CHAPTER VII

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As discussed in the previous chapter, imprisonment is an important form of punishment as it gives sufficient time to the accused to give an effective thought in changing his law-breaking behaviour. Therefore, a building or place for the confinement of arrested persons or those guilty of minor offences known as jail is a must. In England jail is also known as 'gaol'. Nevertheless, in the ordinary sense of the term, it means a place of torture, physical or mental. Though the prisoner may not be physically tortured the mental torture through which he undergoes due to confinement has always been painful for him.

In Manipur, jail was variously known as the Koidi, Keishumshang, Auashang or Shumshang. In 664 A.D. during the time of Neidingu Nathingkhong, Keishumshang (Jail) was first established where convicts for heinous offences were imprisoned.¹ It was then situated within the king's palace on security grounds. But as in other places of the world the Manipuri concept of jail was not progressive. In tune with the time it was not a reformatory centre.

JAIL-IN-CHARGE : SHANGKHUBA SANGLAKPAS

The jail department was under the charge of Shangkhuba Shanglakpas who were included in the list of Ningthou Pongba Tara. The Shangkhuba Shanglakpas were two in number. They were responsible for the maintenance of law and order in the prison. Before the reign of Chandrakirti they enjoyed the powers and functions of Katwal also. Nevertheless, when Chandrakirti came to the throne they were confined to the whole affairs of the jail.

The Shangkhuba Shanglakpas were responsible for the maintenance of records in which all particulars of the prisoners relating to their surname, name, occupation and villages to which they belonged were clearly written. They were to see that the convicts were imprisoned for the period stated and fixed by the court. All those arrested but who had not been tried by any authorised law court were also entrusted to their care. Because they were held liable for the escape of any prisoner.

The Shangkhuba Shanglakpas were also authorised to issue proper permission to the relatives of prisoners who wanted to meet them. Fines were, therefore, imposed on

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officials who issued illegal permissions. If, by such issue of permission, something serious had happened, the person who issued the illegal permission was liable for imprisonment for a period not more than six months or liable for the loss of his post.

The Shangkhuba Shanglakpas acted as the guardian of the prisoners. When the prisoners fell ill, they used to report to the Ametpa and Maiba Loishang for immediate treatment.

The Shangkhuba Shanglakpas performed certain judicial functions also. They had to investigate into the quarrels, strifes and bickerings occurring within the prison. They could give final decision for these cases.

The Shangkhuba Shanglakpas were also responsible for the daily maintenance of the prisoners. They looked after the daily needs of the prisoners - whether there were enough bowls, dishes, clothes and food for them or not.

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3. Ibobi Singh, N.: The Manipur Administration (1709-1907), p. 118 (1968). "The Ametpa and Maiba Loishang together constituted the Medical Department of ancient Manipur. The former diagnosed and treated patients who were suffering from boil, scars, ulcers and the like. It was also concerned with maternal welfare, while the latter performed Mantras (hymns) to pacify gods, demi-gods and goddesses. They had to tackle with old ditches and old moat and sacred groves belonging to Sylvan deities."
If there was shortage of any one of them they had to send a peon either to the Pukhranba ⁴ or to the Nongthonba.⁵

LIABILITY OF SHANGKHUJA SHANGLAKPAS

The two jail officers were held liable for the escape of any prisoners in the course of their duties. They were also liable for the wrongful release of prisoners without the order of the court or of the king.

JAIL BUILDING

The prisoners were housed into two big thatched buildings, one for the plain's people and the other for hillmen. A separate building was constructed as kitchen for the former, the hillmen being expected to cook in the building in which they slept. The whole jail building

⁴ Pukhranba was a minister-in-charge of food. He was responsible for the supply of rice, pulses, salt, chillies and oil for the royal kitchen, for the soldiers, nobles and attendants who stayed in the palace. He was also responsible for the supply of necessary food stuffs to the prisoners in the jail. At the time of the coronation of the king Pukhranba serves the king by taking Phambalkhao (a bag).

⁵ Nongthonba was a minister-in-charge of royal treasury. He enjoyed enormous powers and functions and was regarded as the Prime Minister of the State. At the time of king's coronation he serves the king taking hold of Chakthang (a dagger) in hand.
was surrounded by a mud wall with platforms for the sentries. In the centre of the enclosure was a tank of very doubtful looking waters.  

But the jail building was gradually redeemed and during the reign of Chandrakirti it was surrounded by a high sun-dried brick wall, and was calculated to accommodate one hundred and fifty prisoners.  

The walls of the wards were made of whole bamboos.  

In 1891-92 the State jail was used by the Commissariat Department as a cattle yard and for prisoners the Raja's magazine was utilised. As soon, however, as the Commissariat vacated the yard, the old houses of the old jail were removed and new constructions were erected. It took for a long time to complete the new construction but they were completed in 1902-03. It had an area of 908 acres.

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8 Ibobi Singh, N., op.cit., p.211.
9 Administration Report for the year 1891-92, p.10.
In 1903 A.D. a jailor, Dewan Brijlal by name, was appointed for the first time. He introduced the jail industry in Manipur with some innovations. 10

BRANCH JAILS

Before 1895 A.D. there was no branch jail in Manipur. But in that year a small branch jail containing 25 convicts was established in Foiching, 14 kilometres from Imphal. It was meant to undertake some protection works against the inroad of the river Nambul, and also to construct a sarai for native travellers. 11

In 1896-97 another branch jail for forty convicts were established at Bishanpur to complete a road for carts to that place. In the same year one branch jail was also opened at Koirengei, 9 kilometres from Imphal. 12

SANITATION AND HEALTH OF PRISONERS

The sanitary arrangements were not, perhaps, all that high authorities on hygiene would approve, but the

11 Administration Report for the year 1895-96, p.11.
12 Ibobi Singh, N., op.cit., p.211.
establishment was, considering all things, not otherwise than a credit to the State, and the prisoners were well fed and not particularly hard worked.\textsuperscript{13}

Although the Manipuri jails were unhygienic, the rate of mortality was very low. There was one death only during the year 1892-93, the cause being chronic bronchitis.\textsuperscript{14} The health of the prisoners were generally good. It might have been due to the fact that the prisoners were allowed to work outside.

JAIL COMPARTMENTS FOR FEMALE PRISONERS, INSANE PERSONS OR LUNATIC ETC.

As regards jail compartments, there were no compartments for female prisoners, as the customs of the country did not allow of women being imprisoned or put to death. In cases where women were considered deserving of severe punishment, they were exposed to public gaze on a raised platform in the bazar, while a crier proclaimed their crimes.\textsuperscript{15}


\textsuperscript{14} Administration Report for the year 1892-93, p.10.

\textsuperscript{15} Administration Report for the year 1878-79, p.24.
As in the case of female convicts there were no specific jail compartments for insane persons or lunatics in the State. No informations relating to the establishment of separate compartments for those persons, that is, insane persons or lunatics are available. It might be subject to the exceptions of the Manipuri customs.

JAIL DISCIPLINE

As mentioned above, the jail department was under the direct control of Shangkhuba Shanglakpas. They looked after the welfare of the prisoners. Later on the discipline in the jail was looked after by the guards. Breaches of discipline were punished by flogging, by increasing the weight of iron fetters and by lengthening the term of imprisonment. Most of the Manipuri prisoners were iron fettered but not heavily.\textsuperscript{16} As a consequence, there was no information about the commitment of homicide among the prisoners within the jail.

SERVICE OF PRISONER

The informations relating to the service of prisoners in early time are hardly available. Nevertheless, from

\textsuperscript{16} Brown, R., op.cit., p.93.
the annual administration reports of the Manipur Political Agency we see that all the labour was extramural, and for a long time past the prisoners had been confined to brick-making, earth-cutting, jungle-clearing and other miscellaneous works. Sometimes they were employed throughout the year in the construction of the State buildings, metalling roads and gardening.

As the convicts were employed in extramural labour the inducement to escape was great. In 1893-94 as many as 15 convicts escaped from prison. In 1895-96 the number of escapes was greater. The reason was that a fear was created in the mind of the prisoners by the transfer for three long term convicts to the Sylhet jail. The convicts generally escaped into Cachar but when love of home induced them to return, they again fell into the clutches of the jail authorities.

18 Administration Report for the year 1892-93, p. 10.
19 Administration Report for the year 1894-95, p. 11.
20 Administration Report for the year 1895-96, p. 11.
EXECUTION GROUND

The execution ground was an important institution of judiciary in ancient Manipur. The Manipuri equivalent for it was 'Mihatpung'. In this regard there is a dictate of custom which shows that the presence of a high official was necessary at the execution of every accused person to see whether the death sentence was duly carried out or not. If no such officer was present for some reason or other, the fetters of the prisoner were struck off by a blacksmith, and taken to the king as a proof that the order had been executed.

The selection of a suitable place for penalty is a major factor in criminal justice and an important duty of the court. Formerly, the execution was carried out at a distant place, called Shugnu (nearly 74 kilometres to the South-Western part of Imphal). Nevertheless, it was carried out at Mongshangle during the reign of Nara Singh. When Chandrakirti came to the throne of Manipur in 1850 two persons namely, Nahakpa and Langol Jamba were executed at Sanakeithel as they had been involved in treason. In the


later age, it was generally performed at a place either in front of the stone dragons (Kanglasha)\(^{24}\) that stood before the Kangla (Coronation Hall) or under a tree on the bank of Nambul river near the palace\(^{25}\) or at Pheidapung.\(^{26}\)

All the executions were carried out by a person of good physique especially appointed by the king. He was known as Shanglingba.\(^{27}\) Formerly, the office of Shanglingba was under Shangkhuba Shanglakpas. But when the office of Katual was introduced by Chandrakirti it was attached to

\(^{24}\) Kanglasha became the Emblem of the State in 1978. It was brought into existence by king Khagomba after taking the image of Divine Nongshaba and installed it before Kangla Utara in 1633 A.D. (C.K., p.27). There are scores of interpretations given by various schools of Meitei Philosophy regarding the appearance of the Kanglasha. But the most authentic and accepted interpretation runs as follows: The colour of the Kanglasha is bright. It takes posture in which its hind legs are firmly fixed in bending position with the fore legs erect. The tail is curled towards the back. Its mouth is wide open. It has one horn only. Just a little near the end point of the horn there is the ramifications of a small further horn. Four British officers were executed on the 24th March 1891 in front of the Kanglasha, for guilty of waging war against the king and on many other grounds. It was shot and destroyed by the British in 1891 A.D.

\(^{25}\) Ibobi Singh, N., op.cit., p.213.

\(^{26}\) A place situated at the western side of Kangla where the Sahid Minar is erected (within the area of Napan Kangjeibung).

\(^{27}\) "Shanglingba" is a Manipuri term which means 'Executioner'.
the department of Katwa. Sometimes, Shanglingba happened
to be a Naga of good physique.

Another peculiar feature of execution was that during
the war time it was carried out at any suitable place as
fixed by the king in consultation with his nobles. It was,
for instance, carried out at Moirangkhom during the reign
of Meidingu Ningthoukhomba (1432 A.D. - 1467 A.D.)²⁸ and
Chingthangkhomba.²⁹

MODE OF EXECUTION

Execution³⁰ in its form varied with the nature of
murder. Should the murder have been committed by beating,
then the offender was beaten to death with clubs. A tooth

²⁸ Jhulan Singh, M., op. cit., p.61(1947). During
the reign of Meidingu Ningthoukhomba the Moirangs invaded
the Meitei territory. But many Moirangs were arrested by
the Meiteis and killed near the Hijam Yaijam lake of
Yaiskul. There a mound was made, which was later on known
as Moirangkhom.

²⁹ Ibid.,102. The same incident happened during the
reign of Chingthangkhomba that many Moirang forces inclusive
of their king were collectively arrested and killed at
Moirangkhom as they waged war against the Meitei king.

³⁰ There was another peculiar type of death sentence
which was carried out at Nungoibi, a place situated near
the Kangla. There the head of the person was cut off and
buried. Such type of execution was known as Nungoibi
Lallu Chanba. In the principality of Moirang, such execution
was commonly carried out at Kege Nungoibi (a place situated
near the Kege Kangla).
for a tooth, an eye for an eye and a life for a life was the generic form of execution in those days. Hanging was also mentioned as being one of the means of execution. In some rare cases, the death sentence was carried out by burying the convict into the pit.\textsuperscript{31}

Sometimes the accused was sentenced to death by putting him inside the Ngabong Khao\textsuperscript{32} and getting him drowned into the water. For instance, during the reign of Nara Singh (1849 A.D.) one Maleikhomba was sentenced to death with such nature of execution at Mongshangsei for waging war against the king.\textsuperscript{33} This was, as R. Brown reported, the last political execution upto 1873 A.D.\textsuperscript{34}

Thus it is clear that the nature of execution in ancient Manipur was variable from person to person and from time to time.

\textsuperscript{31} Jhulon Singh, M., op.cit., p.112. Instances can be inferred that when Modhuchandra became the king of Manipur in 1801 A.D. a man called Chandramani from Khumbong was sentenced to death by burying into a pit near the palace.

\textsuperscript{32} 'Ngabongkhao' literally means a sack made of local coarse cloth. It is used by the ancient Manipuris.


\textsuperscript{34} Brown, R., op.cit., p.93.
CONCLUSION

The above is the institutional and organisational background under which Manipur organised and developed its jail administration inclusive of the mode of execution and execution ground up to the British occupation of Manipur. What are the conclusions?

First, the jail in ancient Manipur was unhygienic which, as T.C. Hodson was of the view, the native authorities did not manage on the theory that a jail should be a comfortable place for blackguards of the country to arrange plans of future campaigns against the peaceable people. 35

Secondly, there was no separate compartment for women convicts, children and lunatic or insane persons. Therefore, the then existing jail system was not efficient and was characterised by primitiveness. In other words, it lacked modernisation.

Thirdly, another criticism was against the position of Shangkhuba Shanglakpas (jail-in-charge) that the powers and functions enjoyed by them were enormous and excessive and as such defective. Since the excessive power is

concentrated in the same person, there was a good room for corruption. Hence, Lord Acton concludes every power tends to corrupt and absolute power corrupts absolutely.

Fourthly, another defect in the system was the arrangement for accommodation and the supply of daily needs to the prisoners. For instance, a separate building was constructed as Kitchen for the Meitei prisoners. But the hillmen were not given such facility. They cooked in the same building in which they slept. In addition to this, the Meitei prisoners were supplied with brass vessels for cooking and the hillmen with earthen pots. Hence, the jail administration in ancient Manipur was partial, unfair and undemocratic. Furthermore, it was the negation of the rule of equality.

Nevertheless, since the jail system was in vogue with the situation of the then society the criticism from the modern point of view would be importation of modernism into ancient Manipur. This is not fair. To the credit of the then existing system of jail we may also point out the good health of the prisoners.