

File No. 11/1

1933.

Collection No.

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Government of India
Home Department
Jails Section.

Pros. Nos.
Serial

Subject.

Question and Answer in Parliament
regarding the terrorists in the Andamans.

Previous References.

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Section. Jails

File No.
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NOTES.

Home DEPT.
Jails BRANCH.

Pros.

19 . Nos.

Subject.

Questions and Answers in Parliament reg. the
terrorist prisoners in the Andamans.

Notes and Orders.

Que. From the India office No. P & J. 1184/33, dated 12-4-33

*Vide list below
slip 'D'
files will be put up
if required.*

We have so far sanctioned transfer ^{to the} of 114 terrorist
prisoners from Bengal, Bihar and Orissa, ^{the Punjab} ~~and Madhya~~, under
section 29(1) of the Prisoners, Act, 1900, and have
informed ^{the} Secy. of State of these. Out of the total of
114 prisoners, ^x 3 have been detained by the local Govts.
concerned and one [⊙] was retransferred to Bengal on account
of health, thus leaving a total of 110 prisoners at
present confined in the Cellular jail, Andamans. A
list giving ^{the} age and sentences of all the prisoners
whose transfer ~~had~~ has been sanctioned is placed below,

** Sr. Nos. 55, 78 and 107
slip 'D'
@ Sr. No. 14 slip 'D'*

p. 11 — D'

S. 1.

and may be sent to the India Office. A draft is put up for approval. From the list it will be seen that the age of 7 prisoners is not given in it. Office has no information about their age and there seems to be no necessity for asking the Government of Bengal for this information in view of the last sentence of first paragraph of the India office letter. If it is decided to furnish complete information to the India Office, a draft to the Govt. of Bengal will be put up. ~~Names of those prisoners who have been detained in India or have been retransferred to India may be deleted from the list to the India Office.~~

W.D.
 Sr. No. 62-60
 slip D
 (The Govt of Bengal while asking sanction for the transfer of these prisoners have not forwarded their nominal roll as the prisoners were confined in jails outside the Bengal Prov.)
 P.U.C

2.5.33
 10.5.33
 98.

I wish that no 3 is of 15, nos 5, 157, 16, 1, and nos 1, 2, 20, 17. has their age taken into consideration at the time when their transfer to the Andamans was advised?

W.D.
 10.5.33.

It is merely took exception to short-term prisoners being sent.

20, 138+139 nos + 124-125 cores
 Q
 1-2, 4-5, 6-11 nos + 42-43, 53-55, 58-59 + 63-64 cores
 R

The age of the prisoners was not taken into consideration at the time of their transfer to the Andamans, perhaps, on the assumption that person undergoing sentence in a jail in Br. India can be transferred to the Cellular jail.

jail, Andamans, which was a jail in British India for the purposes of the Prisoners Act, 1900.

Section 8 (1) of the Reformatory Schools Act, 1897,

reads:-

'Whenever any youthful offender is sentenced to transportation or imprisonment, and is, in the judgment of the Court by which he is sentenced a proper person to be an inmate of a Reformatory School, the Court may, subject to any rules made by the local Govt. direct, that instead of undergoing his sentence, he shall be sent to such a school, and be there detained for a period which shall be not less than three or more than seven years.'

while section 29 B of the Criminal Procedure Code provides that offences, other than those punishable with death or transportation for life, committed by persons who at the time of their trial were under the age of 15 years, may be tried by a court empowered to exercise powers conferred by section 8 (1) of the Reformatory Schools Act.

All the prisoners mentioned in Joint Secretary's note on the prepage have been sentenced for offences punishable with death or transportation for life. Their case therefore, does not come under Sec. 29B of the Cr. Pro. Code, and there seems to be nothing wrong in their serving a sentence in a jail in Br. India (including the Cellular Jail).

~~Departmental~~

Hon. Secy. Mr. Williams

has no doubt heard that some of the prisoners here very young. The policy of sending boys 2 15 & 16 to the Andamans should perhaps be further

considered.

W. Williams

11/5/33

Hon.

Nov. 1, 2, 3 and 30
sentenced under
Sec 120 & 121 P.C. read
with 300, 305, 276 & 406 P.C.

No. 5 sentenced under
Secs 302, 303 &
+ 17(f) of Indian Arms Act

No. 57 sentenced under
Secs 392, 394 and 397 P.C.
(Robbery with attempt to cause
murder).

Backlog
removed
11/5

11.5.33

11.5.33

11.5.33

Home
Jails

DEPARTMENT.
BRANCH.

File No.
Serial No.

Draft Letter
Memorandum
Telegram

Class for telegrams

Ordinary
Express
Urgent*
Priority
Clear Line†

*Only for Foreign Telegrams.
†Not for Foreign Telegrams.

No. 11/1/33 Dated 25th May 1933

To be issued on Issued on

1st Reminder
2nd Reminder
3rd Reminder

*Mr. Z
6 copies
J-3*

Heading:
Case or Diary No.
If post copy of telegram required
Date of despatch of above
List of enclosures

(Code word for telegrams.)

25/5/33

You will find that

25/5

are noted here

*6
2-3 (cov)*

To
His Majesty's Under Secretary of
State for India,
Public and Judicial Department,
India Office.

Subject. Questions and answers in
Parliament re. the terrorist prisoners
transferred to the Andamans.

Sir.
With reference to your letter no.
P. & J. 1184/33, dated the 12th April 1933,
on the above subject, I am directed to
forward a list of the prisoners in
question giving such information in
regard to their ages and sentences as
is readily available. Six of the
prisoners (serial nos. 1, 2, 3, 5, 20 and 57
in the list) are ~~no doubt~~ youths below
18 years of age, ~~but their removal to~~
the crimes for which
~~the Andamans is justified in view of~~
~~the nature of the crimes (indicated~~
in the
~~below) for which they were convicted.~~

Prisoners nos. 1, 2, 3 and 20 were
convicted in the Chittagong
Armoury case no. I of 1930, as
being members of a criminal
conspiracy which included
among its objects the ~~commission~~
commission of ~~the~~ murder, dacoit
arson and the destruction of
telegraphic, telephonic and

v Q
174, 182, 183 + 189

G.

convicted on 4.1.32
arrived at P.D. on 16.8.32

Q + C
76 (en)

p. 5 notes

convicted on 11.8.31
transferred on 25.12.32

Q + C
57 + 62 (en)

p. 5 notes

32-35 cor.

Q

In future the S/I will give special consideration to the cases of youths under 18 yrs of age who are ~~found~~ removed from the Andamans if recommended.

railway communications in and about the town of Chittagong. A copy of the Judgment of the Special Tribunal which gives a detailed account of the activities of these prisoners was forwarded to the India Office with the Home Department letter no. D.3439/32-Poll., dated the 2nd May 1932).

Prisoner no. 5 who was 16 years old at the time of conviction and about 16 $\frac{3}{4}$ years when transferred to the Andamans is the man who shot the Muhammadan Inspector of Police at Chittagong in August 1931. ^{But for} ~~he was~~ ^{his youth he would probably have} ~~extraordinarily fortunate in not~~ ~~being~~ hanged, apparently it was the ~~consideration of his youth that saved~~ him.

Prisoner no. 57 who was 16 at the time of conviction but was 17 years and 4 months old when transferred to the Andamans was convicted of robbery with murder which occurred in Barisal in May 1931.

As the Secretary of State is already aware all the terrorist prisoners are confined in the Cellular Jail, Andamans, under conditions similar to those of an Indian Jail.

3. ↗

I have, etc.,

Edy - T. Sloane
T.S.

Bengal

List of terrorist prisoners ^{whose removal} transferred to the ~~Andamans~~ Cellular Jail at Port Blair has been ordered by the Governor General in Council under section 29(1) of the Prisoners Act (III of 1900) as amended by Act I of 1903.

Sr. No.	Name	Age on conviction.	Sentence	Remarks.
1.	Ananda Prosad Gupta	17 ✓	Transportation for life.	Chitragang amungy
2.	Sahairam Das	17 ✓	--ditto--	ditto
3.	Fakir Chandra Sen	15 ✓	--ditto--	ditto X
4.	Suresh Chandra Das	25 ✓	--ditto--	
5.	Haripada Bhattacharjee	16 ✓	--ditto--	James 2/11/1903
6.	Lokenath Bahl	23 ✓	--ditto--	16-8-0
7.	Sushil Kumar Das Gupta	23 ✓	7 years	
8.	Kalipada Chakraverty	21 ✓	Transportation for life.	
9.	Ramesh Chandra Chatterji	19 ✓	--do--	
10.	Ananta Lal Singh	25 ✓	--do--	
11.	Ranadhir Das Gupta	20 ✓	--do--	
12.	Subodh Kumar Choudhry	21 ✓	--do--	
13.	Ganesh Chandra Ghosh	26 ✓	Transportation for life.	
14.	Birendra Nath Roy	21 1/2 ✓	3 years.	Since returned to India on account of ill-health.
15.	Prabir Goswami	22 ✓	16 "	
16.	Monoranjan Guha Thakurta	24 ✓	5 "	
17.	Bimal Kumar Das Gupta.	19 ✓	10 "	
18.	Probodh Chandra Roy	24 ✓	7 "	
19.	Mukul Ranjan Sen Gupta	22 ✓	7 "	
20.	Sukhendu Bikash Dastidar	17 ✓	Transportation for life.	Chitragang amungy
21.	Lal Mohan Sen.	20 ✓	--do--	
22.	Surendra Mohan Kar.	30 ✓	--do--	
23.	Subodh Chandra Roy.	21 ✓	Transportation for life.	
24.	Phanindra Lal Nandy	22 ✓	--ditto--	
25.	Nishi Kanta Roy Choudhury	21 ✓	5 years.	
26.	Satyendra Kumar Bose.	22 ✓	5 "	
27.	Kalipada Roy	22 ✓	5 "	
28.	Dhirendra Nath Choudhury	24 ✓	5 "	
29.	Bhupesh Chandra Guha	21 ✓	5 "	
30.	Bimalendu Chakraverty	18 ✓	7 "	
31.	Barindra Kumar Ghosh	19 ✓	4 "	
32.	Mukul Chandra Rai	20 ✓	5 "	
33.	Sirajal Hoque	27 ✓	5 "	

34.	Khitish Chandra Choudhury	31	5	years	
35.	Jogendra Nath Guha	23	6	"	
36.	Kaumudi Kanto Bhattacharji	18	5½	"	
37.	Keshab Lal Chatterji.	24	5½	"	
38.	Sudhir Chandra Bhattacharji	22	6	"	
39.	Profulla Kumar Mazumdar	25	7	"	
40.	Debendra Chandra Talukdar	27	7	"	
41.	Monmotha Nath Dutta.	29	7	"	
42.	Dhirendra Chandra Chakraverty	27	7	"	
43.	Bangeswar Roy	19	10	"	
44.	Jagat Bandhu Roy	26	5	"	
45.	Lalit Chandra Raha	22	5	"	
46.	Hemendra Chandra Chakraverty	24	7	"	
47.	Gopal Chendra Acharji.	22	7	"	
48.	Sudhendra Chandra Dam	26	7	"	
49.	Amalendu Bagchi	24	7	"	
50.	Purna Chandra Gowami	28	6	"	
51.	Dinesh Chandra Dhar.	30	5	"	
52.	Santosh Dutta.	22	7	"	
53.	Subal Chandra Rai Karmaker.	21	7	"	
54.	Dharni Kanta Biswas.	24	6	"	
55.	Ramendra Narayan Biswas.*	20	7	"	Not deported for the present
56.	Hriday Ranjan Das.	25	5	"	
* 57.	Hira Mohan Chatterjee	16	7	"	Remains in prison -
58.	Sudhangshu Lal	25	5	"	176
59.	Abani Ranjan Ghosh	28	5	"	
60.	Benoy Kumar Bose.	21	10	"	
61.	Sunarmal Sen	26	5	"	
62.	Ananta Chakrabartti	*		Transporta- tion for life.	
63.	Bhrubesh Chandra Chatterji	*		--ditto--	
64.	Rakhal Chandra De.	*		--ditto--	
65.	Nirajan Sen Gupta.	*		7 years.	
66.	Narain Chandra Ray.	*		15 "	
67.	Patish Chandra Pakrashi	*		7 "	
68.	Bhupal Chandra Basu	*		15 "	

* Information not readily available.

69. Bijan Kumar Sen	19	7 years.	✓
70. Surendra Chandra Acharj ee	27	5 "	✓
71. Upendra Nath Saha.	24	7 "	✓
72. Mankrishna Nama Das.	26	5 "	✓
73. Anukul Chandra Chatterjee.	23	10 "	✓
74. Ramani Ranjan Ganguli.	18	6 "	✓
75. Nagendra Chandra Deb.	24	5 "	✓
76. Kamini Kumar Dey.	45	5 "	✓
77. Jogesh Chandra Char ^{ka} v _{er} ty	20	5 "	✓
78. Madan Mohan Ray Choudhury.*	21	6 "	* Not deported for the present.
79. Jogeswar Das	30	Transportation for life.	✓
80. Sudhendra Kumar Roy.	24	5 years.	✓
81. Kartic Chandra Das.	24	5 "	✓
82. Mathura Nath Dutta.	32	5 "	✓
83. Mohit Mohan Maitra.	28	5 "	✓
84. Bankin Chandra Chakraverty	19	5 "	✓
85. Lalit Mohan Singh	35	6 "	✓
86. Lalit Chandra Chakrabarty	24	5 "	✓
87. Sachindra Chandra Home	35	7 "	✓
88. Rabendra Chandra Neogi	23	7 "	✓
89. Nagendra Chandra Modak	24	7 "	✓
90. Ram Chandra Das Shaha	19	7 "	✓
91. Nikhil Chandra Guha Rai	38	Transportation for life.	✓
92. Rabati Mohan Shaha	22	7 years.	✓
93. Parimal Ghose	22	5 "	✓
94. Bidhu Bhusan Sen	23	5 "	✓
95. Achy at Nath Ghatak	22	5 "	✓
96. Jagat Bandhu Basu	20	6 "	✓
97. Govinda Chandra Kar.	23	6 "	✓
98. Adhir Chandra Singh	25	7 "	✓
99. Dharani Kanta Chakrabarty	22	7 "	✓
100. Amarendra Nath Mukherji.	28	5 "	✓
101. Hare Krishna Kuar.	18	6 "	✓
102. Surendra Nath Datta.	27	14 "	✓
103. Phani Bhusan Das Gupta.	26	Transportation for life.	✓

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Boro.

104.	Kedarmani Shukul	26	10 years.	
105.	Jogendra Shukul <i>alias Sohan Singh.</i>	33	21½ "	
106	Ram Singh <i>alias Sham Deo Narayan.</i>	23	Transportation for life.	
107.	Iskwar Dayal Singh.	26	7 years	* Not deported for the present.
108.	Mohit Chandra Adhikari	40	Transportation for life	
109.	Ram Pratap Singh.	32	---ditto---	
110.	Kundan Lal <i>alias</i> Pratap	27	7 years.	
111.	B.K.Dutta.	22	Transportation for life.	
112.	Kamalnath Tiwari	22	---ditto---	
113.	Gaya Prasad <i>alias</i> doctor.	26	---ditto---	
114.	Mahabir Singh	22 27	---ditto---	Said on 17.5.33 vide H.A. tele: Sp 18.5.33.
115.	Bejoy Kumara Suiha	23	- ditto -	
116.	Sheo Varma	23	- ditto -	
117.	Jai Dew.	23	- ditto -	

* Sanctioned on 13.5.33