change the opinion of those who think the Institution a desirable place to "marry and settle down in".

J.D.S.
22/11/99
MK
23. 11. 99

Put up under List of Local Rules & orders ~~under the Act~~
from Vol. 1. of 1898 p.

27.
H. 11/11/99

- Volume is subm^d in file below -

J.D.S.
22/11/99

It appears that G.O. no 347. Pub. of 12th June 1882 was ~~submitted with~~ ^{connected with} a list. Pub. no 262 of 3rd June published in the Gazette of 1882 p. 296. Put it up
H. 11/11/99

(page 353 of Stock file)
(page 296 of Gazette Vol. 1)

56

For the U.C.
Please see note by Chief Secy -
The Gazette of 1882 is subm^d?
With the file now returned.
It will be seen that the Notice in Gazette is a verbatim reproduction of G.O. 347 Pub. of 12. 6. 82
The Gazette is the issue of 13/6/82
The file may be resubmitted to C.S.?

J.D.S.
22/11/99
C.S. Submitted.

H.
30/11/99

The Commr. has full ^{under the Act} power to punish Vagrants under Sec 14 of Act IX of 1874. ^{as to other matters} He can submit any revision of rules he may think necessary.

Act 1. 12. 99.

H. 11/11/99
H. 11/11/99

It is plain that the Commr. of the Workhouse has all the power of punishment which the Act can give him under the Act. I can see no ground for thinking that he has to report punishments to the Govt.

Public.....DEPARTMENT

500-141-89

$$\left. \begin{array}{l} \text{---} \\ \text{---} \end{array} \right\} = p. \quad 40$$

189

189

189

With reference to para: 2 of
his letter ^{read above} the attention of the Commis-
sioner of Police will be drawn to the
* marginally noted proceedings of Govt.
under which he has full power to punish
vagrants under section 14 of Act IX of
1874.

2. The Govt. will be prepared to consider any revision of the existing rules which the Commissioner of Police may consider necessary. Before drawing up draft rules, however, ^{revised} ~~it would be~~ ^{should} ~~advisable for the Commissioner to~~ obtain copies of ^{the} ~~all~~ rules now in force under the Act in the Presidencies of Bombay and Bengal and formulate his proposals in the light of such rules, copies of which should be submitted to Govt. with his proposals.

To the Comm^r of Police -

J.W.S.
 4/21/99

Reve.

Punishments for vagrants. G.O. 547, Public, dated 12-6-32 gave the "Governor" power to punish as provided by Sec. 14 of Act, but only "under the supervision and direction of the Committee of Management". But in the reorganization of 1896 the Commissioner of Police became (in cancellation of the Notification of 1871 prescribing a Committee of Management) practically both Governor and Committee of Management all in one. It is doubtful whether the G.O. of 1882 about punishments can be held to have survived the reorganization scheme and justify the Commissioner of Police in punishing on his own ipse dixit.

First copy sent to Press.

Returned for signature.

Despatched in print.

READ AGAIN G.O., No. 189

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BRING MEANT FOR DISPATCH IN ORIGINAL.

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