

ANDHRA PRADESH  
PRISON DEVELOPMENT BOARD  
ACT & RULES  
& A NOTE ON  
ANDHRA PRADESH PRISON  
DEVELOPMENT BOARD  
ACT ACCOUNTS

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ఆంధ్రప్రదేశ్ రాజపత్రము

THE ANDHRA PRADESH GAZETTE  
PART IV-B -EXTRAORDINARY  
PUBLISHED BY AUTHORITY

No. 12] HYDERABAD, TUESDAY, APRIL 17, 2001.

ANDHRA PRADESH ACTS, ORDINANCES AND  
REGULATIONS Etc.

The following Act of the Andhra Pradesh Legislative Assembly received the assent of the Governor on the 13th April, 2001 and the said assent is hereby first published on the 17th April, 2001 in the Andhra Pradesh Gazette for general information:-

ACT No. 12 OF 2001-

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE ANDHRA PRADESH PRISONS DEVELOPMENT BOARD FOR THE DEVELOPMENT OF THE PRISON SYSTEM AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fifty-second Year of the Republic of India as follows:-

A. 578-1

[1]

CHAPTER - IPRELIMINARY

Short title. 1. (1) This Act may be called the  
extent and Andhra Pradesh Prisons Development Board  
commence- Act, 2001.  
ment.

(2) It extends to the whole of the  
State of Andhra Pradesh.

(3) It shall come into force on  
such date as the State Government may, by  
notification, appoint.

Defini- 2. In this Act, unless the context  
tions. otherwise requires, -

(a) "Board" means the Andhra  
Pradesh Prisons Development Board consti-  
tuted under section 3;

(b) "building" includes a house,  
dormitory, barrack, cell, latrine,  
godown, shed, hut, wall and any other  
structure whether of masonry, bricks,  
mud, wood, metal, cement, concrete or  
any other material whatsoever;

(c) "fund" means the Prisons Deve-  
lopment Fund created under this Act;

(d) "Government" means the State  
Government of Andhra Pradesh;

(e) "Jail" means a prison and  
includes all Central Prisons, district  
jails, sub-jails, prisoners' agricul-  
tural colonies, state jails for women  
and borstal schools;

April 17, 2001]

(f) "land" includes rights in or over land and benefits to arise out of land, and buildings, structures and other things attached to the earth or permanently fastened to anything attached to earth;

(g) "notification" means a notification published in the Andhra Pradesh Gazette and the word 'notified' shall be construed accordingly;

(h) "prescribed" means prescribed by rules made under this Act;

(i) "Prison" means any jail or place by whatever name called including all lands and buildings, appurtenant thereto, used permanently or temporarily under the general or special orders of the State Government for the detention of prisoners, and includes all central prisons, district jails, sub-jails, prisoners' agricultural colonies, State Jails for women and borstal schools;

(j) "Regulations" means the regulations made by the Board under this Act.

## CHAPTER - II

### ESTABLISHMENT OF THE BOARD

3. (1) With effect from such date as Constitution and the Government may, by notification, specify in this behalf, there shall be established a Board to be called 'the Andhra Pradesh Prisons' Development Board'.

(2) The Board established under sub-section(1) shall be a body corporate having perpetual succession and a common seal, with power to acquire, hold and

dispose of property both movable and immovable, to do all things incidental to and necessary for the purposes of this Act and to contract and may by the said name sue and be sued.

(3) The Head Office of the Board shall be at Hyderabad or at such other place as may be notified.

(4) The Board shall consist of the following members, namely:-

- |  |                      |
|--|----------------------|
| (a) Chief Minister.  | Chairman.            |
| (b) Minister for Prisons.  | Vice-Chairman.       |
| (c) Registrar General of the High Court of Andhra Pradesh.       | Ex-officio Director. |
| (d) Principal Secretary to Government Home (Prisons) Department. | Ex-officio Director. |
| (e) Principal Secretary to Govt. Finance Department.             | Ex-officio Director. |
| (f) Principal Secretary to Govt. Revenue Department.             | Ex-officio Director. |
| (g) Secretary to Government, Law Department.                     | Ex-officio Director. |
| (h) Director General and Inspector General of Police.            | Ex-officio Director. |
| (i) Director of Prosecutions.                                    | Ex-officio Director. |



- (j) Two persons to be nominated by the Government out of whom one shall be a woman, from among such non-officials who have distinguished themselves in the field of Prison Administration or Prison reforms or service to Prisoners or Human rights. Members.

- (k) Inspector General of Prisons. Ex-officio Managing Director.

4. A non-official member of the Board shall hold office for a period of three years from the date of his appointment, and may resign his office earlier by giving notice in writing to the Government and shall cease to be a member on the resignation being accepted by the Government: Term of office.

Provided that the Government may reduce the term of office of a non-official member before the expiry of such term without giving any notice to such member and without assigning any reasons, and appoint any other person in his place for the remainder of such term.

5. (1) The Board shall meet at such times and places as the Chairman may decide and an urgent meeting may be convened by the Managing Director at any other time for the transaction of urgent Meetings of the Board.

business as may be provided by the regulations:

Provided that atleast one meeting shall be held in every three months.

(2) The Chairman or in his absence the Vice-Chairman and in the absence of both the Chairman and the Vice-Chairman, any member chosen by the members present among themselves, shall preside at a meeting of the Board.

(3) The procedure in regard to transaction of business at the meetings including the quorum shall be such as may be provided by the regulations.

Vacancy etc.,  
not to in-  
validate the  
acts and  
proceedings  
of the  
Board.

6. No act or proceedings of the Board shall be invalid by reason only of the existence of any vacancy amongst its members or any defect in its constitution.

Terms and  
Conditions  
of service.

7. The terms and conditions of service of the members of the Board including the honoraria and the allowances to be paid to them, shall be such as may be prescribed.

Appointment  
of staff.

8.(1) The Board may appoint such officers and employees as may be required to enable the Board to carry-out its functions under this Act in such manner as may be prescribed.

(2) The Board may, from time to time, appoint qualified persons in the fields of Prison Administration, Medicine, Architecture, Engineering, Social work, Sociology, Industrial management and the like, to be consultants to the Board as

it may consider necessary for the efficient performance of its functions on such terms and conditions as may be prescribed.

9. The Managing Director shall be Chief the Chief Controlling Authority in all Controlling matters connected with the administrative Authority. of this Act, subject to the general or special orders of the Government or the Board in this behalf and may exercise all powers necessary for that purpose.

10. (1) Subject to the provisions of Functions of the Board, the functions of the Board shall be,-

(a) to examine the living conditions of the prisoners in all the prisons and jails with specific reference to their basic needs and provision of facilities compatible with the dignity of human life;

(b) to look after the prisoners with humanity and help them lead law abiding and useful lives after their release;

(c) to endeavour to reform and reassimilate the prisoners in the social milieu by giving them appropriate correctional treatment;

(d) to see that the prisoners are provided sufficient accommodation, hygienic surroundings, sufficient water supply, sun light, ventilation and adequate medical attention, if necessary by repairing or altering the existing Jails;



(e) to build new prisons, where the existing prisons are not in a satisfactory condition or beyond repair;

(f) to review the programmes of treatment of prisoners, education, vocational training, industry, manufacturing activities, agriculture, poultry, dairying, horticulture and such other occupational activities being carried on in the prisons with a view to developing prisons as correctional centres;

(g) to efficiently manage the prisons, if necessary, by acquiring properties, whether movable or immovable, including Computers, Communication facilities, gadgets, vehicles, security or surveillance equipment, electronic video linkage systems etc.

(2) For the efficient discharge of the duties entrusted to it the Board shall exercise such powers and perform such functions as are conferred or imposed by or under this Act or the rules made thereunder.

### CHAPTER - III

#### BOARD'S FINANCE, ACCOUNTS AND AUDIT

Prisons  
Develop-  
ment Fund. 11. (1) The Board shall have and maintain its own fund in the name and style of 'Prisons Development Fund' to which shall be credited,-

(a) all moneys received by the Board from the State and Central Governments, by way of grants, loans, advances or otherwise;

(b) all moneys borrowed by the Board by way of loans or debentures;

(c) all moneys generated by the agricultural, horticultural, industrial or manufacturing activities undertaken by the prisoners in Jails;

(d) all fees, charges and profits received by the Board;

(e) all moneys received by the Board from the disposal of lands, buildings, and other properties (movable or immovable); and

(f) all moneys received by the Board by way of rents or profits or in any other manner or from any other source.

(2) The Prisons Development Fund shall be applied towards meeting the expenses incurred by the Board in the administration of this Act, and for such other purposes as may be prescribed.

(3) The Board may keep such sum of money out of its funds in deposit in any of the scheduled banks, and any money in excess of the said sum shall be invested in such manner as may be prescribed.

12. The Board may, from time to time, subject to such conditions as may be prescribed borrow any sum required for the purposes of this Act.

13. The Government may, after due appropriation made by the State Legislature, make such grants, advances and loans to the Board as the Government may deem necessary for the performance of the functions of the Board under this Act; and all grants, loans or advances made shall be on such terms and conditions as the Government may determine.

Annual Report. 14. The Board shall prepare every year in such manner and in such form as may be prescribed an annual report giving a true and full account of its activities during the previous year and submit the said report to the Government for being placed on the Table of the State Legislature in the immediate ensuing session.

Returns etc. 15. The Board shall furnish to the Government such returns or other information with respect to its activities as the Government may, from time to time, require.

Accounts and audit. 16.(1) The Board shall maintain proper accounts and other relevant records, and prepare an Annual Statement of accounts in such form and in such manner as may be prescribed.

Act 9 of 1989. (2) The accounts of the Board shall be subject to annual audit by the Director of State Audit under the provisions of the Andhra Pradesh State Audit Act, 1989, and any expenditure incurred in connection with such audit shall be payable by the Board.

(3) The accounts as certified by the Director together with the audit report thereon, shall be forwarded annually to the Government.

#### CHAPTER-IV

#### ACQUISITION, MAINTENANCE AND DISPOSAL OF LANDS AND BUILDINGS

Vesting of prison lands and buildings in the Board. 17. On and from the date of commencement of this Act, all land and buildings appurtenant thereto in the charge or possession or use of the Prisons Department of Government of Andhra Pradesh



other than those specified in the Schedule shall, ~~vest~~ in the Board and be subject to its control.

18. (1) If, in the opinion of the Board, any land is required for the construction of a new Prison or improvement of an existing prison or construction of quarters for the staff of the Prisons Department, the Board may request the Government to acquire such land under the provisions of the Land Acquisition Act, 1894.

Acquisition of land.

Central Act I of 1894.

(2) Where the Board proposes to acquire any land by private negotiations otherwise than under the provisions of the Land Acquisition Act, 1894, it shall approach the concerned District Collector with a request to determine the value at which the land is to be acquired.

(3) Where in the opinion of the Board there is suitable land belonging to a Government Department or organisation it can acquire the said land either by way of exchange with its own land or payment of market value, as fixed by the concerned District Collector, or a combination of exchange and payment of market value.

(4) If, in the opinion of the Board, land required for the construction of a new prison or improvement of an existing prison is to be acquired on lease it shall approach the concerned District Collector with a request to determine the lease amount and other terms and conditions for obtaining the said land on lease.



(5) The Board may, in case of disagreement with the recommendations of the District Collector under sub-sections (2) to (4), refer the same, along with its views, to the Government, whose decision shall be final.

Disposal of land, buildings etc., by the Board. 19. (1) The Board may, subject to such rules as may be made in this behalf, retain, lease, sell, exchange or otherwise dispose of,-

(a) any land or building or property whether movable or immovable in its possession; and

(b) any other land or building or property whether movable or immovable consequent upon decommissioning of any Prison.

(2) The consideration or proceeds obtained by disposal or otherwise of a land or building or property under sub-section(1) shall be credited to the "Prisons Development Fund".

#### CHAPTER - V

#### MISCELLANEOUS

Power to make rules.

20. (1) The Government may, by notification, make rules for carrying out all or any of the purposes of this Act.

(2) Every rule made under this Act shall be, immediately after it is made, laid before the Legislative Assembly of the State if it is in session, and if it is not in session, in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiration

of the session in which it is so laid or the session immediately following the Legislative Assembly agrees in making any modifications in the rule or in the annulment of the rule, the rule shall from the date on which the modification or the annulment is notified, have effect only in such modified form or shall stand annulled as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

21. (1) The Board may with the Power to previous approval of the Government by make Regulations notification make Regulations not inconsistent with this Act or rules made thereunder to discharge its functions under this Act.

(2) In particular and without prejudice to the foregoing power such Regulations may provide for all or any of the following matters namely:-

(a) the administration of the funds and properties of the Board, and the maintenance of its accounts;

(b) The summoning and holding of meetings of the Board, and the time and places at which such meetings shall be held and the conduct of business thereat, and the number of Directors necessary to constitute a quorum;

(c) the duties of officers and employees of the Board and their salaries, allowances and other conditions of service;

(d) the procedure to be followed in inviting, considering and accepting tenders;

(e) the authentication of the orders and other instruments of the Board; and

(f) any other matter arising out of the Board's functions under this Act.

(3) The Government may, by notification, modify or rescind any Regulation made and thereupon the Regulation shall stand modified accordingly or shall cease to have effect, as the case may be.

Members, Officers and employees of the Board to be public servants.

Central Act 45 of 1860.  
Central Act 49 of 1988.

22. All members, Officers and employees of the Board when acting or purporting to act in pursuance of the provisions of this Act or any rule or Regulation made thereunder, shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860 and the Prevention of Corruption Act, 1988.

SCHEDULE

(See section 17)

Sl. No.	Name and Place of the Prison.	Survey No. and extent of the Land.	Remarks.
(1)	(2)	(3)	(4)
1.	Central Prison Secunderabad.	S.No. 4 (Ward No. 148 Block No. A).	
		Jamisthanpur Village, Hyderabad 30 Acres 75 cents.	
2.	Central Prison Visakhapatnam.	S.No. 693-1460A 1461A.	
		Visakhapatnam (Urban) 26.35 Acres.	

G. BHAVANI PRASAD,  
Secretary to Government,  
Legislative Affairs & Justice,  
Law Department.



**GOVERNMENT OF ANDHRA PRADESH  
A B S T R A C T**

Prisons Department – The Andhra Pradesh Prisons Development Board  
Rules, 2008 – Issued.

**HOME (PRISONS.B) DEPARTMENT**

**G.O.Ms.No.102**

**Dated:17-05-2008.**

Read :-

From the Director General and Inspector General of Prisons and  
Correctional Services, Andhra Pradesh, Hyderabad, Letter  
No. W2/692/2001, dated 04-07-2002.

**ORDER:-**

The following notification shall be published in the next issue of the  
Andhra Pradesh Gazette:-

**NOTIFICATION:**

In exercise of the powers conferred by the sub-section (1) of  
section 20 of the Andhra Pradesh Prisons Development Board Act, 2001  
(Act No.12 of 2001), the Governor of Andhra Pradesh hereby makes the  
Andhra Pradesh Prisons Development Rules, 2008, appended to this  
order.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**AJOYENDRA PYAL,  
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Commissioner of Printing, Stationery & Stores Purchase  
(Printing Wing) Department, Chanchalguda, Hyderabad.

He is requested to supply 100 copies to the Government.

✓ The Director General and Inspector General of Prisons and  
Correctional Services, Andhra Pradesh, Hyderabad,

The Commissioner, Commissionerate of Tenders, A.P., Hyderabad.

**Copy to:-**

The Law (E) Department.

The Finance (Exp.H&L) Department.

SF/SC.

**//FORWARDED::BY ORDER//**

*G.V. Krishna Murthy*  
**SECTION OFFICER**

904  
on 26/5/08

15/5/08

14/5/08  
20/5/08

20/5/08

## ANDHRA PRADESH PRISONS DEVELOPMENT BOARD RULES, 2008.

### Short title:

These rules may be called the Andhra Pradesh Prisons Development Board Rules, 2008.

### 2. (i) Definitions:

- (a) 'Act' means the Andhra Pradesh Prisons Development Board Act, 2001;
- (b) 'Board' means the Andhra Pradesh Prisons Development Board constituted under section 3 of the Act;
- (c) 'Government' means the Government of Andhra Pradesh;
- (d) 'Section' means sections of the Andhra Pradesh Prisons Development Board Act, 2001;

(ii) The words and expressions used in these rules but not defined shall have the meanings assigned to them in the Act.

### 3. Meeting of the Board:

- (i) The Board shall meet at least once in three months or often as the Chairman may decide;
- (ii) The Managing Director with the approval of the Chairman, shall give to every member, not less than seven clear days notice in writing of the date, time and place of the proposed meeting;
- (iii) An urgent meeting of the Board can be convened by the Managing Director at any time for the transaction of urgent business with the consent of the Chairman. A 24-hour notice will be sufficient for convening any urgent meeting;
- (iv) The Chairman of the Board shall preside over the Board meetings. In the absence of Chairman, the Vice-Chairman shall preside over the Board meetings. In the absence of both the Chairman and Vice-Chairman, any member chosen by members themselves shall preside over the Board meetings;
- (v) All matters at any meeting of the Board shall be determined by the majority of the members present and voting. In case of tie, the presiding member shall exercise casting vote.

### 4. Place of meeting:

All meetings of the Board shall be held at the head quarters of the Board.

### 5. Quorum for the meeting:

The quorum for the Board meeting shall be one-third of the total members of the Board.

6. **Proceeding of the meetings:**

- (i) The proceedings of every meeting of the Board together with the names of the members present, shall be recorded and compiled by the Executive Director in an appropriate manner subject to approval of the Managing Director. Such minutes shall be read and confirmed at the next meeting and signed by Chairman at that meeting. The Minutes book shall be under the custody of the Executive Director;
- (ii) On all matters relating to conduct of business at the meeting which have not been expressly provided for in these rules, the decision of Chairman shall be final.

7. **Honoraria and allowances to the members of the Board:**

- (i) All members of the Board shall be entitled to draw such conveyance, traveling and daily allowances for all the journeys performed for the purpose of the Board, its committees and sub-committees as admissible to members of First Class Committee (Members residing at the headquarters of the Board Office shall be eligible for daily allowance as admissible to members of first class committee). Besides the said allowances, the members shall be entitled to a sitting fee of Rs.500-00 per each day of sitting. Provided that the sitting fee payable shall be subject to a ceiling of two sittings per month;
- (ii) No journeys shall be performed by any Officer of the Board or any non-official member for the purpose of the Board outside the State without the prior approval of the Managing Director.

8. **Managing Director:**

The Director General of Prisons/Inspector General of Prisons shall be ex-officio Managing Director of the Board. He shall be the Chief Controlling Authority in all matters connected with the administration of the Act.

9. **Powers and Functions of Managing Director:**

Subject to general control by the Board, the Managing Director shall exercise such powers and discharge such duties as the Board from time to time may delegate to him/her in addition to the following powers and duties:-

- (i) to convene the regular and special meetings of the Board, to conduct the business of the Board;
- (ii) to prepare agenda and its placement before the members of the Board;
- (iii) to implement the decisions and resolutions of the Board or any committee thereof;
- (iv) the Managing Director shall,---



- (a) cause the important papers and matters relating to policy to be presented to the Board as early as possible;
- (b) cause to be maintained an account of the receipt and expenditure of the Board; and
- (c) Cause to present a draft annual report of the working of the Board to the Board for approval and submit the report as approved by the Board to the Government. The report approved by the Board shall be circulated to the members of the Board for their information;
- (v) to prepare the annual budget estimates and supplementary budget estimates to be forwarded to the Government;
- (vi) to submit to Government all reports and annual returns and necessary documents required under the Act;
- (vii) to hold the Custody of such property both movable and immovable belonging to the Board as the Board deems necessary for the purpose of any of the said activities and to lease, sell or otherwise transfer any property held by the Board on the orders of the Board.
- (viii) to obtain and implement the orders of the Board regarding the purchase or lease or under any form of tenancy of any land or house, garages, sheds, office buildings, godowns, workshops, vehicles, equipments, tools, accessories, spare parts of the vehicles or of any other articles as may be necessary for the purpose of carrying on the Board's operations;
- (ix) to authorize the disposal of old unserviceable articles and other stores of scrap value;
- (x) to select and appoint other officers and staff to fill vacancies in the Board;
- (xi) to punish or remove or dismiss the officers and servants of the Board for which he is the Appointing Authority.

10. **The Executive Director:**

- (i) The Board shall appoint an experienced professional prison officer in the rank of Additional Inspector General of Prisons as its Executive Director. The Additional Inspector General of Prisons existing at Head quarters shall be the Executive Director of the Board.
- (ii) The Executive Director shall be the Executive Head of the Board Office. All other officers and employees of the Board shall be subordinate to him;
- (iii) He may participate in all the meetings of the Board and its committees and sub-committees and shall not have the right to vote thereat.



11. **Powers and duties of the Executive Director:**

- (i) Subject to general control by the Board and the Managing Director, the Executive Director shall exercise such powers and discharge such duties as the Board and the Managing Director from time to time may delegate to him in addition to the following:-
  - (a) to coordinate, supervise and control the work of the officers and staff of the Board;
  - (b) to convene the meetings of the Board and the committees and sub-committees thereof under the direction of the Chairman and the Managing Director;
  - (c) to draw up agenda for each meeting in consultation with Managing Director and supplying the same to each member of the Board along with notice of the meeting;
  - (d) to maintain the record of the minutes of the meeting of the Board, Committees and Sub-Committees thereof;
- (ii) The Executive Director shall cause to keep a record of the members of the Board, Committees and Sub-Committees and their addresses. If a member changes his address, the member shall inform in writing his new address to the Executive Director who shall thereupon enter new address in the record;
- (iii) The Executive Director shall be controlling officer in respect of his own travelling and daily allowance bills and that of other officers and staff of the Board.

12. **Other Officers of the Board:**

The Managing Director with the approval of the Board may appoint an Accounts Officer, an Administrative Officer and such other officers and employees as may be required to enable the Board to carry out its functions under the Act. The officers and the employees so appointed shall be on deputation initially for a period of three years, and the said period can be extended from time to time and their service conditions and salaries shall be governed by rules which are in conformity with the Government Rules in vogue.

13. **Appointment of Consultants:**

The Consultants appointed from time to time by the Board under Section 8 (2) of the Act, shall render service on contract basis and shall be paid fees/honorarium/emoluments as fixed by the Board from time to time. The Managing Director shall prepare a list of qualified persons from time to time in the fields of Prison Administration, Medicine, Architecture, Engineering, Social Work, Sociology, Industrial Management and the like. The Consultants shall be chosen by the Board from time to time from such lists whenever necessary.

14. **Prisons Development Fund:**

- (1) All moneys received by the Board in terms of section 11 of the Act, shall be deposited in any of the scheduled banks in the name and style of Andhra Pradesh Prisons Development Fund;
- (2) The accounts of the Prisons Development Fund shall be operated by the Managing Director. The Accounts Officer of the Board shall be responsible for preparing the statement of accounts for placing before the Board from time to time;
- (3) The Managing Director is authorized to draw and incur an expenditure upto rupees five lakh at a time on all transactions relating to developmental schemes of the Board. The accounts of such expenditure shall be placed before the Board from time to time for its approval. In all matters of urgent nature where the expenditure exceeds rupees five lakh, the Managing Director shall obtain orders of the Chairman or in his absence Vice-Chairman of the Board by circulation and seek ratification in the next Board Meeting;
- (4) To meet the day to day contingent expenditure of the Board, an amount of rupees ten thousand shall be kept as permanent advance which shall be recouped from time to time;
- (5) The Managing Director shall obtain ratification orders for the expenditure incurred by him under rule (3) above within three months from the date of drawal of amount;
- (6) The Prisons Development Fund shall be applied towards meeting the following expenses:-
  - (i) all expenses incurred towards conducting of Board meetings;
  - (ii) all expenses relating to the maintenance of Board office;
  - (iii) all allowances payable to the official and non-official members of the Board;
  - (iv) consultancy charges payable to the experts/consultants appointed from time to time by the Board;
  - (v) salaries allowances, loans and advances payable to the officers and employees appointed by the Board;
  - (vi) repayable loans borrowed by the Board;
  - (vii) expenditure payable towards cost of acquiring movable and immovable properties, machinery, furniture etc., for construction of new jails and improving infrastructure;
  - (viii) expenditure incurred towards renovation, repairs and extension of existing jail buildings both residential and non-residential;

- (ix) expenditure payable towards implementation of programmes/ schemes for treatment of prisoners, education, vocational training, industry, manufacture activities, agriculture, poultry, dairy, horticulture and such other occupational activities carried on in prisons;
- (x) expenditure payable towards modernizing the prison administration such as procurement of computers, communication facilities, gadgets, vehicles. Security and surveillance equipment, etc;
- (xi) charges payable towards academic studies and research projects undertaken in jails;
- (xii) fees payable towards auditing of the accounts of the Board;
- (xiii) expenses towards holding of conferences, workshops, seminars, symposiums, training programmes and study tours.

15. **Investments by the Board:**

The Board may from time to time approve investment of such funds as it may find in excess of the deposits in such commercial activity as it would find beneficial to the Prison Department on such terms and conditions as it may approve from time to time.

16. **Borrowings by the Board:**

- (i) The Board may borrow any sum or sums on the security of its funds or assets for the purpose specified in section 10 of the Act;
- (ii) While applying for such sanction of the Government, the Board shall furnish all such particulars in respect of the amount, purpose, nature and circumstances of the proposed borrowing as the Government may require;
- (iii) Any money borrowed under this rule shall not be applied for any other purposes without the previous sanction of the Government.

17. **Advance of loans and sanction of grants and subsidies:**

- (i) the Board shall sanction loans, grants and subsidies from time to time and in accordance with and at such rates and on such term as approved by the Government in respect of prison industrial units;
- (ii) The Government may on their own motion or on the recommendation of the Board modify or supersede the Financial rates and rates previously sanctioned in respect of funds sanctioned by the Government.

18. **Contracts:**

- (i) The Board may, in connection with its functions and other activities enter into contracts provided financial provision thereof exists in the sanctioned budget;



- (ii) Contracts made on behalf of the Board shall not be binding on the Board unless they are executed by the Managing Director or a person duly authorized in that behalf by the Board and the seal of the Board affixed there;
- (iii) The Managing Director or any person duly authorized to enter into contracts on behalf of the Board shall not be liable personally for any assurance or contracts made on behalf of the Board. Any liability arising out of such assurance or contract shall be discharged from the moneys at the disposal of the Board.

19. **Budget Audit and Accounts:**

The budget estimates of the Board for every financial year shall be prepared in the prescribed proforma consisting of two separate parts viz (a) for the expenditure to be incurred in respect of schemes and developmental activities finalized by the Board for its approval in form A & B attached to these rules; and (b) for the amounts of grants/loans/advance to be obtained from the Government to be submitted to the State Government on or before 1<sup>st</sup> October each year for approval in form 'C' attached to these rules.

The estimates approved by Board in respect of Part (a) and by Government in respect of Part (b) shall form the Budget of the Board for the year

20. **Supplementary Budget:**

If for any reason substantial modifications of the budget estimate as finally approved by the Government are likely to be involved during any financial year, the Board shall submit for approval to the Government supplementary estimates in such form and on such date as the Government may by order from time to time direct.

21. **Annual Accounts:**

Within three months after the end of each financial year, the annual accounts showing the financial results of the working of the Board shall be prepared with such subsidiary accounts as many be necessary in such form as may be prescribed and placed before the Board with the comments of the financial committee. These accounts authenticated by affixing common seal and duly passed by the Board shall be submitted to Government through the Director of State Audit normally by the end of August. Provided that at the request of the Board, the Government may extend the date of submission of accounts by such period as they may think fit.

- (i) The accounts of the Board shall be audited by the Director of State Audit;
- (ii) The Director of State Audit shall furnish the Board and the Government with a statement each, where necessary, in regard to any material impropriety or irregularity which he may observe in the expenditure or in the recovery of moneys due to, or in the accounts of the Board;



The Board shall forthwith remedy any defect or irregularity that may pointed out by the Director of State Audit and shall report the Government the action taken by it thereon within ninety days of the receipt of the report of the Audit Officer;

Provided that if there is any difference of opinion between the Board and the Director of State Audit or if the Board does not remedy any defect or irregularity, the Government may and on reference specifically made therefor by the Director of State Audit, shall in consultation with Director of State Audit, pass such orders thereon as they fit and the Board shall thereafter take action in accordance therewith within such time as may be specified by the Government.

22. **Placing the Board in possession of funds:**

After the budget estimate relating to the Board in respect of amounts of grants/loans/advances has been approved by the Government and after due appropriation has been made by the Legislature by an Act in this behalf, the Government will periodically place the funds directly to the Board's Personal Deposit Account operated for the purpose, after receipt of utilization certificate for the funds released to the Board in the previous year.

23. **Submission of reports and returns:**

(a) The Board shall submit to Government within two months from the closure of the year, an annual report, in the narrative form describing the activities of the Board during the year on the following matters, namely:-

- (i) Programmes, schemes for the year;
- (ii) Schemes under execution;
- (iii) Particulars of properties acquired;
- (iv) Number of structures built under various categories;
- (v) Receipts;
- (vi) Expenditure;
- (vii) Steps taken to secure adequate finance for formulating fresh schemes;
- (viii) Programme of schemes for next year;
- (ix) Assets and Liabilities;
- (x) General Remarks.

(b) The Board shall submit to the Government, the following returns in the forms appended to these rules, namely:-

- (i) Half yearly returns shown in the progress of works under execution in Form -D;
- (ii) Statement of loans in Form-E;
- (iii) Statement of investments in Form -F;
- (iv) Schedule of staff as on 1<sup>st</sup> April of the year in Form -G;
- (v) Schedule of posts proposed to be created during the year in Form-H.

24. **Tender Procedure:**

- (i) Open tenders system shall be followed for procuring items whose cost exceeds rupees one lakh and above:

(ii) A Tender Committee comprising the following shall be constituted to scrutinize and finalize the tenders:-

1. The Director General and Inspector General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad, and Managing Director. -- Chairman
2. Additional Inspector General of Prisons -- Member
3. Representative from Home (Prisons) Department, in the cadre of Deputy Secretary/  
• Joint Secretary/Additional Secretary. -- Member
4. Representative from Finance Department in the Cadre of Deputy Secretary/Joint Secretary/  
Additional Secretary. -- Member
5. The Commissioner, Commissionerate of Tenders or a representative of the Commissionerate of Tenders nominated by the Commissioner -- Member
6. The Executive Director of the Board -- Member-  
Convenor.

In addition to the above members, a technical expert from Government, Department/Undertaking shall be opted to guide and advise the committee in respect of items which require technical evaluation. However open tender system need not be followed in respect of items which are propriety in nature and also items which fall under Directorate General of Supplies & Disposals rate contract.

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- (iii) For procuring articles whose cost does not exceed rupees ten thousand, single tender system shall be followed;
- (iv) For procuring articles whose cost is above rupees ten thousand and less than 1 lakh, limited tender system shall be followed.

**25. Acquisition of moveable and immovable properties by the Board:**

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- (i) The Board may acquire moveable property by obtaining quotations/tenders or by getting the properties valued by a competent technical authority of the Government;
- (ii) The Board may acquire immovable properties either by agreement and private negotiations or by moving the Government to acquire such property in accordance with the provisions of the Land Acquisition Act, 1894, or any law of acquisition for the time being in force in the State;
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- (iii) Immovable properties other than lands, should be got estimated by the Public Works Department/Police Housing Corporation, before they are sold and then sold either by private negotiations or in public auction for a sum not less than the value fixed by Public Works Department/ Police Housing Corporation as the case may be. If the immovable property is land, the market value shall be got

- (iv) The Board may lease out its immovable properties at such rates not less than those fixed by Public Works Department/Police Housing Corporation in case of buildings and the District Collector in case of lands.

26. **Protection of action taken in good faith:**

- (i) No suit or prosecution shall be entertained in any court against the Board or against any officer or employee of the Board or against any person acting under the order or direction of the Board or any officer or employee of the Board which is, in good faith, done or intended to be done under the Act, or any rule or regulation made thereunder;
- (ii) No suit or prosecution or other legal proceedings shall lie against any officer or employee of the Board for any act done or purporting to be done under the Act or any Rule or Regulation made thereunder without the previous sanction of the Board.

27. **Custody of common seal:**

The common seal of the Board shall remain in the possession and custody of Managing Director.

AJOYENDRA PYAL,  
PRINCIPAL SECRETARY TO GOVERNMENT

# **FORM -A**

Programme of Scheme for the year \_\_\_\_\_

Sl No	Name of the Prison/Place the Scheme is to be executed	Particulars of the Scheme	Estimated cost	How the Scheme is to be Financed	Remarks
1	2	3	4	5	6



**FORM - B**

Budget Estimate of the Andhra Pradesh Prisons Development Board for the year \_\_\_\_\_

Abstract of the Budget Estimates of the Andhra Pradesh Prisons Development Board for the Year \_\_\_\_\_

Description of Account	Ordinary		Capital		Remarks
	Estimated Expenditure		Estimated Expenditure		
1	2		3		4

FORM - B (i)

Head of Account	Budget Estimates for 200 - 200	Revised Estimates for 200 - 200	Budget Estimates for 200 - 200	Remarks
1	2	3	4	5
Receipts -Ordinary				

FORM - B (ii)

Head of Account	Budget Estimates for 200 - 200	Revised Estimates for 200 - 200	Budget Estimates for 200 - 200	Remarks
1	2	3	4	5
Receipts - Capital				

FORM - B (iii)

Head of Account	Budget Estimates for 200 - 200	Revised Estimates for 200 - 200	Budget Estimates for 200 - 200	Remarks
1	2	3	4	5
Expenditure - Ordinary				



FORM - B (iv)

Head of Account	Budget Estimates for 200 - 200	Revised Estimates for 200 - 200	Budget Estimates for 200 - 200	Remarks
1	2	3	4	5
Expenditure - Capital				

**FORM - C**

Detailed Account No. Minor Head of Account	Accounts 200 - 200	Budget Estimates 200 - 200	Revised Estimates 200 - 200	Budget Estimates 200 - 200
1	2	3	4	5

# **FORM - D**

Half yearly progress report of works under execution for the half year ended with 200 - 200

Sl. No	Name of the Scheme	Estimate of cost	Expenditure incurred by the beginning Half Year	Expenditure incurred during the half year	Progressive total of column 4 & 5	Remarks
1	2	3	4	5	6	7

FORM - E

LOANS STATEMENT

Nature of Loan	Amount of loan taken	Year in which taken	Order granting the loan	Terms of repayment and the annual installments	Amount of loan out standing at the beginning of the year	Amount repaid during the year for Capital Interest	Balance of loan outstanding at the close of the year
1	2	3	4	5	6	7	8



**FORM - F**

**Statement of Investment**

Sl No	Particulars of investments (whether in Government Securities, Saving Bank etc)	Opening balance Face Value	Investment during the year	Investment realized during the year				Closing balance
			Maturity Amount	Total investment including Opening balance				
			Face value	Face value	Face value	Actual amount realized	Face value	
1	2	3	4	5	6	7	8	

# **FORM - H**

Schedule of posts proposed to be created during the year 200 - 200

Sl No	Designation	Scale of pay	No. of Posts	Whether or not budget Provision has been made	Need for the posts/ post	Remarks
1	2	3	4	5	6	7