

BRANDING CONVICTS ACT 1849

ACT No. II. of 1849

(Rep., Act 8 of 1868)

[27th January, 1849.]

Passed by the Hon'ble the President of the Council of India in Council on the 27th January, 1849.

To abolish the practice of branding and exposing Convicts.

WHEREAS it is thought fit to abolish wholly the practice of branding and publicly exposing Convicts throughout the Territories under the Government of the East India Company, It is enacted as follows:

I. Section XI. Regulation IV. 1797, Section XXXV. Regulation VII. 1803, and Clauses Second, Third and Fourth, Section XII. Regulation XVII. 1817, of the Bengal Code, Section XXXV. Regulation VII. 1802, of the Madras Code, and so much of Clause First, Section III. Regulation II. of 1807, and of Sections IX. and X. Regulation XVII. of 1817, of the Bengal Code, so much of Section III. Regulation VI. of 1811, and Sections V. VI. Regulation II. of 1822, of the Madras Code, and all other Regulations or parts of Regulations, in force, directing that any convicted offenders shall have any indelible mark made upon their foreheads, or on any part of their persons, or authorizing any sentence of public exposure, commonly called Tusheer, and so much of Chapter II. Regulation XIV. Of 1827, of the Bombay Code, as authorizes any sentence of public disgrace, are rescinded.

II. After the passing of this Act it shall not be lawful for any Court or Magistrate, within the Territories under the Government of the East India Company, to order that any brand or indelible mark, of any kind, be made or renewed on any part of the person of any convicted offender, or to sentence any offender to be publicly exposed by Tusheer, or to any other degrading exposure.
