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## GROWTH OF PRISONS IN PRINCELY MYSORE STATE (1799-1947)

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**Abstract:**-History being the treasure house of human civilization has its own role to play over the moldings of society and culture. With the lapse of time the scope of history has become widened, consequently the subjects of little interest have gained importance and being studied widely. In the context of India a subject like prisons development has wider importance. The significance of the subject lies in the fact that it is an institution where wrong doers or criminals were made to realize their offence. The present research paper deals with development of prisons in the Princely State of Mysore during 1799 – 1947.

**Keywords:**Mysore, Prisons, Rendition, Jail. Crime.

### 1.INTRODUCTION

Prison has been defined as a place properly arranged and equipped for the reception of persons who by legal process are committed to it for safe custody while awaiting trial or for punishment.1 According to the Government of India Prisons Act of 1870, 'Prison' meant any goal or penitentiary and includes the airing grounds or other grounds or buildings occupied for the use of the prison.2 Prison means any jail or place used permanently or temporarily under the general or special orders of a Local Government for the detention of prisoner.3 The Encyclopedia Britannica defines, 'prison as an institution for the confinement of persons convicted of major crimes or felonies'.4

### 2. DEVELOPMENT OF PRISONS IN MYSORE STATE

The then princely State of Mysore consisted of the modern districts of Karnataka, Mysore, Tumkur, Mandya, Kolar, Hassan, Chikkamagalur, Chitradurga and some parts of Shimoga and South Kanara. According to editors of Glimpses of Karnataka, crime seems to have been rare. The administration of criminal justice was not characterized by any uncompromising sternness and slight regard to human life was the case in the early period. It was considerably mild and offences were generally punished by fines, death penalty being inflicted only in cases of murder. A rough and ready justice was dispensed with and most of the cases were decided by ordeals. The local authorities were invested with magisterial powers and as a frequent resort to the capital was not possible, a great many of them were decided by them at the local level.5

During the reign of Hyder Ali and Tipu Sultan the punishments were very severe. The vindictive character of the Sultan is enhanced by the miserable state of prisoners who fell into his hands. Hyder indeed put his captives in irons, fed them sparingly, and treated them badly. However, in the Mysore Gazetteer B.L. Rice remarks "with regard to the punishment of criminals, there was. Under all the rulers of Mysore, from Hyder Ali to the Raja, an utter absence of prison systems, so that it was impossible to say what kind of punishment would be inflicted on any particular class of offenders.6

Before the establishment of British Commission there was hardly anything that could be called a prison in Mysore State. Little regard was given to the accommodation of prisoners and there was no attempt at their classification. Persons in custody, whether actually convicted or simply accused or merely suspected of crime, were all kept together in the same place. Men used to work on the high roads even before trial, until the practice was abolished by a special order from the Commissioners.7

The English Company rule in Mysore marked the beginning of modern prison system as such. English officials introduced radical changes in the then existing prison system, keeping in view the sentiments of the indigenous people. The

1836 prison enquiry committee report, which became a boon to modern prison system in India, its effects on Mysore also. Sir Mark Cubbon in his General Memorandum on Mysore gives us a clear picture of the contemporary situation. In the jails under the Maharaja's administration "little regard was had to accommodation, or management, and there was no classification of prisoners: whether convicted, accused or only suspected, they were all confined in the same place"<sup>8</sup>

During the non – regulation period, 1831 – 1856, there were 8 jails in the state, in the Bangalore division there were three jails, which were called respectively the Cantonments, Town and Fort jail at Bangalore, and the other one was a moveable camp. The convicts in the last one were employed on the roads in the district.<sup>9</sup>

In the Cantonments Jail there were in August 1834, 130 prisoners huddled together in a building suitable for only 65, and the arrangements were, "very defective, insecure and unhealthy, debtors, criminals, men, women and children being promiscuously huddled together without classification or the possibility of observing and description of prison discipline....."<sup>10</sup>

In July 1834 there were in the Pettah jail at Bangalore 300 prisoners in a single over crowded hall. The first reform was proposed in July 1835, for the building of a Central Jail with a treadmill at Bangalore. The Court of Directors sanctioned only the jail.<sup>11</sup> The Government of India, disagreeing with the court, directed the Commissioner to establish the mill at a cost of Rs.6, 000/- but to postpone the construction of the jail. Cubbon was ordered at the same time to use a building belonging to the Madras Government for the accommodation of Prisoners.<sup>12</sup>

In the Astagrama Division there were three jails, one each at Mysore, Srirangapatnam and at Hassan. The jail at Mysore was a new, airy and spacious building. The other two jails were situated at Chitaldurg and Shimoga. The Town Jail at Bangalore was removed from its former locality in a low and crowded part of pettah of Bangalore to a more suitable and airy situation near the northern gate of the pettah in 1853.<sup>13</sup> The Town jail was capable of containing 400 prisoners. The number of its inmates in 1855 was 246. This new building cost Rs.5458/-

The fort Jail was also constructed on the same principle as the Town Jail at a cost of Rs.1,515/- It was situated near the Mysore Gate of the fort. It could house 296 prisoners. In 1855 September the numbers of prisoners were 138. <sup>14</sup> The convicts in the Road Jail were accommodated in a large temporary shed, the materials of which were pulled down, carried on and re-erected as they changed their encamping place. There were 128 prisoners employed in this jail. The main aim of this Road Jail was to employ the convicts in such a way as to make their work a matter of public benefit, general example, and at the same time effective employment of the prisoners sentenced to hard labour. The scheme was very successful. Sometime after 1850 the Srirangapatnam and Hassan Jails were abolished, and the convicts in them were transferred to a new Central Jail Mysore.<sup>15</sup>

The health of the prisoners was looked after by the Hakims in all but, the Cantonment Jail, where a European Doctor was employed. In 1854 Smith wrote that "the prisoners were generally healthy. The prisons are airy and clean. The prisoners were divided in to gangs of eight: each day one remains at home to cook for the rest. Their food is raggy flour made into thick paste and eaten with pepper – water or curry. There is a small daily allowance of money which enables them to purchase such articles as are not supplied, a little tobacco, betel, or snuff, and once a week a little meat."<sup>16</sup>

There was no work on Sundays, an oil bath being provided on those days for prisoners. The daily hours of work per man were from sunrise to 3 p.m. The clothing consisted of a country blanket and five yards of head cloth annually. The death rate in jail at Shimoga between 1836 and 1850 was 11.25, while at Chitaldurg and in Town Fort and Contonment Jail at Bangalore it was 8, 2.5, 0.5 percent respectively.<sup>17</sup>

Between 1856-1862 the subject of jail management received much attention. A new scale of dietary was framed. The system which formerly prevailed of supplementing each prisoner's daily allowance of ragi grain with a money allowance of few pies per diem enabled him to buy firewood, vegetables, tobacco and other luxuries was abolished.<sup>18</sup>

In 1863 the construction of Central jail was commenced. In this institution which not only seems to have been model to the other prisons in the state, but is widely known as second to none in India, the accommodation was intended for 1,000 prisoners.<sup>19</sup> During the famine years of 1876 and 1877, the jails in the state were overcrowded. In Mysore it was found on this account necessary fo form a branch jail Kukkarahalli temporarily and convicts were employed on the construction of reservoir for the water works. The other jails were so far emptied after the famine that all danger of overcrowding was removed.

The Government of India Prisons Act of 1870 was extended to Mysore state also, with certain modifications, with effect from the 1st October 1879.<sup>20</sup> On the basis of this act the mark system was introduced in the same year, by which convicts of good character and conduct could even earn appointment as wardens and good -work overseers, with some remission of sentence and small gratuities.<sup>21</sup> A beginning was made in the direction of imparting education to illiterate prisoners.<sup>22</sup>

### 3. AFTER RENDITION OF MYSORE STATE

At the time of the Rendition there were 9 jails in the state, one at the headquarters of each of the 8 districts and an additional temporary one at Kukkarahalli near Mysore, Which was abolished in June 1818.<sup>23</sup> Soon after the revision of districts and taluks in 1882 – 1883, the number of Districts Jails were reduced from eight to three, and from 1st august 1883, there were only three District Jails in the state, and they were, the Central Jail at Bangalore and District Jail at Mysore and Shimoga.

The District Jail at Shimoga was abolished on 1st June 1903, a District lockup being opened instead. At the end of December 1913, these were in the state, one Central Jail at Bangalore, one District jail at Mysore, and one special Lockup at K.G.F. A comprehensive Jail Manual was issued in 1917 for the effective jail management, on the basis of Government of

India Prisons Act of 1870.

The jail at Mysore was converted into a sub Jail in 1933, as a measure of retrenchment, and all long term convicts sentenced to six months or more were transferred to Central Jail at Bangalore. But this so increased the number of long timers in the Central Jail that the jail at Mysore had to be received with effect from 1st April 1939, in order to relieve the congestion.<sup>24</sup> During the second half of the year 1939, wide spread political agitation created the necessity for additional accommodation in the state prisons. Several members of the Mysore Representative Assembly and Legislative Council raised the issue of cruelties in prisons. In the 1933 October session Mr. Bhasyam Iyengar moved the following resolution:-

“this assembly recommends to the Government of H.H. the Maharaja the appointment of a committee to investigate into the conditions of Jail life in the state to submit a report thereon together with recommendations for the improvement therein”<sup>25</sup> In doing so he said that “the condition of the prisoners in the Central Jail at Bangalore was in every way deplorable”. Firstly, about their cloths, they had to manage with one pair of trousers, one coat and a cap, and each set had to be worn for long period of ten months. In the afternoon, when they were taken out for work in the hot sun, they perspired in those cloths, and they had to sleep with the same cloths in the night. He said “such an arrangement did not bring credit to a model state like Mysore”.<sup>26</sup> Next he referred to the quality of food supplied to the prisoners. There was difference between the food supplied to the Indian prisoner and of a European. He asked the Government to treat the prisoners like human beings. He also turned the attrition of the Government to the equipment's, bathing, and sanitary arrangements, about the nature of work, medical relief and prison punishments. In this connection, he mentioned that the Indian Jails Committee's report had of plenty material which the proposed Mysore Committee could make use of with reference to local conditions.

By this time the accession of congress Governments in some provinces of British India, had led to increased interest in prison reform as well as to practical action in various directions<sup>27</sup>. The necessary for a comprehensive enquiry into the prison administration of Mysore State is was explained in the order constituting the 'Prison Reform Committee'. “The question of appointing a committee with a view to examine the present working of jails and Lockups and suggest reforms for improving the same, has been pressed upon the attention of the Government for some time past both in the Representative assembly and Legislative Council. A considerable period of time has elapsed since the subject of prison administration in India was subjected to comprehensive enquiry.

The system in force in Mysore, which is more or less the same in essentials as in British India, has remained almost unchanged during the last twenty five years or more. The Government considered that the time has arrived for a thorough overhauling of the machinery and methods in the light of experience here and elsewhere and of progressive ideas as to the treatment of prisoners and the moral and deterrent effect of prison discipline”.<sup>28</sup> The committee consisted of seven members and a secretary under the Chairman ship of the retired Chief Judge of Mysore, Rajadharm –Praveina Dewan Bahadur Sri.K.S.Chandrashekar Iyer.

The committee was revived “to make an enquiry into the whole matter of prison administration in the Mysore state, the efficiency of the existing system, and any defects, therein, and to suggest remedies and improvements on practicable lines.”<sup>29</sup>

The committee issued requisitions to more than 750 people, but it received reply only from 69 persons from that it can be realized that how few persons, relatively, have knowledge of prison conditions at first hand or really in a position to make constructive suggestions. The committee visited the the following prisons within the state in months of May, June and July 1940:-

- 1) The Central Jail at Bangalore
- 2) The Jail at Mysore
- 3) The Sub Jail at Shimoga
- 4) The Sub Jail at Thirthahalli
- 5) The prisoners camp at Byramangala
- 6) The prisoners camp at Thippaganahalli

Between the 15th November 1940 and 26th February 1941, the committee met five times to discuss the various questions of principle and policy, as well as of the detail arising out of the enquiry. Finally the committee submitted its report on 3rd April 1941. This was the first and comprehensive report about the Mysore Jail Management. The committee in its report made several recommendations relating to the prison administration.

As a result of committee report, the Government of Mysore passed the Mysore Prisons Act, 1943, which received the assent of His Highness the Maharaja on the 28th day of July 1943. Consequently the Prison Act XXXI of 1870 which was extended to Mysore by notification of the Government of India, Foreign Department, Judicial Number.246, I.J, dated the 4th September 1879 was repealed. The Prison Act of Mysore (1943) was first of its kind in Mysore. It gave new life to prison administration in the state.

#### 4.CONCLUSION

The prison system as it operates today in our country is a legacy of the British Rule. It was the creation of the colonial rulers over our penal system with prime motive of making imprisonment “a terror to wrongdoers”. The prison system was

given a new looking during the commissioner's period. That to during the regulation period the jail management received great attention with the extension of Government of India Prisons Act of 1870 in Mysore state. After rendition the members of the Representative Assembly and later council raised issues related to prisons. This led to the better management of the prisons in Mysore.

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