ANDHRA PRADESH PRISONS RULES 1979

171

VOLUME I

PRINTED AT :
JAIL UNIT PRESS, CENTRAL PRISON,
RAJAHMUNDRY.
PRICE Rs.

OFFICE OF THE PRINCIPAL
S.I.R.A. HYDERABAD.

PREFACE

The Madras Prisons and Reformatory Manual and the Hyderabad Prisons Rules, issued under section 59 of the Prisons Act, 1894 (Central Act, 9 of 1894) are in force in Andhra and Telangana regions of the State respectively eversince formation of the Andhra Pradesh. The variation in the facilities to the prisoners provided in the above said two Manuals have posed practical difficulties in the day to day administration of the prisons necessitating amendments to be issued from time to time in both the Manuals, which are being followed from decades together. Integration of the abovesaid two Manuals, with a view to bringing about uniformity in the rules and procedure followed in the State, has therefore been felt necessary. Both the sets of rules also require revision in the light of the provisions of the new code of Criminal Procedure, 1973 (Central Act 2 of 1974) and the new Budget Manual, which came into force with effect from the 1st April, 1974. This has also necessitated the taking up of the Integration of the both Prisons Rules in force in the two regions of the State.

The Andhra Pradesh Prisons Manual consists of two volumes:—

Volume I :— Andhra Pradesh Prisons Rules.

Volume II :— Appendices to Andhra Pradesh Prisons Rules.

A. CHANDRA SEKHAR
SECOND SECRETARY TO GOVERNMENT.

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S.I.C.A. HYDERABAD.

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OFFICE OF THE PRINCIPAL
S.I.C.A. HYDERABAD.

CHAPTER I

INTRODUCTORY

Short title, extent and commencement.

1. These rules may be called the Andhra Pradesh Prisons Rules, 1979.

Definitions.

2. In these rules unless or the context otherwise required :-

(a) "Act" means the Prisons Act, 1894 (Central Act IX of 1894) and the Prisoners Act, 1900 (Central Act III of 1900).

(b) "Code" means the Code of Criminal Procedure, 1973 (Central Act No. 2 of 1974).

(c) "Child" means a person who has not attained the age of sixteen years.

(d) "Youthful offender" means any child who has been found to have committed an offence punishable with transportation or imprisonment; and who at the time of such conviction was under the age of sixteen years.

(e) "Adolescent offender" means an offender who has completed the age of sixteen years but is less than twenty one.

(f) "Undertrial prisoner or remand prisoner" means a person committed to prison whilst the charges against him are under judicial enquiry.

(g) "Convict" means a convicted criminal prisoner.

(h) "Casual criminal" means any convicted criminal prisoner who is not a habitual criminal as herein after defined.

(i) "Habitual criminal" includes :-

(*i*) Any convict with previous conviction or convictions taken by themselves or with the facts of the present case or subsequent information gathered during the period of imprisonment, show that he habitually commits an offence or offences.

(*ii*) Any person committed to or detained in prison under sections 117 and 122 (read with section 109 or section 110) of the Code;

(*iii*) Any person convicted of any of the offences specified in clause (i) above in respect of whom although no previous conviction has been proved, it would appear from the facts of the case that he is by habit a member of a gang of dacoits or thieves, or a dealer in stolen property;

(*iv*) Any person convicted by a court or tribunal acting outside India under the general or special authority of the President of Indian Union, of an offence which would have rendered him liable to be classified as a habitual criminal if he had been convicted in a court established in India.

(j) "Rule" means a rule framed under the Act.

(k) "Section" means a section of the Act.

(l) "Subordinate officer" includes every non-gezetted officer serving in the jail Department.

(m) "Superintendent" means the Superintendent of the prison concerned.

(n) "Inspector General" means the Inspector General of Prisons.

(o) "Deputy Superintendent" means the Deputy Superintendent of the Prison concerned.

3. The words and expressions used herein but not defined in these rules shall have the meaning assigned to them in the Prisons Act, 1894 (Central Act IX of 1894) and the Prisoners Act, 1900 (Central Act III of 1900).

CHAPTER II

CLASSIFICATION OF JAILS

The word "Jail" or "Prison" used in any section or sub-section of the Prisons Act, 1894, introduced into these rules includes a Sub-Jail which is under direct control and supervision of the Jail Department. Statutory Provision.

4. Jails shall be divided into the following categories viz :- Kinds of Jails.

(i) Central Prisons.
(ii) District Jails.
(iii) State Jail for Women.
(iv) Special Jails.
(v) Prisoners Agricultural Colonies and Open Camps.
(vi) Sub-Jails.

5. (1) Jails having accommodation for more than five hundred prisoners shall be called Central Prisons. Central Prisons in the State comprise the following :- Central Prisons.

(a) Central Prison, Visakhapatnam.
(b) Central Prison, Rajahmundry.
(c) Central Prison, Hyderabad.
(d) Central Prison, Warangal.

(2) Prisoners sentenced to imprisonment exceeding two years shall be confined in Central Prisons. Each Central Prison is also the District Jail for the district in which it is located and may also be used as a District Jail for the reception of prisoners from the adjoining districts in which no District Jails are provided.

6. (1) District Jails in the State are divided into two classes, viz:- District Jails.

(a) Class I District Jails comprising of jails at Secunderabad and Nellore.

(b) Class II District Jails comprising of jails at Nizamabad, Karimnagar, Medak, (at Sangareddy) Mahboobnagar and Nalgonda.

(2) The following classes of prisoners may be confined in District Jails :-

(a) Prisoners sentenced to imprisonment upto two years.

(b) Criminal prisoners in transit to Central Prison or Special Jails, provided that they are not so confined for more than one month in the District Jail.

(c) Criminal prisoners awaiting trial before a court of Sessions or before a Magistrate where special accommodation is available. Provided that there is no Subsidiary Jail or other place of confinement where they might under the rules regulating the same, be more conveniently confined.

Other Jails.

7. (1) State Jail for Women, Rajahmundry is intended for confinement of female prisoners as indicated in Rule 10.

(2) **Special Jails:-** Special jaills may be opened whenever necessary for the confinement of such classes of prisoners as the State Government may order or for confinement of adult convicted prisoners of the following types:-

(i) Prisoners who have committed serious violations of prison discipline.

(ii) Prisoners showing tendencies towards violence and aggression.

(iii) Difficult discipline cases of habitual offenders.

(iv) Difficult discipline cases from the group of professional and organised criminals.

(v) Any other prisoners in whose case the Inspector General has issued oredrs.

(3) **Prisoners Agricultural Colonies and Open Camps:—** Prisoners selected as per rules in Chapter LXIV are transferred for confinement in these jails.

(4) **Sub-Jails:-** Sub-Jails are divided into two classes viz. Sub-Jail Grade II and ordinary Sub-Jails.

(a) Prisoners sentenced to imprisonment upto three months shall be confined in Sub-Jails Grade II.

(b) The particulars of prisoners to be committed to Ordinary Sub-Jails are given in Rule 9.

Classes of prisoners confined in Central Prison, District and Sub-Jails Grade II.

8. Except as provided for in the follwing rules, the prisoners mentioned in column (4) of the table below sentenced to imprisonment by the courts situated in the districts mentioned in the corresponding entry in column (3) there of shall be committed to the jails mentioned in the corresponding entry in column (2) of the said table.

TABLE

Sl No.	Name of the Jail.	Name of the District in which the convicting courts are situated	Particulars of prisoners to be committed.
1	2	3	4
1	Central Prison, Visakhapatnam.	Srikakulam Visakhapatnam.	All prisoners sentenced to imprisonment exceeding one month other than those sentenced to imprisonment for life.
2	Central Prison, Rajahmundry.	Srikakulam Visakhapatnam	All prisoners sentenced to imprisonment for life.
		East Godavari West Godavari	All prisoners sentenced to imprisonment exceeding one month.
		Krishna.	All prisoners sentenced to imprisonment exceeding three months.
		Guntur. Prakasam. Nellore. Chittoor.	All prisoners sentenced to imprisonment exceeding two years.
3	District Jail, Nellore.	Nellore town	All prisoners sentenced to imprisonment upto two years
		Nellore District. Anantapur District.	All prisoners sentenced to imprisonment exceeding one month and upto two years.
		Chittoor. Cuddapah Prakasam. Guntur.	All prisoners sentenced to imprisonment exceeding three months and upto two years.
4	Central Prison, Hyderabad.	Twin Cities and Hyderabad District.	All prisoners sentenced to imprisonment exceeding two years except habituals.

1	2	3	4
		Kurnool Cuddapah Anantapur Nalgonda Nizamabad Mahaboobnagar Medak.	All prisoners sentenced to imprisonment exceeding two years except habituals.
5	District Jail, Secunderabad.	Hyderabad District.	All prisoners sentenced to imprisonment exceeding one month and upto two years.
		Twin Cities.	All prisoners sentenced to imprisonment upto two years.
		Kurnool	All prisoners sentenced to imprisonment exceeding one month and upto two years.
6	Central Prison, Warangal.	Warangal District, Khammam, Adilabad.	All prisoners sentenced to imprisonment exceeding one month.
		Karimnagar	All prisonors sentenced to imprisonment exceeding two years.
7	District Jail, Karimnagar.	Karimnagar town.	All prisoners sentenced to imprisonment upto two years.
		Karimnagar District.	All prisoners sentenced to imprisonment exceeding one month and upto two years.
8	District Jail, Nizamabad.	Nizamabad town.	All prisoners sentenced to imprisonment upto two years.
		Nizamabad District.	All prisoners sentenced to imprisonment exceeding one month and upto two years.

1	2	3	4
9	District Jail, Mahboobnagar.	Mahboobnagar town.	All prisoners sentenced to imprisonment upto two years.
		Mahboobnagar District.	All prisoners sentenced to imprisonment exceeding one month and upto two years.
10	District Jail, Sangareddy.	Sangareddy town	All prisoners sentenced to imprisonment upto two years.
		Medak District.	All prisoners sentenced to imprisonment exceeding one month and upto two years.
11	District Jail, Nalgonda.	Nalgonda town.	All prisoners sentenced to imprisonment upto two years.
		Nalgonda District.	All prisoners sentenced to imprisonment exceeding one month and upto two years.
12	Sub-Jail, Gr.II, Vijayawada.	Vijayawada town.	All prisoners sentenced to imprisonment upto three months.
		Krishna District.	All prisoners sentenced to imprisonment exceeding one month and upto three months.
13	Sub-Jail, Gr.II, Guntur.	Guntur town.	All prisoners sentenced to imprisonment upto three months.
		Guntur District. Prakasam District.	All prisoners sentenced to imprisonment exceeding one month and upto three months.
14	Sub-Jail, Gr.II, Chittoor.	Chittoor town and Chittoor District.	All prisoners sentenced to imprisonment exceeding one month and upto three months.

1	2	3	4
15	Sub-Jail, Gr.II, Cuddapah.	Cuddapah town.	All prisoners sentenced to imprisonment upto three months.
		Cuddapah District.	All prisoners sentenced to imprisonment exceeding one month and upto three months.

Committal of prisoners to various jails according to classification.

9. (1) Male habitual prisoners sentenced to imprisonment and considered suitable for confinement in a habitual jail, by courts in the districts of Srikakulam, Visakhapatnam, East Godavari, West Godavari, Krishna, Guntur, Prakasam, Nellore, Kurnool, Cuddappah, Chittoor, and Anantapur shall be Committed to Central Prison, Visakhapatnam. The courts in the remaining nine districts of Telangana region shall commit such prisoners to the Central Prison, Warangal.

(2) Prisoners sentenced to imprisonment not exceeding one month shall be committed to the Sub-jails in the several districts situated nearest to the committing courts. All prisoners sentenced to imprisonment for a period not exceeding one month by the Megistrate at Vizianagaram shall be committed to the Sub-jail at Bheemunipatnam whe never there is no accommodation in the Sub-Jail at Vizianagaram.

(3) Women prisoners sentenced to imprisonment not exceeding one month shall be committed to the Central Prison, District or Sub-Jails whichever is situated nearest to the committing court.

(4) The remand or undertrial prisoners shall be committed to the Sub-Jails or District Jails, or Central Prisons situated nearest to the committing court.

(5) All civil prisoners committed by courts in the districts of Srikakulam, Visakhapatnam, East Godavari, West Godavari, Krishna, Guntur, Prakasam, Nellore, Chittoor, Cuddapah, Kurnool and Anantapur shall be confined in the Central Prison, Rajahmundry, and all such prisoners committed by the courts in the districts of Adilabad, Karimnagar, Khammam, Warangal, Nalgonda, Mahboobnagar, Nizamabad, Medak, Hyderabad and those committed by courts in twin cities shall be confined in District Jail, Secunderabad.

(6) Prisoners sentenced to death by the courts in the under-mentioned districts shall be committed to the jails noted against them.

S. No.	Name of district	Name of the jail
1	2	3
1	Srikakulam and Visakhapatnam.	Central Prison, Visakhapatnam.
2	East Godavari, West Godavari, Krishna, Guntur, Prakasam, Nellore, Chittoor, Cuddapah, Kurnool and Anantapur	Central Prison, Rajahmundry.
3	Hyderabad, Khammam, Nalgonda,Mahboobnagar, Adilabad, Karimnagar, Nizambad,Medak, Warangal and the twin cities of Hyderbaad and Secunderabad.	District Jail, Secunderabad.

Committal of women prisoners.

10. (1) Women prisoners sentenced to imprisonment exceeding one month including those sentenced to death by the courts in the districts of Srikakulam, Visakhapatnam, East Godavari, West Godavari, Krishna, Guntur, Prakasam, Nellore, Karnool, Cuddapah, Chittoor and Ananthapur shall be committed to the State Jail for Women, Rajahmundry.

(2) Women prisoners sentenced to imprisonment exceeding one month and upto two years by courts in the districts of Adilabad, Karimnagar, Khammam, Warangal, Nalgonda, Mahboobnagar, Nizamabad, Medak and Hyderabad and by the courts in the twin cities of Hyderabad and Secunderabad shall be committed to the female block of Central Prison, Hyderabad. Women Prisoners sentenced to imprisonment exceeding one month and upto imprisonment for life including those sentenced to death by the courts in the districts of Adilabad, Karimnagar, Khammam, Warangal, Nalgonda, Mahaboobnagar, Nizamabad, Medak, Hyderabad and Secunderabad shall be committed to the female block of Central Prison, Hyderabad.

11. In these rules, the provisions relating to criminal prisoners sentensed to terms of imprisonment and to criminal prisoners awaiting trial shall be held to apply equally to prisoners, committed to or detained in prison under the provisions of chapter VIII of the code of criminal procedure, 1973 (Central Act 2 of 1974) and to prisoners awaiting enquiry under the said chapter respectively.

CHAPTER III

THE INSPECTOR GENERAL OF PRISONS

Statutory Provision.

Under section 5 of the Prisons Act, 1894, an Inspector General of Prisons shall be appointed for the territories subject to each State Government, and shall exercise, subject to the orders of State Government, the general control and superintendence of all prisons situated in the territories under such Government.

Prison Officers to obey rules and orders.

12. All prison, officers shall obey the rules and orders issued from time to time by the Inspector General in all matters relating to internal economy, discipline and management of prisons.

Control of expenditure

13. (1) Subject to the rules and orders of Government in the Finance Department and to the requirements of the Accountant General, the expenditure of the Jail Department shall be controlled by the Inspector General.

(2) The Inspector General shall annually submit to Government, in the Finance and Planning (Finance wing) and the administrative Department concerned, the prescribed budget of charges and receipts by 1st October. Copies of these estimates at the same time be forwarded to the Accountant General.

(3) At the commencement of each financial year, he shall distribute the total budget allotment between the several drawing officers of the jails and institutions. He has been empowered to reappropriate funds within specified limits.

Audit of Bills.

14. The Inspector General shall audit and transmit to the Accountant General all bills for jail expenditure, except bills for charges relating to;

(a) Public Works;

(b) Stationery supplied by the Stationery Department;

(c) Medicines supplied by the Officer-in-Charge of the Medical Store Depot, Andhra Pradesh.

Inspector General's financil Powers

15. The financial powers of the Inspector General are as set out below:-

(i) To accord sanction for purchase of vegetable seeds and manure- No limit.

(ii) Purchase of books for office library and subordinate offices libraries - No limit.

(iii) Purchase of books for prisoners' libraries - No limit.

(iv) Purchase of books and stationary for schools in the institutions under the Jail Department and for purchase of books, stationary and other incidental expenses like school fees and uniforms for pupils admitted in outside schools - No limit.

(v) Local purchase of electrical bulbs, lamps and other appliances for emergent purposes — upto Rs.250/- at a time.

(vi) Purchase of games and sports materials for the use of inmates in Jails, Schools and Homes on each occassion — upto Rs.500/-.

(vii) Local purchase of medicines and drugs required for emergent use in the institutions for the treatment of inmates and also when they are not supplied by the medical stores — upto Rs.2,500/- per annum.

(viii) Purchase of gramphone records, needles, magic lantern slides and radio sets including repaires and renewals — upto Rs.100/- at a time.

(ix) Various items booked under contingencies required for use in the institutions under Jail Department which are not provided any where — upto Rs.5,000/- per annum.

(x) Purchase of live-stock for gardens, carts, dairy farms, poultry farms — upto Rs 1,500/- at a time.

(xi) Yarn from Azamjahi Mills - Local purchase of raw materials required in Jail for which there is no contract — upto Rs.15,000/- in each case.

(xii) Purchase, renewals and repairs of civil stores articles, plants and tools and dead stock articles — upto Rs.2,500/- for each article and Rs.5,000/- for number of articles.

(xiii) To write off losses-Irrecoverable value of stores or public money lost by fraud, negligence or other causes and unprofitable outlay on works — upto Rs.500/-in each case (not exceeding Rs.1,000/-in the year).

(xiv) For construction and repairs for building — upto Rs.5,000/- at a time.

(xv) Write off value of live-stock lost or dead — upto Rs.500/- in each case and Rs.2,000/- in a year.

(xvi) To sanction reward for recapture of prisoners.

(xvii) Sanction of Temporary staff establishment employed in the manufactory and General Departments as per the provisions of Appendix 5 of A. P. Financial Code Vol. II and Part 'B' of Rules delegating powers to Heads of Departments to create temporary posts vibe Andhra Pradesh Services Manual Vol. IV.

(xviii) Powers of sanction to accept donations like radios for sue of prison intimates in Jails and Schools from public at his discretion.

(xix) For payments of rent of lands and buildings leased—upto a limit of Rs.250/-per month in each case.

(xx) To lease jail land, trees.

(xxi) To sanction for condemnation of unserviceable articles—upto Rs.2,500/-for each article and Rs.5,000/- for number of articles.

(xxii) Sanction for condemnation and to write off the value of unserviceable articles.

Powers to sanction Contracts

16. The Inspector General is authorised to sanction all contracts necessary for the due and economical administration of the Jails under his control. Every contract for fhe supply of articles required for the jail or which imposes a recurring liability on the jail shall be drawn up in proper from (See Form No. 44) and except in the case of contracts with Government Departments, shall be duly stamped. No contract or agreement can be considered valid unless executed by the Inspector General.

Institution of civil suits

17. The Inspector General is authorised to sanction the institution of any civil suit for money due to the manufacturing department of any jail, provided that he is satisfied thet the claim is well founded and thet the debtor is possessed of property aginst which a decree, if obtained, could be executed. He may also sanction the institution of civil suits against defaulting contractors and others, provided that no such suit shall be instituted except on the advice of the local Government Pleader, to whom a concise and clear statement of the case shall be submitted for opinion. No civil suit shall be instituted until all other means of obtaining satisfaction have been tried and have failed. Every case in which notice of suit against the Jail Department or against any jail officer for acts done in his official capacity is received shall be reported to Government for orders.

Inspection of Jails by Inspector General

18. (1) The Inspector General shall inspect every Central Prison, and every District and Special Jail at least once in every calender year; and shall carry out a full inspection of the jail in accordance with the questionnaires approved by Government. He may also inspect some of the subsidiary jails.

(2) During each inspection he shall personally see every prisoner then in confinement in the jail; he shall give every prisoner a reasonable opportunity of making any application or complaint and shall investigate and dispose of such as relate to jail discipline.

(3) He shall inspect the yards, wards, cells, worksheds, and other enclosures; shall examine the garden, enquire into the character of the water supply, the conservancy arrangements, and the medical administration; shall see the food and ascertain that it is of proper quality and quantity and generally satisfy himself that the buildings and premises are in proper order.

(4) He shall inspect all journals, registers and books maintained in every department of the jail, and initial or countersign them in token that he is satisfied that they are maintained in accordance with rules. He shall satisfy himself that the orders of Government regarding the arrangement and periodical destruction of records are observed.

(5) He shall inspect the Warder Establishment, satisfy himself as to its proficiency in drill and musketry, inspect its arms and accountrements and test the ability of Jailors, Deputy Jailors, Chief Head Warders, Head Warders and Gate keepers to drill and guard.

(6) He shall examine whether the Jail staff is adequate and whether discipline among the staff has been properly maintained.

(7) He shall examine whether sufficient labour has been available for prisoners sentenced to rigcrous imprisonment, and if so whether adequate tasks have been extracted; and if not what the reasons are for the insufficiency of labcur available.

Memorandum of inspection to be supplied to Superintendent.

19. Immediately after the inspection, the Inspector General shall forward to the Superintendent, a copy of the questionnaire duly filled up, together with such further suggestions or orders as he thinks fit for the guidance of the Superintendent. He shall also submit a copy of the same to Government.

Special report in certain cases.

20. The Inspector General shall submit to Government a special report regarding any Jail which he considers to be in an unsatisfactory state, with the explanation of the Cfficer-incharge.

Annual Administration Report.

21. The Inspector General shall submit to Government annually, as soon after the 31st December as possible and not later than the 15th April, a detailed report on the Jail administrtion of the previous calender year together with such statistical and other statements, returns and information as the Government may from time to time require. The report shall show the inspections made during the year by the Inspector General and shall state whether the orders of Government regarding records and service books have been observed.

Channel of communication.

22. (1) In the absence of any direction to the contrary, the Inspector General shall be the channel of communication between the Government and all Officers of the Jail Department.

(2) All recommendations for the premature release of prisoners, other than those released under the remission system, or for release on Medical grounds shall be submitted by the Inspector General with his opinion hereon, for the orders of Government.

Duties with regard to lunatics.

23. Section 30 of the Indian Lunacy Act, 1912, provides that the Inspector General shall once at least in six months inspect and submit a special report upon every person confined in a jail under the provisions of section 330 or section 335, 336 of the Code and section 337 and 338 of the Code empower the Inspector General of grant certificates in certain cases. Under Section 30 (2) of the Lunacy Act, the Government have empowered the officer in charge of the jail to perform any or all these functions.

24. The Inspector General shall be the ex-officio visitor of Mental Hospitals in the State.

Deputy Inspector General of Prisons.

25. The Deputy Inspector General shall be in the immediate charge of the Head Office in all its branches and shall conduct all routine work. He will have all such delegated powers conferred by the Inspector General so far as the Office routine of the office of the Inspector General is concerned.

CHAPTER IV

THE VISITORS

26. (1) The following Officers shall be ex-officio visitors of the jails in their respective jurisdictions. Their inspection should extend only to matters noted against them.

Sessions Judges and Additional Sessions Judges, Chief Metro Politan Magistrate, Hyderabad, District Collectors.	All matters relating to general administration and management of the jails.
Director of Medical and Health Services.	All matters relating to Medical Administration Health, sanitation water supply and dietary.
District Educational Officers.	Convict schools in jails and religious and moral education of prisoners.
Director of Industries.	All matters relating to Industries.
Chief Inspection of Factories.	-Factories in the jails.

Provided that in the case of the State Jail for Women, Rajahmundry, and the female enclosure of Central Prison, Hyderabad, the Inspectresses of Girls Schools, Rajahmundry and Hyderabad and not the District Educational Officer, shall be the ex-officio visitor.

(2) The Senior Fire Officer of the town where a Fire Station is functioning or any other Fire Officer of higher rank having jurisdiction over the Fire Station in that town shall be an ex-officio visitor to the jail in the town. He will confine his inspection to those branches of the work and administration which come within the purview of his ordinery official duties.

(3) Members of the Andhra Pradesh Legislative Assembly and the Andhra Pradesh Legislative Council shall be ex-officio non-official visitors to the jails in their respective constituencies;

Provided that the members of the Legislative Council elected by the members of the Legislative Assembly under article 171 (3) (d) and those nominated by the Governor under article 171 (3) (e) of the Constitution of India shall be ex-officio non-official visitors to all jails in the whole of the State.

(4) The Government may in consultation with the Inspector General, nominate any Officer in their service to be a visitor of all or any of the jails in the State.

Appointment of non-official vistors

27. (1) The Government may fix at such figure as they may think fit the number of persons to be non-official visitors in respect of any jail.

(2) There shall generally be six non-official visitors for each Central Prison and Special Jail and for each District Jail, there shall be three non-official visitors. There shall also be two lady non-official visitors for each Central Prison and one for each District Jail in which female prisoners are confined and five lady non-official visitors for the State Jail for Women, Rajahmundry.

(3) Government will appoint non-official visitors to the Central Prison, Hyderabad and to other Central and District Jails on the recommendation of the Inspector General who will propose the names in consultation with the Collectors of the concerned Districts. Such appointments shall be notified in the Andhra Pradesh Gazette.

(4) Every non-official visitor shall be appointed for a period of two years, and shall be eligible for reappointment on the expiry of each term of office. Non-official visitors of jails shall not be entitled to any daily or conveyance allowance in respect of their visits to jails. Nothing in these rules shall affect the powers of Government to appoint, re-appoint or revoke the appointment at any time of any person, official or non-official, as a visitor of any jail.

Visisits by official and non-official visitors.

28. (1) The official, non-official and ex-officio non-official visitors of each jail shall constitute a Board of which the District Collector shall be the ex-officio Chairman. It shall be the duty of the Chairman to arrange the roster for weekly visits to the jail so as to give each visitor, official, non-official and ex-officio non-official, his due turn, and to send out a notice intimating whose turn it is to visit the jail in the coming week. There shall not be a fixed day of the weekfor these visits but the visitor shall be left free to visit the jail on any working day that suits him. There shall also be a quarterly meeting of the Board of visitors on such day as the Chairman may determine, which shall be attended by the official and non-official visitors. The visit should be between 8 A.M. and 5 P.M. only.

NOTE:— The roster for weekly visits and the attendance at the meetings of the Board shall not apply in the case of the Director of Medical and Health Services, and to the Officers of the Department of Industries and the Factory Department who have jurisdiction all over the State.

(2) Any non-official visitor who fails to visit for a period of two months shall be liable to be removed from the list of visitors.

(3) Nothing in these rules shall prevent visitors visiting the jails on dates other than those fixed by the Chairman of the Board, but the visit should be on any working day and during usual working hours of the institution.

(4) Non-official visitor shall not visit prisoners on hunger strike and such other types segregated on disciplinary grounds.

Power and duties of visitors.

29. (1) A visitor may satisfy himself about the living conditions of the prisoners. He may satisfy himself that the food and clothing supplied to prisoners is in accordance with the scales laid down.

(2) The Board shall meet at the jail, talk to prisoners subject to sub-rule (4) of rule 28, hear any complaints and petitions that may be preferred, satisfy themselves that the prisoners, food is of good quality and properly cooked. A list of questions indicating some of the points to which the Board and visitors may direct their inquiries is printed in Appendix II part I. A copy of the list of questions shall be given to each visitor on appointment by the Government.

NOTE:—It is not part of the duty of a visitor to examine the correctness of convictions and sentences awarded to the prisoners.

(3) The Board of visitors to a jail may visit the female yard of the jail collectively. Individual male visitors shall not be permitted to enter the female yard of the jail, unless it is necessary to pass through it in order to reach the male yard.

30. (1) Lady visitors shall have the same powers and duties as male visitors except that their functions shall extend only to the female prisonrs and the female yard. They shall not enter the male yard of the prison, unless it is necessary to pass through it in order to reach the female yard.

(2) No visitor of a prison whether official or non-official shall enter the prison unless and until an officer with an escort has been provided for him.

(3) Such escort shall consist (at the discretion of the Superintendent) of one or more warders each armed with the baton provided for his use, and shall accompany the visitor throughout his inspection.

Record to be made of inspection.

31. (1) Every visitor shall, after he has completed his visit to the jail, record in the visitors book prescribed by section 12 of the Prisons Act, 1894, the date and hour of his visit and may enter therein any remarks or suggestions he may wish to make. Entries in the Visitors' Book shall be made in the visitors' own handwriting

and the book shall not, except with the express permission of the Superintendent, be removed from the jail for this or for any other purpose.

(2) No visitor may issue any order or instruction to any Jail Officer.

Disposal of complaints to visitor by prisoners

32. The remarks recorded by a visitor in the Visitors' Book should include any complaint made to him by a prisoner which in his opinion deserves notice. When the Superintendent is of opinion that a prisoner has made a groundless complaint to a visitor and should be punished he shall record a brief statement of the facts and note what punishment he proposes to award and send it to the visitor who, if he dissents from the conclusion of the Superintendent, may request that the case be submitted to the Inspector General for orders. A copy of the Inspector General's orders will be communicated to the visitor who may then, if he thinks fit, address Government regarding the case.

Disposal of record made by visitor.

33. A copy of any remarks recorded by a visitor, together with the Superintendent's reply and a note of any action taken thereon, shall be forwarded to the Inspector General, who may, if in his opinion it is necessary, forward the correspondence for the information and orders of Government. A copy of the orders, if any, of the Government or the Inspector General shall be forwarded to the visitor through the Superintendent of the Jail.

Officers of the P. W. D. to be admitted during business hours.

34. The Superintending Engineer of the Circle and the Executive and Assistant Engineers of the District in which the jail is situated together with their employees shall, during business hours, have free access to the jail to the extent necessary for purposes connected with the discharge of their official duties.

Admission of Police Officers and the interrogation of prisoners by them

35. (1) Any Police Officer not lower in rank than an Inspector shall, for any purpose connected with the discharge of his duty as such Police Officer, be permitted to enter the jail at any time between the unlocking in the morning and the lock up in the evening.

(2) He shall not, however be permitted to interview and interrogate any prisoner without an order in writing from the Superintendent of Police, or the District Collector or a Deputy Inspector General of Police or the Commissioner of Police, addressed to the Superintendent of the Jail. Such officer may, however take other police officers and witnesses or informers with him for assistance, provided that the interview shall take place in the presence of the superior police officer permitted to interview the prisoners.

(3) Police Officers lower in rank than an Inspector who are in uniform shall be permitted to enter the jail for purpose of recognising old offenders or for conducting operations for the identification of prisoners during working hours of any week day, provided that the officer produces a written authority either from the Superintendent of Police or the Deputy Commissioner of Police (Crimes).

(4) No Police Officer shall be permitted to interview any prisoner except as provided for in sub-rule (1).

(5) Any interview permitted under sub-rule (2) above shall take place in the presence of the jailor or other proper officer of the jail who shall, if required to do so, keep at such a distance that he may not hear the conversation that takes place.

(6) The Superintendent of the Jail shall for the purpose of this rule, produce any prisoner in his charge whom the police are authorised to interview and shall afford every reasonable facility for this purpose.

Visit to Jails of Army Officers.

36. An officer or officers of the Army of any branch, not below the rank of a Commander be allowed to visit the jail where the ex-army prisoners are lodged.

Visit to Special class prisoners.

37. (1) No member of the Board of Visitors shall have access to such prisoners as the Government may, from time to time, specify as special class prisoners; and

(2) Government may appoint the District Magistrate or the District Judge or any other person or persons to visit the prisoners specified as special class prisoners and may issue such instructions for guidence of such visitor or visitors as it may think fit.

List of visitors to be posted in conspicuous place

38. A list of visitors, both official and non-official, shall be posted in a conspicuous place near the Main Gate of the prison.

Unauthorised persons not to be allowed to enter prison.

39. Save as herein before provided, no person other than a prison officer or a visitor appointed by or under these rules and visiting a prison for the purpose thereof, shall be allowed to enter a prison unless he is :

(a) Provided with a written permission from the Inspector General or Superintendent;

or

(b) Accompanied by the Superintendent or a Jail Officer deputed by the Superintendent.

Orders under section 11 (2) of the prisons Act 1894 to be in writing.

40. Any order issued by a District Magistrate under sub-section (2) of section 11 of the Prisons Act, 1894, to the Superintendent of a District Prison within the former's jurisdiction shall be in writing.

CHAPTER V

THE SUPERINTENDENT

Statutory provisions.

Under section 6 of the Prisons Act, 1894, there shall be a Superintendent for every Prison. Under section 11 (1) of the said Act, he shall manage the prison in all matters relating to discipline, labour, expenditure, punishment and control, subject to the orders of the Inspector General. Section 11 (2) of the said Act, requires a Superintendent of a prison (other than a Central Prison or a Prison situated in a Metropolitan area) to obey the lawful orders of a District Magistrate relating to the prison. The Superintendent is the officer in charge of a prison within the meaning of section 15 of the Prisoners Act, 1900, other and enactments.

Superintendents of Central Prisons and of certain District Jails.

41. (1) The Superintendents of all Central Prison and District Jails shall be officers specially appointed by name.

(2) (a) The Medical Officer or the Deputy Superintendent of the Jail shall be in additional charge of the jail, in the absence of the Superintendent for short periods.

(b) If the Superintendent proceeds on long leave, a full time Superintendent shall be posted to the jail either by promoting the Jailor on the spot temporarily, or by making some other regular arrangements depending on the length of the period of absence of the Superintendent.

(3) (a) The Superintendent shall not leave the station or make over charge of the prison to any person for any period over twenty four hours, without having obtained the previous sanction of the Inspector General. The Inspector General may permit the Superintendent to hand over charge of his executive duties to the Medical Officer or the Deputy Superintendent or the Jailor as the case be. This rule does not apply to change of appointment ordered by Government.

(b) In places where the Civil Surgeon is the ex-officio Superintendent of the Prison and he has to proceed on tour or on casual leave, he shall hand over charge of the administrative jail duties to the Jailor or the Deputy Jailor, as the case may be, and of his medical duties to a medical officer of the civil hospital and shall report his departure and return to the Inspector General.

Provided that the Superintendent, shall while proceeding on casual or any kind of long leave, leave his address in the jail office and report the same to the Inspector General.

(4) In District Jails having no whole time Superintendent, the local Civil Surgeon shall be the ex-officio Superintendent of the District Jail.

General duties of Superintendents

42. (1) Superintendents shall make themselves thoroughly acquainted with these rules, and with the Acts and Regulations relating to jails, and shall be strictly responsible for the due carrying out of all such rules and statutory provisions and the execution of all sentences on prisoners committed to their charge.

(2) Any order of the Supeirntendent shall be subject to revision by the Inspector General either on his own accord or on representation.

Daily visit of Jail

43. The Superintendent shall visit the jail at least once every working day, and on Sundays and holidays also, if necessary. If from any cause, he is prevented from visiting the jail, on any day on which he is by this rule required to do so, he shall record the fact and the cause of his absence in his journal. At least once a week he shall visit the jail at night and satisfy himself that the guarding is being properly performed and that everything is in order. He shall inspect the jail buildings, and jail gardens frequently.

He shall see every prisoner in solitary confinement at least once a day, and also on Sundays and holidays, if necessary.

He shall be in proper uniform while on duty.

Jail business to be transacted on Jail premises.

44. He shall ordinarily transact all business connected with the jail within its precincts.

Weekly inspection of prisoners.

45. (1) On one morning in every week, which shall usually be Monday, the Superintendent shall hold an inspection parade of all prisoners, at which the Medical Officer shall also be present.

(2) At each such parade the Superintendent shall satisfy himself:-

(a) That every prisoner is properly classified as provided in the rules in that regard;

(b) That every prisoner is provided with proper clothing and bedding;

(c) That the provisions of the remission rules are understood by the prisoners; and

(d) Generally that the rules and orders applicable to prisoners are being duly carried out.

(3) The Superintendent shall, at every such parade, hear and inquire into any complaints that the prisoner may wish to make. It shall be his duty to listen to complaints and petitions of prisoners in a patient and considerate manner, and to afford prisoners reasonable facilities for making such representations.

(4) Nothing in this rule shall debar a prisoner from making a complaint or application to the Superintendent at other times then the weekly parade, and it shall be the duty of every jail official to produce before the Superintendent without delay any prisoner desiring to see him.

Control over Receipts and expenditure.

46. (1) The Superintendent shall be responsible for the economical working of his jail; he shall carefully consider the necessity for all expenditure before incurring it and shall satisfy himself that all rates paid are the lowest compatible with efficiency. He shall be responsible for the satisfactory conduct of the manufacturing department, the punctual execution of orders, the collection of all outstandings, the due credit of all sums collected and generally for the financial administration of the jail. He shall be answerable for all jail property, stores and money, and shall be held responsible for any defalcations on the part of the jail establishment, if it be shown that such defalcations were rendered possible by negligence on his part. This rule in no way affects the individual responsibility of members of the prison establishment.

(2) No articles intended for jail use may be purchased unless details have been entered in the Requisition book and the entries initialled by the Superintendent and the Jailer.

(3) When any article is lost or damaged or becomes unserviceable through the neglect of any jail official, the matter shall be reported at once for the orders of the Inspector General.

Procedure regarding civil suits.

47. No civil suit shall be instituted or defended by a Superintendent on behalf of the Government without the previous sanction of the Inspector General. Upon a Superintendent receiving notice of suit under section 80 of the Code of Civil Procedure, he shall immediately forward the notice, with a full statement of the facts of the case, to the Inspector General.

Maintenance of records.

48. (1) The Superintendent shall be responsible for the correct maintenance of the records prescribed in Section 12 of the Prisons Act 1894, and of such other records as are prescribed by these rules, and at least once a month shall examine every such record and shall satisfy himself that it is up to date.

(2) When no provision exists in these rules prescribing the officer by whom any register or record shall be maintained, the Superintendent shall, by order recorded in the order book, from time to time assign the maintenance of every such register or record to a specified subordinate.

(3) He shall take particular care to see that all items of money, received or collected on behalf of the jail, are brought to account at once, and that the securities deposited are in proper order.

All cash receipts for credit to Government shall be forwarded to the treasury at least once a week or more frequently, if necessary so as to avoid the accumulation of any unduly large sums in the jail cash chest.

(4) The instructions contained in Article 274-A, of the Andhra Pradesh Financial Code, Volume I, should be observed strictly in cashing bills or in remitting money from one office to another.

The following are the minimum precautions to be observed for safe-guarding Government money outside a Government Office in normal circumstances.

	SUMS.	PERSONS TO BE EMPLOYED
(a)	Sums below Rs.500/-	A permanent IInd Grade Warder.
(b)	Sums of Rs.500/- and above, but below Rs.5,000/-	A permanent Lower Division Clerk and a permanent IInd Grade Warder.
(c)	Sums of Rs. 5,000- and above, but below Rs.20,000/-	A permanent Upper Division Clerk, one permanent first grade warder and two permanent second grade warders.

(5) The Superintendent shall enter in the Superintendent's order book all his orders relating to the management and discipline of the prison, and the service matters involving financial commitments.

The Superintendent shall lay down in writing, in the Superintendent's order book the duties of each subordinate more specially those employed in the prison office, so that the responsibility for errors in books and returns may be fixed.

Submission of reports and returns.

49. The Superintendent shall submit punctually to the Inspector General such periodical and other returns, statements, bills and vouchers as may be from time to time prescribed. As soon as possible after the close of each year, and not later than the 15th of February, annually, he shall furnish the Inspector General with a report on the administration of the jail. This annual report shall be compiled in such form as the Inspector General may prescribe.

Note:- 1. See Appendix-II - Part-XI for instructions for the preparation of the Annual Administration Report.

2. The Superintendent shall submit weekly journals by every Tuesday which shall contain :-

(a) The times at which he enters and leaves the jail daily, and the result of his weekly inspection of the prisoners, guard and premises.

(b) The special reasons for the imposition of fetters on prisoners ordinarily exempted.

(c) Every occurrence of importance connected with the management of the jail which is not otherwise disposed of in the registers or correspondence, and which it is desirable to note for future reference.

Report of important occurrences.

50. (1) Any outbreak of epidemic disease or unusual sickness, all serious breaches of Jail discipline, escapes, attempts at escapes, recaptures, accidents, suicides or deaths from violent or unnatural causes, shall at once be reported by the Superintendent to the Inspector General.

(2) In the event of an accident resulting in an injury to a prisoner or member of staff on duty, inquiry should be immediately held and statement of the injured prisoner or member of the staff and other witnesses should be recorded.

51. When a prisoner dies or is seriously ill, the Superintendent shall immediately intimate the fact of such death or illness to the relatives of such prisoner, either by telegram whenever possible or by express delivery.

Copies of correspondence with Government to be furnished to Inspector General.

52. Whenever the Superintendent receives a communication direct from Government, or sends a communication direct to Government either by telegram or by letter, a copy thereof, together with a copy of the reply, shall be furnished by him to the Inspector General, except in the case of petitions for mercy and appeals to the Supreme Court from and on behalf of prisoners under sentence of death. But it shall not be necessary to furnish the Inspector General with copies of such orders of Government as are also furnished direct to the Inspector General by Government. Any specific action taken by the Superintendent on any order or communication received direct from Government shall atonce be reported to the Inspector General.

Presence at Inspections

53. The Superintendent shall accompany the Inspector General during his inspection of the jail and shall also accompany official visitors if they request his presence during their visits.

Deputy Superintendents to assist Superintendents.

54. Deputy Superintendents appointed in certain jails shall assist the Superintendents in the administration of the jails in all branches and shall conduct all routine work as assigned to them by the Superintendent.

55. Financial powers of the Superintendent are as setout below : Financial powers of the Superintendent.

(i) Purchase of vegetable seeds and manures upto Rs.100/- at a time.

(ii) Maintenance and construction of irrigational channels of gardens upto Rs.200/- at a time.

(iii) Repairs to pump sets and other tools upto Rs.100/- at a time.

(iv) Purchase of books for prisons libraries Rs.200/- per annum. Purchase of books and stationary for schools in the institutions under the jail department and for purchase of books, stationary and other incidental expenses like school fees and uniform etc., for pupils admitted in outside schools. No limit.

(v) Purchase of electric bulbs, lamps and other appliances for emergent purposes upto Rs. 25/- at a time.

(vi) Repairs to furniture upto Rs.25/- at a time.

(vii) Local purchase of medicines and drugs required for emergent use in the institutions for the treatment of inmates and also when they are not supplied by the Medical Stores Department upto Rs.1,000/- per annum.

(viii) Purchase of gramphone records, needles, magic lanterns, slides and radio sets etc., including repairs and renewal of licences upto Rs.25/- at a time.

(ix) Purchase of raw materials in case of local purchase upto Rs.5,000/- at a time. In case of approved tendered rates Inspector General upto the budget provision.

(x) Powers for the purchase of stores :

(a) Any article of Civil Stores and Dead Stock upto Rs.25/- at a time.

(b) Repairs to Civil Stores and Dead Stock articles upto Rs.25/- at a time.

(c) Purchase of tools and plants and repairs thereof upto Rs.250/- at a time.

(xi) For repairs of buildings upto Rs. 1,000/- in a year and not exceeding Rs.250/- at a time.

(xii) Write off losses on irrecoverable value of stores or public money lost by fraud, negligence or other causes and unprofitable outlay on works upto Rs.25/- in each case not exceeding Rs.100/- in a year.

(xiii) The Superintendents of Central Prisons, District Jails, Camp Jails, Borstal School and Certified Schools may sanction a conveyance allowance to honorary moral and religious lecturers at the rate of 18 paise per K.M. subject to a maximum of Rs.6.75 paise a month for each lecturer and a maximum total expenditure of Rs. 20.25 p. a month for each institution. The expenditure is debitable to " other charges " in the relevant sub heads.

CHAPTER VI

THE MEDICAL OFFICER

Statutory provision

Under section 6 of the Prisons Act, 1894, there shall be a Medical Officer (who may also be the Superintendent) for every prison. Section 13 defines the Medical Officer's duties in general terms, section 14 requires him to report to the Superintendent any case in which he has reason to believe that the mind of a prisoner is likely to be injuriously effected by the treatment to which he is subjected, and section 15 lays down the procedure which the Medical Officers should adopt on the death of a prisoner.

Appointment of Medical Officer.

56. The District Medical Officer of a District or the Senior Medical Officer of the Station if it is not the District Head-quarters, is normally appointed to be the Medical Officer for jails.

Discharge of duties during his absence.

57. During the absence of the Medical Officer, his duties shall be performed by the Assistant to the District Medical Officer, or where there is no such Officer, by the Senior Medical Subordinate of the jail.

Control of Medical Officer

58. The Medical Officer, when not himself the Superintendent, shall, except as regards the medical treatment of the sick, act in immediate subordination to the Superintendent, and shall be subject to the general control of the Inspector General.

Channel of communication

59. The Medical Officer shall ordinarily correspond with the Inspector General through the Superintendent. He shall accompany the Inspector General during his inspection of the jail.

General duties.

60. The duties of the Medical Officer embrace every matter connected with the health of the prisoners, their treatment when sick and the hygiene of the jail.

Daily visits to jail.

61. The Medical Officer shall visit the jail and shall see the sick daily, except on Sundays and holidays, and on those days also whenever necessary, and shall inspect every part of the jail at least once a week and oftener in time of sickness. If he is prevented from doing so by sickness or any other cause, he shall record the fact and the reason for it in his journal. If any epidemic or unusual sickness prevails, or any serious case of illness occurs, he shall visit the jail as often as may be necessary and finally in time of sickness or any other cause, he shall record the fact and the reason for it in his journal.

Attendance at weekly inspection

62. (1) The Medical Officer shall be present at the Superintendent's weekly inspection, and shall then see every prisoner, and carefully examine each one, paying special attention to any signs

of a scorbutic or anaemic tendency, of any falling off in condition, or of skin disease. He shall also examine the prisoners' clothing and bedding to see that they are adequate, as well as the buildings, drainage, ventilation, drinking water, and conservancy arrangements of the jail.

(2) He shall at the same time examine the record of prisoners' weighments, satisfy himself that the weight test is being properly applied, and see that the prisoners losing weight in any material degree are separately paraded and examined.

Attendance on Jail Officers.

63. (1) The Medical Officer shall attend all members of the prison staff and their families residing on jail premises, provided that in all slight cases he may depute the Medical subordinate to do this duty; and their treatment shall be recorded in a prescription book. He shall bring to the notice of the Superintendent any facts respecting the causes of illness that may be of importance in enabling him to determine as to the fitness or otherwise of the subordinate for continued employment in the jail. Medicines required for the treatment of jail officers and their families may be supplied from the prison store if available, or purchased as per the instructions contained in the relevant Government Servants' Medical Attendance Rules by which the Government servant in question is governed.

(2) The Medical Officer shall examine all candidates for employment and all jail officers who may be sent to him by the Superintendent for that purpose, and shall certify in writing regarding their physical capacity and state of health.

(3) In places where there are no prison hospitals all jail officials are entitled to receive treatment and medicines for themselves from the nearest civil hospital or dispensary.

(4) The Medical Officer shall hold a thorough biennial medical check up of all the members of the prison staff and give preventive treatment like inoculation duly and make such entries in their individual medical history sheets.

Maintenance of Journal.

64. (1) The Medical Officer shall keep a journal in From No.2 in which he shall record every visit paid to the jail, the hour at which he entered and left the jail, the portions of the jail or classes of prisoners visited, the number of sick in hospital, the result of the weekly inspection and any matter which he considers should be brought to the notice of the Superintendent especially;

(a) Any defects in the food (Rules 403 and 404) clothing or bedding of prisoners, or in the cleanliness, drainage (Rule 667) sanitation (Rule 658), water supply or other arrangements of the jail which the Medical Officer considers likely to be injurious to health, together with suggestions for the remedy of such defects;

(b) Any occurrence of importance connected with the hospital administration, any marked increase in the number of in or out-patients, and the apparent causes of the same; and

(c) Any observations, recommendations or directions regarding individual prisoners.

(2) This journal shall be sent immediately after each visit to the Superintendent for the immediate issue of such orders as he may see fit to pass. When the Medical Officer is also the Superintendent the matters required to be referred to in this journal shall be noticed in the journal kept by him as Superintendent.

Submission of returns.

65. The Medical Officer shall submit punctually the prescribed returns, and shall furnish any other information regarding the medical administration of the jail which the Inspector General may call for.

Maintenance of registers.

66. The Medical Registers and Forms other than the Journal shall be kept under the orders of the Medical Officer, who is responsible for their correctness. At the Inspector General's inspection the Medical Officer shall produce before him every register and record connected with the Medical Department of the jail.

Note:– For other rules relating to the Medical Officer's duties, see the following viz:—

Examination of prisoners on admission etc. (Rules 253 and 254)
Examination of articles of food (Rules 403 and 404)
Examination of prisoners with reference to labour (Rule 439)
General duties in regard to hospital management. (Rules 583 to 618)
General duties in regard to sanitation. (Rules 651 to 687)

Utilization of medicines and other medical stores.

67. (1) The Medical Officer shall be responsible for the proper utilization of all medicines and other medical stores. He shall see that they are kept under lock and key. He shall from time to time examine all the medicines kept in store to assure himself of their purity, and shall regularly check the account of medicines purchased locally.

(2) The Medical Officer shall be responsible to see that all medicines, instruments, etc., debited to the prison, are duly and properly expended for the use of the prison.

Certificate to be furnished by the Medical Officer.

68. The stock of drugs and instruments shall be checked and a certificate in the following form shall be furnished by the Medical Officer to the Inspector General, through the Superintendent of the jail, so as to reach the Inspector General by the 10th of April annually :-

CHAPTER VII

THE MEDICAL STAFF

Appointment of Assistant Surgeons.

69. (1) In each Jail, one or more Assistant Surgeons are appointed as per the requirements of the Jail.

(2) Assistant Surgeons are placed by the Director of Medical and Health Services at the disposal of the Inspector General either permanently or temporarily to meet special emergencies; and all leave excepting casual leave is granted by the Director fo Medical and Health Services on the recommendation of the Inspector General. When provision has to be made for the performance of the duties of Assistant Surgeons while absent, the Inspector General should address the Director of Medical and Health Services for the purpose, except where the absence is short and local arrangements can be made.

(3) Casual leave may be granted to Assistant Surgeons by Medical Officers under the rules applicable on the recommendation of the Superintendent of the concerned jail.

Term of appointment.

70. (1) An Assistant Surgeon shall be appointed to the Jail service for a period of two years, exclusive of any long leave that he may avail himself of, and during this period his services shall be at the disposal of the Inspector General, for employment in any Jail within the State.

(2) The period of two years may be extended at the option of the Assistant Surgeon and with the approval of the Director of Medical and Health Services and Inspector General for any further period that these officers may consider desirable, and the period may similarly be reduced on the recommendation of the Inspector General and with the concurrence of the Director of Medical and Health Services.

(3) All Assistant Surgeons employed in the Jail Department are debarred from private practice.

Channel of communication.

71. Assistant Surgeons in the Jail Service shall communicate with the Director of Medical and Health Services through the Medical Officer of the jail, the Superintendent and the Inspector General. The Inspector General in like manner shall be the medium of communication between the Director of Medical and Health Services and all Assistant Surgeons in the Jail Service.

Conditions of service.

72. Assistant Surgeons, Compounders and (paid) Nursing orderlies attached to Jails shall not leave the jail without the general or express permission of the Medical Officer.

Maintenance of Report Book.

73. (1) Every Assistant Surgeon shall maintain a report book in Form No. 3 in which he shall record all matters of importance that he wishes to bring to the notice of the Medical Officer.

(2) This report book shall be produced for the inspection and orders of the Medical Officer, who shall initial the book daily.

Hours of duty.

74. (1) In jails where there are more Assistant Surgeons than one :—

(a) The hours of duty during the day shall be so distributed between them by the Medical Officer that one or the other is always present in the jail, and

(b) During the night, each Assistant Surgeon shall, in turn, be readily available for any call till unlocking next morning.

(2) In jails where there is only one Assistant Surgeon he shall remain inside the jail throughout the day, except when permitted to absent himself for meals or other sufficient reason. He shall visit the hospital occassionally at night, and may, under the orders of the Medical Officer, be required to remain on duty there, if there are any cases under treatment that are likely to render his presence necessary.

Custody of keys.

75. (1) An Assistant Surgeon on turn duty at night shall be responsible for the safe custody of the keys of the hospital, and of any other place in which are confined prisoners whom he is likely to be called on to attend, but he shall not unlock any door except in the presence of the patrolling officer or other officer of the prison, and, if the urgency is not great, except in the presence of the Jailor or Deputy Jailor.

(2) Every Assistant Surgeon entrusted with keys shall be held responsible on for their safe custody and proper use and shall report at the earliest opportunity to the Jailor and Medical Officer every instance in which he has had an occassion to unlock the door of any compartment occupied by prisoners during his term of duty at night.

Duties generelly stated

76. The duties of an Assistant Surgeon, generally stated, shall be to attend to the health and cleanliness of the prisoners, their treatment of the sick, the sanitation of the jail, the fortnightly weighments, the supervision of the food, and all other matters connected directly or indirectly with the health of the staff and inmates of the jail.

Duties further defined.

77. It shall be the duty of an Assistant Surgeon :—

(a) To be present at unlocking, attend to any Prisoners who complain or appear to be ill, and have be them removed to

hospital or placed before the Medical Officer for examination, as each case may require.

(b) To inspect the convalescent gang and any prisoners kept under observation every morning; to distribute such medicines as may be necessary and to satisfy himself that the Medical Officer's orders are properly carried out;

(c) To visit all prisoners in cells daily, and report to the Medical Officer all complaints made to him that have any bearing on the health of the inmates;

(d) To be responsible that all medicines are properly arranged, labelled, and put away in a place of safety, to take proper care of the instruments and appliances in his charge, to see that sick prisoners are clean and tidy, that the hospital clothing and bedding are marked in a distinctive manner, that all articles in use in hospital are safely stored and kept clean, to allow no property in his charge to leave the jail premises, and not to permit any convict attendant to handle instruments or distribute drugs whose misapplication may be attended with danger;

(e) To perform the clerical work connected with the hospital, such as the upkeep of registers, the preparation of returns, and the punctual submission of indents;

(f) To satisfy himself that the food for the sick is properly prepared and distributed;

(g) To be responsible that order, cleanliness and discipline are maintained in the hospital and its enclosure, that the Compounder (paid) nursing orderlies and attendants perform their duties properly, that any excess or deficiency of attendants is brought to notice and to report any relaxation or violation of the rules;

(h) To examine all food before it is distributed and see to it that it is properly cooked, and specially that the proper quantity of oil, salt and anti-scorbutics have been added to each ration.

(i) To inspect all meat, milk brought by the contractor to the prison, and shall report to the Superintendent, if, in his opinion, the supplies or any of them are not up to the standard.

(j) To keep a vigilant watch on the prisoners suspected of malingering and to report the result of his observations;

(k) To be present at the various parades and to separate for examination and treatment any prisoner who appears to be in need of attention, or who is known or suspected of leaving part of his food uneaten;

(l) To arrange that the evacuations of prisoners suffering from bowel diseases are kept for the inspection of the Medical Officer and that they are suitably protected and subsequently disinfected and disposed of;

(m) To bring to the notice of the Medical Officer any female whom he may suspect to be pregnant;

(n) To see to the bathing of prisoners suffering from skin affections, and generally to do every thing to ensure that the health of the prisoners is maintained by reporting all irregularities and making any suggestions for improvement for the consideration of the Medical Officer.

(o) To visit occassionally the sleeping wards just after they are opened in the morning, to see whether the air is foul or the temperature unduly high.

(p) To visit the prisoners on penal diet and report in writing to the Medical Officer and Superintendent about the health of such prisoners; and

(q) To report in writing to the Superintendent and to the Medical Officer, the necessity for the removal of any prisoner from the cell or ward on account of bodily or mental informity.

Examination of prisoners admission.

78. (1) The Assistant Surgeon shall examine all newly admitted prisoners and shall record in the admission registers and Medical sheet the particulars as regards health, labour and the like.

(2) He shall satisfy himself that the person and private clothing of newly admitted prisoners are properly cleaned, and that the clothing is, if necessary, disinfected before removal to the store room.

(3) He shall vaccinate newly admitted prisoners in the quarantine and, if so directed, infants admitted with their mothers or born in jail.

(4) He shall bring promptly to the notice of the Superintendent and Medical Officer any case of suspected cholera or other contagious or infectious disease that may appear amongst the staff or inmates of the jail.

Duties as regards water supply and sanitation.

79. It shall be the duty of an Assistant Surgeon :-

(a) To examine the wells and other sources of water supply, to bring to notice any defects with regard to its quantity or quality, to examine all tanks and vessels daily in which water is stored or conveyed and to prepare samples for analysis when required to do so;

(b) To inspect all latrines and urinals daily, satisfy himself that they are properly cleaned, that a sufficiency of dry earth is used and in stock, and that excreta and urine are not allowed to remain longer than necessary inside the jail or to pollute the ground, but that they are promptly removed and disposed of in a manner calculated to be least offensive or dangerous to health;

(c) At least once a week to inspect the surroundings of the jail and especially the place and manner in which filth and the like are trenched or otherwise disposed of; and

(d) To attend the ventilation, with due regard to the season, of the hospital, sleeping wards and workshops and to satisfy himself that prisoners are not unnecessarily exposed to draught or to rain.

The weighment of prisoners.

80. (1) The Assistant Surgeon shall Superintence fortnightly weighments of prisoners, shall record each prisoner's weight in his weighment chart, and shall parade as soon afterwards as possible, for inspection by the Medical Officer, all prisoners who are losing weight to any noticeable extent.

(2) When the subordinate Medical Establishment is small as compared with the number of prisoners, or the medical work is heavy, an officer of the executive staff of the jail may be deputed by the Superintendent to assist in recording weights.

Duty on occurance of death.

81. The Assistant Surgeon shall forthwith report to the Medical Officer every death that occurs in the jail and shall assist at the post-mortem examination and be responsible that the body before removal from the mortuary is suitably prepared for burial.

Medical aid to officer and assistance to Medical Officer generally.

82. The Assistant Surgeon shall, under the direction of the Medical Officer, afford medical aid to all members of the jail establishment and others living on the jail premises. He shall render that officer every assistance by reporting to him all matters by affecting health such as:—

(a) Over crowding,
(b) Unsuitable, worn out or dirty clothing,
(c) Neglect of personal cleanliness,
(d) Undue exposure to weather,
(e) Unpunctuality of meals,
(f) Neglect to air, dry or cleanse clothing and bedding, and
(g) Unsuitable tasks.

Appointment of compounders.

83. (1) As far as practicable, only compounders who have passed the tests prescribed by the Medical Department shall be employed in jails.

(2) (i) Compounders shall be posted to jail duty, by the District Medical Officers of the districts in which the jails are situated for a period of three years exclusive of any long leave availed of and then reverted to the Civil Medical Department. The said period of three years may be extended at the option of the compounder and with the approval of the District Medical Officer and the Superintendent of the jail concerned, by such further period as those officers, may consider desirable. The said period of three years may similarly be reduced on the recommendation of the District Medical Officer or of the Superintendent of the jail concerned. All the leave, excepting casual leave, shall be granted by the District Medical Officer on the recommendation of the Medical Officer of the jail.

(ii) Casual leave may be granted to the compounders by the Medical Officer of the jail in accordance with the rules relating to the grant of such leave on the recommendation of the Superintendent of the concerned jail.

Duties of compounders.

84. (1) The compounder shall obey the lawful orders of the Medical Officer and Assistant Surgeon in all matters connected with the Medical work of the jail, and of the Superintendent and Jailor in other matters.

(2) His duties shall be to help the Assistant Surgeon in the maintenance of the health of the staff and prisoners by compounding and distributing medicines, vaccinating and weighing prisoners, performing clerical work, maintaining order and discipline in the hospital and by carrying out such other duties, of a like character as may be imposed on him by the Medical Officer.

(3) In jails where there are more compounders than one, their duties shall be so arranged that one or the other is always present inside the jail including nights.

(4) The nursing orderlies shall be appointed by the Superintendents of the jails in accordance with the service rules prescribed by the Government. They shall obey the lawful orders of the Medical Officer and Assistant Surgeon in all matters concerned with Medical Work. During the night, each Nursing orderly (wherever there are more than one) shall in turn be on duty inside the jail hospital from 10-00 P. M. till unlocking in the morning.

CHAPTER VIII

GENERAL RULES FOR SUBORDINATE OFFICERS

Under Section 22 of the Prisons Act, 1894, Officers subordinate to the Jailor shall not be absent from the prison without leave from the Superintendent or from the Jailor. Section 54 renders liable to judicial punishment a Jailor or Officer subordinate to him who shall be guilty of certain specified offences against discipline. Statutory provisions.

SECTION I CONSTITUTION AND APPOINTMENT OF THE SUBORDINATE STAFF

85. The Subordinate Establishment of Jail Department, exclusive of Compounders, and nursing orderlies, is divided into two parts — the Andhra Pradesh Jail Subordinate Service and the Ministerial Service, which is a part of the Andhra Pradesh Ministerial Service. The rules concerning these services are contained in the general rules (Subordinate Services) and the special rules for the Andhra Pradesh Jail Subordinate Service and the Andhra Pradesh Ministerial Service. **Division of staff into two parts.**

SECTION II CONDITIONS OF SERVICE

86. Every subordinate Officer shall be liable to be employed wherever it seems fit to the Inspector General to employ him. Whenever a Warder is recommended for transfer, the names of the jails in which he has previously served shall be stated. **Liability to serve in any Jail.**

87. (1) Every subordinate executive officer shall undergo a thorough training in Squad and company drill and the use of arms, and Jailors, Deputy Jailors, Chief Head Warders, Head Warders and Gate - Keepers shall be able to drill the guard and give instructions in musketry. **Training in drill and musketry.**

(2) Ball practice shall be held once in alternate months and blankfiring shall be practiced once in three months. The results of ball practice shall be recorded in the Practice Register. (Form No 19).

SECTION III DUTIES OF THE SUBORDINATE STAFF

88. Every subordinate officer shall make himself fully acquainted with the rules and regulations relating to his office, and no plea of ignorance will be accepted as an excuse for neglect. The rules prescribed by Government regulating the conduct of public officers are applicable to all subordinate officers. **Knowledge of rules.**

Duties towards superior officers

89. Every subordinate shall extend prompt and strict obedience to all orders of the superior officers and shall treat all superior officers at all times with respect.

Not to be absent without permission.

90. No subordinate officer shall be absent during the hours fixed for his attendance without the permission of the Superintendent or Jailor. Any subordinate officer disabled from the performance of duty by illness shall give or send immediate notice to the Jailor, who shall make such arrangements as may be necessary for the performance of the duty of the disabled officer.

Dress and personal appearance.

91. All subordinate officers shall be clean in person and dress and those for whom a uniform is prescribed shall at all times wear it while on duty, and shall further conform to such regulations concerning their personal appearance as may be established by authority.

No officer to smoke or drink in the jail.

92. No subordinate officer shall smoke or drink while on duty or in any part of the jail or without authority introduce liquor, tobacco or any other drug into the jail.

No officer to receive private visitors.

93. No subordinate officer shall receive any private visitors within the jail, except with the sanction of the Superintendent.

Conditions as to residence.

94. (1) Every subordinate officer of a jail for whom residential quarters are provided, shall reside therein.

(2) When free quarters are not provided, the Subordinate shall reside in such quarters as near as possible to the jail.

(3) A subordinate officer shall not, except with the written permission of the Superintendent, allow any person other than his parents, wife or children to reside with him, either temporarily or permanently, in his quarters on the jail premises.

Prohibition against quarelling.

95. Any disagreement between subordinates relating to their duties shall be referred to the Jailor or the Superintendent. A complaint by one officer against an equal or superior officer shall be made to the Superintendent. Frivolous or false complainants will be severely punished.

Officers to prevent escapes and introduction of contraband

96. Every jail officer shall ;

(1) Exert the utmost vigilance to prevent escapes;

(2) Prevent to the best of his power the introduction into the jail and the giving to any prisoner of any prohibited article; and

(3) Prevent any communication between prisoners and outsiders, except as permitted by rules.

Under section 43 of the Prisons Act, 1894, any jail officer may arrest any person committing in his presence any offence specified in section 42, and refusing to give his name and address.

Prohibition against entering a ward or cell at night.

97. Except as elsewhere provided, no subordinate officer shall enter a ward or cell at night unless accompanied by another authorized officer, and then only in case of sickness or other emergency. The Superintendent may by order in writing relax this rule during the presence in the jail of an epidemic disease.

Responsibility of warder for charge of gang.

98. No warder shall be deemed to be free of responsibility for the charge of a gang of prisoners until he is relieved by another warder detailed for the duty, in the presence and under the signature made at the time of relief, of the warder whose duty it is to conduct such relief.

Duties of officer in charge of gang.

99. Every officer in charge of a gang shall make his prisoners march in file and shall prevent all straggling and disorderly conduct, the holding of unauthorized communication with each other or with any unauthorized person or the procuring of prohibited articles.

Care of Keys.

100. No subordinate officer entrusted with jail keys shall remove them from the jail, leave them lying about, or lend them to any person on any pretence whatever but shall, when leaving the jail or going off duty, deliver them to such officer as may be authorized to receive them. The keys of wards, cells, or outer gates are not on any account to be delivered to any prisoner other than a convict warder. When on duty within the jail premises the keys should be tied to the belt with a chain.

Care of Government Property.

101. When an officer entrusted with the care of Government property, such as warrants, cash, stores, machinery, etc., is transferred, proceeds on leave (other than casual leave), resigns, is suspended, or discharged, he shall make over all property in his care to the officer appointed to relieve him, and the relieving officer shall compare all articles thus made over with the entries in the prescribed registers and satisfy himself that they are correct, and shall than initial each register in its proper place in token of having correctly received charge of the articles entered therein. Until charge is thus taken and the registers initialled by the relieving officer, the officer relieved shall be wholly responsible for all errors and deficiencies in the property, unless reported in writing within one month of his taking over to his superior officers for enquiry.

All officers shall, on relief, hand over all current files accounts and registers in their charge and obtain the signature of the relieving officers in the list, maintained by them, in token of the correct handing over and taking over of the various records.

A list of arrears and pending correspondence should be prepared and signed by both relieved and relieving officers and placed before the Superintendent.

Officer to instruct their successors

102. All officers on being relieved from any particular duty, or transferred to another part of the jail, shall point out to their successors all matters of special importance connected with their charge and explain any directions of any superior officer affecting any particular prisoner or matter.

Object of imprisonment and treatment of offenders

103. The aim of handling of prisoners is correction for rehabilitation. All Jail Officers shall treat prisoners with good temper and humanity and shall listen patiently any complaint in order than grievances may be redressed while at the same time maintaining strict discipline under the rules and regulations.

Prohibition against punishing or abusing Prisoners

104. No Jail Officer shall, in any circumstances, punish any prisoner except under the Superintendent's order or threaten any prisoner with punishment or use voilent, abusive or insulting language to any prisoner. All conduct intended merely to irritate or annoy any prisoner shall be avoided. Prisoners shall be addressed by their proper names.

Prisoners not to be struck.

105. No jail officer shall on any pretext strike a prisoner except in self defence or in the repression of disturbance, and no more force shall then be used than is absolutely necessary.

Immediate report of misconduct to be made.

106. No subordinate officer shall either through favour or a mistaken notion of kindness, fail to make an immediate report to his superior officer of any misconduct or wilful disobedience of the jail regulations.

Familiarity with prisoners forbidden.

107. No subordinate jail officer shall unnecessarily converse with a prisoner or treat him with familiarity or allow any familiarity between a prisoner and any other officer of the jail. Nor shall he discuss matters of discipline, or jail duties or arrangements with or in the hearing of prisoners.

Officers not to have dealings with prisoners or their friends.

108. No jail officer shall lend money to, borrow money from, or incur any obligation in favour of any other jail officer or any prisoner, or correspond with, or hold any intercourse with, the friends or relatives of any prisoner, or have any unauthorised communication with any prisoner or with any person whatever as to matters concerning the jail.

Officer not to receive prisoner's property.

109. No jail officer or other person in any way connected with the jail shall receive or use any article belonging to a person who either is, or has been, confined in the jail.

110. No jail officer shall correspond with or hold any intercourse with any discharged prisoner or with the friends or relatives of such prisoner, or allow any such prisoner, friend or relative, to visit or remain in his quarters, except with the special permission of the Superintendent. Intercourse with discharged prisoners forbidden.

111. No jail officer shall, directly or indirectly, be concerned in any contract or agreement for the supply of any article to the supply of any article to the jail, nor receive, directly or indirectly, any free, gratuity, present or loan, from any contractor or person tendering for any contract with the jail, or from any prisoner, prisoner's friend or any person visiting the jail. Officers not to be interested in jail contracts.

112. No jail officer shall, either directly or indirectly, engage in any trade, business or employment other than his legitimate jail duties. Officers not to engage in trade

SECTION IV. PUNISHMENT OF JAIL OFFICERS.

113. The Inspector General on the recommendation of the Superintendent, shall decide whether or not a prosecution shall be instituted in respect of any offence punishable under section 54 of the Prisons Act. Whenever a prosecution is determined on, the officer concerned shall be suspended from duty. Inspector General to decide when prosecution should be instituted.

114. For the following offences a prosecution shall be instituted unless the Inspector General otherwise orders, in which case the offender shall be punished departmentally :— Offences to be dealt with judicially.

(1) Wilfully or negligently permitting an escape.

(2) Committing any offence punishable under section 42 of the Prisons Act, 1894.

(3) Immoral conduct with regard to any prisoner.

(4) Any offence punishable under Chapter IX of the Indian Penal Code.

115. A jail officer acquitted of a charge by a criminal court shall be reinstated in the service, unless the Inspector General, for reasons to be recorded in writing, otherwise directs. Acquitted officer to be reinstated.

116. Every subordinate officer or servant suspended, dismissed, discharged or allowed to resign his appointment, shall be required at once to quit the jail and the quarters occupied by him, and shall give up any uniform or other property of Government entrusted to him. Officer to quit the jail on termination of appointment.

Caution to officers under suspension.

117 (1) When a Government servant is suspended he may go where he likes but he must leave his address with the head of his office, and also with the officer, if any, holding an inquiry into his conduct.

(2) He must obey all orders to attend an inquiry into his conduct, and if he fails to do so, the inquiry may be held in his absence.

Re-employment of dismissed officer.

118. No subordinate officer once dismissed or discharged from or who has resigned his appointment in the Department, shall be employed again in any jail without the sanction of the Inspector General to whom all the circumstances shall be reported.

Prohibition against employment of convicted person.

119. (1) No person who has been convicted and punished with imprisonment shall be employed in any jail without the special sanction of the Inspector General.

(2) The instruction regarding submission and receipt of petitions addressed to Government are contained in part XII of Appendix II. The officers are instructed to adhere to these instructions while submitting the petitions to Government.

CHAPTER IX

UNIFORM OF JAIL OFFICERS AND STAFF

Uniform grant to Superintendents of Jails

120. The Superintendents and Deputy Superintendents of Jails and the Superintendents of Borstal Schools shall be given a free grant of Rs.500/- each towards the cost of Uniform. Those recruited direct shall draw the grant on first appointment and those appointed by promotion or transfer shall do so after they have been declared to have satisfactorily completed the period of probation prescribed :

Previded that:

(a) The grant shall not be drawn except under the sanction of the Inspector General who shall, before according the sanction, satisfy himself in each case, that it is necessary, and it shall be utilised solely for the purpose for which it is made;

(b) An officer whose probation is terminated or who has not utilised the grant solely for the purpose for which it was made, may be required by Government to refund the grant or such portion thereof, as the Government may determine;

(c) If within three years of his first appointment any officer eligible for the grant resigns the service or is dismissed or removed therefrom, he shall refund such portion of the grant made to him, as the State Government may determine;

(d) The grant shall be given at intervals of five years except during the last five years before retirement. Officers appointed by promotion or transfer shall draw the first renewal grant on the expiry of a period of five years of total service including the period of probation prescribed for that post, and

(e) The rates of contribution towards the grant recoverable from other Governments in respect of officers lent to them shall be Rs. 100/- for each complete year of service with the borrowing Government and Rs. 8.33 per mensem for any broken period.

Uniform of Superintendents

121. The following uniform is prescribed for Superintendents and Deputy Superintendents of Jails and Superintendents of Borstal Schools, serving in the jail department.

(i) Review Order: When on mounted duty the uniform consists of peak cap, khaki jacket, khaki shirt, whistle with blue silk whistle cord, slacks of the same materials as the jacket, Brown

ankle boots or shoes, blue tie, khaki socks, sam browne belt and sword.

These shall be worn on all State ceremonies (example; public arrivels and departure of the Governor, or Hon'ble Ministers or the Inspector General, presentation of guards of honour on such occasions) at ceremonial parades or whenever full dress is ordered.

(ii) Working dress:— This consists of peak cap, jacket, whistle with silk whistle cord, slacks, shoe or ankle boots, khaki socks, khaki shirt, blue tie, cloth belt of the same material as the jacket or sam browne belt. This dress shall be worn whenever they call upon the Inspector General officially during office hours.

(iii) Informal working dress: This consists of peak cap, shirt and sam browne belt or bush shirt with cloth belt, socks or stockings, shorts or slacks and shoes or ankle boots. This dress shall not be worn on formal occasions of any sort. It may be worn in office or when appearing in Court to give evidence and for ordinary parades.

Description of uniform

122. (i) Peak cap:- Similar pattern prescribed for the Superintendents of Police, cap badge to be worn in the centre of the band in front.

(ii) Jacket:- Khaki drill or gaberdine police pattern as described in the Schedule.

(iii) Slacks or trousers:- Khaki gaberdine or khaki drill to match jacket, without turn ups and shaped from instep to heels—the bottom to measure 46 to 48 C. M.

(iv) Shirts:- Khaki cellular or twill with two breast pockets of the jacket pattern with khaki bone buttons.

(v) Boots ankle:- Ankle plain brown leather with plain toe caps and nine pairs of eyelets.

(vi) Shoes ;- Plain brown leather derby shoes with plain toe caps with five pairs of eye-lets.

(vii) Belts :- Sam browne of army regulation pattern but with silver mountings or cloth belt of the same material as the jacket with silver mountings may be worn.

(viii) Sword:- Infrantry Officer's pattern with silver belt.

(ix) Whistle :- Metropolitan, with silk whistle cord carried in the left breast pocket.

(x) State emblem and stars :- These shall be of silver metal. The State emblem to be 3 c.m. by 2 c.m. The stars to be of the "Star of India" (five pointed) pattern and 2.5 c.m broad.

Superintendents who have completed twenty years of service, may wear the state emblem and two stars. Superintendents, who have completed fifteen years of service may wear the state emblem and one star. Superintendents who are officiating or substantive may wear a State emblem.

The Deputy Superintendents of jails and Superintendents of Borstal Schools shall wear the same pattern or uniform as prescribed for the Superintendents of jails, except that they shall wear three stars without the State emblem.

(xi) Shoulder and cap badges and buttons..

Shoulder badge:-	Silver - A.P.J.S.
Cap Badge:-	Silver with A.P.J.S. in laural wreath surmounted by the Indian State Emblem.
Buttons:-	Silver with A.P.J.S. within laural wreath surmounted by the Indian State emblem.

(xii) Tie:- Dark blue silk.

(xiii) Gaiters:- Brown leather.

(xiv) Gloves:- Tan leather.

(xv) Socks:- Khaki cotton or woolen mercerised.

Uniform of Jailors

123. The following uniform is prescribed for Jailors other than sub jail Jailors.

On ceremonial occasions

(i) The uniform on ceremonial occasions consists of peak cap jacket, whistle with khaki silk cord, slacks of the same material as the jacket, and shirt, brown boots or shoes, blue silk tie, khaki socks, sam brown belt and sword.

This ceremonial uniform shall be worn on all State ceremonies (for example on the arrival and departure of the Governor or the Hon'ble Ministers, or the Inspector General and presentation of guards of honour on such occasions) at ceremonial parades or whenever full dress is ordered.

On other occasions

(ii) The uniform on other occasions shall consist of peak cap, jacket or bush shirt or shirt, whistle with khaki silk cord, slacks of the same material as the jacket, or short to match the shirt, brown boots or shoes, khaki socks, or stockings, cloth belt of the same material as the jacket or sam brown belt.

Description of uniform

124. (i) Peak cap should be allowed to be used, on ceremonial and formal occasions, and pith hat or peak cap with the informal working dress.

(ii) Jaket:- Khaki drill police pattern as described in the Schedule below:—

SCHEDULE

Description of Jackets: Khaki Drill (during hot weather) or woollen khaki gaberdine (during cold weather) single breasted, cut as lounge coat to the waist, very loose at the chest and shoulders but fitted at the waist, military shirt to bottom edge. A silver plated hook on each side at the waist. Length as in ordinary civilian lounge coat, i.e., covering the seat. Collar to be cut as in any ordinary civilian lounge coat. Two cross patch breast pockets above, 16 c.m. wide and 19 c.m. deep to the top of the flap, with 6 c.m. box pleat in the centre fastened at the top with a small jail department pattern button; flap should be three pronged with button hole to cover pockets 6 c.m. deep and 14 c.m. wide; the extreme prongs of the flap to be fixed with press buttons. Two expanding pockets below the waist (pleates at the sides) 23 c.m. wide at the top, 26 c.m. at the bottom, 20 c.m. deep to the top of the pocket, fastened at the top with a small jail department pattern button, flap with button hole to cover pockets, 9 c.m. deep and 25c.m. wide, the top of the pocket to be tacked down at the corners in such a manner that the pocket can be expanded at the top also if necessary. Four medium Jail department pattern buttons down the front. The buttons should be so fixed that the bottom most button covers the navel and the top-most button fixed one third distance between the navel and the position of the tie knot. Pointed cuffs, 13 c.m. high at the point and 6 c.m. behind. Shoulder straps of the same material as the garment, sewn on and fastened with a small jail department pattarn button. The jacket to be worn with a soft or semi-stiff collared shirt and dark blue silk sailor-knot tie.

(iii) Slacks or trousers:- Khaki drill to match jacket without turn ups and shaped from instep to heels. The bottom to measure 46 to 48 c.m.

(iv) Shirts:- Khaki cellular or twill with two breast pockets of the jacket pattern with khaki bone buttons.

(v) Boots:- Plain brown leather with plain toe caps and nine pairs of eye-lets.

(vi) Shoes:- Plain brown leather derby shoes with plain toe caps with five pairs of eye-lets.

(vii) Belt:- Sam browne with white metal mountings (one sling only).

(viii) Sword:- Regulation police pattern.

(ix) Whistle:- Metropolitan with khaki silk cord carried in the left breast pocket.

(x) Sword knot:- Khaki silk.

(xi) Tie:- Dark blue silk.

(xii) Putties:- Khaki.

(xiii) Socks:- Khaki cotton or woollen.

(xiv) State emblem and stars:- These shall be of white metal. The State emblem to be 3 c.m. by 2 c.m. The stars to be of the "Star of India" (five pointed) pattern and 2.5 c.m. broad.

(xv) Shoulder and cap badges, Badge of rank and Buttons:—

Shoulder badge:-	White metal A.P.J.
Cap badge:-	White metal A.P J. with laural wreath surmounted by the State emblem.
Badge of rank:-	Three stars of white metal with blue and yellow ribbon.
Buttons:-	White metal A.P.J. with State emblem.

Uniform of the Deputy Jailers

125. Deputy Jailors and Assistant Superintendents of Borstal Schools shall wear uniform similar to that of Jailors. Badges of rank should be two stars with blue and yellow ribbon along with the A.P.J. sheulder badge. They shall not wear sword or frog to sam browne belt.

Uniform of Assistant Matron

126. The uniform for the Assistant Matron shall be either :-

(a) Pure white voile saree, and white voile blouse, black leather sandals. Shoulder straps of blue colour. Badges of rank should be two stars with blue and yellow ribbon along with A. P. J. white shoulder badge. Whistle with white lanyard,

or

(b) Blouse made of khaki drill, skirts made of khaki drill, Black leather shoes, Stockings, black mercerised, Khaki pith hat (Ellwood pattern) Buttons white A. P. J. Brown leather belt. Babges of rank should be two stars with blue and yellow ribbon along with A. P. J. shoulder badge; whistle with khaki cord.

Certain officers to provide their uniform

127. Jailors, Deputy Jailors, and Assistant Superintendents of Borstal Schools and Assistant Matrons shall provide themselves at their own cost with the uniform and belt prescribed above.

Provided that they will be entitled to the following grants for provision of uniform; the grant being admissible at intervals of five years, except during the last five years before retirement:—

(i) Jailors other than Sub Jail Jailors.	at Rs.100/-each.
(ii) Deputy Jailors, Assistant Superintendents of Borstal School and Assistant Matrons.	at Rs.80/-each.

Uniform of Chief and Head Warders and Gate-keepers

128. The uniform of Chief and Head Warders and Gate Keepers shall be as follows:—

(i) Jacket:- Khaki drill milltary pattern without side pockets, with gold Indian State emblem above the point of each cuff.

(ii) Trousers :- Khaki drill knickerbockers. On ordinary duty they shall wear Khaki "Shorts."

(iii) Boots:- Black leather ankle.

(iv) Putties:- Khaki.

(v) Turban:- Blue with gold lace 1.90 c.m. broad. Description as per Appendix-II

(vi) Belt:- Brown leather waist belt (over the jacket. Waist hocks to be worn to support the belt). Short sword to be used on parade and on ceremonial occasions.

(vii) Badges:- A. P. J. on shoulder straps.

(viii) Whistle:- Regulation pattern.

Note:— Head Warders shall wear gilt metal stars on the cuffs in lieu of Indian State emblem.

Uniform of First Grade Warders

129. First Grade Warder should wear khaki shirts and shorts as per Appendices III and IV. The putties shall be of dark blue. They will wear a blue turban with white stripes, with blue cloth "Shamla" with narrow gold lace and yellow silk fringes on the left side and small white metal jail depertmental turban badge on

the front and wear their number in white metal figures on the shamla. They will wear one chavron in gold braid on their right upper arm. They will wear a brown leather waist belt with Indian State Emblem with the words "Andhra Pradesh Jails" in the centre of the belt fitting and black leather boots. They will wear one whistle cord khaki. A warm cloth coat will be provided for round officers on night duty.

Uniform of Second Grade Warders

130. Second Grade Warders shall wear the same uniform as prescribed for First Grade Warders, except that they shall wear the turban with blue cotton pagri with white stripes, with blue cloth shamla without gold lace and with yellow cotton fringes as described in Appendix-I, and shall wear sandals while on duty. Woollen Jerseys shall be provided for sentries on night duty in cold weather once in every three years.

Warders to carry whistles

131. Every warder shall carry a brass whistle with whistle cord khaki.

Uniform of Female Warders

132. Female warders shall wear a saree of plain white with a distinguishing coloured border of violet, 2.5 c.m. wide on both edges of the saree and a white ravika and they will be allowed two of each of those articles per annum.

Supply of Uniform to Warder Establishment

133. (a) The members of the warder establishment will be provided at Government expence with the following articles of Uniform:-

(i) One suit of cotton (Khaki) drill 5.5 meters per suit) every nine months to warders employed in Jails, one blue pegri cloth 6.4 meters by 20 c.m. in two instalments of 6.4 meters by 10 c.m per issue and one pair of boots or chrame sandals annually and one pair of dark blue woolen patties (2.1 meters X 10 c.m. each puttie) once in eighteen months.

(ii) Gold laced one set of chavrons once in two years.

(iii) One blanket (with cotton warf and woollen weft) once in three years.

(iv) Five large and four small metal buttons for Chief and Head Warders and four large and four small metal buttons for first grade warders and four large and two small metal buttons for second grade warders, once in three years.

(v) Loom Durry one (6' X 2 ½") 180 cm. X 75 cm. Dark blue in colour, once in five years.

(vi) Two pairs of Military grey woollen socks per annum for Chief and Head Warders, Gate-keeper and First Grade Warders.

(vii) (a) Each Central Jail shall be provided with ten water proof caps, ten overcoats and ten umbrellas (for the use of sentries only) every three years. Likewise the District Jails shall be provided with five water proof caps, five overcoats and five umbrellas every three years.

(b) Turban badges will be of two sizes, viz., size No. I and size No. II. Size No. I to be worn by Chief Head Warders, Gate Keepers, Sub Jail Jailers and Head Warders. Size No. II to be worn by First and Second Grade Warders.

All buttons and badges should be of white metal.

(viii) Supplies of uniforms shall be obtained on indents in form prescribed passed by the Inspector General. (Form No. 42)

(ix) A register of articles of uniform shall be maintained by the Head Warder in Form prescribed. (Form No. 17)

(x) Every warder on appointment shall be supplied with the complete serviceable suits, one head dress and other articles of clothing and bedding.

(xi) Articles which have been replaced by new ones remain the property of the Government and should be disposed of as profitably as possible. They may, however, if the Superintendent, considers it desirable, be left with the jail warders, for rough wear.

(xii) Articles of uniform for the warder establishment shall as far as possible be manufactured in jails.

(xiii) To the warder establishment working in agricultural colonies and Prisoners Open Air Work Camps, "Shamlas" and "Sunhats" should be provided every alternative year at Government expense.

(xiv) Superintendents of Central Prisons and District Jails are authorised to incur expenditure for the upkeep of the uniform equipment of all ranks of warders (including Jawans First and Second Grades, Dafedars, Jamedars) subject to the condition that the annual expenditure does not exceed 10% of the cost of initial equipment. Details of the expenditure and the cost of initial equipment should be maintained in a separate register.

Uniform of Compounders.

(b) Compounders working in Jail hospitals will be provided at Government expense with the following articles of uniform each, annually:—

(i) White drill shirts — 2.

(ii) White drill trousers — 2.

(c) Nursing Orderlies will be provided at Government expence with the following articles of uniform annually:- Supply of Uniform to Nursing Orderlies

Male Orderlies:—

2 White drill coats.

2 Pairs of drill trousers.

1 White round drill cap with detachable red cross badge.

Female Nursing Orderlies:—

2 White Sarees.

2 White Jackets.

(d) (i) They will wear the following items of dress on all occasions:— Uniform of Drivers.

1 Berret, khaki woollen, with a jail department turben badge, size No. II.

2 Shirt as described in Appendix-III with bone or plastic buttons.

3 Slacks.

4 Belt. leather brown.

5 Socks.

6 Shoes black.

7 Whistle.

8 Whistle cord khaki.

9 Chavron triple embroidered on blue back-ground.

(ii) The drivers will be provided with the following articles of uniform at Government expense:-

One berret: two cotton khaki suits (5 meters cloth per suit); two pairs of socks; and one pair of shoes annually. One whistle cord and one set of chavrons once in two years. One brown leather belt once in ten years; one whistle once in 20 years and one turban badge once in 30 years.

134. The Chief Head Warders, the Gate Keeper, the Head Warder and other warders will be required if the Superintendent considers it necessary, to supply themselves with extra uniform at their own cost. Warders shall be required to supply themselves with banians or jerseys at their own expense and always to wear them under their uniform. Supply of extra suits

APPENDIX I

DESCRIPTION OF WARDER'S TURBAN

Police shamla pattern, made up to look as if a shamla has been tied of a shamla cloth of blue colour with the ends striped blue and white and with blue kullah. Height of the turban upto the tip of the kullah 23 c.m. Height at the badge base 11 c.m. width of the blue turban border cloth 10 c.m. Seven equidistant white inter woven with blue stripes of 2.5 c.m, each to be on the right side. The second stripe from the top should be exactly centred at the tip of the turban. Back of the turban should have turban border cloth 7 c.m. wide, with three horizontal stripes. Right side above the turban border cloth should have four folds of mould covered with blue cloth. Left side of the turban should be of blue cloth with twenty folds of pagri. The width of the pagri to be 6 c.m. Inside should be lined with blue cloth and with rexine sweat protector of 2.5 c.m. width. Top inside to have fixed transparent plastic cloth. The kullah should be blue in colour exactly the same shade as that of the turban border cloth and should be of quilted cotten. The quilts should be vertical all the quilts meeting at the Zenith of the kullah. The kullah should have four eyelets, two on each side. A small white metal jail department turban badge on the front should be worn. The turban should be made of Papier-mache. On the left there will be a turra of the following specifications:- A turra of turban border cloth, 6 c.m. in width, with one horizontal stripe in the middle and yellow fringed ends of 2.5 c m. length. The turra will be pinned down, the fringe end touching the bottom of the turban.

NOTE:—In the case of the First grade warders and Head warders the white stripes on the turban border cloth will be interplaced with gold, and fringe will be of yellow silk.

APPENDIX II

DESCRIPTION OF TURBANS OF CHIEF HEAD WARDERS. GATE KEEPERS AND HEAD WARDERS.

The Chief Head Warders, Gate Keepers, Sub-Jail Jailors and Head Warders shall wear turbans of similar description as in Appendix-I, but with slight modification as stated below:-

The turban should be made from blue silk cloth. It should have gold lace stripes of 2 c.m; wide in front. It should not have turra. A jail department turban badge of size No. 1 shall be worn on the turban in front.

APPENDIX III

DESCRIPTION OF SHIRT

Khaki shirt, the collar should be attached and two pleats should be had at the back of the shirt ranging down the yoke. Shoulder straps should be sewn on and fastened with small white metal buttons with A.P.J. and State emblem. The shirt should have two breast pockets, of the size 17 c.m. length and 15 c.m. width, with box pleat 4 c.m. wide in the centre. The pockets will be covered with plain flaps without any prongs with round corners and fastened with press buttons at the round corners and with a small white metal button as specified above. The shirt should have three large white metal buttons with A.P.J. and State emblem, down the front, the centre button being in line with the tops of the two breast pockets. The shirt should have full sleeves with single plain cuffs, 8 c.m. wide, each fastened with a small khaki bone or plastic button. The sleeve should be rolled up with a width of 9 c.m. to 10 c.m. and should be 2.5 c.m. above the elbow joint. Shirt should not have button or button hole at the neck.

NOTE:— The sleeves may be worn full length when ordered in the evenings, during cold weather or as may otherwise be necessary.

APPENDIX IV

DESCRIPTION OF SHORTS

Khaki drill, the shorts to be down to 5 c.m. above the knee cap. The waist band to be 9 c.m. in width. There should be three triangular loops (the apex being rounded and having button hole) for passing the belt, one at the back and one each on either side. Each loop to be fixed with a small khaki bone or plastic button stitched on the shorts.

Responsibility for uniform supplied by Government

135. Officers supplied with uniform at Government cost are prohibited from selling it and any unauthorised attempts to dispose it of shall render the officer liable to prosecution. All suits and turbans shall clearly and permanently be stamped with the date of issue and this date shall be renewed when necessary. At every kit inspection all members of the Warder establishment shall produce two complete sets of uniforms. If any article is lost, or rendered unfit for use before the date fixed for issue of a new supply, it shall, be replaced at the officer's expense.

CHAPTER X

SECURITY DEPOSITS

Officers required to furnish security

136. (a) Every Jailor, Deputy Jailor, Assistant Matron, or clerk who is appointed either permanently or on probation or to act for a period of more than four months shall furnish security in the following amounts:—

1.	Jailors in the Central Prisons Permanent, Probationary or acting.	Rs.3,500
2.	Deputy Jailors and Assistant Matrons in Central Prisons or Jailors in the District Jailr Permanent, probationary or acting.	Rs.2,000
3.	Upper Division Clerks Permanent or acting.	Rs.1,200
4.	Lower Division Clerks Permanent or acting.	Rs.1,000

(b) Temporary clerks employed in the manufactory department, shall be required to furnish security on the scale laid down for permanent clerks.

(c) Manufactory employees shall be required to furnish five times the minimum pay of the post as security.

Method of depositing Security

137. Ordinarily the officers required to furnish sequrity should deposit the whole amount of security on appointment. They may however, be allowed the option of binding themselves by two responsible sureties for the whole amount and agree to monthly deductions at 10 percent of their salary. In calculating the monthly deductions, fractions of fifty paise and above shall be taken as a rupee and fractions below fifty paise shall be ignored.

Fidelity bond

138. Procedure in respect of fidelity bonds executed by officers-vide item (6) of Article 279 and Article 282, Andhra Pradesh Financial Code, Volume I.

Superintendent's responsibility in other cases

139. The Superintendent shall be responsible for bringing to the notice of the Inspector General any other cases, in which he considers that security should be taken, for consideration and determination of the amount as well as the monthly instalments, if any, to be fixed.

Record of deductions from salary.

140. The deductions from salary towards security shall be recorded in a separate column of the acquittance roll, the deposits so recovered being credited to the subordinates concerned.

Investment of deposits.

141. Investment of deposits-vide Articles 279 and 289 Andhra Pradesh Financial Code, Volume I.

Security in Government paper.

142. When security is given in the form of Government paper, it should be accepted at 5 per cent below the market price or at its face value, whichever is less. This rule, does not however, affect securities already furnished except to the extent provided in rule 143.

Superintendent's annual scrutiny of the market value.

143. Superintendents shall, at least once a year, see that the market value of Government paper which their subordinates have furnished as security is sufficient to cover the amount of security required. The valuetion should be made with reference to the prices prevailing on the 1st May last. It will be necessary to readjust the amount of Government paper only if (i) the securities have appreciated so considerably that notice of the face value of Rs.100/- or more may be withdrawn still leaving a balance, the market value of which is sufficient to cover the amount of security plus 5 percent to provide against fluctuations, or (ii) the value of Government paper has so depreciated that additional security of the face value of not less than Rs.100/- should be deposited to bring the total market value up to the amount of the deposit required plus 5 per cent. Any re-adjustments under clause (i) need be made only if the depositor himself desires it, while in the case of clause (ii) re-adjustments should be made irrespective of the depositor's wishes.

Post office five year cash certificates.

144. Post Office five-year cash certificates may be accepted at their present value i.e., surrender value, provided that the certificates are formally transferred to the pledgee with the sanction of the Head Post Master concerned in accordance with paragraph 5, section VII of the Post and Telegraph Guide.

Deposit receipts of Banks.

145. Deposit receipts of the State Bank of India and of Central Co-operative Banks approved by the Registrar of Co-operative Societies may be accepted, provided;

(i) That the deposit is made in the name of the Government Officer who is authorised to receive such deposits, or that the Banks certify on the deposit receipt, if it is in the name of the pledger, that the deposit can be withdrawn only on the demand or with the sanction of the officer to whom it is pledged, and

(ii) That the subordinates agree in writing to undertake any risks involved in the investment.

Custody of promissory notes.

146. Government Promissory notes deposited as security shall be lodged for safe custody with the Reserve Bank of India in accordance with the rules in Chapter VIII of the Government Securities Manual.

Cash deposits.

147. Security deposits in cash shall be invested in the Post Office Savings Bank in accordance with the rules of the Post Office Savings Bank. If the depositor so desires, the security deposit in the Savings Bank may also be invested in Government securities as laid down in Note 2 under paragraph 86 of the Government Securities Manual.

Custody of Pass books and bonds.

148. All security pass books shall be kept in the personal custody of the Superintendent to whom they are pledged. The same rule applies also to the security agreements or bonds.

Annual count and check of securities by Superintendents.

149. All securities received shall be counted and checked by the Superintendent periodically at least once a year.

In the case of securities lodged with the Reserve Bank of India, the Superintendent will watch for the arrival list published by the Reserve Bank of India of the notes in its custody and bring to its notice any omission or error in which he is concerned (paragraph 88 of the Government Securities Manual).

Execution of security bonds.

150. Every officer required to deposit security against loss through dishonesty, negligence or disregard of rules shall execute a bond in one of the models of Form No. 19, Andhra Pradesh Financial Code, Volume I according to the nature of the security given. In the case of monthly payments, the officer shall furnish two sureties for attestation when executing the bond in Form No. 43. As soon as the monthly deductions and interest, if allowed to accumulate, amount to the full sum of security required, a fresh bond in one of the models of Form No. 19 Andhra Pradesh Financial Code, Volume I (as the case may be) shall be executed, when the bond in Form No. 43 will be discharged and the sureties released from any obligation there-under. Under article 284 of the Andhra Pradesh Financial Code, Volume I, these bonds need not be registered unless, in any particular case, the Inspector General considers that the Government's interest would be prejudiced by not registering it. In all cases where registration is considered necessary it shall be done at the expense of the Government.

Retention of deposits and bonds.

151. Security deposits shall be retained for at least six months from the date of vacation of office, but the security bond shall be retained permanently or until it is certain that there is no further necessity for keeping it.

Submission of statements regarding security.

152. The Superintendent shall maintain a register of security deposited by each officer in Form No.45

CHAPTER XI

THE JAILOR

Statutory Provision

Section 16 of the Prisons Act, 1894, requires that the Jailor shall reside in the premises of the prison, unless the Superintendent permits him in writing to reside elsewhere. Under section 19, he shall not be absent from the prison for a night without permission in writing from the Superintendent; but if absent without leave for a night from unavoidable necessity he shall immediately report the fact and the cause of it to the Superintendent. Under section 17, he must give immediate notice of the death of a prisoner to the Superintendent and Assistant Surgeon. Section 18 makes him responsible for the safe custody of records, commitment warrants and other documents confined to his care, and for money and other articles taken from prisoners.

General duties of Jailor

153. The Jailor is the Chief Executive Officer of the Jail and is immediately subordinate to the Superintendent. He is generally responsible for the observance of all prescribed rules and orders and for the supervision of and daily allotment of work to the subordinate staff.

Maintenance of discipline

154. The Jailor's main duty is the maintenance of discipline among prisoners and subordinates. For this purpose he must be always present at the jail during the day except when he leaves it for his meals, to attend a court of Justice, to avail the off-day once a week or on permission from the Superintendent. He shall reside in the quarters provided for him at the Prison.

To be present in absence of Deputy Jailor

155. The Jailor and the Deputy Jailor shall not be absent from the jail at same time during the day. The hours of their meals shall be so arranged that at least one of them is present in the jail and the absence of the officers shall in no case exceed two hours.

Daily inspection

156. The Jailor shall visit every part of the jail daily, and shall see every prisoner at least once in every 24 hours.

Attention to persons of prisoners

157. The Jailor shall see that prisoners are clean in their person and clothes, that they have the authorized amount of clothing and bedding and no more, and that those who are liable to be fettered are securely fettered.

Search of prisoners

158. He shall at uncertain times; but at least once a week, cause every prisoner, and all clothing, bedding, workshops, wards and cells to be thoroughly searched and see that there are no prohibited articles hidden away or anything that can assist in

escape and that the means of Security in the different blocks, yards and workshops are effective. The date of this search shall be recorded in his report book. The barracks, bedding and clothing of known dangerous inmates should be checked up every day.

Labour of Prisoners.

159. He shall be responsible for the execution of all orders regarding the labour of prisoners, shall assign to each prisoner his work, and see that the prescribed tasks are performed. He shall record all changes of labour in the History Ticket of convicts. He shall instruct the subordinate officers to check the extramural gang frequently and he shall, also visit these gangs periodically and satisfy himself that the work is going on properly.

Supply of food.

160. He shall supervise the cultivation of vegetables, plants, lime, tamarind, mango, and other antiscorbutic fruit trees in the garden and be responsible for the adequacy of the supply of vegetables and other garden produce. He shall likewise supervise the jail farm and all other outside operations. He is, jointly with the Assistant Surgeons, responsible for the proper preperation and distribution of the food.

Supervision of guard, Arms Ammunition etc;

161. (1) He shall supervise the working of the warder guard. At least once a week, at uncertain times, he shall visit the jail after 8 p.m. and satisfy himself that the standing guard is present, the sentries posted are on the alert, and that the rounds are being properly maintained. He shall record his visit together with his observations the next morning in his report book.

(2) The Jailor shall supervise periodically all arms, ammunition and accountrements, which shall be in charge of the Deputy Jailor and who is responsible for the safety and maintenance of the same, with the assistance of a Head Warder.

Enforcement of terms of warrants

162. He shall be responsible for the custody of all warrants and for the strict enforcement of their terms; and that no prisoner is on any account released before his time or kept in jail beyond the termination of his sentence. If solitary confinement is imposed in addition to imprisonment, the jailor shall see that the prisoner is brought up at the proper time to be placed in the cells.

Note:—Concerning the responsibility of the Jailor in connection with prisoners who have been admitted to jails as "approvers" See Rule 731.

Check of warrants.

163. The Jailor shall once a year, usually in March, go through all the warrants in his possession compare them with registers, and satisfy himself that they are correct. He shall enter a certificate to that effect in his report book and a copy of it shall be submitted to the Inspector General by the 10th April.

Supervision of Jail office

164. Though the Jailor's main duties relate to the direct control of the prisoners and staff, he shall also exercise general supervision over the jail office, where there is no office Superintendent. He shall periodicaly check the papers of every clerk in his office by taking regular returns of pending papers. He is also responsible for the proper working of the various workshops of the jail and production.

Maintenance of Report Book

165. (1) The Jailor shall keep a Report Book, in form No. 3 in which he shall duly record :—

(a) The hour of unlocking and locking and by what officers they were performed;

(b) The number of prisoners admitted, discharged and locked up;

(c) All reports made against subordinates, all serious breaches of discipline on the part of subordinates and prisoners, the offence charged, the time of its occurrence and other circumstances connected with it;

(d) All cases in which he may have found it necessary to use restraint to any prisoner;

(e) How for he has omitted any of the duties required by these rules, and the reason thereof;

(f) The absence of any subordinate officer from duty and requests for leave of absence;

(g) Requests for sanction of unusual expendature;

(h) Requests for the employment of prisoners in any special manner;

(i) Any representations or recommendations he may deem proper to make;

(j) Any unusual occurrence or matter of importance;

(k) Any matter on which he may require orders;

(2) He shall also maintain a barrack wise list of all prisoners and see that orders are properly implemented by maintaining similar list for each barrack.

NOTE:— See also rule 201 (4); 553 (1). Each day's report shall be dated and a consecutive serial number running through the calender year shall be given to the subjects dealt with. See also rules 158, 161, 769, 780 and 819 regarding other matters to be recorded in the Jailor's Report Book.

(3) He shall also be incharge of all the Dead stock articles and shall maintain the concerned Registers.

Perusal of Jailor's Report Book by the Superintendent

166. The Jailor's Report Book shall be laid daily, and oftener if necessary, before the Superintendent for his perusal and the issue of such orders as may be necessary. If the Superintendent has no remarks to make or orders to give he shall append his initials with the date.

Emergent written directions of the Medical Officer to be carried out

167. The Jailor shall carry out forthwith emergent written directions of the Medical Officer regarding the sick in hospital, or regarding sanitary arrangements, entering all such directions and the action taken thereon in his Report Book for the information of the Superintendent.

NOTE:— See also the follwing rules:-
260 et. seq. Daily routine;
862 et. seq. Maintenance of registers.

Permission to subordinate officers to absent

168. The Jailor is authorised to grant leave of absence from the prison to any subordinate officer without the sanction of the Superintendent, but such leave shall not extend beyond four hours and during the subordinate's absence the Jailor shall be held personally responsible for the due performance of the absentee's duties.

Weekly parade of prisoners

169. The Jailor shall at the weekly parade examine every prisoner and certify in his report book to the following points:—

(1) That the fetters of the prisoners in irons are secure.

(2) That every prisoner in irons has, if necessaay, a pair of leather gaiters.

(3) That every prisoner has his hisory ticket.

(4) That all barracks and cells have been inspected daily and found secure.

(5) That every prisoner has his authorised quantity of clothing and bedding and they are clean and in good order.

Placing of prisoners in Irons

170. The Jailor cannot of his own authority except in case of urgent necessity, place any prisoner in irons or under mechanical restraint; where a prisoner is placed in irons or under mechanical restraint in case of urgent necessity the Jailor shall enter the circumstances in his Report Book.

CHAPTER XII

THE DEPUTY JAILOR

Statutory Provision

Under section 20 of the Prisons Act, 1894, a Deputy Jailor shall, subject to the orders of the Superintendent, be competent to perform any of the duties, and be subject to all the responsibilities of a Jailor under the Act or any rule thereunder

General duties of Deputy Jailor

171. The Deputy Jailor is the Jailor's immediate subordinate whose duty is to take his place whenever he is absent and to undertake whatever portions of the Jailor's duties are delegated to him under proper authority.

To officiate for Jailor

172. On days the Jailor is allowed an off-day in a week, and on other occasions when the Jailor through illness or other cause is absent, the Deputy Jailor shall officiate for him, keeping the Report Book for the day and performing all other prescribed duties. On every occasion on which the Deputy Jailor officiates for the Jailor, he shall possess all the powers and responsibilities of that officer.

Inspection of prison

173. The Deputy Jailor shall visit the prison at night at least once a week in the manner provided and for the purpose mentioned in Rule 161.

Duties in detail

174. The following duties appertain to the Deputy Jailor, viz:—

(a) Superintendence of the admission and search of prisoners;

(b) Custody of prisoners property inclusive of private clothing except cash. The jewellery, if any, would rest with the Jailor;

(c) Examination, weighing and storing of all grain and other rations purchased;

(d) Supervision of the cleaning of grain, vegetables and other articles of diet;

(e) Weighing and issue of rations;

(f) Maintenance of the ration accounts and ration registers in the prescribed forms;

(g) Maintenance of accounts for extra articles purchased by civil debtors;

(h) Keeping of the godowns, etc., in proper order and proper and systematic arrangement of all stores in the godowns;

(i) To be incharge of all factories, production maintenance of task boards, procuring of sufficient labour for factory work, from the Jailor, who is incharge of assigning labour to prisoners;

(j) Charge of sales room;

(k) Removal of private clothing from prisoners on their admission; issue of jail clothing and bedding; correct marking of "Aluminium breast tickets" and placing of prisoners in quarantine soon after their admission;

(l) Custody of prisoners' private clothing and jail clothing stores; and issue of fresh clothing to prisoners;

(m) Maintenance of the clothing registers in the prescribed forms;

(n) Conducting prisoners' interviews if conversant with the language spoken at the interview;

(o) Supervision of punishment diet;

(p) Supervision of the jail library;

(q) Supervision of the dairy and the maintenance of its accounts;

(r) Charge of the quarantine and of the civil and leper annexes where such annexes exist;

(s) Censoring of letters addressed to and sent by the prisoners and the disposal of such letters under the orders of the Superintendent;

NOTE:— The letters shall be Placed before the Superintendent after being censored, for his orders regarding their disposal.

(t) Incharge of Arms, ammurition and accountrements, their maintenance and safety, and

(u) Other duties which the Superintendent may impose in writing.

NOTE: (1) In jails where there is only one Deputy Jailor, all the duties mentioned in the rule above shall be performed by him subject to such modification as is considered necessary by the Superintendent, which shoud be recorded in the Superintendent's Order Book.

(2) The duties specified in rules 171 and 172 may be discharged by the Senior Deputy Jailor, in jails where there are more than one Deputy Jailor.

Delegation to Deputy Jailor of Jailor's duties

175. In addition to the duties specified in Rule 174, the Superintendent may, by an order to be recorded in the Superintendent's Order Book, allot to the Deputy Jailor any specified portions of the Jailor's duties other than those referred to in Rules 153, 154, 156, 162, 164, 165, 867 and 886. If for instance the Deputy Jailor is better fitted than the Jailor for the supervision of the garden or farm (Rule 160), that duty may be entrusted to him.

Joint responsibility with Jailor

176. The Deputy Jailor shall share the Jailor's responsibility for the carrying out of rules (Rule 153) and for the maintenance of discipline (Rule 154). He shall not be absent from his quarters at night without the written permission of the Superintendent.

Check of valuable property

177. The Deputy Jailor shall once a year, usually in March, go through all the valuable property in his possession, compare them with the registers, and satisfy himself that they are correct. He shall furnish a certificate to the Superintendent to this effect and a copy of it shall be submitted to the Inspector General by the 10th April.

Other official to work where there is no Deputy Jailor

178. In prisons where there is no Deputy Jailor some responsible official or clerk may, with the sanction in writing of the Inspector General, take the place of the Deputy Jailor.

CHAPTER XIII

OFFICE ADMINISTRATION

Duties of Ministerial personnel

179. In all jails, the duties to be assigned to the Ministerial personnel shall be determined by the Superintendents who shall ordinarily be guided by the following general rules:

(a) The senior most Upper Division Clerk shall be placed incharge of the manufactory stores and designated as the Store Keeper; the second Upper Division Clerk shall hold charge of the accounts, returns, and correspondence of the general section and he shall be designated as the Head Clerk. The third Upper Division Clerk shall be placed incharge of the Remission section and shall be designated as Chief Remission Clerk.

(b) The Lower Division Clerks assisting the Store Keeper and Head Clerk shall be disignated as Assistant Store Keeper and Assistant Head Clerk respectively. The two Lower Division Clerks assisting the Chief Remission Clerk shall be designated as Remission Clerks, and shall assist the Chief Remission Clerk in; implementing the remission system; preparation of statistical returns, appeals, petitions, and history tickets of prisoners; correspondence relating to Advisory Boards, release on parole and furlough of prisoners etc. The other Lower Division Clerks if any, shall perform such miscellaneous duties as the Superintendent may assign to them.

(c) In each jail where there is an attender, the Superintendent shall put him incharge of the records under the direct supervision of the Head Clerk. If there is no attender in any jail, the Junior Lower Division Clerk shall be put incharge of the records. The person put incharge of the records shall be designated as Record Keeper.

(d) In each Central Prison, there shall be an Office Superintendent, who shall supervise the work in all branches of the jail office besides maintaining the general cash and cash book.

NOTE:— See chapter LIII for duties of the Store Keeper.

180. (1) The Lower Division Clerks and the Upper Division Clerks shall keep all books, accounts etc; under the orders of the Superintendent and immediate supervision of the Office Superintendent. Where such post does not exist, the books accounts etc., shall be maintained under the immediate supervision of the Jailor.

(2) The duties and hours of attendance of each clerk shall be entered, and the books kept by him detailed, in the Superintendent's Order Book (Form No. 4) a copy of such order

being hung up over each clerk's desk. The Office Superintendent (where such post exists) or the Head Clerk (where the post of Office Superintendent does not exist) shall be held responsible to see that the books, papers, files etc; are kept clean and in proper order. He shall bring to the notice of the Superintendent any arrears or irregularities in the work of the office which may in any way come under his observation.

CHAPTER XIV

WOMEN OFFICERS

Appointment of female Officers

181. There shall be five classes of Women Officers, viz., (1) Assistant Matron (2) Female Clerks (3) Female Teachers and Instructors (4) Female Warders and (5) Female Nursing Orderlies. In every jail in which female prisoners are confined there shall be such number of officers of each class as the Government may direct.

Duties of Assistant Matron

182. (1) The Assistant Matron shall perform all the duties of the Jailor and Deputy Jailor.

(2) Assistant Matron shall act as the immediate subordinate to the Superintendent and perform the duties delegated to her by the Superintendent of the jail by an order recorded by him in Superintendent's Order Book. She will be relieved by the Female Clerk or Teacher for her meals and on weekly off-days.

Procedure when female prisoner is detained in cell

183. When a female prisoner is detained in a cell in the female enclosure, the matron or a female warder shall always be present in the enclosure with the cell key in her possession to attend to the prisoner's wants and keep her under observation.

Maintenance of Report Book

184. The Assistant Matron shall keep a report book in Form No. 3.

Procedure where there is no Assistant Matron

185. In jails where there is no Assistant Matron but only a female warder, she shall, subject to the general control of the Superintendent and Jailor, have the entire care and Superintendence of the female prisoners and she shall discharge the following duties.

(1) She shall be present at the opening of the wards and mustering of female prisoners every morning. She shall also be present at locking up and see that every prisoner is present. During the day she shall have the custody of the keys of the wards, cells and yards in which female prisoners are confined, and at night, after locking up, she shall deliver them to the Jailor.

(2) She shall see that the wards are thoroughly cleaned as soon as the prisoner turn out in the morning, at which time also the latrines, bathing places and all other parts of the female prison shall be swept and cleaned.

(3) Subject to the control of the Superintendent and Jailor, she shall allot the tasks to the female convicts sentenced to labour, and shall see that they are duly performed.

(4) She shall see that the female prisoners are clean in their persons and clothes; that they have the prescribed amount of clothing and no more; that their clothing and bedding are properly aired and folded and arranged in the place assigned to each prisoner.

(5) She shall search all female prisoners on admission and remove all prohibited articles found upon them. Money or other property delivered with them, or found on them, shall be dealt with in accordance with rules 244 and 476 et seq. She may search any female prisoner at any time and shall do so when directed by a superior officer. The search shall not be made in the presence of males.

(6) She may take care that no male prisoner enters the female prison unless accompanied by an authorised jail officer as provided in Rule 819 (1).

Duties of female Warders.

186. Female Warders have the same duties in regard to female prisoners as male warders have in relation with male prisoners. A female warder shall invariably form part of the escort of female prisoners sent to appear before courts or under transfer.

CHAPTER XV

THE WARDER ESTABLISHMENT

Government to fix permanent strength

187. The permanent strength of the warder establishment in each jail shall be determined from time to time by the Government having regard to the requirements of the Department.

Sanction to temporary additions (a) generally

188. The Inspector General may, in respect of any jail, sanction the employment of such temporary establishment in addition to the permanent establishment provided for in the last preceding rule as may at any time be urgently necessary; provided that all temporary establishments sanctioned otherwise than in accordance with the next following rule shall be so sanctioned subject to the approval of the Government, and that no such establishment shall be sanctioned in any case in which previous reference to the Government can, without danger or inconvenience, be made.

(b) In special cases

189. The powers of the Inspector General to sanction the employment of temporary warder establishment are set out in Article 63 Andhra Pradesh Financial Code, Volume I, and the rules delegating powers to Heads of Departments to create temporary posts in part B of the Andhra Pradesh Service Manual, Volume IV.

Superintendent's powers in emergencies

190. Where the Superintendent considers that it is necessary for any reason to employ any number of warders in excess of the sanctioned scale, and the matter is so urgent that the previous sanction of the Inspector General cannot be obtained, he may, subject to immediate reference to the Inspector General, employ such number of temporary ordinary grade warders as may be necessary.

Duties of Chief Head Warder

191. (1) The Chief Head Warder is, subject to the general control of the Jailor, the head of the warder establishment and responsible for its working and for the due carrying out of all rules relating to it and to the guarding of the jail.

(2) He shall assist the Jailor at unlocking and lock-up. He shall visit the guards and sentries frequently by day and at least twice a week at night, and shall make an entry of the hours of these visits, and of any irregularities he may discover, in his Report Book, which he shall maintain in form similar to that of the Jailor (Form No.3), and shall submit it daily to the Superintendent. He shall keep the attendance, duty and other rosters and the registers of the warder establishment. He shall be exempt from the duties specified above during his absence on weekly off-days.

(b) To prevent all indisciplined and unseenly behaviour and to report the offenders;

(c) To see that the prisoners keep order in moving about and do not loiter about the jail;

(d) To see that no prisoner leaves his own enclosure, or communicates in any way with any prisoner in a different enclosure, or with any person outside the jail;

(e) To abstain from all familiarities and unnecessary communication with prisoners;

(f) To see that there is no dirt or litter in any part of the jail of which they are in charge, and that the drains are kept properly clean;

(g) To see to the cleanliness of the persons and clothes of the prisoners in their gangs; that the prisoners bathe as often and at such hours as may be ordered; and that the bedding and clothing are well aired according to order;

(h) To bring at once to the notice of the Jailor any signs of sickness or any prisoner complaining of sickness;

(i) To prevent any breaking up of the gang of prisoners entrusted to their special charge, except only when necessary; to make over to a convict officer any prisoner desiring to go to the latrine, and to see that he is not too long away from his work and is not permitted to go to any place hidden from view whence he may effect his escape;

(j) To report any case of wilful injury to clothing or materials for work or other Government property;

(k) To prepare the prisoners for morning and evening muster by the Jailor, to report at once to that officer any prisoner who may be absent, to see that each prisoner comes to his proper place in proper order, and behaves well and keeps silent during meals;

(l) To examine the wards, cells, bedding and clothing directly the prisoners have turned out, and to report at once any prohibited articles found;

(m) To see that the cooks supply each prisoner with a proper amount of food, and that no food is secreted by the prisoners; to report the cooks whenever they neglect their work;

(n) To report any defect in locks, bolts, or bars, and any tampering with these articles or keys; to keep all keys entrusted to them on their person, and not to leave them lying about;

(o) To treat prisoners with humanity and bring their complaints and grievances to the notice of their immediate superior with as little delay as possible;

(p) To report any plots against the prison authorities for the purpose of escaping, assault or outbreak, or for obtaining forbidden articles and to report every breach of prison rules;

(q) To keep their uniforms in good order;

(r) To search all prisoners of their gangs at the time they are made over to them, like-wise before they give over charge of them to any other person, and at such other times during their watch as may be necessary, and to report the discovery of any forbidden articles upon any of the prisoners in their charge or on their beat; and

(s) To prevent the use of or possession by prisoners of any articles not permitted by rules; to see that prisoners in the prison garden do not steal vegetables or fruit, and that they drink no water except that set apart for their use.

Duty of Warder on relief

195. No warder shall, in any circumstances, leave his post till properly relieved, and his responsibility shall continue till so relieved; provided that he may leave his beat to prevent or to assist in subduing a disturbance taking place within his sight when he is on main wall patrol duty, or, when he is incharge of prisoners, if he can do so without serious risk to the safe custody of those prisoners. If the warder concerned fails to do all in his power to prevent an escape or to assist in subduing a disturbance taking place within his sight, it rests with him to show that the circumstances were so exceptional as to justify his abstaining from preventing such an escape or refusing to assist in subduing such a disturbance. A warder relieved by another warder shall explain to his successor his duties and any special orders that may have been given to him by his superior officers. The relieving officer shall satisfy himself that the property and number of prisoners made over to him is correct.

Duty of Warder incharge of workshed

196. Warders in charge of worksheds shall be responsible for all tools and property kept in them, and shall see that these are carefully put away or stored on ceasation of labour, and that no ropes, bamboos, ladders, or other things likely to facilitate escape, are left about.

Duty to disclose relations with prisoners

197. If any warder has relations or connections among the prisoners, or has had any pecuniary dealings or close acquaintance with any of them, it is his duty to inform the Superintendent or Jailor of the fact.

198. Standing orders for warders are specified in Appendix-II, Part-XIV. A printed copy of these orders shall be kept in a prominent place near the Chief Head Warder's room so that they may easily be referred to by these warders whenever they desire to do so.

CHAPTER XVI

THE GATE KEEPER

Statutory provisions

Under Section 21 of the Prisons Act, 1894, the officer acting as Gate-keeper, or any other officer of the prison, may examine anything carried into or out of the prison, and may stop and search or cause to be searched any person suspected of bringing any prohibited article into or out of the prison, or of carrying out any property belonging to the prison, and if any such article or property be found, shall give immediate notice thereof to the Jailor.

A Gate-Keeper to be on duty record of reliefs

199. (1) In every jail there shall be a Gate keeper of the rank of Chief Head Warder. He shall be on duty at the main gate between the hours of opening the jail in the morning and closing it at night, his place being taken during temporary absence for meals, weekly off days, etc., by either the Chief or Head Warder. He shall never leave his place till relieved by another officer. The Gate-Keeper will be under the general control of the Jailor.

(2) At every relief of a Gate-Keeper, a note indicating the hour of such relief shall be recorded in Register in Form No. 20 and signed by both the relieved and relieving officers.

Persons authorised to enter and leave the Jail

200. (i) The Gate-keeper shall be responsible that no one enters or goes out of the prison gate except prison officers, officials and non-official visitors, persons holding a pass from or accompanied by the Superintendent or Inspector General, prisoners accompanied by a superior officer, and persons accompanied by the Jailor with the permission of the Superintendent. He shall be furnished with a list of visitors entitled to enter the prison.

(ii) An area should be demarcated around the Institution. It should be out of bound for the public. Only persons who have been authorised should be permitted to enter this area.

(iii) All initial enquiries by members of Public shall be made at the enquiry office set up at a suitable place.

(iv) A waiting room with all amenities for visitors shall be located near the enquiry office. A list of contraband articles and prohibited acts shall be perminently displayed in regional language on a notice board kept in or near the waiting room for the information and guidance of visitors.

Power to search visitors

201. (1) All official and non-official visitors and casual visitors admitted with or under the orders of the Superintendent, respectable merchants, pleaders and the officials of other departments, visiting

the jail on business or on duty, and the subordinate establishment of the jail except First and Second Grade Warders shall ordinarily be exempt from being searched.

(2) Should the Gate-Keeper have reason to suspect that any person, ordinarily exempt from search is introducing or removing prohibited articles, he shall detain such person between the gates, and send notice to the Jailor, who shall himself if he thinks necessary conduct a search.

(3) Females shall only be searched by the Assistant Matron or a female warder, in private, and without the presence of any male officer.

(4) The Jailor shall occasionally, and at least once a week, at unexpected times, search some of the officials of the jail, subordinate in rank to himself, and who are ordinarily exempt from search, on their way into or out of, or when inside the jail, and shall report the circumstance that he has done so, with the results, in his report book.

(5) The search of all officers ordinarily exempt from search shall be conducted by the Jailor with as much privacy as possible.

(6) Should any person other than a jail officer or prisoner decline to submit to be searched, or decline to deliver up any transferable articles in his possession to the temporary custody of the Gate-Keeper, when required to do so, he shall be denied admission.

Note: (1) This rule must be worked with circumspection so as not to offend the feelings of officers and others.

(2) For the purpose of this rule, the subordinate establishment of the jail includes Assistant Surgeons on jail duty.

General duties of Gate-Keeper

202. (1) In addition to the duty prescribed for Gate-Keepers in section 21 of the Prisons Act, 1894, the Gate-Keeper shall maintain such registers and enter therein such particulars as the Inspector General may from time to time prescribe in that behalf.

(2) The Gate-keeper shall comply with all rules, regulations, directions and orders for the time being in force, regulating the persons who may be permitted ingress to, and egress from, and the articles which may be taken into, and brought out of, the jail.

Records of persons and things entering and leaving jail

203. (1) The Gate-Keeper shall keep a record in the register prescribed in Form No. 20 of the name of every person, and a brief description of every article of whatever kind, that passes into or

out of the jail, with the hour and minute of such passage, and in the case of articles, the name of the person in whose custody they passed through.

(2) He shall require the production of a pass signed by competent authority, by every person not entitled to admission without one, and in respect of every article without exception that he allows into or out of the jail, and shall file all such passes as his authority for action. For the forms of these passes see Nos.22, 23 and 24 which will be supplied in books. Forms Nos. 22 and 23 (CF. No. 305) will be in foil and counterfoil and machine-numbered, while Form No. 24 will be in books of 50 forms in triplicate one below the other and machine numbered.

(3) He should make entries in relevant registers about property, cash, jewellery etc., of prisoners and the same should be read out to the prisoners and their signatures/thumb impressions obtained. The officer-incharge of escort should also sign.

NOTE:— In respect of passes issued in form No. 23 the initials of the competent authority will suffice vide Rule 946.

204. (1) The record of all persons who pass into or out of the jail, prescribed by the preceding rule, shall be kept in two separate registers, namely:— Particulars of record

(a) In form No.21 of all prisoners, with the names of the officers in charge of them, and

(b) In form No. 20 of all other persons.

(2) The description of articles shall be no more than sufficient to permit of subsequent check; in the case of factory parcels, packed and sealed, description of their contents is unnecessary.

(3) All entries relating to persons or articles shall be made at the time of their passage through the gateway and in consecutive order.

(4) As and when necessary additional staff may be detailed at peak-hours. The officer or night duty warder shall be incharge of the Gate after lockup.

(i) The Staff incharge of the Gate shall extend all due courtesies to visitors, members of the public and Government servants;

(ii) Prisoners shall not be put incharge of the Gate.

Gate Keeper responsible for condition of main gate

205. The Gate-keeper shall be responsible:—

(a) For the cleanliness and tidiness of the passage between the gates and the security of all articles placed therein, which shall, for the time being, be in his charge;

(b) That the gates and wickets of the main gate, except when it is necessary to open them for the purpose of passing any person or thing into or out of the jail, are kept shut and locked; and

(c) For the safety and correctness of the keys entrusted to his charge.

Working of double gate system

206. In jails provided with double gates with or without wickets, the Gate-keeper shall open only one gate or wicket at a time and before doing so, shall satisfy himself that the other means of entry and exit are secure. Ingress and egress for ordinary purposes shall take place through the wicket doorways. In the work of opening and shutting the gates the gate-keeper may be assisted by another jail warder.

Method of passing prisoner in to our out of jail

207. (1) On passing prisoners out of the jail the gate-keeper shall first let them through the inner gate or wicket and, having locked it, shall write in full in the register provided for the purpose, the names or register numbers of all the prisoners, the warders in charge and the convict officers (if any) assisting them. He shall then open the wicket in the outer gate and count the prisoners as they pass out, to verify the total.

(2) Every change in the constitution of a gang passed out of the jail must be noted and attested in the gate registor by the signature or seal of the officer responsible for making the change, as well as by that of the gate-keeper, who shall on the first opportunity report the circumstance to the Jailor.

(3) On passing prisoners into the jail, the Gate-keeper shall open the outer wicket and admit the gang to the passage between the gates. He shall then lock the outer wicket and call out the name or number of each prisoner, convict officer or warder as recorded in the register. The gang having been found correct, he shall open the inner gate or wicket, and count the prisoners as they pass into the jail, to verify the total.

(4) The Gate-keeper shall be responsible that every prisoner or gang taken out of the jail is incharge of a guard of the proper strength duly authorised for this purpose.

208. The gate-keeper shall be most careful to prevent the embezzlement of prison property or the admission of any prohibited articles such as opium, razors, knives, nails, money, letters or any other improper articles, nor shall he permit the admission of drugs, medical or surgical appliances without the written authority of the Medical Officer. He shall not allow any factory articles, raw materials, stores, tools etc., to pass the gate without an order in writing from the prison official responsible for these articles.

Delivery of keys at lock-up

209. When the prisoners are locked up for the night the keys of the gates and wickets shall be locked into the fixed key-almirah at the main gate, referred to in Rule 279. Duplicate keys of the lock used on the outer gate or wicket shall be given by the Jailor to the visiting officers for the night, and the duplicate key of the lock used on the inner gate or wicket to the warder or duty officer detailed to sleep between the gates. Vide Rule 278 for the custody of the keys of the wards and cells during the day. For this purpose a master lock with five keys shall be used to lock the outer gate or wicket. The distribution of five keys shall be as follows:- Two keys shall be given to the two night round officers. One key shall be with the Superintendent and one with the Jailor always. The remaining shall be given to the duty doctor and their respective initials taken for the receipt of the keys.

Keys to be kept in bunch

210. The keys of the main gates and wickets of every jail shall be kept in one or two bunches, as may be convenient, and on a chain or ring, for safety and easy attachment to the waist belt.

Bright light at night

211. A light shall be kept burning brightly in the passage between the gates throughout the night.

Articles to be kept between gates

212. In the passage between the main gates shall ordinarily be kept:—

(i) A clock;

(ii) A weighing machine;

(iii) Spare hand-cuffs in a secure place;

(iv) A desk with lock and key for the Gate-keeper's books and writing materials;

(v) A wall-almirah or box for keys;

(vi) Apparatus for extinguishing fire;

(vii) Notice boards;

(viii) An armless chair for the gate-keeper;

(ix) A list of official, non-official and State visitors on separate notice boards;

(x) A board on which details of the population of the jail is written each morning; and

(xi) Spare lanterns and torches for any emergency which are to be handed over to the warder on duty at the gate at night.

Note:– (1) Entries of ingress and egress or of any article entering and leaving the jail between lock-up and unlocking shall be made by the duty officer and in his absence by the guard officer in his night report for the information of the Gate-Keeper, who shall incorporate them next day in the appropriate registers.

(2) A printed copy of these rules shall be poste in the main gate way of every jail close to the Gate-Keepes's desk.

CHAPTER XVII

CLASSIFICATION AND SEPARATION OF PRISONERS

Statutory provisions

Under section 27 of the Prisons Act, 1894, the following separation of prisoners is requisite, viz:—

(1) Female prisoners shall be so separated as to prevent their seeing, conversing or holding any intercourse with male prisoners;

(2) Male prisoners under 21 years of age shall be separated from male prisoners above that age;

(3) Among male prisoners under 21 years of age, those who have arrived at the age of puberty shall be separated from those who have not attained puberty;

(4) Convicts shall be kept apart from unconvicted prisoners; and

(5) Civil prisoners shall be kept apart from criminal prisoners.

Subject to these requirements, under section 28, convicted criminal prisoners may be confined either in association or individually in cells, or partly in one way and partly in the other.

Convicts to be separated

213. As far as structural circumstances permit, both "A" and "B" class prisoners should be provided with cellular accommodation. Where this is not possible association barracks should be used. "A" and "B" Class prisoners should be kept separate from "C" class prisoners and from each other. As far as possible separate yards should be utilised for each class of prisoners.

Occupation of vacant cells

214. Whenever, in any jail, all the cells are not occupied by prisoners undergoing separate, or cellular confinement as a jail punishment or solitary confinement on warrant, or by prisoners under sentence of death, lunatics or lepers, the vacant cells shall ordinarily be occupied in the following order namely:—

(a) By juveniles, if there are juveniles in the jail and there are not sufficient means of separating them by night in the juvenile ward;

(b) By approvers whom, under the orders of a court, or in the opinion of the Superintendent, it is desirable to keep apart;

(c) By prisoners of any class who, in the opinion of the Superintendent, are of a bad or desparate character or who have escaped or attempted to escape from lawful custody or whom it is considered desirable for any other reason to keep apart from others;

(d) By prisoners convicted under section 376 or section 377 of the Indian Penal Code; or for kidnapping for the purposes of prostitution.

(e) By prisoners of the habitual class; and

(f) By other prisoners.

Note:—(1) Separation under this rule is distinct from cellular and separate confinement, and as it is a disciplinary measure only and not a punishment, it is to have no irksome conditions attached to it, other than such as are necessary to secure the ends in view.

(2) The age of the prisoners for the purpose of their segregation and treatment under the Prisons Act, 1894, should be fixed by the Medical Officer of the Jail.

(3) Under no circumstances whatever shall only two male prisoners be confined in one cell.

Procedure when separation by day is not feasible

215. A convict who would ordinarily come under the operation of the preceding rules relating to the separation of prisoners, but who cannot, owing to the requirements of labour, be confined in a cell by day, shall be confined in a cell by night.

Division of convicts into habituals and others

216. In addition to the foregoing provisions all convicted prisoners shall be divided into two main divisions, viz., habitual convicts and others.

They shall be further divided into three divisions or classes, namely, A, B, and C. The definition of prisoners falling within classes 'A' and 'B' and the treatment to be accorded to them are laid down in Chapter LX.

Definition of habitual

217. The following persons shall be liable to be classified as "habitual criminals", namely:—

(i) Any person convicted of an offence punishable under Chapters XII, XVII and XVIII of the Indian Penal Code, whose previous conviction or convictions, taken in conjunction with the facts of the present case, show that he is by habit a robber, house breaker, dacoit, thief or receiver of stolen property or that he habitually commits extortion, cheating, counterfeiting coin, currency notes or stamps or forgery;

(ii) Any person convicted of an offence punishable under Chapter XVI of the Indian Penal Code, whose previous conviction or convictions taken in conjunction with the facts of the present case, show that he habitually commits offences against the person;

(iii) Any person committed to or detained in prison under section 122 (read with section 109 or section 110) of the Code of Criminal Procedure;

(iv) Any person convicted of any of the offences specified in (i) above when it appears from the facts of the case, even though no previous conviction has been proved, that he is by habit a member of a gang of dacoits, or of thieves or a dealer in stolen property;

(v) Any habitual offender as defined in the Andhra Pradesh Habitual Offenders Act, 1962;

(vi) Any person convicted by a court or tribunal acting outside India under the general or special authority of the Central Government or any State Government or by any court or tribunal which was before the commencement of the constitution acting under the general or special authority of an offence which would have rendered him liable to be classified as a habitual criminal if he had been convicted in a court established in India.

EXPLANATION:— For the purpose of this definition the word "conviction" shall include an order made under section 117, read with section 110 of the Criminal Procedure Code.

Classification of convicts as habitual criminals

218. (1) The classification of a convicted person as a habitual criminal should ordinarily be made by the convicting court, but if the convicting court omits to do so, such classification may be made by the District Magistrate, or, in the absence of an order by the convicting court or District Magistrate, and pending the result of a reference to the District Magistrate, by the officer in charge of the jail where such convicted person is confined.

Provided that any person classed as a habitual criminal may apply for a revision of the order.

(2) The convicting court or the District Magistrate may, for reasons to be recorded in writing, direct that any convicted person or any person committed to or detained in prison under section 122 read with section 109 or section 110 of the Code of Criminal Procedure, shall not be classed as a habitual criminal and may revise such direction.

(3) Convicting courts of District Magistrates as the case may be, may revise their own classifications, and the District Magistrate may alter any classification of a prisoner made by a convicting court or any other authority provided that the alteration is made on the basis of facts which were not before such court or authority.

Note:— The expression "District Magistrate" wherever it occurs in paragraphs (1) (2) and (3) above mears the District Magistrate of the District in which the criminal was convicted, committed or detained.

(4) Every habitual criminal shall as far as possible be confined in a special jail in which no prisoner other than habitual criminals shall be kept:

Provided that the Inspector General may transfer to this special jail any prisoner, not being a habitual criminal, whom, for reasons to be recorded in writing, he believes to be of so vicious or depraved character and to exercise, or to be likely to exercise, so evil influence on his fellow prisoners that he ought not to be confined with other non-habitual prisoners, but a prisoner so transferred shall not otherwise be subject to the special rules affecting habitual criminals.

Duty of Superintendent in regard to classification

219. (1) In order to facilitate the identification of habitual criminals, special care shall be taken in filling up the columns relating to character in the Convict Register. The Superintendent and Jailor shall, on receipt of a prisoner, endeavour to ascertain from jail subordinates and long-term convicts, as well as from jail records, whether he has more convictions than are recorded against him in the warrant.

(2) In cases in which there is room for doubt whether a prisoner should be classed as an habitual or not, the Superintendent may refer the case for the order of the convicting court or of the District Magistrate.

(3) When the Superintendent discovers that a prisoner has a previous conviction against him which has not been recorded, he shall immediately communicate the fact to the court which convicted the prisoner, and to the Superintendent of Police.

(4) The letter 'H' shall be written in red ink against the names of habitual criminals in all registers and forms.

Separation of habituals

220. When not confined in special jails, habitual convicts shall, as far as possible, be separated from others. A separate barrack or ward shall be set apart for habitual convicts, and by these means separation at meals, parades, etc., shall be generally effected. If it is impossible to separate the classes

entirely during work, Superintendents should do as much as can be done in this direction by locating habitual convicts in a definite part of the several worksheds or otherwise.

Superintendent to discover and report previous convictions of undertrials

221. If it shall come to the notice of the Superintendent from the jail records or otherwise than an undertrial prisoner or a convict committed to his jail has previously served a sentence of imprisonment, he shall, if he has reason to believe that the local police are unaware of the fact, immediately inform the Superintendent of Police.

NOTE— For the special rules relating to the several classes of prisoners, see infra viz:-
Civil prisoners Chapter XXXVIII.
Undertrail prisoners. Chapter XXXIX.
Female prisoners. Chapter XLV.
Youthful prisoners. Chapter LIX.

Star class prisoners

222. (1) Casual offenders shall be divided into two classes, viz:—

(a) The Star Class; and

(b) Ordinary.

The Star class shall include such prisoners as may be selected by the Superintendent (subject to the control of the Inspector General) on the ground that their previous character has been good, that their antecedents are not criminal and that their crimes do not indicate grave cruelty or gross moral turpitude, or deprivity of mind.

(2) The mere fact that a casual prisoner has been previously convicted once or oftener for petty offences shall not ordinarily be a sufficient reason in itself for excluding him from the Star class; nor shall a previous conviction for serious crime be held to debar him from such classification, if it was committed several years before, and during the intervening period he has led generally an honest life.

(3) In determining whether a prisoner is already of so corrupt a mind or disposition is to render it likely that he may contaminate others and cannot be much further corrupted himself, regard should be had to his age at the time of his last offence and on the dates of any previous convictions; the whole circumstances of the case shall be duly considered and the question of his classification shall be decided on general grounds and not on any hard and fast lines.

(4) Except when appointed to the rank of convict officer; prisoners of the Star class shall, as far as possible, be separated from others at all times both day and night.

(5) When a Star class prisoner prefers to be confined in a cell at night, and such accommodation can be provided for him, his wishes shall be complied with; but where only association wards exist in the jail for separation at night, members of this class shall be confined together apart from other offenders.

(6) The clothing of Star class prisoners shall be distinguished as in Rule 414 (7)

(7) Star class prisoners receive no special previleges but should be given prior consideration when selecting prisoners for promotion to convict officers.

CHAPTER XVIII

ADMISSION OF PRISONERS

Statutory provisions

The power of officers in charge of jails to give effect to the sentences or orders of courts is defined in sections 15 and 16 of the Prisoners Act, 1900.

Under sections 24 and 25 of the Prisons Act, 1894, a prisoner shall be searched on admission and all weapons and prohibited articles shall be taken from him. Female prisoners shall be searched by the Matron or by the female warder where there is no Matron. Every criminal prisoner shall be examined under the orders of the Medical Officer, and a record shall be made of the state of his health and of certain other particulars. The property of a criminal prisoner shall be placed in the custody of the Jailor.

"History-ticket" is defined in section 3 (6) of the Prisons Act, 1894, to mean the ticket exhibiting such information as is required in respect of each prisoner by the Act or the rules thereunder.

Proper warrant to accompany each prisoner

223. No prisoner shall be admitted into jail except on a warrant signed by competent authority. A separate warrant shall be received for every convict, even though two or more prisoners have been jointly charged and convicted. Before admitting a prisoner the Deputy Jailor shall examine the warrant and by questioning the prisoner as to his name and other particulars shall satisfy himself that he is the person referred to in the warrant. He shall then take the prisoner to the Jailor for compliance with the provisions of rule 240.

NOTE:— Every warrant should be in English or in any of the regional language.

Procedure if warrant is irregular

224. As soon as possible after a prisoner's admission, his warrant shall be examined by the Jailor to see that it is in proper order. If a warrant is incorrect or incomplete, and it seems likely that the error or omission is due to a clerical mistake, it may be, brought to the notice of the Superintendent to return for correction to the issuing court, which has power under section 362 of the Code of Criminal Procedure, 1973 (Act 2 of 1974) to correct such errors even in a judgment and which can always amend the warrant so as to make it correspond with the judgment. In this case a copy shall be retained till the original is returned. In other cases, a reference shall be made to the Inspector General, provided that, the Superintendent shall in very urgent cases follow the procedure laid down in section 17 of the Prisoners Act, 1900, subject to the requirements of rule 52. Every reference under this section shall be accompanied by a copy of the warrant referred to and by a nominal roll of the prisoner in Form No. 50.

Illustration:—(1) A warrant mis-stating the prisoner's name or omitting the periods of imprisonment awarded or unsigned, unsealed or undated shall be returned for correction.

Illustration:—(2) A warrant purporting to be issued by a Third Class Magistrate, and directing that a prisoner be imprisoned for a term exceeding one month as a substantive sentence, shall be referred to Government through the Inspector General.

NOTE:— Every warrant should show the class (habitual or casual) to which the prisoner belongs, and in the case of those previously convicted should be accompanied by a statement showing such convictions.

Warrant to contain particulars of fine

225. (1) If at the time of commitment, the warrant of a prisoner sentenced to pay a fine contains no information as to whether the fine or any part of it has been paid, a reference shall be made to the court, and the purport of the reply noted on the warrant.

(2) Information received from a court or Magistrate subsequently to the admission of a prisoner, that a fine has been paid in part or whole on his behalf, shall be endorsed on the warrant, and an acknowledgment sent to the Court concerned.

NOTE:- The Courts are responsible that the information required by sub-rule (2) is sent to the Jail without undue delay.

Warrant to specify period and nature of imprisonment

226 Every warrant shall specify the period and nature of the imprisonment awarded.

Warrant under Insolvency Act to state nature of imprisonment

227. The warrant of a Civil Court committing an offender to imprisonment under section 69 of the provincial Insolvency Act, 1920, should specify whether the imprisonment awarded is simple or rigorous.

Method of calculating sentence

228. (1) The duration of a sentence shall be calculated by the calendar year or month unless stated in weeks or days.

(2) When a prisoner's sentence contains a fraction of a month, the date of release shall be calculated by reducing the fraction to days, a whole month being, for this purpose, taken to consist of 30 days.

Illustration:— A prisoner is sentenced to one and a half month's imprisonment on 2nd February. The date of his release will be the 16th March.

Commencement of and breaks in, imprisonment how reckoned

229. (1) In calculating the date of expiry of a sentence of imprisonment in a criminal case, the day upon which the sentence was passed and the day or release should both be included as days of imprisonment. Similarly, if a convict is released on bail pending appeal, or if he escapes, the day on which he was released or escaped and the day on which he was re-admitted or re-captured, shall both be counted as days of imprisonment.

Illustration:—(1) A prisoner sentenced on the 1st January to one month's imprisonment should be released on the 31st January and not on the 1st February.

Illustration:—(2) A prisoner sentenced on the 28th February to one month's imprisonment should be released on 27th March.

Illustration:—(3) A prisoner sentenced on the 1st January to one month's imprisonment escapes on the 15th January and is re-captured on the 16th. He will be entitled on the original warrant to release on the 31st January.

Illustration:—(4) A prisoner sentenced on the 1st January to one day's imprisonment should be released the same day. But if he is sentenced to imprisonment for 24 hours, he should be kept in confinement for that period and not released until the 2nd January.

(2) The period of imprisonment to be undergone shall be reckoned from the date on which the sentence is passed except in cases which fall under sections 31 (1), 426 and 427 of the Code of Criminal Procedure, 1973 (Act 2 of 1974) when the directions of the Court shall be followed.

NOTE:— In the case of a prisoner sentenced to imprisonment in default of fine, the period of imprisonment should be reckoned from the day on which he was rearrested for failing to pay the fine imposed.

(3) If the month in which the sentence of a Prisoner expires has no date corresponding to the date of sentence the last day of the saide month shall be taken as the expiry of sentence.

Illustration:— A prisoner sentenced on the 29th or 30th or 31st January to one month's imprisonment would be entitled to release on the 28th February or on 29th February in the case of a leap year.

Imprisonment in default of giving security plus a substantive sentence

230. (1) When a person in respect of whom an order requiring security is made under sections 106 or 117 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) is, at the time such order is made, sentenced to, or undergoing a sentence of imprisonment, the period for which such security is required shall commence on

the expiry of such sentence. See section 119 Code of Criminal Procedure, 1973 (Central Act 2 of 1974). If such a person fails to give security on or before the date of expiry of his substantive sentence, he shall be detained in jail until the expiry of the period for which security is required to be furnished, or until the requisite security is given. It is not necessary in such cases that a formal warrant should be issued by the Magistrate for the detention of such person in the jail after the expiry of the substantive sentence.

Illustration:— A prisoner while undergoing three months imprisonment is ordered by a competent Court to execute a bond under section 106, Code of Criminal Procedure, 1973 (Act 2 of 1974) for keeping the peace for a term of six months in a sum of Rs.25 and one surety for a like amount, but fails to give security on or before the date on which the three months' substantive imprisonment expires. He should be detained in jail until he furnishes the required security or until the term for which such security is to be given is completed, but no formal warrant is necessary for such detention.

(2) If a person, while undergoing imprisonment under an order under section 122, Code of Criminal Procedure, 1973 (Act 2 of 1974), in default of furnishing security, is convicted of an offence committed prior to the making of the order and sentenced to imprisonment, such sentence shall commence from the date on which it was passed; and if such sentence should expire before the period for which the person is undergoing imprisonment in default of giving security, he shall be detained for the reminder of such period. If, however, a person while undergoing imprisonment in default of furnishing security is convicted of an offence committed after the making of the order under section 122 of the said Code, and sentenced to imprisonment, such sentence shall commence at the expiration of the imprisonment for failure to furnish security unless the court directs that such sentence shall run concurrently with the imprisonment for failure to furnish security.

NOTE:— (1) If a prisoner, who is detained for failing to furnish security under Sections 106 and 108 of the said Code expressed to the Superintendent or Jailor his willingness to furnish the security required of him, the Superintendent shall at once communicate with the Magistrate with a view to necessary action being taken under Section 122 of the said Code.

(2) Cases of prisoners who are sentenced by courts in this State for failure to furnish security and who are subsequently sentenced by courts in other States should be submitted for the orders of Government through the Inspector General.

(3) The maximum period of detention ordered in two consecutive cases under Chapter VIII i.e., under section 122 of the Code of Criminal Procedure, 1973 (Act 2 of 1974), shall not exceed 3 years. Any case in which this is exceeded shall be reported to the High Court for action with an appeal petition from the convict.

(4) An accused person falling under sub-section (2) of section 122 of the said Code shall be treated as an undertrail prisoner until his case has been decided by the Sessions or High Court. During this period he will not be entitled to earn remission and shall be compelled to labour.

(5) The period mentioned in the proviso to sub-section (3), of section 122 of the said Code shall be counted from the date of the order of the Sessions or High Court unless the Court specially directs in the warrant that it is to be counted from some other date. In the latter case the direction of the superior court shall be complied with.

Imprisonment for life or for more than twenty years to be deemed to be for 20 years for calculating date of release

231 (1) The sentence of all prisoners, who are sentenced to imprisonment for life, shall for the administrative purpose of calculation of the normal date of release, be deemed to be sentences of imprisonment for twenty years.

(2) The sentences of all prisoners, who are sentenced to imprisonment for life, and to various other terms of imprisonment, if all are ordered to runconcurrently, the shorter sentences of imprisonment will be merged in the sentences of imprisonment for life and the sentences be deemed as sentences of imprisonment for twenty years.

(3) Subject to the provisions of sub-rule (2) where a prisoner is sentenced to two or more sentences of imprisonment to be served consequtively, the date of release shall be calculated as though he was sentenced to one sentence of the aggregate term.

NOTE:— The period of 20 years referred to in sub-rules (1), (2) and (3) of rule 231 above does not include any sentence on a prisoner for a subsequent offence, i. e; an offence committed while in prison or during suspension of sentence.

Effect of annulling the first of two sentences

232. When a prisoner is undergoing more than one sentence, and the first sentence is annulled on an appeal, the second sentence shall take effect from its own date.

Illustration:—(1) A prisoner is sentenced on 1st July to two periods of six months' imprisonment for two offences. On appeal the first sentence is quashed on 31st August. The prisoner will be entitled to release on 31st December.

Illustration:—(2) A prisoner is sentenced on 1st July to six months' imprisonment and on 1st August to another period of six months' imprisonment. On appeal the first sentence is quashed on 31st August. The prisoner will be entitled to release on 31st January.

Calculation of date of release in certain cases

233. The following method shall be adopted in calculating the date of release of a prisoner who after conviction is released on bail but is afterwards re-committed to jail to serve out his sentence or who escapes and is subsequently re-captured. Add to the term of his sentence the number of days the prisoner is on bail or at large, exclusive of the day of release and re-arrest, or of escape and re-capture; the date on which the sum of these periods will elapse, counting from the date of conviction, is the date of expiry of sentence.

NOTE:—(1) A prisoner released on bail in Court on the day he is sentenced without having been sent to prison shall not be deemed to have served any part of his sentence.

(2) On the surrender in cases of extradition of a prisoner undergoing sentence under a conviction in this State his sentence shall be deemed to be suspended until the date of his re-surrender when it shall revive and have effect for the portion thereof which was unexpired at the time of his surrender.

(3) In the case of an escaped prisoner subsequently arrested in connection with another offence, any period spent on that account in police custody or as an undertrial prisoner shall not be reckoned as imprisonment under the original sentence.

(4) Convicted prisoners from other States in India removed to the jails in this State to answer charges or to give evidence shall be treated as convicted prisoners and not as undertrial prisoners.

(5) Convicted prisoners removed from a jail in any other State in India to answer a charge or to give evidence under the provisions of the prisoners (Attendance in Courts Act, 1955), or under the provisions of the Transfer of Prisoners Act, 1950, shall be deemed to be undergoing their sentence, during their absence from the jail, in this State.

Date of release of Prisoner sentenced for escape

234. If a prisoner receives a sentence for escape, the date of release shall be re-calculated in accordance with section 426 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) and entered in the Register of Prisoners to be released in place of the original date of release.

Date of release from imprisonment in default of payment of fine

235. If a prisoner be sentenced to imprisonment of which the whole or any portion is in default of the payment of any fine, and if the fine be not immediately paid, the dates of release shall be

calculated and entered on the prisoner's warrant and ticket and in the registers so as to correspond both with payment and with non-payment of the fine.

Date of release when fine is partially paid

236. (1) If a prisoner who is sentenced to a fine and in default to imprisonment pays any portion of the fine, the date of release shall be proportionally altered. If the imprisonment in default of payment of fine is expressed, in calendar months, the reduction of imprisonment to be made in consequence of such payment shall be calculated in calendar months, and not in days. Any fraction of a month obtained by such calculation shall be reduced to days. When the fraction thus obtained is not exactly equal to any number of days, or is less than a single day, the portion of a day which results shall be considered and treated as being equal to a full day.

Illustration:—(1) If a prisoner is sentenced on 1st January to six months' imprisonment and to a fine of Rs.300, and it be ordered that if the fine be not paid he be imprisoned for a further period of six months, then supposing that the prisoner immediately on conviction pays Rs.100, the date of release shall be first fixed at 31st October (viz., six months plus four months the equivalent of the fine unpaid); if he afterwards pays another Rs.100, the date will be changed to 31st August, and on his paying the whole, to 30th June.

Illustration:—(2) A prisoner is sentenced on 1st January to a fine of Rs.300, or in default to six months' imprisonment. No part of the fine is realized except a sum of 75 paise. He should be released on the 29th June, though the amount realized is less than the full amount due for a single day.

(2) On receipt by the prison authorities of a fine or any portion thereof or on receipt of intimation of its realization by court, the convict concerned shall be informed and the payment shall be duly noted in the register, on the warrant and on the prisoner's history ticket. The entries in the register and on the warrants and history ticket shall be signed by the Superintendent and the Jailor. A separte inward register for the receipt of fine intimation shall be maintained.

Calculation of sentence awarded to prisoner under-going imprisonment in default

237. If a prisoner sentenced to imprisonment in default of payment of fine receives another sentence while undergoing such imprisonment, the second sentence shall begin from the date on which the first sentence expires, or if the fine is paid, from the date of paymant.

Illustration:- A prisoner is sentenced on the 31st January to a fine of Rs.30, or in default to two months rigorous imprisonment, and on the 12th of February of the same year he

is sentenced on another account to an additional imprisonment for four months. The fine is paid in full on the 28th February. The sentence for four months should begin from the 28th February, and not from the 31st January.

NOTE:— But see section 429 (2) of the Code of Criminal Procedure, 1973 (Act 2 of 1974), in regard to sentences of imprisonment in default of payment of fine, which are annexed to several substantive sentences of imprisonment or imprisonment for life.

Calculation of sentence modified on appeal

238. When as appellate Court simply modifies a sentence passed by a lower court without change of section, or when an Appellate Court passes a new sentence by changing the conviction section or the punishment section or otherwise, the sentence finally passed shall count, unless otherwise specially directed, from the first day of imprisonment under the original sentence.

Compliance with the orders of Appellate Court

239. (1) Under section 389 of the said Code, an Appellate Court may order that the execution of a sentence or order appealed against be suspended, and if the convicted prisoner be in confinement, that he be released on bail or on his own bond. Superintendents or Jailors bound to obey the terms or such order

(2) When an Appellate Court directs that the execution of a sentence or order appealed against be suspended, the appellant shall, if detained in Jail pending the further orders of such Appellate Court, be treated in all respects as an undertrial prisoner.

(3) Should the appellant be ultimately sentenced to imprisonment or imprisonment for life, the period during which the original sentence was suspended, shall:-

(a) If passed in jail, be included, and

(b) If passed out of jail, be excluded, in computing the term for which he is sentenced by the Appellate Court.

(4) Should a court direct under sub-section (2) of section 122 of the said Code that the Superintendent or other officer in charge of the jail, shall release a prisoner upon his furnishing such security as may be approved by the Superintendent, the Superintendent shall call upon the prisoner to furnish such security. The Superintendent, however, is not bound to accept any sureties that may be produced and, if he is not personally acquainted with them or is otherwise not fully satisfied as to the sufficiency of their security, he may refuse to accept them and refer to the nearest

Magistrate or to any Magistrate to whom reference is desired to make necessary enquiries as to the sufficiency of the security furnished.

NOTE:— For the Form of bond see Schedule V annexed to the said Code.

Time for admitting prisoners

240. (1) No prisoner shall be admitted to any jail on any of the recognized holidays for prisoners as mentioned in rule 442 (1) except with the written orders of a District Magistrate.

(2) No prisoner, except such as may have been temporarily absent attending court, shall be admitted to any jail before sun rise on any day or after the prisoners have been locked up for the night.

Check of prisoner's property

241. The Jailor shall furnish the officer who deliver a prisoner at the jail with a receipt in Form No. 47 or 48 noting therein the property received with the prisoner, which shall be carefully examined and shown to the prisoner at the time of his admission. The prisoner's acknowldgment that he has seen the property and that it is correct shall at the same time be taken in the appropriate admission register.

NOTE:— For instructions for the grant of receipts to the police escort when prisoners are received by transfer, see rule 1054.

Prisoners to wash themselves and their clothin

242. On admission to jail every prisoner shall be required to wash his person and his clothing thoroughly. If epidemic disease exists in the neighbourhood from which he comes, his clothing shall also be disinfected by being steeped in a solution of corrosive sublimate or by being boiled. In such cases special care shall also be taken to cleanse the prisoner's person, especially his hair.

Search of prisoners on admission

243. Prisoners, after having washed, shall be carefully searched by a jail official. Female prisoners shall be searched and the washing conducted in the female yard. Prisoners of A and B classes shall wash and be searched in their yard or respective cells and not in the presence of other prisoners. Searches of prisoners conducted under this and other rules shall be made with due regard to decency and with reasonable privacy.

Removal of articles from prisoners

244. (1) At this search every article, whether clothing, bedding, jewellary, money, documents or otherwise, shall be taken away from prisoners sentenced to rigorous imprisonment, to whom an issue of jail clothing and bedding in accordance with the rules given below shall be made. From prisoners sentenced to simple imprisonment every article shall be taken away except personal clothing and bedding; from under trail prisoners, money and any property other than clothes, bedding, personal ornaments, papers

and letters shall be taken; while from civil prisoners only dangerous weapons, articles calculated to facilitate escape, money and such prohibited articles as spirits, drugs and immoral books shall be taken. All articles removed from a prisoner under this rule shall be dealt with under the rules regarding prisoner's property.

(2) The caste threads of Brahmins or other thread wearing castes and the tali or wedding ring shall in no case be removed. Similarly, a Lingayat prisoner shall be permitted to wear his 'Ling' wrappe in a piece of cloth or kept in a silver box suspended round his neck; the same being opened to free examination by jail officials whenever required.

Roman Catholic convicts may be allowed to wear scapulars, convicts professing a religion, the adherents of which are accustomed to use rosaries as aids to devotional exercises, may be allowed to wear rosaries. Sikh prisoners may be allowed to wear the comb, iron bangle and kirpan (miniature) 3.8 c.m.in length.

Any prisoner abusing the above concessions or whose conduct in the prison is unsatisfactory shall be deprived of them for such period as the Superintendent may deem fit. The articles will in no case be supplied at the expense of Government.

Quarantine on admission

245. Every newly admitted prisoner shall be subjected to such period of quarantine as the Superintendent, on the advice of the Medical officer, shall direct. During the period of quarantine, the prisoner shall be strictly separated, by day and by night, from all prisoners not undergoing quarantine. If epidemic disease appears in the quarantine ward, no resident of the ward shall be taken into the jail until the expiry of 14 days from the date of disappearance of the last case of disease. It is not ordinarily necessary to quarantine prisoners transferred from other jails in cases where such prisoners have been in such jails for not less than fourteen days. The advice of the Medical Officer shall, however, be obtained in such cases. During the period of quarantine the prisoners shall be vaccinated and inoculated against small pox or typhoid ect.

Provision and contents of History Tickets, Medical Sheet and Weighment Charts

246. (1) Every convict shall be provided with:—

(i) A History Ticket in Form No. 51 for prisoners sentenced to imprisonment for a period of one year or less (and in From No. 52 for prisoners sentenced to imprisonment for a period exceeding one year) in which all occurrences of importance in his jail life shall be recorded at the time;

(ii) A Medical Sheet in From No. 53 for prisoners sentenced to imprisonment for a period exceeding one year for registering in like manner all important events in his health history; and

(iii) A Weighment Chart in Form No.54 or 56 in which all fortnightly weighments shall be noted.

(2) As soon as possible, but within one week, after a prisoner's admission, he shall be brought before the Medical Officer for the entries to be made in columns 12, 13 and 26 to 28 of the Convict Register, and then for verification by the Superintendent of the other entries already made in that register. Superintendents shall be personally responsible that no undue delay is allowed to occur in this matter.

(3) The descriptive entries at the head of the ticket shall be made by the Remission Clerk from the Convict Register; also relating to appeals and petitions as they occur. Offences and punishments shall be similarly copied from the Punishment Book. Remission shall be entered agreeable to rules 344 to 353 and the progressive totals noted monthly or periodically as the case may be against each award. Other entries such as receipts of intimation of fine, judicial solitary confinement undergone, diet on which placed, fact of verification under sub-rule (2) of this rule, promotions in class or grade, issues of clothing, nature of labour, ordinary changes therein (with the other particulars required by rules 451 and 452), extramural employment, suspension of sentences, letter writing and interviews, attendance in courts, service of Civil Court processes, imposition and removal of fetters, escape and recapture, transfer, death, release or other mode of disposal shall be made as occasion requires by the Remission Clerk from the registers and other records and the Superintendent's initials obtained.

(4) The medical entries of age, height, weight, health and class of labour in the Convict Register shall be copied into the Medical Sheet by the Assistant Surgeon and into the History Ticket by the Remission Clerk. Those concerning any disease or deformity on admission, and prophylactic or curative treatment. etc., shall be made by or under the control of the Medical Officer. Observations, recommendations or directions regarding individual prisoners in the Medical Officer's Journal (Rule.64) shall be copied into the sheet by the Assistant Surgeon. Directions by the Assistant Surgeon (section 38 of the Prisons Act, 1894) shall be entered by him in the sheet. Other entries such as admission as an out-patient, under observation, or into hospital, with nature of disease, and discharge to work or to the convalescent gang, or death shall be made as occasion requires from the Hospital Registers and the Medical Officer's initials obtained. All entries in the Medical

Sheet, which shall be made promptly, will be copied without delay into the Ticket by the Remission Clerk and the sheet thereupon returned to the block warder or hospital warder as the case may be.

(5) Entries of periodical weighment shall be made at the time of weighment by the weighing officer in the Weighment Chart and subsequently copied into the Ticket by the Remission Clerk.

Custody of History Tickets and Wieghment Charts

247. (a) History Tickets shall be kept in the custody of the Remission Clerk who will maintain them himself with the assistance of a History Ticket Warder.

(b) The Medical Sheets and the Weighment Charts shall be kept in the custody of the block warder and will be issued to prisoners for weekly weighment parades, inspections, attendance at hospital, etc., A box with padlock shall be provided for the sheets and charts of each ward or block. On the transfer of a prisoner, the Medical Sheet and the Weighment Chart shall be attached to the History Ticket so as to form a complete record of the prisoner's history for the information of the receiving jail.

Registernig and Serial numbering of prisoners

248. The name of every convicted prisoner shall be entered in Convict Register, the entries being numbered serially from 1 to 10,000, or such number as shall be fixed by the Inspector General and the name of every undertrial prisoner shall be entered in the Register of undertrial Prisoners the entries being similarly numbered. The name of each civil prisoner shall be entered in the Register of Civil Prisoners, the entries in which shall be numbered serially from 1 to 1,000.

Use of register number

249. The register number thus given shall be the means of identifying the prisoner, a fresh number being given on every transfer to another jail. The articles of clothing and bedding of each prisoner sentenced to rigorous imprisonment or imprisonment for life shall be marked with his number, and in all offical communications the number shall preced the name. If a prisoner has to undergo two or more sentences under different warrants, it is not necessary on the expiry of one sentence to re-enter him in the Convict Register or to give him another number.

Record of date of release, etc.,

250. In the case of convicts, the date on which the sentence will expire shall be entered in the Convict Register. If the convict is under sentence of less than three months, an entry of his number shall be made in the Register of prisoners to be released under that date, but if the sentence is three months and over, the date of expiry shall be entered on his Rimission Sheet. At the same

time, the prisoner's register number, name, sentence, date of sentence, and date of release shall be endorsed on his warrant and the endorsement signed by the Jailor and the Superintendent after examination and comparision with the body of the warrant and with the entries in the Convict Register. In cases of fine, the alternative dates of release shall both be included in the endorsement on the warrant, in the Convict Register, and in the Register of prisoners to be released or Remission Sheet. (The date of eligibility for furlough shall be entered in the Furlough Register).

Superintendent to check entries

251. When the prisoner is produced before him, the Superintendent shall compare the entries in the Registers and History Ticket with those in the Warrant and initial the Convict Register in token of its correctness. In the case of undertrial and civil prisoners, a similar procedure shall be followed as regards the warrants and admission registers.

Arrangement and custody of warrants

252. Prisoners' warrants shall be arranged according to dates of release and kept in monthly bundles, the warrants of prisoners to be released in a particular month being placed in one bundle and each bundle being docketed out-side with the month and year. They shall be kept in a locked drawer or almirah of which the jailor shall keep the key. Copies of judgments, orders of Appellate Courts and orders of Government disposing of prisoners' petitions together with correspondence relating to payment of fine, classification, etc., shall be filed and kept with the warrant of the prisoner to whose case they relate.

(See rules 984 and 987 for final disposal of warrants)

Medical Officer to examine and weigh prisoner on admission

253. (1) The weighments of prisoners on admission shall invariably be taken in the presence of the Medical Officer and be verified by him. If the Medical Officer is not present, when prisoners are admitted to jail, they shall be weighed by the Asst. Surgeon on duty, on admission if possible, and in any case not later than the following morning. Their weight shall be noted at the time in a book kept at the main gate, so as to be subsequently verified by the Medical Officer when his examination takes place. The Medical Officer shall carefully examine the person and shall himself record in the appropriate admission registers in forms No.s 5, 6 or 7, as the case may be, his weight, age and state of health. Male prisoners shall be weighed without clothes or fetters. The weight of the clothes of females must be ascertained and deducted. The Medical Officer shall also supervise the entry of the prisoner's descriptive marks, which may be noted by the Assistant Surgeon. Instructions for recording these are contained in Appendix-II—Part-IX. Medical examination of prisoners shall be made with due regard to

decency and with reasonable privacy. The class of prisoners whether A or B will be marked in red ink against his register number in all the prison registers.

(2) If there are any marks of recent violence, he shall carefully record the same, forwarding a copy to the Superintendent. This latter officer may at his discretion and shall, if the prisoner so desires, transmit the same, to the District Magistrate together with the prisoner's statement as to how the injuries were received.

Medical Officer to certify appropriate class of labour

254. In the case of convicts sentenced to rigorous imprisonment, the Medical Officer shall further enter in the appropriate column of the Convict Register the class of labour on which he should be employed. If the Superintendent objects to the classification made by the Medical Officer, he may refer the matter to the Inspector General.

Ticket to be worn by convicts

255. (1) Every convicted prisoner shall wear an Alluminium Breast Ticket as follows:—

(a) In the case of male prisoners sentenced to rigorous imprisonment, the ticket shall be attached to a brass wire hook which will be hung on a strong thread eyelet on the left breast of the jacket.

(2) (a) On the face of the ticket shall be stamped the register number and name of the convict, the crime, date of sentence and date of release.

(b) No other particulars, such as stars denoting health or the like shall be entered thereon, and nothing shall be entered on the back of the ticket. In the case of a convict having a term of alternative imprisonment, the alternative date of release should also be shown.

Rules regarding the cutting of hair. Exceptions

256. (1) Every male prisoner sentenced to rigorous imprisonment for a longer term than one month shall, on final confirmation of the sentence, or expiry of the period of appeal without an appeal having been preferred (provided the unexpired term of such prisoner's sentence at that time exceeds one month), have the hair of his head cut or trimmed only to such an extent and at such times, as may be necessary for the purposes of health and cleanliness, unless he desires that it should be cut shorter.

(2) Hindus shall be allowed to retain the tuft or top knot, the size of which shall be 15 cm. long and 7.5 cm. in diameter as nearly as possible. The beard and moustaches of all such prisoners shall be either shaved or clipped closely, the beard of Muslims being left 2.5 cm. in length. The Sikhs shall not have their hair cut

or removed in any way except on purely medical grounds on the written orders of the Medical Officer. Any prisoner abusing this concession or whose conduct is unsatisfactory shall be deprived of the same for such period as the Superintendent deems fit.

(3) No prisoner sentenced to rigorous imprisonment for a month or less shall be subjected, against his wish, to the operation of hair cutting except to get rid of vermin or dirt, or when the Medical Officer deems it necessary on the ground of health and cleanliness, and then the hair shall not be cut closer than may be necessary for the purpose in view.

(4) Nothing in this rule shall prevent the cutting, trimming or shaving of the hair of any prisoner at any time at his own request and under the written orders of the Superintendent or if necessary on medical grounds and under written directions of the Medical Officer.

Explanation:— In this rule "Final confirmation of the sentence" means the decision of an appeal under Chapter XXIX of the code of Criminal Procedure, 1973 (Act No. 2 of 1974).

Rules of conduct to be read over to prisoners

257. After prisoners are received into jail an abstract of the rules relating to their conduct and treatment shall be read over to them in a language understood by them. A copy of this abstract, Form No. 49 in the language of the district shall be hung up in each criminal ward.

Unexpired sentence of conditionally released prisoners how to be carried out

258. When a conditionally released prisoner is re-admitted within two years owing to an infringement of the terms on which he was released the unexpired portion of his sentence shall be carried out without waiting for the receipt of orders from Government which should however be applied for, immediately through the Inspector General.

CHAPTER XIX

GENERAL DISCIPLINE AND DAILY ROUTINE

Unlocking wards at day break

259. (a) The barracks and cells shall be unlocked at day break throughout the year. Previous to the opening of the wards the convict night-watchman on duty shall awake all the prisoners and keep them in readiness to march out in files with their bedding, as provided in rule 261.

(b) Prabhat Pheries should be arranged in each prison. Some 3 to 5 prisoners knowing singing should be selected by the Superintendent who would go round the barracks singing non-communal bhajans about one hour before the barracks are opened. This would awaken other prisoners in barracks and they could give some time to meditation or offering prayers.

Jailor to be present

260. The Jailor shall be present at the opening of the wards and cells every morning, and shall personally Superintend the unlocking of a portion of them, that of the remainder being carried out by the Deputy Jailor, Chief Head Warder, Head Warder or a First Grade Warder.

Treatment of bedding

261. As soon as the wards and cells are unlocked, each prisoner shall take his bedding outside, and shake it well. He shall then fold it, and except on rainy days, leave it outside to air for some hours, when it shall be taken in and placed on the proper pial or place. The Superintendent and Medical Officer shall occasionally examine the bedding to see if it is properly aired.

Cleaning of wards and cells

262. Directly the wards and cells are vacated, the night vessels shall be removed, and the sweepers shall than thoroughly sweep and clean every part, all cobwebs, dust and dirt of every description being carefully removed from the roofing, corners and elsewhere.

Wards and cells to be ventilated and locked

263. The sleeping wards and cells shall be thoroughly ventilated during the day and kept locked to prevent prisoners from re-entering them. The keys shall be kept in the key box or almirah, until it is necessary to re-open the cells and wards in the afternoon.

Counting of prisoners

264. As the prisoners leave the wards or cells they shall, after depositing their bedding in the manner directed in rule 261 form into fours, and shall thus be counted by the officer unlocking the ward, who shall satisfy himself that their number is correct and shall report the same to the Jailor.

Latrine and washing parade.

265. After the enumeration of the prisoners is completed, they shall be marched to the latrine, and when they have been given an opportunity of resorting to it, they shall be marched to the bathing platform and shall be required to wash their hands and faces. Tooth sticks or charred paddy husk or other material in use in ordinary. Indian house-holds shall be provided for prisoners for the purpose of cleaning their teeth.

NOTE:— (1) All "C" class male prisoners shall be given for bathing purposes 30 gms. of soap-nut per head per week or, when soap-nut is not available, the same quantity of soap-nut powder. For the supply of soap-nut powder to female convicts, see rule 821.

(2) For prisoners of Sikh community, and Pendis etc., who are required to keep long hair on religious grounds shall be given 7 grams of coconut oil daily for dressing the hair and 15 grams of soap-nut powder per week for bath in lieu of items issued in Note (1) above.

Early meal and formation of gangs

266. (1) After the latrine and washing parade is completed, the early morning meal shall be distributed. The prisoners shall then be divided into gangs, according to the nature of the labour on which it is proposed to employ them, each gang being placed in charge of a warder and convict officer. The number of the prisoners in each extramural gang and the names of the officers in charge shall be recorded in the Gate-Book and the signature of the officer in charge of each gang taken in the book. For gangs working inside the prison and in workshop it will be sufficient if the number of men in a gang is noted in the rough distribution statement maintained by the Jailor or Chief Head Warder and the acknowledgment of the officer in charge taken.

(2) A gang detailed for extramural work shall in no case exceed eleven prisoners, one of whom shall be a convict warder or convict overseer, shall be in charge of a warder whose signature or left thumb impression shall be taken in acknowledgment of his responsibility.

(3) It shall be the duty of convict officer who forms a member of the gang to assist the warder, in supervising the prisoners, escorting them to and from their place of work or the latrine, and to perform such other similar duties as may be assigned to him.

March to work Jailor to distribute tasks

267. The gangs shall then be marched to their work, with regularity and without loss of time the prisoners being ranked in fours and required to keep step. The distribution of labour will be made by the Jailor in accordance with any general or special rules laid down by the Superintendent, but the Jailor should see that no prisoner is put to, or kept on, work for which he is unfit or which is likely to be prejudicial to his health.

Procedure in case of illness

268. If a prisoner in a gang working outside is injured or taken ill, the whole gang shall be marched back to the prison with the sick prisoner.

Midday meal

269. At 10-30 A.M. the ghurri or bugle shall be sounded and the gangs marched back to the yards when the prisoners shall be given an opportunity of using the latrine. At 11 o'clock the midday census of the prisoners shall be taken, and after its verification with the morning census the midday meal be issued. A bell shall be rung as the signal for the distribution of this meal and of the evening meal.

Resumption of work in afternoon

270. After the meal the gangs shall be reformed and marched back to their work, which shall continue till 4.30 p.m. in the cold weather, and 5 p.m. in the warmer weather. In the height of the hot weather an interval of two hours for rest should generally be allowed at some time after the midday meal, and at all seasons a similar rest should be allowed to weakly and infirm prisoners.

Procedure on cessation of work

271. Upon cessation of work, the convicts, having been taken back to their yards, shall proceed first to the latrine and then to the bathing platforms where they shall be required to bathe, unless excused by order of the Superintendent or Medical Officer. During the wet months or cold weather, the bathing hour may be changed so as to precede the midday instead of the evening meal. In this case, the toty gang and any other convicts engaged in specially dirty forms of labour shall be required to cleanse themselves also before lock-up.

Evening meal and lock-up

272. when the day's work is completed, the latrine visited and a bath taken, the evening meal shall be distributed. The prisoners shall then be counted and locked up, the hour being from 5-30 to 6 p.m. in the cold weather, and from 6 to 6.30 p.m. in the warmer months.

Men who work together to sleep together

273. As a general rule, and subject to the rules as to classification in Chapter XVII, men who work together should, as far as possible, sleep in the same block so as to facilitate the formation of gangs; provided that the prisoners concerned in the same case should not be confined in the same ward, or employed in the same gang.

Prisoners outside to be brought in for meals

274. Prisoners working extramurally shall be brought in for feeding purposes. Every prisoner shall be searched each time that he leaves or enters the prison. All prisoners shall be counted and searched on return to the yards from labour.

Strict discipline to be enforced

275. Every detail of the daily routine shall be carried out systematically, the prisoners being marched about by word of command. Strict silence shall be maintained and prisoners shall, on no account, be allowed to wander about the yards unattended.

Conduct of gangs

276. Gangs when halted, shall ordinarily be required to sit down. At the hour for turning out for work, when the gangs have been formed, the officer incharge shall see that they are properly arranged and shall then give the orders "rise" and "march" or their equivalent words in Hindi. At the first order the gang shall rise, and at the second, move off at a steady pace to their work. The same procedure shall be followed when moving gangs at other times. Care shall be taken to instruct convicts to understand and obey the words of command and to march with regularity.

Search before lock-up

277. Every convict shall be throughly searched before being locked up at night, and every cell and ward shall also be searched. The officer making the search shall be responsible that all bolts, bars and fastenings are in order, and that no contraband article or article likely to facilitate escape, is left with any prisoner or in any ward or cell.

Safety of keys during day time

278. During the day the keys of the wards and cells, when not in use, shall be kept in a fixed key-box or almirah either at the main gate or at the office, as may be most convenient. The key-box shall be kept locked, its key being retained either by the Gate-Keeper or Chief Head Warder, as the case may be.

Disposal of keys and their use at night

279. After lock-up, the keys of the wards and cells shall be collected, and shall be counted in the presence of the Jailor by the Night Guard Officer. They shall then be locked into a fixed key-almirah at the main gate, the key of which shall be in the custody of the Jailor. The front of this almirah shall be of glass so arranged that, should any emergency arise necassitating the opening of a cell or ward before the Jailor can be summoned, a pane may be broken and the required key obtained. In cases where this procedure is resorted to, intimation of the circumstance shall be at once sent to the Jailor, who shall immediately proceed to the Prison and remain there so long as his presence is necessary. Before leaving the prison he shall see that the key or keys which have been removed are put back into the almirah and the broken glass replaced by a new one.

Letting out cooks to prepare early meal

280. When it is necessary to let the cooks out before the general body of convicts, they shall be locked up together in a single ward, the key of which shall be entrusted to the patrolling officer, who may unlock this ward at the prescribed hour.

Provision of sleeping berths

281. A raised berth measuring 198 cm. long by 76 cm. broad and 51 cm. to 61. cm high in a lower storey and 15 cm. high in an upper storey shall be provided to each prisoner to sleep on. The berth should be cemented on the surface and built with the head to the wall of the ward or cell and the feet in ward. The head end should be slightly raised so as to form a pillow. In wards, the berths shall

be numbered and to each prisoner shall be allotted a particular berth which he shall not be allowed to change and which he shall not leave without the permission of night watchman on duty.

Lighting of wards and cells at night

282. A light which should, as for as possible, be out of the reach of the prisoners, shall be kept burning in every sleeping word throughout the night. If it goes out, the convict night watchman on duty inside the ward shall at once inform the sentry who will have it re-lit. Cells shall be lighted by lanterns or electric lights placed at intervals outside.

Latrine accommodation in wards and cells

283. Every ward and cell which has no latrine attached to it shall be provided with separate receptacles for night soil and urine, placed on an impervious surface. The night soil receptacle shall be half filled with dry earth, and a further supply of dry earth shall be kept at hand and the convict night-watchman on duty shall be responsible that prisoners using the receptacle shall also use dry earth in the proper manner. The urine receptacle shall be partly filled with water.

Use of night latrine to be discouraged

284. As prisoners are afforded sufficient opportunities of resorting to the day latrines, the use of the night latrine is to be discouraged, and the night-watchman shall report any prisoner who makes a practice of using it.

Visits to latrine out of hours

285. If during the day any prisoner wishes to visit the latrine out of the usual parade time, he shall be made over to a convict officer. If a prisoner unnecessarily visits the latrine, the convict officer shall report him to the warder in charge. If it appears that a prisoner is suffering from diarrhoea or dysentery, a report shall be made to the Jailor, who shall send him to hospital for observation.

Matters affecting caste or religion

286. (1) Interference with the religion and caste prejudices of prisoners is prohibited, but care shall be taken that this rule is not made an excuse for frivolous complaints or unnecessary neglect of prison rules. Conservancy duties shall not be exacted from prisoners who owing to caste prejudices or not in the habit of performing such work when in a free state. Separate fire-places shall on no account be permitted on the basis of caste or religion. A sikh received into prison, may, if there is no Sikh prisoner cook, and if he so desires, prepare his own meals in the general prison kitchen, in addition to his ordinary labour.

(2) No gathering together of prisoners for the purpose of performing any religious function or caste ceremony shall be permitted.

(3) The festivals during which alone religious fasts may be permitted are:—

In the case of Hindus:—

Maha Sivarathri.
Sri Jayanti.
Vaikunta Ekadasi.
Sri Rama Navami.
Mahalaya Amavasya.
Pongal day.

In the case of Christians:—

All Fridays during Lent.
Christmas Eve.
Assumption Eve.

In the case of Muslims:—

Ramzan period (30 days).
Muharam (10th day).
Shaba-Barath (15th day of Shabhan).
Bakrid (9th day of Zilhaj).

(4) If offered by any religious or charitable body or individual, the Superintendent may, at his discretion, receive and distribute to all prisoners on festival occasions, small luxuries in the shape of fruits and sweet meats, subject to the approval and strict control of the Medical Officer.

Use of books by prisoners

287. Every prison shall be provided, according to its size and importance, with an ample library of approved books and periodicals in English and in the languages of the State of Andhra Pradesh, for the use of literate prisoners. A sufficient number of copies of such journals as are permitted for use by the prisoners shall be placed in this library for such prisoners and arrangements made in each prison for reading out the news published in such journals as are permitted for use by the prisoners, to those who are illiterate. The teacher shall have charge of the prison library and shall allow the use of the books, periodicals and journals to literate prisoners subject to such rules as the Superintendent may prescribe, and in the absence of the teacher the Deputy Jailor (Interviews) shall hold charge of the library. Any book introduced otherwise than in accordance with this rule may be destroyed.

Newspapers, magazines, periodicals, pamphlets, etc., allowed to prisoners by the Government shall be censored by the Superintendent, in the absence of the Superintendent, the Deputy Superintendent, if there is one, if not the Jailor, but not below that rank, before issue to the prisoners.

Lights for reading

288. Lights for reading shall be allowed till 9-30 p.m. to such simple imprisonment prisoners and other educated prisoners as are considered by the Superintendent to be fit to receive the concession.

Recreation rooms

289. A compartment in each barrack shall, if possible, be set aside as a recreation room for prisoners after lock-up, and an educated convict shall be allowed to read aloud to the other prisoners between 6-30 and 8 p.m.

Supply of News-papers to "A" and "B" Class Prisoners

290. 'A' and 'B' class prisoners shall be supplied with the following news-papers free of cost as directed bellow:—

(a) One copy of one of the weekly news-papers approved by Government at the rate of one for every 20 or less literate prisoners.

(b) One copy of the daily issue of news-papers, from the list approved by Government at the rate of one for every 15 or less literate prisoners.

Supply of News-papers to "C" class prisoners

291. "C" class prisoners shall be supplied with the following news-papers free of cost:—

(a) One copy of one of the weekly news-papers, approved by Government at the rate of one for every 40 or less literate prisoners.

(b) One copy of one of the daily news-papers, from the list approved by Government in English or one of the regional languages at the rate of one for every 20 or less literate prisoners.

NOTE:— News papers periodicals etc., approved by Government for supply to the prisoners are mentioned in Appendix—II, Part—XVI

Religious instruction and moral lecturers

292. Moral lectures to all convicts in prison shall be allowed only on condition that no proselytizing is carried on under the cloak of moral instruction, and that lecturers confine their attention to prisoners of their own faith.

The selection of lecturers shall be made by the Inspector General in consultation with the District Collectors in the muffassal and the Commissioner of Police in the twin cities of Hyderabad and Secunderabad.

The Superintendent must endeavour to invite teachers and lecturers attached to renowned institutions to deliver lectures on non-political matters for the benefit of the prisoners, on prison holidays and Sundays, subject to the condition that the teachers

and lecturers obtain in advance formal consent of the Superintendent of the prison on the subject matter of the lecture. They also permit the teachers and lecturers to draw conveyance allowance at the rates allowed to moral and religious lecturers.

Any lecturer who, for any reason, finds himself unable to attend the prison for a period of three months or more shall report the reasons for his inability in advance to the Inspector General through the Superintendent of the prison, in order that a suitable substitute may be appointed in his place, if necessary. Any lecturer who shall have absented himself from the prison for a period of three months or more, without thus reporting the circumstances of his absence, shall be deemed to have vacated his office, and his name shall be removed from the list of lecturers.

The Inspector General may remove from the list, the name of any lecturer without assigning any reason.

NOTE:— For conveyance allowance to lecturers, see item 9(B) of Appendix 7, Andhra Pradesh Financial Code, Volume.II.

Change of religion in prisons

293. No minister of religion shall be allowed to have access to any prisoner other than a prisoner sentenced to death who does not belong to his own denomination unless the prisoner voluntarily and spontaneously expressed a wish to see such a minister, in which case the matter shall be reported to the Inspector General for orders.

Before permitting any prisoner to see a minister of religion who belongs to a denomination or persuasion other than his own, great caution shall be exercised to avoid all outside suggestion or colour of proselytism. If, however, the spontaneity of the prisoner's wish is established beyond doubt, it is not desirable to interfere with its fulfilment even though it extends to a change of religion.

Education

294. Educational facilities should be provided in prisons for such convicted prisoners as are capable of being benefited by them.

295. There shall be a duly equipped elementary school in each Central Prison and District Jail, as well as a qualified teacher. Slates, Pencils and other writing materials may be supplied to prisoners at the Superintendent's discretion either at Government or the prisoner's expense as may be considered proper in each case. Prisoner shall be imparted education in the 3Rs., as prescribed by the Basic Education Scheme of the Education Department.

296. (1) Ordinary education shall not be carried beyond the elementary stage. Wherever necessary, the Superintendent may select convict teachers for this purpose. All the convicts may be encouraged to attend the school. A separate class may also be held for undertrial prisoners who show aptitude for learning.

(2) Prisoners who desire education beyond the elementary stage shall be given the necessary books and any available assistance in the school.

(3) The principle of co-ordination between general education and industrial training must be kept steadily in view, having regard to the need of reforming prisoners and preparing them to regain their proper place in society on release.

(4) The hours devoted to education shall be so arranged as not to interfere with prison labour.

(5) The District Educational Officers and their assistants shall inspect the prison schools situated in their respective circles during the year under the rules in force in the Educational Department, and they shall advise as to the scope of the teaching to be given and the qualifications required of the teachers.

(6) They shall furnish periodical reports on the results of their inspections to the Superintendent of the prison, who shall forward them with any remarks that may be necessary to the Inspector General.

(7) The Superintendent shall test the progress of the convicts and the efficiency of the teaching once a quarter, and pupils who show insufficient industry and progress shall be removed. If he considers the teacher or teachers at fault, he shall take disciplinary action.

(8) A certificate of conduct in prison and proficiency in any craft learnt or practised in prison shall be given to every prisoner on release in Form No. 40, to assist him in finding suitable employment. If a prisoner has some trade on which he has not been engaged in prison, the Superintendent can accept no responsibility and should give no certificate in regard to it.

(9) Games, such as Volley-ball, ring-tennis, carrom, etc., shall be provided and shall be arranged to be played regularly by the prisoners.

Prisoners to wash their clothing weekly

297. Every prisoner shall be required to wash his clothing at least twice a week, usually on Sunday and Thursday morning and at such other times as the Superintendent may direct. The Superintendent may detail prisoners to wash the clothing of A and

B class prisoners and any special portion of prison clothing and may authorise the issue of the necessary washing and ironing materials for the purpose.

NOTE:— 40 grams. of washing soda and 200 gms of fire wood shall be supplied for washing of clothing for every 'C' class prisoner male per week and female prisoner with 80 grams of soda as per week and 200 grams of fire wood per week for washing clothes.

Fortnightly weighments

298. Care shall be taken that the fortnightly weighments recorded under section 35(2) of the Prisons Act, 1894, are made under the same conditions, as regards meal-time and the like, so as to obviate, as far as possible, the variations that naturally take place throughout the day.

NOTE:— Owing to the suspension of labour on Sundays, these days will be found most convenient for taking weighments and when the number of prisoners is large, half of the prisoners can be weighed on alternate Sundays, with the assistance of the compounder, and also if required of a member of the executive staff detailed by the Superintendent for the purpose.

Record of weighments

299. (1) The initial weighment on admission to prison and the final weighment before release shall be recorded in the Convict Register and these as well as all the intermediate fortnightly weighment shall be recorded on the Prisoner's History Ticket and Weighment Chart.

(2) Before recording prisoner's weighments, it shall be ascertained that the weighing machines are accurate.

Treatment of prisoners losing weight

300. (1) All prisoners who have lost more than 1.360 Kg. since the last fortnightly weighment, or more than 3.180 Kg. since admission to Jail, shall be paraded with their weighment charts for the inspection of the Superintendent and Medical Officer, at the general parade next following the day on which the weighments were made.

(2) Special care shall be taken with regard to prisoners of poor physique on admission and in whom a small loss of weight may be of serious import.

Check by Medical Officer

301. The Medical Officer shall, as soon after the fortnightly weighments as possible, check the weights of a dozen or more prisoners taken haphazard, with a view to satisfying himself that they have been correctly made, and shall record briefly in his journal the circumstance that he has done so, with any remarks he may consider necessary.

NOTE:— The body weight varies to a certain extent from time to time, under normal conditions, so small differences of weight up-to 0.910 Kg. would not necessarily indicate that the weighments were carelessly done.

Treatment of hunger strikers

302. (1) Prisoners who go on hunger strike should be warned that no redress of any alleged grievance will be allowed as long as the strike continues, and that they are liable to any prison punishment or to prosecution under section 52 of the Prisons Act, 1894. After sufficient warning and before the refusal to take food has adversely affected them, if any other punishment appears unlikely to deter them they may be prosecuted under section 52 of the said Act. The usual concessions in the matter of interviews and letters shall be withdrawn from prisoners who are on hunger strike.

(2) In case of mass hunger striking which amounts to mutiny, the prisoners should be isolated as far as possible from each other and other prisoners.

(3) When prosecutions are instituted under section 52 of the said Act, the proceedings should be held within the prison and should be begun and completed with as little delay as possible.

Prisoners panchayat Boards and the rules governing them

303. (1) With an aim to create a sence of responsibility and self-reliance among the prisoners, Prisoners Panchayat Boards shall be constituted in all prisons.

(2) The following rules govern the election of convicted and undertrial prisoners to the Prisoner's Panchayat Board:-

(i) In case of Central Prisons, the Panchayat Board will consist of convicted prisoners only and in the case of District Jails it should consist of undertrial prisoners also; and

(ii) No convicted prisoner who has less than six months of his sentence to serve on the date of election shall be eligible for election to the Panchayat Board and no undertrial prisoner who has not spent one month in the jail on the date of election shall be eligible.

(3) The following prisoners are debarred from the benefit of contesting for election to the Panchayat Board:-

(a) Convicted prisoners undergoing imprisonment for or undertrial prisoners who are facing trial for offences committed under sections 143 to 160, 363, 366, 376, 377, 395, to 402 and 406 to 409 of the Indian Penal Code, 1860.

(b) Prisoners whose conduct in the jail has not been satisfactory.

(c) Prisoners who have any previous conviction.

(4) The duration of a Punch shall be six months in the case of Central Prisons and three months in the case of District Jails provided that the period does not exceed six months in any case.

(5) Any vacancy fallen due to the transfer, death or release of any member shall be filled in by holding a bye-election.

(6) The powers and function of the Panchayat shall be limited to a discussion of matters relating to the welfare of prisoners i.e., ration, sanitation, recreation, books and newspapers, etc. The panchayat will also be empowered to look into minor complaints against individual prisoners referred to it by the jail authorities and to suggest to the Superintendents suitable punishment.

The Panchayat in a Central Prison shall also have the privilege of supervising over the kitchen.

(7) The Superintendent shall be the head of the Panchayat Board and he shall have the power to reject any suggestion by the Board which he considers unsuitable in the bonafide interest of jail administration.

(8) The Panchayat will meet once in a fortnight or earlier if considered necessary by the Superintendent.

(9) The Superintendent shall conduct the meetings of the Panchayat and in his absence any officer not below the rank of a Jailor in the case of a Central Prison and Deputy Jailor in the case of a District Jail, duly authorised by the Superintendent shall conduct the meetting.

(10) Any Punch abusing his position shall be removed by the Superintendent from office after making due enquiries and such Punch shall not be eligible for any election unless he is specially recommended by the Superintendent.

(11) In each jail, adequate number of punchas should be elected during normal conditions as per this rule. Under emergencies, the panchayat system shall be kept in abeyance or withheld with the approval of the Inspector General.

CHAPTER XX

OFFENCES AND PUNISHMENTS

Statutory provisions

The acts which constitute prison offences are defined in Section 45 of the Prisons Act, 1894. Under Clause (1) of that Section, those acts include such wilful disobedience to any regulation of the Prison as shall have been declared by rules made under section 59 to be a prison offence. Section 46 et seq. of the Act assign certain powers of punishment to the Superintendent. The combination of more than two punishments for any acts constituting an offence under the Prisons Act is not permissible under the terms of Section 47 of the Act. Further provisions regarding the maintenance of the punishment book, the medical examination of prisoners prior to the infliction of certain punishments, and other connected matters are included in sections 50-53.

Acts declared to be prison-offences by rule made under Act IX of 1894

304. The following acts are forbidden, and every prisoner who wilfully commits any of the following acts shall be deemed to have wilfully disobeyed the regulations of the prison, and to have committed a prison-offence within the meaning of section 45 of the Prisons Act:—

(1) Talking when at file or at unlocking or at latrine, bathing or other parades, or at any time when ordered by an officer of the prison to desist, and singing, loud laughing and loud talking at any time;

(2) Quarrelling with any other prisoner;

(3) Secreting any articles whatever;

(4) Showing disrespect to any jail officer or visitor;

(5) Making groundless complaints;

(6) Answering untruthfully any question put by an officer of the prison or a visitor;

(7) Holding any communication (in writing, by word or mouth, or otherwise) with an outsider, with a prisoner of the opposite sex, or with a prisoner of a different class in disobedience to the regulations of the prison;

(8) Abetting the commission of any prison offence;

(9) Omitting to assist in the maintenance of discipline by reporting any prison-offence, or to give assistance to an officer of the prison when called on to do so;

(10) Doing any act or using any language calculated to wound or offend the feelings and prejudices of a fellow-prisoner;

(11) Doing any act calculated to create any unnecessary alarm in the minds of the prisoners or officers of prison;

(12) Leaving without permission of an officer of the prison, the gang to which he is attached, or the part of the prison in which he is confined;

(13) Leaving without permission of an officer of the prison, the ward, the yard, the place in file, the seat or berth assigned to him;

(14) Loitering about the yards, or lingering in the wards when these are open;

(15) Omitting or refusing to march in file when moving about the prison;

(16) Visiting the latrines or bathing platforms except at stated hours or without permission of an officer of the prison, or resorting unnecessarily to the night latrine or omitting or refusing to employ dry earth in the manner directed by the prison regulations;

(17) Refusing to eat food or the food prescribed by the prison diet-scale;

(18) Eating or appropriating any food not assigned to him, or taking from or adding to the portions assigned to other prisoners;

(19) Removing without permission of an officer of the prison, food from the cook-room or godowns or from the place where meals are served, or disobeying any order as to the issue and distribution of food and drink;

(20) Wilfully destroying food or throwing it away without orders;

(21) Introducing in to food or drink anything likely to render it unpalatable or unwhole-some;

(22) Omitting or refusing to wear the clothing given to him, or exchanging any portion of it for the clothing of other prisoners; or losing discarding, damaging or altering any part of it;

(23) Removing, defacing or altering any distinctive number, mark or badge attached to, or worn on, the clothing on person;

(24) Omitting or refusing to keep the person clean, or disobeying any order regulating the cutting of hair or nails;

(25) Omitting or refusing to keep clean his clothing, blankets, bedding, fetters, aluminium cups or platters or metal tickets or other identification token, or disobeying any order as to the arrangement or disposition of such articles;

(26) Tampering in any away with prison locks, lamps or lights or other property with which he has no concern;

(27) Stealing the prison clothing or any part of the prison kit of any other prisoner;

(28) Committing a nuisence in any part of the prison;

(29) Spitting on or otherwise soiling any floor, door, wall, or other part of the prison building or any article in the prison;

(30) Wilfully befouling the wells, latrines, washing or bathing places;

(31) Damaging the trees and vegetables in the garden of the jail, or maltreating the prison cattle;

(32) Omitting or refusing to take due care of all prison property entrusted to him;

(33) Omitting or refusing to take due care of, or injuring, destroying or misappropriating, the materials and implements entrusted to him for work;

(34) Omitting to report at once any loss, breakage or injury which he may accidentally have caused to prison property or implements;

(35) Manufacturing any article without the knowledge or permission of an officer of the prison;

(36) Performing any portion of the task allotted to another prisoner; or obtaining the assistance of another prisoner in the performance of his own task;

(37) Appropriating any portion of the task performed by another prisoner;

(38) Mixing or adding any foreign substance to the materials issued for work;

(39) Doing or omitting to do any act with intent to cause to himself any illness, injury or disability;

(40) Causing or omitting to assist in suppressing violence or insubordination of any kind;

(41) Taking part in any attack upon any prisoner or officer of the prison;

(42) Omitting or refusing to help any officer of the prison in case of an attempted escape or of an attack upon such officer or upon another prisoner;

(43) Disobeying any lawful order of an officer of the prison or omitting or refusing to perform duties in the manner prescribed;

(44) Smoking at places or at times other than appointed;

(45) Breaches of the conditions of leave and emergency release;

(46) Cooking unauthorisedly;

(47) Violating rules and regulations framed for the orderly running of canteen;

(48) Bartering canteen articles;

(49) Converting or attempting to convert a prisoner to a different religious faith;

(50) Wilfully hurting others' religious feelings, beliefs and faiths;

(51) Agitating or acting on the basis of caste or religious prejudices;

(52) Sending messages surreptitiously by writing or speach;

(53) Participating or organizing unauthorised activities like gambling etc.,

(54) Wilfully or negligently spoils production or damages Government property; and

(55) Refusing to give finger prints, foot prints and photographs.

What are prohibited articles

305. The following shall be deemed to be prohibited articles within the meaning of section 42 and section 45, clause (12) of the Prisons Act, 1894 viz:— prisons, alcohol in any form, opium, ganja or other hemp drug, food, clothing, money, jewellery, knives or

other weapons, tools for working wood, metals or leather, explosives, matches, books, letters, postage stamps, playing cards, or any other article received, possessed or transferred otherwise than by due authority—vide also the provisions of rule 244.

Reference to Magistrate in certain cases

306. When in the opinion of the Superintendent any of the following offences are established against any prisoner, he shall refer the case to the Magistrate exercising jurisdiction for enquiry in accordance with the Code of Criminal Procedure, 1973 (Act No. 2 of 1974):—

(1) Offences punishable under sections 147, 148 and 152 of the Indian Penal Code.

(2) Offences punishable under sections 222, 223 and 224 of the Indian Penal Code.

(3) Offences punishable under section 120-B, 302, 303, 304-A, 309, 325 and 326 of the Indian Penal Code.

(4) Any offence triable exclusively by the Court of Sessions.

NOTE:— Immediate report of the above offences committed by the prisoners in prisons shall be submitted to the Inspector General for submission to Government.

Powers of Superintendent in other cases

307. It shall be in the discretion of the Superintendent to determine, with respect to any other act which constitute both a prison offence and an offence under the Indian Penal Code, whether he will use his own powers of punishment or move the Magistrate possessing jurisdiction to enquire into it in accordance with the Code of Criminal procedure, 1973. (Act No 2 of 1974).

NOTE:— 1. If a prisoner is punished for bad conduct and if the violation was a minor one, one day should be cut from his monthly remission for good conduct; if the violation was of serious nature, he should not be awarded the remission for good conduct for that month.

2. If a prisoner has been punished for a minor violation related with the work, one day's remission should be cut for each offence from his monthly remission for work. If the violation is serious, he should not be granted monthly remission for work for that month.

308. (a) No prisoner shall be punished unless he has been informed of the offence alleged against him and given a proper opportunity of presenting his defence. The Superintendent shall conduct a thorough examination of the case.

(b) All the enquiries against prison offences by prisoners should be conducted either in the Superintendent's office room or in a separate room called orderly room, by the Superintendent and punishment awarded.

(c) Orderly room inquiries should be conducted as promptly as possible. During the Orderly room proceedings the accused should be present. Witnesses should be brought in one at a time.

(d) Every precaution should be taken to ensure that the enquiry is conducted in an orderly manner. Prisoners should be thoroughly searched before being brought in the orderly room. If necessary violent prisoners may be hand cuffed during orderly room enquiry.

(e) In cases of serious violation of prison discipline, the Superintendent may order the recording of statements of persons concerned. When the Superintendent thinks that recording of statements is not necessary, he should briefly record the salient facts of the case in the appropriate column of the orderly room register.

(f) The officer, who had conducted the preliminary investigation should present his report and witness, if any. This report should be presented in a language that is commonly understood in the locality or by the accused, where necessary and available, an interpreter may be provided. The accused and his witness, if any, should be heard.

(g) After the Superintendent has been satisfied that all relevant facts of the case have come to light, he should record his decision in the orderly room register. At the conclusion of the orderly room inquiry the punishment should be promptly implemented, as per prescribed rules.

NOTE:— The Orderly Room inquiry should be conducted in a fair manner. It should not become a mechanical process for the mere awarding of punishments. Disciplinary action should fit into the inmate's treatment programme. It should be just and administered in such a way that the majority of prisoners are able to understand the fairness and significance of the disciplinary action.

309. No officer subordinate to the Superintendent has the power to award any punishment whatever.

All cases of breach of this rule should be reported to the Inspector General.

Loss of privileges for offences committed

310. For a prison-offence, any one of the following punishments, involving loss of privileges admissible, may be awarded:—

(a) Forfeiture of remission earned.

(b) Temporary forfeiture of class for a period not exceeding six months.

(c) Reduction from a higher to a lower grade.

(d) Exclusion from the remission system.

(e) Forfeiture of prison privileges such as facilities of canteen, interviews and letters and concession of release on Home Leave:

Provided that no order of the Superintendent directing the forfeiture of remission exceeding 15 days; or forfeiture of class for a period exceeding one month; or reduction from a higher to a lower grade for a period exceeding three months; or exclusion from the remission system for a period exceeding three months; or forfeiture of interviews, letters or canteen facilities for a period exceeding three months; shall take effect without the previous sanction of the Inspector General.

Handcuffs or fetters shall not be imposed as a measure of punishment

311. Handcuffs or fetters shall not be imposed on a prisoner by way of punishment except as a measure of security as indicated in Chapter No. XXXI. The descriptions of handcuffs and fetters to be imposed for security purposes shall be as follows:—

(a) Handcuffs:— These shall be of iron bar, weighing, with lock, not more than 910 grams each; or swivel with spring catch handcuffs weighing not more than 680 grams each; or chain handcuffs weighing not more than 455 grams each.

(b) Fetters:— Only link fetters composed of a chain and ankle-rings may be used in prisons. The total weight of such fetters, including the ankle-rings shall not exceed 1.360 kgs. and the chain shall be not less than 61 c.m. in length.

Scale of penal diet

312. Penal diet shall consist of the following restricted diet viz:—

(a) A and B class prisoners 0.680 kg. of bread per diem with water or 455 gms. rice or wheat with 15 gms. salt per diem with water.

(b) C class prisoners on mixed diet 455 gms. sifted ragi or cholam flour with 15 gms. salt per diem with water.

(c) C class prisoners on rice diet 455 gms. rice with 15 gms. salt per diem with water.

NOTE:— 225 gms of flour and 15 gms. salt shall be made into a thick kanji for the morning meal and the balance into an unleavened cake for the evening meal.

Imposition of penal diet

313. No task of labour shall be enforced on any day on which a prisoner is on penal diet. The effect of penal diet on a prisoner's health shall be carefully watched both by the Superintendent and Medical Officer, and if the health of a prisoner is injuriously affected to a material extent by penal diet, the prisoner shall be restored to the ordinary dietary. The Superintendent shall cancel any unexpired period of penal diet if the Medical Officer recommends it, but the Medical Officer shall record in writing his reasons for the recommendation.

Imposition of cellular or separate confinement

314. (1) Over the door of each cell in which a prisoner is undergoing cellular or separate confinement shall be placed a ticket signed by the Jailor, in Form No.57, showing the number and name of the prisoner, the offence for which he is being punished, the period of confinement awarded, the date of his being placed in the cell and the date on which he is to be removed, and the labour which he is to perform meantime.

(2) Every prisoner before being placed in cellular or separate confinement shall be thoroughly searched, and any article which it is considered dangerous or inexpedient for him to retain shall be removed. Both the cell and the person of the prisoner shall be carefully searched daily during his continuance in cellular or separate confinement.

(3) Prisoners in cellular or separate confinement shall be provided with suitable work and a regulated task shall be exacted from them.

(4) They shall be permitted to take such exercise in the open air as the Medical Officer shall consider to be necessary for their health.

(5) The bedding of prisoners in cellular or separate confinement shall be taken out of the cells during the day and exposed to the sun and air for as long as the weather permits.

(6) The occupant of each cell shall be required to keep it scrupulously clean.

(7) While executing the punishment of separate confinement, no prisoner shall be kept in separate confinement continuously for more than a fortnight at one time and the interval between one period of confinement and the next will be at least a week.

Classification of punishments

315. The punishments enumerated in section 46 of the Prisons Act, 1894, shall be classified into minor and major punishments as follows:—

A—MINOR

(1) Formal warning;

(2) Change of labour for a stated period to some more irksome or severe form;

(3) Forfeiture of remission earned, not exceeding five days;

(4) Forfeiture of class for a period not exceeding one month;

(5) Reduction from a higher to a lower grade for a period not exceeding three months;

(6) Penal diet, with or without cellular confinement, not exceeding 48 hours;

(7) Cellular confinement for not more than seven days;

(8) Separate confinement for not more than 14 days;

(9) Stoppage of facility of writing and receiving letters for a period not exceeding three months;

(10) Stoppage of interviews for a period not exceeding three months;

(11) Punishment of stoppage of recreational facilities upto a maximum period of one month; and

(12) Stopping canteen facilities upto a maximum period of three months at a time.

NOTE:— Prisoners awarded this punishment should be kept in a separate area so that this punishment may be properly implemented.

B—MAJOR.

(1) Hard labour for a period not exceeding seven days in the case of prisoners not sentenced to rigorous imprisonment;

(2) (a) Forfeiture of remission earned, exceeding five but not exceeding fifteen days;

(b) Forfeiture of remission earned, in excess of fifteen days;

(c) Forfeiture of class for a period exceeding one month;

(d) Exclusion from the remission system for a period not exceeding three months;

(e) Exclusion from the remission system for a period exceeding three months;

(f) Reduction from a higher to a lower grade for a period exceeding three months;

(3) Cellular confinement for a period exceeding seven days;

(4) Separate confinement for a period exceeding 14 days;

(5) Stoppage of writing and receiving letters, or interviews for a period exceeding three months;

(6) Penal diet combind with cellular confinement for more than 48 hours;

(7) Any combination of minor punishments admissible under section 47 of the Act;

(8) Stoppage of recreational facilities for a period exceeding one month; and

(9) Stoppage of canteen facilities for a period exceeding three months;

NOTE: — 1. The major punishments (2) (b), (2) (c), (2) (e), (2) (f), (7) and (9) and any combination of major punishments (2) (b), (2) (c), (2) (e), (2) (f), (5) and (9), shall not be awarded by the Superintendent without the previous sanction of the Inspector General.

2. No order of the Superintendent directing cellular confinement for a period exceeding 14 days; or separate confinement for a period exceeding one month shall take effect without the previous approval of the Inspector General.

3. Penal diet with or without cellular confinement for a period exceeding 48 hours shall not be imposed except on the advice of the Medical Officer to do so, and in no case this punishment shall continue for more than 96 hours.

Wages

316. When a prisoner wilfully or negligently spoils production or damages Government property, the Superintendent is empowered to:—

(a) Cut the prisoners wages upto a maximum of Rs. 3/- at one time.

(b) Order recovery from wages and private cash to reimbursement loss of Government property upto a maximum of Rs. 10/-.

(c) Remove a prisoner from the wages system for a period of three months.

(d) If the Superintendent thinks that more severe punishment is necessary, he should obtain order of the Inspector General.

Record of prison punishments

317. (1) Every prison punishment shall be recorded in the punishment register and also in the prisoner's history ticket.

(2) For security purposes the prisoners undergoing punishment should not be kept in the same call for more than 48 hours. Special care should be taken to see that the prisoners undergoing punishment do not have any article with which they can harm themselves or others.

CHAPTER XXI

THE REMISSION SYSTEM

Rules made under section 59 (5) of the Prisons Act, 1894, to regulate the shortening of sentences by the grant of remission.

Statutory Provisions

318. The rules in this Chapter govern the grant of remission to prisoners.

319. In these rules:-

Definitions

(a) "Prisoner" includes a person committed to prison in default of furnishing security to keep the peace and good behaviour.

(b) "Sentence" means a sentence as finally passed on appeal, revision or otherwise, and includes an aggregate of more sentences than one and an order of committal to prison in default of furnishing security to keep the peace or be of good behaviour.

320. (a) The sentences of all prisoners sentenced to imprisonment for life or more than 20 years' imprisonment in the aggregate (i.e., for terms exceeding in the aggregate 20 years) shall, for the purpose of this rule, be deemed to be sentences of imprisonment for 20 years.

(b) The cases of all prisoners, other than those prisoners sentenced to life imprisonment, who have served half of their sentences including remission and have served not less than two and a half year including remission and,

The cases of all the prisoners sentenced to life imprisonment who have served half of their sentences including remission and have served not less than seven years actual sentence shall be placed before the Advisory Board, as constituted, for consideration as to whether their premature release will be recommended. The cases of prisoners imprisoned for failure to give security under Chapter VIII of the Code of Criminal Procedure, 1973, (Act No.2 of 1974) shall not be placed before the Advisory Board.

(c) The cases of all prisoners sentenced to two years in the aggregate or more but not exceeding three years and who have served three-fourths of their sentence INCLUDING REMISSION shall be placed before the Advisory Board; provided that their conduct in jail has been exemplary. Only such cases of prisoners as are recommended for release by the Advisory Board shall be submitted to Government for orders. The cases of prisoners

imprisoned for failure to give security under Chapter VIII of the Code of Criminal Procedure, 1973 (Act 2 of 1974), shall not be placed before the Advisory Board.

NOTE:— (1) The cases of prisoners convicted by courts martial should also be placed before the Advisory Board for consideration under sub-rules (b) and (c)

(2) Sentences of imprisonment for failure to furnish security should not be taken into account in determining the aggregate sentence for the purpose of sub-rules (b) and (c).

(d) (i) The cases of prisoners coming under sub-rule (a) shall be submitted to Government for orders with the recommendation of the Advisory Board whether it recommends release or not, together with the Judgment of the Court and other connected papers.

If the Government consider that it would be safe to release the prisoners, the unexpired portion of the sentence or sentences shall be remitted under the provision of section 432 Code of Criminal Procedure, 1973, (Act No. 2 of 1974,) where any such sentence is for an offence against any law relating to a matter to which the executive power of the Central Government extends, a suitable recommendation for remission shall be made to the Central Government.

(ii) If the Government refuse to order the release of a prisoner under the one-half remission rules, they shall direct the resubmission of his case for their consideration again after such period as they may deem fit.

Provided that prisoners other than life prisoners shall, on the expiry of their sentences, less the periods or remission earned, be released unconditionally without the specific orders of Government.

(e) The Superintendent of the prison in which such prisoners are confined shall maintain a register in which the name of each prisoner shall be entered under a date two months before he would be eligible for consideration of his release after allowing for normal remission and if, for any reason, he ceases to earn remission or earns special remission, the due date shall be altered accordingly.

(f) The cases of old and decrepit prisoners who are certified by the Medical Officer as incapable of doing any real work and would appear to be unable to commit or organize crime after their release should also be placed before the Advisory

Board for consideration and recommendation, irrespective of the term of imprisonment already served by them.

NOTE:— The following categories of diseases shall be considered as incurable and decrepit and any prisoner suffering from them, if certified to that effect by the Medical Officer may be recommened for release by the Advisory Board after satisfying itself by verification of the prisoner with the medical certificate:—

1. Advanced bilateral pulmonary tuberculosis.
2. Incurable malignancy.
3. Incurable blood diseases.
4. Portal hypertension and ascities.
5. Congestive heart failure.
6. Hypertension of malignant nature.
7. Chronic epilepsy with mental degeneration.
8. Advanced leprosy with deformities and trophiculcers.
9. Total blindness of both eyes.
10. Loss of both legs (if this occurs during the period of imprisonment).
11. Loss of both arms (if this occurs during the period of imprisonment).
12. Incurable paraplegias and hemiplegias.
13. Advanced Parkinsonism.
14. Brain tumour.
15. Incurable Aneurysms.

(g) The cases of all prisoners who satisfy the following conditions shall be placed before the Advisory Board for consideration, namely:—

(1) That the prisoners are over 65 years of age and have served not less than 2½ years of their sentence, including remission; and

(2) That they are serving sentences for their first and only conviction.

(h) The cases of prisoners in respect of whom appeals, either from the prisoners or from the State are pending and also the cases of the prisoners who are facing trial in other cases, shall not be placed before the Advisory Board for consideration.

321. (a) A meeting of the Advisory Board shall be held at least once a quarter and oftener if there be cases to come before it.

(b) (i) The Advisory Board shall consist of:—

HYDERABAD

(1) The Inspector General of Prisons (Chairman)

(2) The Chief Metropolitan Magistrate (Member)

(3) The Deputy Commissioner of Police (Crimes), Hyderabad. (Member)

(4) One or more non-official members appointed by Government.

The Superintendent, Central Prison, Hyderabad, shall be the Secretary of the Board.

MUFUSSIL.

(1) The Inspector General of Prisons (Chairman)

(2) The Sessions Judge of the Sessions division in which the prison is situated (Member)

(3) The Collector and District Magistrate (Member)

(4) One or more non-official members appointed by Government.

The Superintendent of the jail concerned shall be the Secretary of the Board.

(ii) A female non-official member may also be appointed for participating in the deliberations of the Board when it considers the cases of female prisoners.

(iii) The term of office of each non-official member shall ordinarily be three years.

(iv) The non-official members of the Advisary Boards may be paid Travelling Allowance and Dearness Allowance at the rates admissible to non-official members of second class committees vide rule 21 (8) (a) in Annexure VIII of Andhra Pradesh Travelling Allowance Rules.

(v) The Chief Metropolitan Magistrate in the City of Hyderabad, the Collector and District Magistrate in the districts shall, in the absence of the Inspector General of Prisons, preside over the meetings of the Advisory Boards.

Provided that the Sessions Judge of the Sessions division shall, in the absence of the Inspector General of Prisons, and the Collector and District Magistrate, preside over the said meetings.

(vi) All questions at any meeting of the Advisory Board shall be determined by a majority of the members present and voting, and in case of an equality of votes, the presiding member shall have and exercise a second or casting vote.

322. The Superintendent of a Central Prison shall urgently intimate the date of each meeting of the Advisory Board, when the same has been fixed, by prior consultation with the members, to the Chairman, Members and the Inspector General.

323. For purposes of these rules, "Superintendent of a Prison" shall mean the Superintendent or incharge Superintendent of a Central Prison, a Deputy Superintendent, Jailor; or Deputy Jailor of a District Prison and each of them as the case may be, who shall be responsible for compliance with the Advisory Board Rules.

324. (A) Police reports shall be obtained in respect of prisoners whose cases are to be placed before the Advisory Board. Police Officers not lower in rank than Sub-Inspector of Police shall personally enquire into and report on the advisability of premature release of the prisoners. The District Superintendent of Police shall scrutinize the reports and give his considered opinion which shall be submitted to the Advisory Board through the District Magistrate.

(B) Simultaneously reports from the concerned Probation Officers shall also be called for by the Superintendent of the Prison and placed before the Advisory Board.

(C) Reports relating to release of short term prisoners need not however be submitted through the District Magistrate, but shall be sent direct to the Superintendent of the Prison.

325. The Board shall not, as a rule, interview eligible convicts, unless they have special reasons for wishing to see them, for example, when release is proposed on grounds of age or infirmity or to ask them questions. Normally the Committee shall make inquiries in the prison regarding the behaviour of the convict in prison.

326. The Board shall record special reasons when it recommends the release of a convict in opposition to the views of the District Magistrate or the Deputy Commissioner of Police (Criems), and also when it recommends the release of a habitual convict.

327. The Board in cases it decides not to make a recommendation for immediate release, shall order that the case be resubmitted for consideration after an appropriate period, to be specified by it not exceeding three years.

328. The cases of ex-military convicts, charged under the Army Act, 1950 (XLVI of 1950) or former Indian Army Act (VIII of 1911), convicted by Courts-Martial and committed to civil prisons to undergo their sentences, shall not come under the purview of the Board. The Board may, however, make recommendations in respect of them and the same shall be forwarded to the Government for action under section 179 of the Army Act, 1950 (XLVI of 1950).

329. The Superintendent shall submit the following documents in respect of the prisoners whose premature release is recommended by the Advisory Board to the Inspector General for scrutiny and submission to Government.

1. Proceedings of the Advisory Board (Form No.102)

2. Recommendation Roll (Form No.103)

3. Nominal Roll (Form No.50)

4. Working sheet (Form No.104) showing clearly how the date of completion of 1/2 or 3/4 of the sentence of a prisoner is arrived at.

5. Previous history report of the convict obtained from the District Superintendent of Police and District Magistrate (Form No.105)

6. Report of the Probation Officer (Form No.105-A)

7. Copy of the Lower Court Judgment.

8. Copy of the Appellate Court Judgment.

330. The cases of long term convicts, consideration of which has been postponed by the Board and the Government have issued orders accordingly, shall again be submitted to the Board after completing fresh papers, as specified in Rule 324.

331. The cases of convicts recommended by the Advisory Board for release but are subsequently postponed by the Government, shall not be submitted to the Board again. Such cases shall be forwarded direct to the Inspector General two months prior to the completion of the period of postponement, alongwith relevant papers, with information regarding co-accused, so as to enable him to submit them to Government for further consideration.

332. The Revision Sheets of convicts ordered to be released by the Government, shall after due completion, be attached to the commitment warrant or warrants, which shall then, after proper endorsement, be returned to the court concerned.

333. The cases of all prisoners, other than the prisoners sentenced to life imprisonment, sentenced to more than fourteen years imprisonment or for terms exceeding in the aggregate fourteen years shall when the term of imprisonment undergone together with any remission earned or granted amounts to fourteen years, be reported to the Inspector General of Prisons who will submit them to Government for orders and;

The cases of all prisoners sentenced to life imprisonment or to imprisonment for life and imprisonment for terms exceeding in the aggregate fourteen years who have served not less than seven years actual sentence and whose total period of imprisonment undergone including any remission earned or granted amounts to fourteen years shall be reported to the Inspector General of Prisons who will submit them to the Government for orders.

NOTE:— (1) If a convict residing in a district but convicted in Hyderabad city, or vice versa, the District Magistrate concerned and the Deputy Commissioner of Police, (crimes) Hyderabad should be consulted.

(2) If the convict residing in a district but convicted in Hyderabad city, the Deputy Commissioner of Police, (crimes), alone should be consulted.

(3) The District Magistrate of the district in which the convict was convicted need not be consulted if it is neither the district of origin or normal residence of the convict nor the district in which the offence was committed.

(4) The reports from the concerned Probation Officers shall also be called for and submitted to Government through the Inspector General.

334. The following procedure should be adopted when considering the cases of prisoners belonging to other States for premature release by the Advisory Board:—

(a) In the case of prisoners convicted by courts in other States:—

(i) If they are residents of Andhra Pradesh, Superintendents should make inquiries from the district in which they lived in regard to their character and antecedents for the use of the Revision Board.

(ii) If they are not residents of Andhra Pradesh State no such inquiries need be made. The Advisory Board should base its recommendations only on facts appearing in the judgment in the case and conduct in jail and length of sentence undergone.

(b) In the case of subjects belonging to other States convicted by courts in Andhra Pradesh, Superintendents should make inquiries in the district of conviction and submit the case to the Inspector General, who will then address Government in the Home Department in the matter. Government will make any further inquiries that may be necessary in regard to the antecedents of the prisoner.

335. The cases of convicts belonging to this State but sentenced by courts in other States, shall be referred by the Government to the Government of the State in which the convict was sentenced.

336. The cases of convicts sentenced for offences in the Union List, shall be referred to the Central Government.

Exclusion of certain sentences

337. No ordinary remission shall be earned in the following cases, namely:—

(1) In respect of any sentence of rigorous imprisonment amounting, exclusive of any sentence passed in default of payment of fine, to less than three months.

NOTE:— The intention of this rule is that if a prisoner's sentence or total of the sentences is reduced on appeal to less than three months, he shall cease to be eligible for ordinary remission under these rules and any remission that he may have earned prior to the reduction of his sentence or sentences shall be forfeited. See in this connection the definition of "Sentence" in Rule 319 (b).

(2) In respect of any sentence of simple imprisonment amounting, exclusive of any sentence passed in default of fine, to less than 3 months.

NOTE:— Prisoners sentenced to simple imprisonment for three months and over can earn remission, provided they labour voluntarily for any continuous period not being less than one month.

(3) In respect of any sentence passed in default of payment of fine which is not added to a substantive sentence of 3 months or more.

NOTE:— (1) If a convict is undergoing two consecutive sentences one of which is for a term of three months or upwards, he may, if one of the sentences is remitted on appeal and the other sentence is not less

than 3 months, be allowed the benefit of any remission that may be to his credit at the time of the reversal of the sentence above referred to.

(ii) Ordinary remission can be earned throughout a period of imprisonment in lieu of fine which immediately follows and is continuous with a substantive sentence of not less than three months.

Forfeiture of remission

338. (1) If a prisoner is convicted of an offence committed after admission to jail, under sections 147, 148, 152, 224, 302, 304, 304-A, 306, 307, 308, 323, 324, 325, 326, 332, 333, 352, 353 or 377 of the Indian Penal Code, or of an assault committed after admission to Prison on a warder or other officer or having been removed to a hospital or asylum under rule 995 breaks his bond given in Form No.66 the remission of whatever kind earned by him under these rules up to the date of the said conviction or his temporary removal to a hospital or asylum may, with the permission of the Inspector General, be cancelled. A prisoner temporarily removed to a hospital or asylum under rule 995 who breaks his bond and is again admitted to Prison after recapture shall earn no remission under these rules for such period as the Inspector General may order.

(2) When a prisoner escapes from legal custody, the total remission earned by him upto the date of escape shall stand cancelled.

Readmission of excluded prisoner

339. (1) The Superintendent may, with the previous sanction of the Inspector General, readmit to the remission system any prisoner, who has been removed therefrom under the rules framed under clause (3) of section 59 of the Act. Such a prisoner shall earn remission under these rules from the commencement of the month following such re-admission.

(2) When a convict is punished by temporary removal from the Remission Register, the award of punishment shall state specifically the period for which the name has been removed. In the event of a convict being transferred to another prison after his permanent removal from the Remission Register, any recommendation regarding his restoration, to the benefits of the remission system shall be sent through the Superintendent of Prison in which the convict's name was removed from the Remission Register.

Scale of ordinary remission

340. (1) Remission is of three Kinds, viz., Ordinary, Special and Government.

(2) Ordinary remission shall be awarded on the following scale:-

(a) Two days per month for thoroughly good conduct and scrupulous attention to all prison regulations;

(b) Three days per month for industry and the due performance of the daily task imposed.

341. A prisoner who is unable to labour through causes beyond his control by reason of being at court, in transit from one jail to another, in hospital including a mental hospital, or on invalid gang shall be granted remission under sub-rule (a) of rule 340 (2) on the scale earned by him during the previous month, if his conduct prior to and during the period in question has been such as to deserve such grant. He shall also be entitled to the grant of remission under sub-rule (b) on the scale earned by him during the previous month if he has been in prison during that term; if not, at the rate of two days per month.

Provided that, if his absence from work, is due to his own misconduct in jail, no remission under sub-rules (a) and (b) shall be awarded for the period of absence.

Provided further that if he is in hospital or on invalid gang, no remission under sub-rule (b) of Rule 340 (2) shall be granted unless the Medical Officer certifies that the prisoner's absence from labour is due to causes beyond his control and is in no way caused by any action of the prisoner himself taken with a view to escape work or to get into or remain in hospital.

Scale applicable to convict officers

342. In lieu of the remission allowed under Rule 340(2) convict warders shall receive eight days Ordinary Remission per month, convict overseers seven days per month and convict night-watchmen six days per month.

Date from which remission calculated

343. (1) Subject to the provisions of Rule 339, remission under Rule 340 (2), shall be calculated from the first day of the calendar month next following the date of the prisoner's sentence provided that in the case of a prisoner who is sentenced on or before the 15th of a month he shall be granted two days' remission in respect of that month.

(2) Any prisoner, who after having been released on bail or because his sentence has been temporarily suspended is afterwords readmitted into the Prison on or before the 15th of a month, shall be granted two days' remission in respect of that month. If he is admitted on or after the 16th of a month, no remission shall be granted to him in respect of that month but he shall be brought under the remission system on the first day of the calendar month next following the date of his re-admission. Any remission earned previous to his release on bail or the suspension of sentence shall be credited to him, on readmission to Prison.

(3) Remission under rule 342 shall be calculated from the first day of the next calendar month following the appointment of the prisoner as convict warder, convict overseer or convict night watchman.

(4) In the case of a prisoner transferred from a Subsidiary Jail to a prison while undergoing imprisonment, the period spent by him in the Subsidiary Jail in the month of transfer shall be computed along with the period spent by him in the prison in that month for calculating remission due to him for that month.

NOTE:— For the purpose of calculating remission under this rule, a fraction of a day shall be taken as equivalent to one day.

Additional remission to prison servants

344. Prisoners employed on prison services such as cooks and sweepers, who work on Sundays and holidays, may be awarded three days ordinary remission per quarter in addition to any other remission earned under these rules.

Explanation:— One day's remission may be credited to the prisoner at the end of every month during which he has been employed on any prison service.

Award of remission for good conduct

345. Any prisoner eligible for ordinary remission should be awarded 20 days annual good conduct ordinary remission in addition to any other remission provided that he has committed no prison offence whatever for a period of one year reckoned from the date of his sentence of the date on which he was last punished for a prison offence.

NOTE:— 1. For the purpose of this rule prison offence punished with a warning only shall not be taken into account.

2. In the case of a prisoner whose date of release coincides with the date on which he becomes eligible for grant of annual good conduct remission, this remission may be granted in part so as to synchronize with the above referred date.

346. The imprisonment undergone prior to release on parole or bail will count for a fraction of a year for the purpose of granting good conduct remission, which will be awarded after completing the remaining period of one year after return from parole or bail.

Illustration:- If a prisoner who was awarded a good conduct remission on 1-8-65 released on parole on 1-10-65 and surrendered to jail on 1-11-1965 is eligible to get good conduct remission on 1-9-66.

Who may award ordinary remission

347. Ordinary remission shall be awarded by the Superintendent or, subject to his control and supervision and to the provisions of Rule 348, by the Jailor, Deputy Jailor or any other officer specially empowered in that behalf by him.

Procedure on Award

348. An officer awarding ordinary remission shall, before making the award, consult the prisoner's history ticket in which every offence proved against the prisoner must be carefully recorded:-

(a) If a prisoner has not been punished during the quarter otherwise than by a formal warning, he shall be awarded the full ordinary remission for that quarter under rule 340 (2) or, if he is a convict officer under rule 342.

(b) If a prisoner has been punished during the quarter otherwise then by a formal warning, the case shall be placed before the Superintendent, who, after considering the punishment or punishments awarded, shall decide what amount of remission shall be granted under Rule 340 (2), or, if the convict is a convict officer, under Rule 342. All remissions recorded on the prisoner's history tickets shall be entered quarterly in the Remission Register.

Record of award

349 The award of ordinary remission shall be made, as nearly as possible, on 1st January, 1st April, 1st July and 1st October, and the amount shall be intimated to the prisoner and recorded on the history ticket. Remission granted to a prisoner under rule 345, shall be recorded on his History Ticket as soon as possible after it is awarded.

Exclusion of last calendar month

350. (1) No prisoner shall receive ordinary remission in respect of the calendar month in which he is released unless his release falls after the 16th of the month in which case he shall be granted half the remission to which he is entitled in respect of that month. If by the grant of such remission, the date of his release would fall before the 16th he shall be granted only such remission as will entitle him to release on the 16th.

Illustration:— A prisoner whose date of release falls on the 17th of March shall be granted only one day's remission and shall be released on the 16th of March.

(2) If by the grant of ordinary remission for the whole month previous to the month of release, the date of release would fall within the previous month, the prisoner shall be granted only such remission as would entitle him to release on the following month.

Illustration:— A prisoner whose release falls on the 3rd of August shall be granted only two days remission for the month of July, instead of five days, and shall be released on the first of August.

NOTE:— Convict overseers and prisoners referred to in rules 340 (2) and 342 who earn seven days and five days remission respectively and come under the scope of the above sub-rule may be granted four days or three days remission respectively for the month of release and not 3½ and 2½ days' remission.

Qualifications for special remission

351. Special remission may be given to any prisoner whether entitled to ordinary remission or not, for special services, as for example:—

(1) Assisting in detecting or preventing breaches of prison discipline or regulations;

(2) Success in teaching handicrafts;

(3) Special excellence in, or greatly increased out-turn of work of good quality;

(4) Protecting an officer of the prison from attack;

(5) Assisting an officer of the prison in the case of out-break, fire or similar emergency; and

(6) Economy in wearing clothes.

Who may award special remission

352. Special remission may be awarded:—

(a) By the Superintendent to an extent not exceeding thirty days in one year;

(b) By the Inspector General or the State Government to an extent not exceeding sixty days in one year.

Explanation:— For the purpose of this rule year shall be reckoned from the date of sentence, and any fraction of a year shall be reckoned as a complete year.

Record of special remission

353. (1) An award of special remission shall be entered on the History Ticket of the prisoner as soon as possible after it is made, and the reason for every award of special remission by a Superintendent shall be briefly recorded.

(2) Special remission should be sparingly awarded to convict officers and the reason for such awards must always be fully recorded in the history tickets.

Maximum remission awardable

354. The total of ordinary remission and special remission but excluding State Government remission granted to a prisoner shall not exceed one-third of the sentence.

Provided that nothing in this rule shall apply to the prisoners confined in the Open Air Work Camps or Agricultural Colonies or any other similar prisons.

Method of calculating date of release

355. (1) In calculating the date of release of a prisoner, the number of days of remission earned shall be converted into months and days, at the rate of thirty days a month, provided that where the remission earned exceed 365 days it shall be converted into years at the rate of 365 days, the balance, if any, being converted into months and days at the rate of thirty days a month.

(2) When a life convict or a prisoner in whose case the Government have passed an order forbidding his release without reference to it, has earned such remission as would entitle him to release but for the provisions of this rule, the Superintendent shall report accordingly to the Government through the Inspector General in order that his case may be considered with reference to Section 432 of the Code of Criminal Procedure, 1973 (Act 2 of 1974).

356. (a) Remission shall be granted to all class of convicts on the following scale for attending literacy classes in addition to the ordinary remission earned under rules 340 (2), 342 and 344.

(i) 30 days remission to these prisoners who complete the entire course in literacy and who are awarded certificates of successfully passing the test.

(ii) Proportionate remission may also be granted to prisoners who have attended the classes but were unable to attain the required efficiency on account of advanced age, defective vision or shortness of sentence, etc.

This remission will be inaddition to the maximum limit of one-third sentence laid down in rule 354.

(b) A convicted prisoner who donates blood may choose one of the following conditions:—

(i) Remuneration of Rs.8/- and remission of 15 days in the term of imprisonment;

or

(ii) Without remuneration but with remission of 20 days in term of imprisonment.

NOTE:— The term "convicted prisoner" occuring in sub-rule (b) means all prisoners sentenced to either simple or rigorous imprisonment. There shall be an interval of at least three months before a prisoner could volunteer for donation of blood for a second or subsequent time so as to be eligible for this special remission.

(c) All the convicted prisoners both male and female having two or more children and who volunteer to undergo vasectomy or tubectomy operations be allowed a Special Remission not exceeding 30 days (one month) in addtion to the exemption from work already allowed in the State.

Remission in other cases

357. When a prisoner has earned such remission as entitles him to release, the Superintendent shall release him.

Endorsement of remission on warrant

358. When a prisoner is released under rule 357, the total amount of remission earned by him shall be endorsed on his warrant and the endorsement shall be signed by the Superintendent.

Procedure on transfer

359. When a prisoner is transferred to another prison, the total amount of remission earned by him up to the end of the previous month shall be entered on his History Ticket, these entries being signed by the Superintendent.

The receiving prison shall be responsible that the above information is duly obtained. Each prison in which a prisoner serves a portion of his sentence shall be held responsible for the correct calculation of the remission earned in that prison.

360. Remission sheets (or cards) shall be retained in the office of a prison for a period of one year after the unconditional release of the prisoner to whom they relate, or his death, when a prisoner is transferred to another prison, his remission sheet (or card) where such sheets are maintained or where they are not maintained, a statement, certified by the Superintendent of the total remission earned up to the date of transfer, shall be sent with the prisoner.

A prisoner transferred under the reciprocal arrangement from a prison in another State will earn ordinary, special and Government remission as laid down but any other special

remission of sentence not provided above or remission of sentence for ordering premature release shall have to be sanctioned by the Government of the State where the prisoner was convicted and in case of convictions for offences in the Union List, by the Central Government.

361. Remission of sentences granted under sub-section (1) of section 432 of the Code of Criminal Procedure, 1973, (Act No.2 of 1974), shall be allowed to the prisoners in accordance with the order of the Government of the State where the prisoner was convicted for offences against any law relating to a matter to which the executive power of the State extends and of the Central Government where the prisoner was convicted for offences against any law relating to a matter to which the executive power of the Union extends.

362. The sum of two or more sentences awarded to a prisoner, shall be taken as one sentence, provided none of the sentences is to run concurrently with any other. Out of a set of concurrent sentences only the heaviest shall be included in the sum mentioned above. The sentences shall also include those, in lieu of payment of fine.

CHAPTER XXII

GRADING OF CONVICTS AND CONVICT OFFICERS

Statutory provisions

Under section 59, clause (20) of the Prisons Act, 1894, the State Government is empowered to make rules for the selection and appointment of prisoners as officers of prisons. Under section 23 convict officers shall be deemed to be public servants within the meaning of the Indian Penal Code.

General principles

363. The following rules relating to the grading of convicts and to their employment as convict officers of jails are laid down for the encouragement of good conduct and industry in Prisons. They apply to all male and female convicts coming under the remission system, provided that female convicts shall not be eligible for promotion beyond the grade of convict overseer. As convict officers are employed for the convenience of prison administration, such employment can never be claimed as a right, and is always conditional on the prisoner being physically fit to perform the duties required of him. If any convict officer becomes permanently incapable of performing those duties he shall be reverted.

NOTE:— (1) Prisoners placed in "A class" shall not be employed as convict officers.

(2) The privileges in connection with remission and gratuity to which "B class"convict warders shall be entitled, shall respectively be the same as those laid down for "C class" convict warders.

Employment of convict officers

364. (1) The total number of convict officers should be kept as low as possible. The percentage of convict officers in each grade must not exceed 5 per cent of the prison population. The maximum permissible total number of convict officers is therefore 15 per cent of the population and ought, in most prisons, to be considerably less. Any excess requires the special sanction of the Inspector General.

(2) No convict officer shall have independent charge of any file, gang or other body of prisoners, nor shall he have independent power to issue orders to prisoners, but there shall always be a paid officer in superior charge under whose control and orders the convict officer shall work.

Provided that within the main walls of the prison a reliable convict officer may temporarily be entrusted with charge of a gang employed on fatigue duty, or of a convalescent gang or a small gang of scavengers or water carriers or compound sweepers.

(3) Convict officers required for employment in yards or barracks reserved for prisoners sentenced to simple imprisonment shall, as far as possible, be drawn from the ranks of simple imprisonment prisoners.

(4) No convict officer of the casual class shall ordinarily be placed incharge of habitual prisoners.

(5) Habitual prisoners may be employed as convict night watchmen in barracks reserved for habitual prisoners, but shall not be promoted to any higher grade.

Provided that no habitual prisoner with more than two convictions shall be appointed as night watchman in the habitual barracks in prisons other than habitual prisons.

(6) Paid warders only shall be in charge of habitual prisoner gangs and workshops.

(7) Convict officers of all grades shall be exempt from liability to wear fetters.

Gratuity to ordinary convicts

365. (1) Convicts who come under the remission rules and who have earned 60 days remission, shall, if well conducted, be granted gratuity at the rate of twenty five paise per mensem.

NOTE:— (1) As regards the gratuity to be granted to convict nursing orderlies see rule 602.

(2) As regards remuneration and remission to be granted to the prisoners for donating blood to the Blood Bank, see rule 355.

(2) No convict shall, without the consent of the Inspector General, be promoted to the rank of a convict officer till he has earned at least 60 days' remission.

Remission to short-termers in lieu of gratuity

366. Convicts sentenced to terms of imprisonment of two years and below and entitled to the benefit of gratuity under rule 365 (1) supra, shall, in lieu of the amount of gratuity earned by them, be granted remission in days, calculated at the rate of twenty five paise per day. The remission so granted shall be in addition to the remission earned by them under Chapter XXI.

Remission to convicts sentenced to imprisonment above two years

367. Convicts sentenced to imprisonment above two years and entitled to the benefit of gratuity under rule 365 (1) shall, at their option and in lieu of the amount of gratuity earned by them, be granted remission in days calculated at the rate of twenty five paise per day. The option shall be expressed within three to six months from the date on which the convict becomes entitled to the benefit of gratuity under rule 365 (1). The option once exercised

shall ordinarily be final but may be revoked with the permission of the Superintendent. The exercise and revocation of the option referred to above shall be recorded in writing in the convicts' remission sheet over his signature or left thumb impression.

Disposal of gratuity on death of convict

368. If a convict dies before his release, the gratuity earned by him shall lapse to the Government.

Provided that, if the convict has a "wish" for the disposal of the gratuity, which shall be recorded and attested by the Superintendent before his death, the gratuity shall be disposed of as desired by him.

Grades of convict officers

369. There shall be three grades of convict officers, namely:—

(1) Convict night-watchmen.

(2) Convict overseers.

(3) Convict warders.

Appointment, privileges and duties of convict night watchmen

370. Convict night watchmen shall be selected from among convicts who are eligible to earn gratuity. They shall be allowed to a gratuity at the rate of fifty paise per mensem. They shall wear a brass badge on the right arm but in respect of letter writing and interviews, they shall be in the same position as other convicts. They shall not be exempt from tasked labour. In this connection, see remarks against convict watchmen in table of tasks printed in Appendix-II Part-XV. Their duty shall consist in taking a watch nightly inside a sleeping ward, in maintaining order during their watch and preventing all irregularities, attempts to escape, etc., and in bringing to the notice of the sentry, Rounds Officer, or other jail officers, any matter requiring attention, e.g., that the light in the ward has gone out, that any prisoner is ill or has left his pial or is misbehaving himself in any way.

Appointment and privileges of convict overseers

371. Convict overseers shall be selected from among convict night-watchmen or convicts who are eligible to earn gratuity. They shall wear a brass badge on the right arm. They shall be allowed a gratuity at the rate of one rupee per mensem, but shall be in the same position as other convicts in regard to letter writing and interviews. They may be exempted from tasked labour, if the Superintendent so directs.

Duties of convict overseers

372. The duties of a convict overseer shall be:—

(i) To take a watch nightly inside the ward in the manner prescribed for convict night-watchmen;

(ii) To maintain order and discipline in his ward, squad and workshop;

(iii) To supervise the labour of his squad, to see that each prisoner does his allotted task, does not waste or steal materials, spoil his work, or damage his tools or machinary and to see that all tools are properly used and carefully returned into store;

(iv) To pay attention to the cleanliness of the persons and clothes of the prisoners, and to see that they bathe at such hours as may be prescribed;

(v) To report any signs of sickness among the prisoners;

(vi) To escort the prisoners about the prison when required;

(vii) To report the possession of any forbidden article by any convict and to prevent breaches of prison rules;

(viii) To maintain order and neatness in the workshop; and

(ix) To bring all breaches of discipline, short work and misconduct among the prisoners to the notice of the Jailor.

Appointment of convict warders

373. Convict night-watchmen and convict overseers shall be eligible for appointment as convict warders subject to the following conditions:—

(1) That they shall have served at least six months as convict officers;

(2) That they shall have completed one-half of their sentences of imprisonment (including remission). In the case of life-convicts, this will be taken at 7 years; and

(3) That they are of good conduct.

Inspector General to fix number of convict warders in each prison

374. The number of convict warders in any prison shall be fixed from time to time by the Inspector General in accordance with the requirements of the prison.

375. Every convict warder, who performs his duties to the satisfaction of the Superintendent, shall be granted a gratuity at the rate of two rupees per mensem. The Superintendent may, in any case, for sufficient reasons, either reduce the amount of gratuity for any period or forfeit the whole or part of any gratuity earned under this rule. Grant of gratuity to convict warders

376. (a) Any amount up to half the amount of monthly gratuity earned by a convict warder or overseer or night watchman may, at his option, be spent during the month in the purchase of tobacco, snuff, soap, books, sandals, and subject to the approval of the Medical Officer and the Superintendent, eatables in moderate quantities, for strictly personal requirements; the distribution and use of these purchases shall be so regulated as to prevent other prisoners from having a share in them. No intoxicating liquors or drugs shall be allowed. Half the monthly earnings may be spent on tobacco and snuff

(b) The unspent balance of gratuity shall be allowed to accumulate and be paid to him on release in addition to any other moneys he may be entitled under the rules.

377. A convict officer is not entitled to earn gratuity, if he is in hospital for more than a week. If the period is one week or less, full gratuity for that month may be granted.

378 .The gratuity earned by a convict in his capacity as a convict nursing orderly, or convict night watchman, or convict overseer, or convict warder shall not be converted into remission. The gratuity expended in purchasing the extras referred to in rule 376 (a) shall also be noted in the Remission sheet. Gratuity earned in the capacity of a convict officer shall not be converted into remission

379. Increased gratuity shall, when the promotion is not made on the first day of the month only be reckoned from the first of the month following that in which a convict is promoted as convict officer; this rule also applies in the case of increased gratuity on the promotion of a convict officer from a lower to higher grade. When the promotion is made on the first day of the month, the gratuity or increased gratuity, as the case may be, reckone from the date of such promotion. In the case of reduction, the convict officer reduced will draw the gratuity of the grade to which he may be reduced from the first of the month in which the reduction has been ordered. In the case of reduction to convict, no gratuity will be drawn for the month in which such reduction has taken place. Award of gratuity to convict officers

380. Convict warders shall be allowed rice or wheat diet even if they have been awarded mixed diet by the convicting courts, and be provided with quarters within the jail entirely separated from those of other convicts. They shall be shaved, and, if possible, Privileges of convict warders

bathe apart from other convicts. Their washing shall be done by dhobi convicts and they shall be paraded separately. They shall be exempt from the imposition of fetters and handcuffs as a punishment, and shall not be required to be shaved or have their hair cut closer than may be necessary for health and cleanliness (vide rule 256). They shall be permitted to have an interview with their friends and relatives once in a fortnight and to write and receive two letters a month. They may, with the permission of the Superintendent, substitute a letter with a reply for an interview or vice versa.

Duties of convict warders

381. A convict warder shall perform such duties in the matter of guarding and the like as may, at any time, be assigned to him. He shall report all infringements of the prison rules and take all lawful measures to prevent them; and shall render all necessary assistance to the officials in authority over him.

(2) At the discretion of the Superintendent, convict warders may be employed for patrolling duty outside the sleeping barracks at night times. This duty shall however be entrusted to only those convict warders who are reliable, whose conduct has been good and whose unexpired terms of sentences are short, and also those who if released on parole or furlough have returned to the prison on expiry of the period of such release punctually. The convict warders so employed on patrolling duty outside the sleeping barrack at night times should have not more than 2 years unexpired sentence and the duties of the convict warders allotted such night patrolling should be confined only to the minor circle of the prison as far as possible and should not move one circle to another.

(3) The main wall and outer yard should always be manned for duty by the guarding staff.

Equipment of convict warders

382. (1) Every convict warder shall be provided with a brass number and shall wear it on his turban and also with a brown leather waist belt with buckle, and a whistle with cord and a baton.

(2) Female convict officers shall wear the same style of clothing as female convicts.

Appointment of unqualified convicts as convict officers

383. If, in any prison, a sufficient number of convicts eligible for employment as convict officers is not available, convicts who are not fully eligible may be so employed and permitted to share the concessions, including extra remission, given to qualified prisoners, while so employed, subject to the following conditions:-

(1) Each such case shall be submitted for the sanction of the Inspector General.

(2) The convicts who most nearly comply with the conditions laid down in the foregoing rules shall be selected.

(3) No convict who is not on the remission system shall be employed as a convict officer unless and until he has served one-half of his sentence and unless he is of thoroughly good conduct.

(4) In those cases in which a convict has been appointed as convict officer under the written sanction of the Inspector General, the number and date of the order conveying such sanction shall be entered at the head of the page in the Remission Sheet in which the convict officer's name appears and in the History Ticket.

NOTE:— See Chapter XXIV for clothing of convict officers.

CHAPTER XXIII

DIETARY

384. The following are the sanctioned diet scales, and no reduction shall be made in them except in the case of prisoners on punishment diet (penal diet) which was prescribed in the chapter on offences and punishments.

385. The non-vegetarian and vegetarian diet scales for 'A' and 'B' class prisoners shall be as follows:—

Sl. No.	Name of the dietary article.	Non-vegetarian scale.	Vegetarian scale.
1	2	3	4
1	Rice	500 Grams	500 Grams
2	Wheat, Jawar or Bajra flour.	100 ,,	100 ,,
3	Dhall (three varieties to be issued alternatively)	100 ,,	100 ,,
4	Vegetables leafy.	100 ,,	150 ,,
5	Vegetables non-leafy (including potatoes)	150 ,,	150 ,,
6	Ground-nut oil or any other substitute.	25 ,,	25 ,,
7	Tamarind	20 ,,	20 ,,
8	Fuel (fire-wood or any other substitute)	900 ,,	900 ,,
9	Salt	35 ,,	35 ,,
10	Mutton (with bones or any other non-vegetarian dish like fish, beef etc.)	115 ,,	—
11	Onions	25 ,,	25 ,,
12	Chilli powder.	10 ,,	10 ,,
13	Tea or Coffee	10 ,,	10 ,,
14	Sugar	60 ,,	60 ,,
15	Milk	400 Ml.	500 Ml.
16	Vegetable ghee (dalda)	20 Grams	30 Grams
17	Turmeric	2 ,,	2 ,,

1	2	3	4
18	Garlic	4 Grams	4 Grmas
19	Coriander	4 ,,	4 ,,
20	Black pepper	4 ,,	4 ,,
21	Mustard	3 ,,	3 ,,
22	Cumin seeds	3 ,,	3 ,,

NOTE:— (1) 'A' and 'B' class prisoners may also be allowed to supplement their diet at their own cost,

(2) When the supplementary diet comes from their friends or relatives outside, the same shall be subject to search and examination by such prison official as may be authorised by the Superintendent.

(3) These prisoners shall be allowed fruits worth nineteen paise each, thrice a week.

386. The dietary articles of Non-vegetarian and vegetarian 'A' and 'B' class prisoners shall be distributed for breakfast, dinner and supper as detailed below:— Distribution of diet

1. BREAKFAST

Sl. No	Name of the dietary article.	Non-vegetarian quantity.	Vegetarian quantity.
1	2	3	4
1	Wheat, Jawar or Bajra flour.	100 Grams	100 Grams
2	Vegetable ghee (dalda)	10 ,,	10 ,,
3	Tea or Coffee	10 ,,	10 ,,
4	Sugar	60 ,,	60 ,,
5	Milk	100 ml.	100 ml.

NOTE:— The prisoner shall have his breakfast with Tea or Coffee and solid eatable made from Wheat, Jawar or Bajra flour and Vegetable ghee.

2. DINNER

Sl. No.	Name of the dietary article.	Non-vegetarian quantity.	Vegetarian quantity.
1	2	3	4
1	Rice	250 Grams	250 Grams
2	Dhall (three varieties)	100 ,,	100 ,,
3	Vegetables leafy	50 ,,	100 ,,
4	Vegetables non-leafy	75 ,,	75 ,,
5	Groundnut oil or any other substitute	10 ,,	10 ,,
6	Mutton (with bones or any other non-vegetarian dish like beef, fish etc)	115 ,,	—
7	Onions	25 ,,	25 ,,
8	Chilli powder	5 ,,	5 ,,
9	Vegetable ghee (dalda)	10 ,,	10 ,,
10	Tamarind	5 ,,	5 ,,
11	Turmeric	1 ,,	1 ,,
12	Garlic	2 ,,	2 ,,
13	Coriander	2 ,,	2 ,,
14	Mustard	2 ,,	2 ,,
15	Cumin seeds	2 ,,	2 ,,
16	Milk	150 Ml.	200 Ml.

NOTE:— The prisoner shall have his dinner with rice; two curries (i. e., meat curry and vegetable curry for non-vegetarian; and two vegetable curries for vegetarian) dhall; and curd or butter-milk.

3. SUPPER

Sl. No.	Name of the dietary article.	Non-vegetarian quantity	Vegetarian quantity.
1	2	3	4
1	Rice	250 Grams	250 Grams
2	Vegetables leafy	50 ,,	50 ,,
3	Vegetables non-leafy	75 ,,	75 ,,
4	Groundnut oil or any other substitute.	15 ,,	15 ,,

1	2	3		4	
5	Tamarind	15	Grams	15	Grams
6	Chilli powder.	5	,,	5	,,
7	Vegetable ghee (dalda)	—		10	,,
8	Turmeric	1	,,	1	,,
9	Garlic	2	,,	2	,,
10	Coriander	2	,,	2	,,
11	Black pepper	4	,,	4	,,
12	Mustard	1	,,	1	,,
13	Cumin seeds	1	,,	1	,,
14	Milk	150	ml.	200	ml.

NOTE:— (1) The prisoner shall have his supper with rice, one vegetable curry, rasam (tamarind, pepper, water) and curd or butter milk.

(2) Salt and fuel may be issued for the breakfast, dinner and supper at a time so that the quantity may not exceed the scale prescribed for a day.

387. The diet scale for 'C' class prisoners shall be as detailed below per head per day:—

Sl. No.	Name of the dietary article.	Labouring quantity.		Non-Labouring quantity.	
1	2	3		4	
1	(a) Rice diet:— Rice	700	Grams	600	Grams
	(b) Wheat diet:—Wheat flour	700	,,	600	,,
	(c) Mixed diet:— Jawar or Bajra flour and Rice	700	,,	600	,,
2	Dhall (not to be issued on Sundays)	100	,,	100	,,
3	Vegetables	250	,,	250	,,
4	Groundnut oil or any other substitute.	30	,,	30	,,
5	Tamarind	20	,,	20	,,

1	2	3		4	
6	Fuel (fire-wood or any other suitable substitute)	700	Grams	700	Grams
7	Salt	35	,,	35	,,
8	Mutton with bones or any other non-vegetarian dish like fish or beef etc. (weekly once)	175	,,	175	,,
9	Onions (to be issued on Sundays only)	15	,,	15	,,
10	Chillies	10	,,	10	,,
11	Turmeric	2	,,	2	,,
12	Garlic	4	,,	4	,,
13	Coriander	4	,,	4	,,
14	Chillies to be issued on Sundays (Extra, besides the usual quantity of 10 grams)	5	,,	5	,,
15	Milk (to be converted into butter milk or curd)	70	ml.	70	ml.

NOTE:— 1. On Sundays vegetarian prisoner should be issued 70 grams of jaggary 70 grams of Bengal gram dhall flour, 35 grams of oil and 140 grams of potatoes in lieu of meat.

2. A Sikh prisoner may be issued 170 grams of Jhataka Mutton on each Sunday, provided it is available at approximately the same rate as ordinary mutton. If Jhataka mutton is not available and the prisorer declines to accept ordinary mutton, he may be supplied with the articles prescribed in Note (1) above for vegetarian diet.

3. The 100 grams of dhall to be issued per head per day shall be either of the three varieties viz., toor dhall, gram dhall and moong dhall and these dhalls shall be issued on alternative days, one after the other.

388. The prisoners confined in Open Air Prisons and Agricultural Colonies, who are actually employed on labour (i.e., excavation etc) the following extras may be issued per head per day, in addition to the scale prescribed for them:— Extra diet for prisoners in open air prisons

(i)	(a)	Rice	100 grams	for rice eater.
	(b)	Wheat	100 ,,	for wheat eater.
	(c)	Jawar, wheat or rice	100 ,,	Proportionately for mixed eater.
(ii)		Dhall	20 ,,	
(iii)		Vegetables (solid)	20 ,,	
(iv)		Fire-wood	100 ,,	
(v)		Salt	5 ,,	

389. The 'C' class prisoners who are awarded Rice diet, wheat diet, and mixed diet by the courts, shall receive them as detailed below per head per day:— Distribution of diet for 'C' class prisoners

Sl. No.	Name of diet	Break fast, Dinner or Supper	Articles	Labouring quantity	Non-labouring quantity
1	2	3	4	5	6
1	Rice diet	Break fast	Rice	100 Grams	100 Grams
		Dinner	Rice	300 ,,	250 ,,
		Supper	Rice	300 ,,	250 ,,
2	Wheat diet	Break fast	Wheat flour	100 ,,	100 ,,
		Dinner	Wheat flour	300 ,,	250 ,,
		Supper	Wheat flour	300 ,,	250 ,,
3	Mixed diet	Break fast	Jawar or Bajra flour or rice	100 ,,	100 ,,

1	2	3	4	5	6
		Dinner	Jawar or Bajra flour	300 Grams	250 Grams
		Supper	Jawar or Bajra flour or rice	300 ,,	250 ,,

Breakfast for 'C' class prisoners

390. The breakfast shall be served to the 'C' class prisoners immediately after the latrine and washing parade. It shall be given in the form of conjee (gruel) with little quantity of salt and tamarind chetny.

Dinner for 'C' class prisoners

391. The dinner shall be served, individually by weighment to the 'C' class prisoners at about 11 A. M. It shall consist of Rice in boiled form (dry and loose) for rice eaters; wheat flour in the form of cake or gruel for wheat eaters; and Jawar or Bajra flour in the form of cake or gruel for mixed diet eaters. In addition to this, they shall receive daily, one vegetable curry, sambar or dhal (except on Sundays) and Butter-milk or curd.

Supper for 'C' class prisoners

392. The supper shall be served, individually by weighment to the 'C' class prisoners at about 5 P. M. It shall consist of Rice in boiled form (dry and loose) for rice eaters; wheat flour in the form of cake or gruel for wheat eaters; and Jawar or Bajra flour in the form of cake or gruel or rice in boiled form as the case may be in respect of mixed diet eaters. In addition to this, they shall be served daily with one vegetable curry, rasam and butter-milk.

NOTE:— (1) The diet scales prescribed in rule 385 and rule 387 are applicable to the prisoners of the respective classes confined in Central Prisons, State Jail for Women, Rajahmundry, District Jails and Sub-Jails, Grade II while those prescribed in rule 387 read with rule 388 are applicable to the prisoners confined in open prisons.

(2) The diet scales and distribution of diet prescribed in the rules of this Chapter denote the official policy for general accounting purpose, while the inmates will be served as much as they like within the total scale for the day.

Special diet on Sundays

393. Non-vegetarian 'C' class prisoner shall receive mutton curry along with his supper, while the vegetarian 'C' class prisoner shall receive a potato curry and sweets made from the articles specified in Note (1) under rule 387.

Certain restrictions and relaxations in respect of change of diet

394. (1) In respect of newly sentenced prisoners, the class of diet whether rice, wheat or mixed diet, which they have to receive in prison shall be determined by the convicting court and be entered in the committal warrants issued by it. The Magistrate shall make personal enquiries as to the habits and status of the prisoner before deciding on the class of diet to be allowed to him and shall note in his own hand the following particulars at the foot of the warrant:—

(a) The diet to which the prisoner was accustomed according to his own statement;

(b) The diet recommended by the Magistrate; and

(c) Brief reasons if rice or wheat is recommended.

(2) The diet of the individual prisoners may be modified on the recommendation of the Medical Officer, but the diet of any body of prisoners shall not be changed without the previous sanction of the Inspector General, except in case of emergency when the Medical Officer may change the same. Any such action shall at once be reported to the Inspector General by letter, the circumstances leading to the change being fully stated therein.

(3) Any sanction which may be accorded to change in the above diet scales by the Inspector General shall only hold good (if a period has not been specified) till the end of the calendar year in which it has been sanctioned. If it is desired that the revised scale should be continued, fresh sanction shall be applied for.

(4) Any prisoner may while in prison, if dissatisfied with the diet allowed, apply to the Superintendent for a revision, and the Superintendent shall allow the change only once, with the previous sanction of the Inspector General.

(5) All Convict Warders, Convict Overseers and adolescent delinquents committed to the prison shall be given rice diet, except those awarded wheat diet by the convicting courts.

Precautions about cleaning and issue of certain dietary articles

395. (1) In order to ensure that prisoners get the full benefit of fats in the issue of butter-milk, care shall be taken to see that the cream or butter is not removed from either the milk or curds. For this purpose, the Assistant Surgeon shall supervise the entire process of boiling the milk and its conversion into

butter-milk. The Superintendent and the Medical Officer shall independently satisfy themselves that the prisoners receive the full benefits of butter-milk, by frequent surprise checks, which shall be noted in their journals.

(2) Jawar and Bajra shall be cleaned and cooked in accordance with the directions in Appendix-II, Part-II.

(3) No rice less than six months old shall be issued. Cooked rice in dry and loose form should not weigh less than two and half times to the uncooked rice.

(4) Dhall shall be freed from husk except where the germinating variety is in use and issued in the curry and not separately.

(5) The oil shall be tempered, and mixed with the curry in the presence of a responsible officer of the prison, who shall ascertain by weighment that the quantity is correct.

(6) The allowance of vegetables shall be calculated, after stalks, skins and refuse have been separated, and only good succulent vegetables shall be used. Similarly the allowance of tamarind shall be issued free of husk and seed.

(7) If cheaper, an equal quantity of mango pickle or lime juice may be substituted for tamarind, if procurable from the prison garden.

Diet for prisoners admitted into the prison late in the evening

396. The following scale of diet for the evening meal is prescribed for prisoners who are received into the prison late in the evening without having had an evening meal outside:-

(i) 'A' and 'B' class convicted prisoners and special class under-trial prisoners—

Bread	280 grams
Milk	140 ml
Sugar	70 grams
Tea or coffee	9 ,,

(ii) 'C' class convicted prisoners and ordinary class under-trial prisoner—

Rice	210	grams
Butter-milk	280	ml
Salt	20	grams
Onions	20	,,
Tamarind	20	,,
Chillies	5	,,
Coriander	2	,,
Turmeric	1	,,
Garlic	2	,,

NOTE:— (1) Fire-Wood should ordinarly be found from the regular daily supply of fuel. Where this is not practicable, fuel shall be issued upto a maximum of 460 grams per head.

(2) In the case of scale (ii) above, the rice shall be made into gruel with 7 grams of salt. The remaining quantity of salt shall be used for chetny and butter-milk.

(3) Rasam may be issued with the above ingredients in lieu of chetny.

Special diet to all classes of prisoners on festival days

397. Special diet at a cost of Rs.0.40 (paise forty only) per head per day may be issued to all classes of prisoners confined in all Central Prisons, District Prisons, State Jail for Women, Rajahmundry and Open Prisons, on the following festival days:—

(i) Dasara

(ii) Deepavali

(iii) Iduzzoha

(iv) Idul Fiter

(v) Independence day

(vi) Republic day

(vii) Christmas day.

Food to be cooked at main kitchen

398. All food except that specially prepared for prisoners in hospital. 'A' and 'B' class prisoners and Civil prisoners, shall be cooked at the main kitchen.

Appointment of cooks

399. Civil prisoners shall be allowed to cook for themselves. For all other prisoners, convict-cooks in the proportion of one cook to every 25 prisoners or in Central Prisons, one cook to every 50 prisoners, shall be appointed.

Duties of cooks

400. (1) The work of preparing grain shall not be done by the cooks. They shall, however, wash the rice and prepare the vegetables.

(2) The cooks shall be required to keep the kitchen clean and tidy and the cooking pots, moulds, trays etc., scrupulously clean. They shall carry the cooked food to a central position, to be selected by the Superintendent, where it shall be inspected by the Superintendent or Jailor, and then removed to the several blocks by convicts and distributed to the prisoners under the supervision of the block warder.

Cooking vessels etc

401. Brass, copper or aluminium pots shall be used for cooking. The cooked Jawar or Bajra shall be moulded on slabs of stone or on tables. Trays made of metal with handles may be employed to carry food on.

Protection of food from flies

402. All food shall be carefully protected from flies.

Eating and drinking vessels

403. (1) Every prisoner shall be provided with aluminium or earthen vessels for eating and drinking purposes. Every prisoner sentenced to imprisonment for one year and more shall be provided with an aluminium plate for purpose of eating food etc., and two small aluminium mugs of 500 ml. and 300 ml. capacity respectively for purposes of drinking water and butter-milk. Suitable earthenware vessels for the said purposes may be supplied to short-term prisoners (i.e., those sentenced to less than one year).

(2) In addition to those mentioned in sub-rule (1) above, each 'A' and 'B' class prisoner shall be provided with three aluminium mugs of 600 ml, capacity each.

Daily inspection of food supplies

404. The Superintendent and the Medical Officer shall exercise the utmost vigilance in the supervision of the food supplied, and all articles issued for consumption shall be inspected daily by the Medical Officer or in his absence, by the Assistant Surgeon. The inspecting officer shall especially see that the full ration of vegetables of good quality is issued and that any defect in quality is brought to the notice of the Superintendent.

Inspection of cooked food

405. It is of the highest importance that the food should be properly cooked and that the full quantity should reach the prisoners. At least once a week the food, when cooked and ready for issue, shall be inspected without previous notice and its

weight checked by the Superintendent and Medical Officer to see that it is properly prepared and that the full quantity is received by the prisoners. They shall note the result of this inspection in their journals.

406. All articles of food issued for consumption shall be weighed daily by the Deputy Jailor, who shall be responsible that the proper quantity is issued for every prisoner. From time to time the Superintendent shall check the issues of rations thus made. In weighing or measuring rations and food, metric weights and measures shall always be used, and a proper sets of scales, weights and measures shall be maintained in every prison, and shall be frequently tested by Superintendent. Weighmen of articles of food

407. If any complaint is made by a prisoner regarding the quantity, quality, or cooking of the food, it shall be at once inquired into by the Jailor and the circumstances reported in his Report Book. If the complaint relates to the quantity of food received, the ration shall be at once weighed in the presence of the prisoner making the complaint. Disposal of complaint by prisoner

408. The diet of a prisoner in hospital shall be entirely under the Medical Officer's control, and he may order such extras as he considers necessary, but he should exercise such economy as is not inconsistent with the well-being of the sick. Control of hospital diet

409. The ordinary hospital diets shall be as follows:— Hospital diets

Scale No. I.

	Milk	1.500 Litres	daily.
	Fire-wood	560 Grams	,,
	Sugar	35 ,,	,,

Scale No. II.

	Milk	1 Litre	daily.
	Arrow-root		,,
	or Sago	105 grams	,,
	Sugar	70 grams	,,
For early	Rice	70 ,,	,,
morning	Salt	5 ,,	,,
conjee (gruel)			
	Fire-wood	560 ,,	,,

Scale No. III

Ordinary diet scales prescribed for 'A' and 'B' class and 'C' class prisoners with the addition of 250 ml. of milk daily.

Scale No. IV

Ordinary diet scales prescribed for 'A' and 'B' class and 'C' class prisoners alone, without any additions.

Diet of children and Nursing mothers

410. (1) Children in prison with their mothers are to be allowed such diet as the Medical Officer may order for them.

(2) Nursing mothers may be allowed, in exercise of the ordinary labour rations, such articles of diet as the Medical Officer may direct; the cost of the same being debited to extra provision.

411. (1) When the ration of flour for a meal exceeds 210 grams it is desirable that it should be prepared in two or more cakes. The diameter of each chapati should not be less than eight inches. A wooden standard for testing them should be kept in each cook-house.

(2) The tamarind should be allowed to soak for an hour or so in water just sufficient to cover it, before it is used, or it can be allowed to soak all night, being in the morning thoroughly broken up with the hand. The decoction should, in the latter case, be strained through a course cloth before it is mixed with the dhall or vegetables.

CHAPTER XXIV

CLOTHING AND BEDDING

NOTE:— (1) All Prison Officers are liable in view of Rules 42 and 88, to make good any loss to Government occasioned by failure to comply with these rules or neglect of duty in connection therewith. This direction applies to articles of Civil Stores also.

(2) Nothing in this chapter applies to prisoners under sentence of simple imprisonment. The supply of clothing to civil and undertrial prisoners is provided for in Chapters XXXVIII and XXXIX.

(3) If military prisoners are entitled to wear their own clothing, that clothing shall not be military uniform.

Convicts to wear jail clothing

412. Every convict under sentence of rigorous imprisonment or of imprisonment for life shall be required to wear jail clothing as prescribed in these rules, and shall be supplied with jail bedding. A prisoner of any other class shall be supplied with clothing and bedding if he requires.

Material of prisoners' clothing

413. "B" and "C" class convicts, convict overseers and warders and females shall be provided with clothing of white cotton material.

Clothing of 'C' Class convicts

414. (1) The clothing of a 'C' class male convicts shall consist of a shirt (half sleeves), a short, a cap, a lungoti and a towel. These items shall constitute a set of apparel. No pocket or opening in the clothing other than those authorised shall be allowed and the pattern shall in no way be departed from. Muslim convicts shall be supplied with trousers reaching to within ten centimetres above the ankle, in lieu of shorts.

(2) The clothing of a 'C' class female convict, shall consist of a Saree of 7.32 meters in length and 107 centimetres in width, a Ravika (blouse) and a towel. These items shall constitute a set of apparel. Christian and Muslim women shall be given the option of wearing, in lieu of a Saree, a petticoat (Pavada), and an upper cloth (dhavani) of the style usually worn by women of those religions, 3.66 metres of cloth being allowed for each of these two items.

(3) Male habitual convicts shall be required to wear a white cap with a circular piece of blue cloth 3.8 C.M. in diametre stitched in the centre of the cap, and female habitual convicts a blue border 2.5 C.M. wide on both edges of their sarees.

(4) Male convicts sentenced to imprisonment for life shall be required to wear a white cap with a circular piece of red cloth 3.8 C.M. in diameter stitched in the centre of the cap, and females of the same class a red border 2.5 C.M. wide on both edges of their sarees.

(5) The sarees supplied to female convicts, not falling under sub rule (3) and (4) shall have a green border 2.5 C.M. wide on both edges.

Provided that where any such convict is a widow, the saree supplied shall be plain white unless she prefers to wear the saree with green borders.

(6) The convict's cotton towel shall be of 122 C.M. by 61 C.M.

(7) The clothing of star class prisoners should be distinguished by means of a red star knitted on the jacket in the centre in front.

(8) Shoes and chappals may be allowed to 'C' class convicts, if supplied by relatives and friends or if purchased by convicts at their own cost. Prisoners who do not have Prisoners Private Cash and who cannot afford to purchase, shall be provided with a pair of chappals, if recommended by Medical Officer.

(9) Sikh prisoners shall be permitted to wear in jail a pagri of suitable size, kachh (short drawers) to reach to the knees and a miniature kirpan (dagger) made of steel, one inch in length, and to retain their religious symbols, viz., (1) The Kes (long hair), (2) Kanga (comb) and (3) Kare (iron bangle).

415. Each female prisoner, irrespective of her classification, shall be supplied with eight sanitary towels per mensem to maintain cleanliness during her menstrual period.

Issue of clothing and period clothing should last

416. (1) The following items of clothing shall be issued to every 'C' class prisoner on admission :—

(a) Prisoners sentenced to six months and below shall be issued two sets of apparel which shall preferably be part worn serviceable clothing.

(b) Prisoners sentenced to more than six months and less than 5 years shall be issued three sets of apparel out of which one set shall be part worn serviceable clothing.

(c) Prisoners sentenced to five years and more shall be issued three sets of new apparel.

(2) There shall be no issue of fresh clothing during the term of imprisonment in respect of prisoners sentenced upto one year, except on medical grounds.

(3) In respect of prisoners sentenced to imprisonment for more than one year, not more than one set of new apparel shall be issued to each prisoner, at a time, and at an interval of not less than six months from the date of first issue of apparel. Similar such interval shall be allowed in between each such subsequent issue of fresh set. Thus a new set of apparel shall last at least for six months.

(4) A prisoner sentenced to six months and below shall not possess more than two sets of apparel and a prisoner sentenced to more than six months shall not possess more than three sets of apparel at any time.

417. The date of issue, and the convict's number shall be marked on all clothing and bedding in use. Clothing and bedding to be marked on issue

418. The clothing of a convict night warder shall be the same as that of an ordinary convict, except that the cap shall be of round shape and 7.6 C.M. high. A brass badge "C.O.W" shall be fixed to the cap in the centre in front.

419. The clothing of a convict overseer shall be the same as that of an ordinary convict, with modifications as stated below:— Clothing of convict overseers

(a) He shall wear trousers.

(b) He shall wear a round shape cap 7.6 C.M. high. A brass badge "C.O." shall be fixed to the cap in the centre in front.

420. Every convict warder shall be supplied with the following uniform annually:— Clothing of convict warders

(i) Two white tunics, two white shorts, two white trousers and two white shirts made of better material than that ordinarily supplied to convicts.

(ii) One warm cumbly jacket.

(iii) One pair of sandals.

(iv) White cap of round shape 7.6 C.M. high. A brass badge "C.W. shall be fixed to the cap in the centre in front.

Clothing and bedding of 'A' and 'B' class male prisoners

421. The following scale of clothing and bedding shall be supplied annually at Government expense to the 'A' and 'B' class male prisoners, viz:—

Coats, cotton.	2
Trousers, cotton.	2
Shirts, cotton.	2
Banians, cotton.	2
Sleeping drawers, cotton.	2
Night shirts.	2
Caps, cotton.	2
Sandals, pairs.	2
Towels (face)	2
Towels (bath).	2
Lungoties.	2
Comb.	1
Pillows.	2
Pillow cases.	2
Straw mat.	1
Mattress.	1
Woollen blanket.	1
Handkerchiefs.	2
Bed Sheets.	2
Mattress covers.	2
Mosquito net	1

NOTE:— If they so choose, 'A' class prisoners may be permitted to wear their own clothing outside the work shops and in their yard.

Clothing and bedding of 'A' and 'B' class female prisoners

422. The following scale of clothing shall be supplied annually at Government expense to the 'A' and 'B' class female prisoners, viz:—

Saree of 7.32 metres (superior)	2
Bodices, Blouses.	2 each
Towels.	4
Petticoat, Cotton.	2
Handkerchiefs.	2
Chappal pairs.	2
Comb.	1

Bedding shall be supplied to female prisoners of the 'A' and 'B' classes at Government expense on the same scale as that prescribed for male prisoners in rule 421.

NOTE:— (1) The provisions of sub-rules (3), (4) and (5) of rule 414 shall apply to the clothing prescribed for 'B' class female convicts.

(2) A piece of blue cloth 2.5 C.M. square shall be stitched in front of the cap issued to male habitual prisoners of the 'B' class.

(3) If they so choose, 'A' class prisoners may be permitted to wear their own clothing outside the work shops and in their yard.

Clothing of convicts attending courts

423. Convicts sent in custody to a court either as a witness or as an accused person shall wear ordinary private clothing. For this purpose the private clothing of convicts retained in prison under the provisions of Chapter XXIV of the rules or tendered by friends or relatives shall be issued to the convict before proceeding to, and withdrawn on his return from court daily. In other cases the Superintendent shall provide clothing of a kind suitable to the class to which the convict belongs.

Grant of remission for economy in wearing clothing

424. No grant of special remission for economy in the wearing of clothing, under rule 351 shall be made to the same convict oftener than once in twelve months. If a convict has kept his clothing in good order and has not been reported for causing damage to it, he becomes entitled to the grant of special remission. This remission should not, however, be indiscriminately dispensed.

Supply of extra clothing for work

425. Men employed on work which specially soils their clothing e.g., cumbly starching and scavenging, may, in addition to the ordinary scale of clothing, be supplied with an old set for wear during working hours; cooks may be allowed aprons and suits with chefs, caps etc.

Instructions regarding the wearing of clothing

426. Convicts employed on garden work and on active occupations in closed workshops, kitchens, etc., do not ordinarily require to wear a jacket while at work. On the other hand, care should be taken that at meal times, at inspections, and in cold weather all prisoners are properly clad. Prisoners should not be allowed to wear wet clothes.

Issue of cumbly hoods

427. Cumbly hoods of an approved pattern may, at the discretion of the Superintendent, be issued to prisoners on extramural labour.

Issue of woollen jackets, etc.

428. Woollen jackets may be issued to prisoners during the cold months. Old cumblies may be utilized as belly-bands for infirm and sick prisoners.

Issue of extra clothing to invalids

429. Extra clothing and bedding shall be issued to the sick, aged or infirm on the recommendation of the Medical Officer.

Supply of bedding to 'C' class prisoners

430. (1) The bedding of 'C' class prisoners shall consist of a cumbly, a cotton bed sheet and a jute mat. In the Central Prisons, Rajahmundry and Visakhapatnam two cotton bed sheets shall be issued to each prisoner in lieu of a cumbly. The mat shall be 244 C.M. in length and 76 C.M. in breadth, so that one end may be rolled up to form a pillow. Where pials with a head-rest exist the length of the mat need not exceed 183 C.M. The cumbly shall be 236 C.M. in length and 107 C.M. in breadth. The cotton bed sheet shall be 214 C.M. in length and 122 C.M. in breadth. A cumbly should last for two years and a mat for 3 years and a bed sheet for 1½ years (one and half). No prisoner shall be allowed to wear his cumbly or bed sheet while at work.

(2) Except to those confined, in Central Prisons, Rajahmundry and Visakhapatnam, a second cumbly may be issued to each prisoner on or about the 15th October and withdrawn about the end of February.

Charge of Clothing store

431. The deputy jailor shall be incharge of the clothing store and shall be held responsible for all clothing and bedding. He should be allowed a sufficient number of prisoners to enable him to have the clothing frequently moved and exposed to the sun and air. The strictest attention should be paid to have all clothing washed thoroughly before being placed in stock.

NOTE:— Vermin in clothing or bedding may be destroyed by steeping the articles in boiling water with alum: For the treatment of clothing and bedding used by patients suffering from infectious or contagious diseases—see Chapter XXXV.

Repair and inspection of clothing bedding

432. A fixed day in a week shall be appointed for the repair of clothing. At the weekly parades of prisoners, the Superintendent shall pay special attention to the clothing and bedding and shall satisfy himself that each man's kit is complete, and in proper condition.

Disposal of unserviceable clothing

433. Unserviceable clothing should be struck off from the Register in Form 16, under the initials of the Superintendent, and utilised for the cleaning of lamps, carbines or machinary. No prison clothing shall be sold until it has been torn or cut into small pieces.

Disposal of clothing of discharged Prisoners

434. Prison clothing shall not be given to discharged prisoners and care shall be taken that prisoners on release surrender their full outfit. Clothing so received should, if fit for further use, be thoroughly washed, repaired, if necessary, and taken into store.

Submission of clothing and bedding indents

435. (1) Indents for the clothing and bedding likely to be required during the next six months shall be prepared in triplicate (in Form No. 58 or 59) and submitted to the Inspector General for sanction, once in the first week of January and the first week of July.

(2) No clothing or bedding shall be issued from the manufacturing department of any prison except upon an indent passed by the Inspector General, and no clothing or bedding shall be purchased in the local market except in very special circumstances and then only with the sanction of the Inspector General.

436. (i) All prison clothing shall be of uniform pattern. The cotton cloth used shall be made from 10s yarn. The width of the convict cloth used for shirts shall be 76 C. M., for breeches, towels and lungoties 61 C. M. and for trousers 68 C. M.

(ii) The convict cumblies shall be made with woollen yard of 40s warf and with cotton warf. The size of the cumbly shall be 236 C. M. X 107 C. M. It shall have a white border of 1.3 C. M. wide, lengthwise centre.

(iii) All prison clothing should be of thoroughly good materials, and Superintendents of Prisons in which clothing is manufactured shall see that cloth is of the best which can be made and that the sewing is as good as the cloth.

CHAPTER XXV

CONVICT LABOUR AND INDUSTRIES

Statutory provisions

Section 35 of the Prisons Act, 1894, requires that no labouring prisoner be kept to labour for more than eight hours in any one day The Medical Officer shall from time to time examine such prisoners and shall at least once a fortnight record the weight of each prisoner on his History Ticket. (See rules 298 to 300). A prisoner whose health is suffering owing to the nature of his employment shall on the Medical Officer's advice, be transferred to some other form of labour.

NOTE:—All Prison Officers are liable, in view of rules 42 and 88, to make good any loss to Government occassioned by failure to comply with these rules or neglect of duty in connection therewith. This direction applies to articles of civil stores also.

Classes of labour and scale of tasks

437. All prison labour shall be divided into three main classes—hard, medium and light. The scale of tasks, arranged according to these classes shall be as specified in Appendix-II Part-XV.

Gratuity to prisoners in prisons for work turned out in excess of the prescribed scale of task

438. (1) Prisoners employed on remunerative labour and who work in excess of the prescribed scale of tasks and up to the standard, shall be entitled to earn gratuity at the following rates:—

For half a day's hard labour task extra in a week.	Twelve paise.
For one day's hard labour task extra in a week.	Twenty five paise.

(2) The amount of gratuity thus earned shall be credited to the prisoner's account until the sum reaches rupees five and any money subsequently earned may be remitted to the prisoner's relatives if he consents.

(3) If a prisoner wishes to have remission of sentence in lieu of gratuity he may purchase the remission at the rate of twelve paise per day, subject to the condition that not more than 60 days special remission should be granted to any one convict in a year.

(4) To ensure that the system of gratuity operates with as little unevenness as possible, the Superintendent should fix a high standard of minimum out-turn of work in the case of the professional or habitual prisoners employed on tasked labour.

NOTE:— (1) No prisoner passed for medium or light labour shall be permitted to do extra work on the allotted task without the sanction of the Medical Officer, recorded in the Prisoners History Ticket.

(2) Prisoners employed on non-remunerative labour shall also be entitled to earn gratuity at the rates specified in sub rule (1) and to convert the same into remission, if desired.

(3) The Superintendent should grant gratuity to a prisoner not on tasked labour, if he is satisfied that the industry and exertion of the prisoner have been such as would have entitled him to the concession if he had been employed on a form of labour which is susceptible of being tasked.

(4) The remission to be allowed to a convict whether on tasked or untasked labour should not exceed the limits and powers of sanction prescribed in rule 354.

(5) The expenditure on account of gratuity to prisoners tasked or untasked labour pertaining to the manufactory should be met from the provision under "256.Jails(c) Jail Manufactures -19. Materials and supplies" and the expenditure on account of gratuity to prisoners on tasked or untasked labour relating to the maintenance department from the provision under "256. Jails (b) Jails (i) Jails -26. Other Charges", and

(6) In granting remission under this rule, it should be noted that no separate remission should be awarded to any prisoner under rule 351(3)

439. (1) When the Medical Officer has certified the class of labour for which a convict is fit, the Superintendent shall determine the particular employment to which such convict shall be put.

Selection of employment for convict

(2) All prisoners who are classed as fit for medium or light labour only shall once a month be placed before the Medical Officer, who shall examine them with a view to their reclassification, if necessary. He shall record any changes in his journal which will subsequently be copied by the Remission Clerk in the History Tickets of the prisoners concerned. If any prisoner passed for hard labour subsequently becomes permanently unfit to perform it, the Medical Officer shall similarly record the revised class of labour for which the prisoner is fit.

Allowance for caste prejudice

440. (1) The prison tasks including conservancy work shall be allotted at the discretion of the Superintendent with due regard to the capacity of the prisoner, his education, intelligence and aptitude, and so far as may be practicable with due regard to his previous habits.

(2) The Superintendent may allot conservancy work to the convicts who volunteer for it after taking a declaration from them to that effect in their History Tickets duly affixing their thumb impressions or signatures which should be attested by a responsible prison officer not below the rank of a Deputy Jailor.

Frequent change of work to be avoided

441. Frequent change of work, except on medical grounds, shall be avoided, but the same form of hard labour shall not be indefinitely exacted, and sedentary work shall, as far as circumstances permit, be occassionally changed for work involving more general movement.

Labour not to be exacted on certain days

442. (1) No prisoner shall be required to perform any labour other than such as may be necessary for the conduct of the internal management and domestic economy of the prison or to meet any call of emergency, on any of the following days, namely Sundays, Christmas day, Mahatma Gandhi's birth Anniversary day, Ramzan, Pongal, Dipawali, Vijaya Dasimi, Maha Shivaratri, Bakrid, Independence Day, Republic Day, Holi, Srirama Navami Sri Krishna Jayanthi and Moharam. Good Friday and Gurunanak's birth day shall be treated as Sectional Holidays for the prison.

(2) On days on which labour is not exacted from convicts, those not employed on any domestic or other duties connected with the management of the prison shall be locked into wards or cells.

(3) The Inspector General may, with the previous sanction of Government, exempt all, or any particular class of prisoners from labour on any day or days other than those specified in sub rule (1) of this rule.

Restriction of employment on public works

443. No convict shall be employed on public works other than prison buildings without the special sanction of Government.

Conditions of employing convicts on public works

444. (1) The employment of convicts on large public works shall only be permitted when the works are so large and concentrated and are likely to last so long a time as to justify the erection of such accommodation as would be required for the exercise of the same sanitary care and the enforcement of the same system of discipline, penal labour and classification as are exercised and enforced in Central Prisons.

(2) Convicts shall not be drafted to public works where from conditions of climate their regular employment out of doors is not possible throughout the greater part of the year, and those so drafted shall be only men selected for this class of work on due consideration of their physical fitness and of the sentences passed on them. In selecting men for this form of labour or for transfer with a view to employment on public works, Superintendents shall be most careful that convicts sent are in thoroughly good health and strength.

Convicts not to be employed on certain works

445. Unless with the special sanction of Government the employment of convicts on local or municipal roads or works or any other form of work except such as is preformed on the prison premises and for prison services, is prohibited.

Employment of convicts with free labourers

446. Convicts shall not be employed in association with free labourers, with the exception that skilled workmen may be engaged as foremen or instructors on public works or in other industries.

Employment of convicts on dangerous works

447. (1) When convicts are employed in blasting, well sinking, excavations or other work of a dangerous character, it shall be the duty of the officer conducting the work to take every reasonable precaution to guard against accidents. In blasting operations no convict shall be employed to fire the charges. In excavations the side shall be sloped or cut in steps, and in well-sinking, the sides if not sloped, should be boarded to prevent them falling in.

(2) No claim for compensation by the relatives of a prisoner can be admitted by Government if he meets with an accidental death while employed on works undertaken by prison as the Workmen Compensation Act, 1923, is not applicable to the prison Department.

Restrictions on extramural employment of convicts

448. (1) Without the sanction of the Inspector General, no convict shall, at any time, be employed on any labour outside the walls of the prison, or be permitted to pass out of the prison for the purpose of being so employed:—

(a) Unless he has undergone not less than one-fourth of the substantive term of imprisonment to which he has been sentenced;

(b) If the unexpired term of substantive sentence together with imprisonment (if any) awarded in lieu of fine, still to be undergone, exceeds two years;

(c) If his appeal (if any) is undisposed of;

(d) If any other charge or charges are pending against him or he has to undergo a period of police surveillance on the expiry of his sentence;

(e) If he is a resident of foreign territory; and

(f) If he is a member of a wandering or criminal tribe, or is of a bad or dangerous character, or has, at any time, escaped or attempted to escape from lawful custody.

(2) Not withstanding any thing contained in sub rule (1) of this rule, every prisoner, who has not more than twelve months of sentence remaining, may be employed on extramural labour irrespective of the portion of sentence already passed in prison.

(3) In every case in which a convict is employed on any labour outside the walls of the prison or is permitted to pass out of the prison for the purpose of being so employed, it shall be subject to the condition that the Superintendent has sanctioned his employment outside the prison and recorded the fact of his having done so in the Prisoner's History Ticket.

NOTE:— When there are more prisoners eligible, for employment outside the prison than are actually required, casuals and men with the shortest unexpired terms should be selected in preference to others.

Female convict not to work outside female enclosure

449. No female convict shall, under any pretext, be employed outside the female enclosure of any prison.

Tasks for females, juveniles and convicts attending school

450. Female prisoners shall ordinarily be employed in cooking or in the preparation of articles of food, such as pounding, husking, or sifting grain and the like, but shall not be employed in grinding grain except as a punishment. Whenever possible they shall be given instruction in needle-work such as knitting, etc., and such other domestic industries as will be useful to them after release. The task to be imposed on any female or juvenile convict shall not exceed three-fourths of the task for hard labour prescribed in respect of adult male convicts. In estimating the tasks for juveniles and for other prisoners attending school, the time occupied in instruction and physical training shall be deemed to be occupied in labour for the purposes of section 35 (1) of the Prisons Act, 1894.

Allotment of labour in cases not generally provided for

451. (1) When any form of labour not specified in the table of tasks is performed by any convict, or the form of labour is mentioned but a definite task is not given, the Superintendent in consultation with the Medical Officer shall, with due regard to the capabilities of the convict, fix what he considers to be fair task, when this admits of being done.

(2) Whenever a convict, declared fit for hard labour, is from unavoidable causes employed on a form of labour which is classed as medium or light, the task may, under the orders of the Superintendent and with the approval of the Medical Officer, be increased to an extent which in their opinion, the convict is capable of performing within the stipulated working day; provided that ordinarily no convict passed as fit for hard labour shall be placed on medium or light labour and no convict passed as fit for medium labour shall be placed on light labour, so long as labour of the description he is declared capable of performing is available.

(3) The form of labour and the amount of the task, together with every change of work, shall be noted on the History Ticket of every convict against the intials of the officer responsible for making the entry.

Time to be given to acquire skill

452. Whenever a convict is given work to perform which requires skill, and with which he is unacquainted, or imperfectly acquainted, he shall be allowed a reasonable time to acquire the necessary knowledge and expertness (with due regard to his intelligence and capabilities), before a full task is exacted from him. The task he is set to begin with and every subsequent increase shall be noted in the History Ticket against the initials of the Superintendent or Jailor.

NOTE:— The time taken to acquire skill of any kind necessarily depends on the nature of the work and the intelligence of the convict and varies from a few days in the case of simple industries to several months in the case of expert weaving or carpet making and the like. Aa a rule a small task to begin with should be increased at intervals of a week or fortnight according to circumstances.

New industry to receive Inspector General's sanction

453. No new industry shall be started in any prison without the previous sanction of the Inspector General.

Disposal of prison manufactures

454. The first object to which prison industries shall be devoted is the supply of prison requirements. When these are satisfied, jail industries shall be adopted as much as possible to meet the requirements of other Government departments and these departments are bound to obtain articles which they require, from prisons, provided that they can be supplied by the prison of the same quality. It is only when these sources of employment are exhausted that prison industries should be devoted for producing articles for general sale.

Industrial Department to give any expert advice free of cost

455. The officers of the Department of Industries shall furnish free of cost; when called upon to do so any expert advice that may be required by prisons on technical matters of equipment and management of industries.

Consuming Departments to purchase from prisons

456. The purchase from prisons of textiles of all kinds, certain articles of furniture, sandals and miscellaneous articles of Stationery shall be obligatory on consuming departments of Government.

Specifications of articles required to be made in consultation with Director of Industries

457. Specifications of articles required by consuming departments of Government shall be standardised in consultation with the Director of Industries, and shall not be changed without the sanction of Government.

Constituting a Committee in case of difference of opinion as to standard of manufacture

458. In all cases of differences of opinion as to whether an article is up to the required standard, a committee shall be constituted with a representative each of, the consuming department and the prison department. In regard to the technical knowledge of the manufacture of the article in question, the opinion of the expert officer of the department of Industries shall be final.

Consuming Departments to consult prison department first

459. Departments of Government which require articles of uniform to be made up for their officers shall first consult the prison department whether a certain supply or a contract can be undertaken for making them up from the materials supplied and if the prison department refuses to undertake the order, then only the supplies or contracts can be entrusted to other sources.

Responsibility of Prison Department if it under takes to supply uniforms for Government Departments

460. If the Prison Department undertakes the making up of uniforms for Government Departments in any year, it must be prepared to do all the work required of it, so that the other departments concerned may not be put to the necessity of having to pay more on their orders by dividing them between prisons and private contractors.

Compilation and circulation of standing price lists

461. The Inspector General shall cause standing price lists of all prison made articles, likely to be required by all consuming departments to be compiled, revised from time to time and circulated to all heads of departments for information.

Consuming Departments to intimate their requirements and to enter into contract

462. Consuming Departments of Government shall make it a standing rule to intimate their requirements sufficiently in advance at the beginning of the official year and also to enter into contracts with prisons for definite terms of years.

463. Reports from heads of departments as to the satisfactory character or otherwise of supplies made by the prison department shall be obtained by the Inspector General and submitted to Government along with the Annual Prison Administration Report. Reports on supplies by prison departments to be submitted to Government

464. The main object of prison labour should be the reformation of the prisoner. Hence, purposeless and non-productive forms of labour should be avoided. Further, prison industries should be, as far as possible, concentrated so that the whole supply of any single article shall be produced in a single jail and not distributed among several. Multifarious industries in a single prison are objectionable, and in each prison one large industry should, if possible, be developed, and every effort made to provide the best available instruction in uptodate methods of labour so as to enable the prisoner to command a living wage on release. Selection of industries

465. Every advantage shall be taken of convict labour in executing Repairs or new works, and no article for prison use which the prisoners can manufacture shall be purchased in the local market. Prison Labour to supply prison needs

466. All menial offices in the prison shall, as far as possible, be performed by convicts. Performance of menial offices

467. The proportion of prisoners employed as prison servants (i.e., cooks, barbers, water carriers, scavengers etc) and hospital attendants, shall not exceed ten percent of the total number of prisoners in prison, except during epidemics when the number may be increased on the requisition of the Medical Officer, the action taken being duly reported for the sanction of the Inspector General. Restriction of number of convicts employed as menials

468. (1) A small number of convict sweepers and water-carriers, which shall in no case exceed eleven, with one convict officer not below the rank of overseer, may, under the written orders of the Superintendent, be detailed to scavenge and keep clean, and to assist in supplying water, to the quarters occupied by subordinate prison officials residing on prison premises. Sweepers and water-carriers for officials' quarters

The duties performed by this gang shall be restricted to:—

(i) Sweeping the compound.

(ii) Removal of filth.

(iii) Supply of water.

(2) Gardening or cooking in any form, boiling of water or any other domestic service beyond the more delivery of water is prohibited.

(3) No water-carrier shall be permitted to enter the house of any subordinate officials, but shall deliver the water at the door, and no sweeper shall be permitted to enter any part of the house, other than the bath room or latrine, and then only for such limited period as may be necessary to enable him to perform his duties. No prisoner may be left at the quarters when the gang is removed.

(4) The Superintendent shall be responsible that the number of convicts employed under sub-rule (1) of this rule is fixed at the minimum number requisite and that the employment of the gang is restricted to such definite hours of duty as are absolutely necessary for the performance of the work.

(5) If the privileges accorded under this rule are being abused, the Superintendent shall withdraw them altogether.

Employment of prisoners as clerks

469. The employment of prisoners as clerks in the prison office or store-rooms is prohibited. A convict orderly, sweeper, or punkhaman may be employed, but care shall be taken that no prisoner is given any form of clerical work or allowed access to any prison papers or records. Prisoners able to read and write English shall not be employed as Convict orderlies in the prison office or any of the store-rooms.

Charges for public works

470. Prison labour, such as that supplied to the Public Works Department shall normally be charged for at the rates fixed by the Government from time to time based on the local rates of labour.

Employment of gangs of convicts lodged in camp prisons

471. The employment of gangs of convicts, lodged in camp prisons, on railway or canal works, if sanctioned by Government, shall be carefully watched and specially reported on. The special report here in referred to, should in the case of existing extramural prisons, be embodied in the Annual Report of the Department.

472. The following kinds of work should be allotted to 'A' and 'B' class prisoners:- Kinds of work to be allotted to 'A' and 'B' class prisoners

Book binding.
Envelop making.
Sewing.
Cane work.
Carpentry.
Painting and polishing.
Spinning.
Cot tape and ordinary weaving.
Gardening where possible and;
any other suitable work according to education and rehabilitation needs.

473. The Superintendent is entitled to a gang not exceeding one convict officer and five prisoners, to work in the garden attached to his house. The Jailor's garden shall be maintained by a detachment of prisoners detailed for work in the prison garden. Prisoners referred to in this rule shall be employed on garden work only and shall not be used for any other purpose. Certain concessions to prison officials in employing prisoners

474. No prisoner shall, at any time, be employed by any officer of the prison or other person, on private works of any kind, except such as may be carried on in the ordinary course of any prison industry, with the knowledge and permission of the Superintendent and subject to the payment of the full charges for such work. Prisoners not to be otherwise employed for private work

CHAPTER XXVI

PRISONERS' PROPERTY

Statutory provision

Under Section 25 of the Prisons Act, 1894, all money or other articles in respect of where no order of a competent court has been made, and which may with proper authority be brought into the prison by any criminal prisoners, or sent to the prison for his use, shall be placed in the custody of the Jailor.

NOTE:— All Prison Officers are liable, in view of rules 42 and 83, to make good any loss to Government occasioned by failure to comply with these rules or neglect of duty in connection therewith.

Disposal of property other than money

475. The property other than money delivered with or found on a prisoner on admission, or subsequently sent to him through the Superintendent, shall be dealt with according to the following provisions:—

(a) Prohibited articles, such as obscene pictures or literature, snuff, opium, ganja, or any other drug or liquor, shall be destroyed.

(b) Perishable articles if found fit by the Medical Officer for consumption may be handed over.

(c) If the clothing of a prisoner is so damaged or filthy as not to be worth keeping, it shall be destroyed.

(d) If the Medical Officer considers that there are sanitary objections to the retention of a prisoner's clothing, or if a prisoner on admission is suffering from any infectious or contagious disease, the clothing shall, under the written direction of the Medical Officer, be destroyed.

(e) On other cases, the clothing of a prisoner sentenced to rigorous imprisonment as also the excess or surplus clothing of a prisoner of the A Class, if it is not possible to return the same to the friends or relatives of the prisoner, shall be washed, tied up in a bundle and stored. The Superintendent may issue 14 grams of washing soda to each prisoner on admission and on discharge to wash his clothing.

(f) Metal vessels and other non-perishable and bulky articles shall be included in the clothing bundle. Jewellery or other valuable property shall be made up into a separate packet, which shall be sealed by the Deputy Jailor in the presence of the Superintendent and the prisoner.

(g) Every packet and bundle shall be labelled with the number and name of the prisoner to whom it belongs, together with the date of release, and shall be kept either by the Deputy Jailor or the Jailor, as the case may be, arranged according to the date of release or number.

(h) Only such property shall be kept as can be conveniently stored. If live-stock or cumbersome articles, such as charpoys, etc., are brought or sent to the prison for a prisoner, they shall be handed over to the prisoner's friends, if he so desires; otherwise they may be sold and the proceeds dealt with under rule 476.

Disposal of money

476. Cash property found on the person of prisoners at the time of their admission to prison should be remitted into the Treasury to be credited to a personal deposit account opened in the name of the Superintendent of the prison concerned-vide item (11) of Part IV of Appendix 21, Andhra Pradesh Financial Code. Repayments which it is not found convenient to make from the personal deposit account should be made from the personal deposit account should be made from the permanent advance of the prison in the first instance. The permanent advance may be recouped when found necessary by drawing a cheque for the amount disbursed on the personal deposit account at the Treasury.

NOTE:— Coins of foreign countries shall be classed as jewellery.

Record of prisoners' property

477. An entry shall be made in the proper column of the Admission Register, describing the property delivered by or found on a prisoner on admission, or that may be received afterwards on his account. Such entry shall specify the nature of the property, the number or quantity, and the approximate value of each item. If any property is sold under rule 475 ,the amount of the proceeds shall be entered to the prisoners' credit in the Rigister, the actual money being dealt with under rule 476.

NOTE:— (1) Remuneration paid to convicts for extra labour with reference to rule 438 need not be entered in the Convict Register, such earnings should be shown in the personal ledger prescribed for the purpose.

(2) The genuine value of each item must be shown. Any under valueing of items with the object of reducing claims for compensation in case of loss or damage is strictly prohibited.

(3) Any counterfiet coin if found with the prisoner should be cut and handed over to him on release.

List of property to be read over to prisoner

478. When a prisoner on admission is brought before the Superintendent for verification, the latter shall see that all money, jewellery, clothing and property brought with or found upon the prisoner have been duly entered in the Register in the manner above provided. These entries shall be read over to the prisoner in

the presence of the Superintendent, and his property shall at the same time be shown to him. If the entries and articles are acknowledged to be correct, the prisoner shall be required to sign or impress his left thumb-print in the Register in token thereof. The Deputy Jailor or the Jailor as the case may be shall also initial the entry in token of having received the property into his charge.

Disposal on transfer or release of prisoner

479. On the transfer or release of a prisoner all property entered as his in the Register shall be shown to him in the presence of the Superintendent, and if he admits that it is correct, he shall be required to sign or impress his left thumb print in the Register in token thereof, and, if he is to be released, the property shall be then and there made over to him. If he is to be transferred, the Superintendent shall see that the property is correctly described in the list to be sent with the prisoner under rule 1055 (a) and, if it includes valuables the Superintendent shall have them securely sealed up in his presence for delivery to the officer in charge of the escort. On the transfer of a prisoner all his property shall be sent with him.

Property may be made over to friend of prisoner

480. (a) The Superintendent may, at his discretion, make over money or property belonging to a prisoner to whomsoever such prisoner may indicate, provided that no property shall be made over, which the prisoner himself will need on release. Whenever property is made over to others at a prisoner's request, a receipt for the property shall be taken, and the prisoner's signature or left thumb-impression consenting to the arrangement shall be recorded in the Register.

(b) Where the prisoner's sentence is below two years, sufficient clothing shall be retained to enable him to leave the prison decently clothed.

(c) An entry recording the method of disposal of money or property shall be made in admission register, property register and the prisoner's history ticket and signed by the Superintendent.

(d) The Superintendent shall satisfy himself so far as is possible that the person to whom the cash or property is to be given is a relative of the prisoner or has a legal claim on him.

(e) Cash shall not be sent in a letter. Remittance shall always be made by Money Order signed by the Superintendent. The post office receipt and the addressee's acknowledgment shall be shown to the prisoner by the Superintendent, initialled by the latter and attached to the Admission Register for checking by the Auditor.

(f) Other property shall be packed, sealed and addressed in the presence of the Superintendent and the prisoner and despatched by registered post, the receipt being dealt with as in the case of Money Order acknowledgment. All postal charges shall be paid by the prisoner.

Use of private cash

481. Civil prisoners shall be allowed to draw on the money to their credit in the custody of the Jailor for purposes approved by the Superintendent.

Provision of clothing on release

482. Whenever the private clothing of a prisoner has been destroyed he shall, on release, be provided with a cheap cloth (not convict cloth), or in the case of A and B class prisoners with a pair of bush shirts or shirts, a pair of trousers and a pair of chappals. The value of the outfit supplied shall be deducted from any private money, other than batta, gratuity, or subsistence allowance, belonging to the prisoner and if he has none, or the amount is insufficient, the cost shall be debited to Government. Any convict whose circumstances require it shall be supplied with suitable clothing free of charge.

Disposal of property of deceased prisoner

483. When a prisoner dies in prison, his property shall be sent to the Magistrate of the District to which the deceased belonged, for disposal. The wishes expressed by any dying prisoner about his property shall be communicated to the Magistrate together with full particulars to enable him to trace the relations.

Disposal of property found after original search

484. (1) Unauthorised property found on a prisoner on any occasion subsequent to the search to which he is subjected on admission shall be forfeited to the Government and the money or the sale-proceeds of any articles sold, shall be paid into the Treasury in full under "056- Jails (c) other receipts".

(2) The Superintendent may at his discretion award to the officer discovering the unauthorised property not more than one-half of any sum of money so found or realised, drawing the same under, and debiting it to, the head, "26-other charges".

Disposal of property of escaped prisoner

485. The property of an escaped prisoner shall be retained for one year from the date of his escape. If he is not recaptured within that period, his property shall be sold, and the proceeds together with any cash belonging to the prisoner, shall be paid into the Treasury as unclaimed property.

Disposal of unclaimed property of released prisoners

486. If the property of a prisoner, including an undertrial prisoner, who is released, discharged or acquitted is not claimed by or on behalf of the prisoner within a period of six months, from the date of such release, discharge or acquittal, as the case may be, the Superintendent should cause a notice to be sent to the

prisoner by Registered Post Acknowledgment Due, for claiming his property within a specific period unless the item is one of trifling value and this value may be taken as Rs.5/-. If the owner does not claim his property, within the specified time, the Superintendent of prison may sell the property in public auction and property handed over to the highest bidder by the Superintendent. Where the value of property exceeds Rs. 250/- and above the Superintendent shall give effect to the sale, after obtaining orders from the Inspector General of Prisons. The sale proceeds of the unclaimed properties of prisoners in public auction should be remitted to Government.

Provided that where the property is claimed within the aforesaid period by the prisoner himself, it shall be handed over by the Superintendent to him, if he satisfies the Superintendent about his identity, establishes his claim to the property and passes a receipt of having received it.

Provided further that where the property is claimed within the aforesaid period on behalf of a prisoner by any other person; it shall be handed over by the Superintendent to such person if he establishes his claim thereto, executes an indemnity bond and passes a receipt of having received the property.

Articles which may be allowed to be purchased or received

487. With the written permission of the Superintendent, which shall be recorded on their History Tickets, prisoners may be allowed to purchase, through the Jailor, following articles from out of their private cash:—

(a) Sandals or country shoes.

(b) Soap.

(c) Tooth paste and brush.

(d) Hair Oil.

(e) Tobacco for smoking or chewing all such articles can be made available through canteen with the permission of the Superintendent.

488. These may also be received from friends outside the prison with such permission. No prisoner may be in possession of more than one pair of sandals or shoes at a time. Borrowing or exchanging these articles is strictly prohibited.

Smoking will be done at the place fixed by the Superintendent and as per the instructions laid down by him. The Superintendent may stop this concession to any prisoner for any breach of the rules laid down by him.

CHAPTER XXVII

INTERVIEWS AND COMMUNICATIONS WITH PRISONERS

Statutory provisions

Section 40 of the Prisons Act, 1894, requires that due provision shall be made for the admission into a prison of persons with whom civil or undertrial prisoners may desire to communicate, care being taken that so far as may be consistent with the interests of justice, undertrial prisoners may see their legal advisors without the presence of any other person.

Under section 41, the Jailor may demand the name and address of any visitor to a prisoner, and may search any visitor if he has any ground for suspicion. The Jailor may deny admission to any visitor who refuses to permit himself to be searched, entering the grounds of his action in such record as the State Government may direct.

Reasonable facilities to be allowed for interviews and letters

489. (1) Every newly convicted prisoner shall be allowed reasonable facilities for seeing or communicating with his relatives, friends or legal advisers with a view to the preparation of an appeal or to the procuring of bail and shall also be allowed to have interviews or to write letters to his relatives, friends or legal advisers, once or twice, or often or if the Superintendent considers it necessary, to enable him to arrange for the management of his property or other family affairs.

(2) The same facilities shall be allowed to every prisoner committed to prison in default of payment of a fine or furnishing security under Chapter VIII of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974) to enable him to arrange for the payment of the fine or the furnishing of security.

(3) Every prisoner under sentence of death shall be allowed such interviews and to have such other communications with his relatives, friends and legal advisers as the Superintendent thinks reasonable.

Privileges contingent on good conduct

490. In addition to the privileges referred to above, every convicted prisoner falling under class 'C' shall be allowed to have an interview with his friends and relatives once in a fortnight and to write and receive two letters a month during the term of imprisonment provided that the exercise of the privilege shall be contingent on good conduct and may be withdrawn or postponed by the Superintendent for bad conduct. The conversation at the interviews shall be limited to private and domestic matters and

there shall be no reference to prison administration and discipline, to other prisoners or to politics. The contents of all letters shall be limited to private matters and there shall be no reference to prison administration and discipline, to other prisoners or to politics. The number of persons who may interview a prisoner at one time should ordinarily be limited to three. Children below the age of 10 years shall not be counted for this rule. The special privileges accorded to "A" and "B" class prisoners are laid down in rules 1038 and 1038(A).

NOTE:— (1) A letter merely arranging an interview shall not be counted as a letter for the purpose of this rule.

(2) A prisoner may, with the permission of the Superintendent, substitute a letter with a reply for an interview, or vise versa.

Superintendent's discretion to grant privileges at shorter intervals

491. The Superintendent may, at his discretion grant interviews or allow the despatch or receipt of letters at shorter intervals than provided in Rules 489 and 490 or in spite of the prisoner's misconduct, if he considers that special or urgent grounds exist for such concession, as for example, in the event of the prisoner being seriously ill or on the occurrence of the death of a near relative, or if the friends or relatives have come from a distance to see the prisoner and it would inflict undue hardship on them to refuse an interview, or if the prisoner is nearing release and wishes to secure employment or for other sufficient cause. Matters of importance such as the death of a relative may also be communicated at any time, by the friends of a prisoner to the Superintendent, who will, if he thinks it expedient, inform the prisoner of the substance of the communication.

Prisoner allowed to address special letter of his transfer from one prison to another

492. Prisoners of all classes including convict officers shall be allowed, if they so desire, a special letter in order to inform their friends or relatives of their transfer from one prison to another. This shall be in addition to the letters allowed to them according to their classification or their rank as convict officers.

Superintendent's discretion to permit prisoner and sign and attest power of attorney etc.,

493. Every newly convicted prisoner may be permitted at the discretion of the Superintendent to sign and attest a power of attorney or other statements concerning his properties. Prisoners other than newly convicted prisoners may be granted a similar privilege at the discretion of the Superintendent, but in their case each such transaction shall be treated as an interview with reference to Rules 490 and 491.

Superintendent's permission for interviews required

494. (1) No convicted prisoner shall be allowed to have an interview or to receive or write a letter except with the permission of the Superintendent, which shall be recorded in writing.

(2) Applications for interviews with prisoners may be oral, or in writing at the discretion of the Superintendent. If the prisoner is not entitled to have an interview, the applicant shall be informed at once.

(3) The Superintendents of Central Prisons Rajahmundry and Hyderabad respectively may permit the prisoners to have interviews with their relatives who are inmates of State Jail for Women, Rajahmundry and local jails of Hyderabad respectively, when both the parties are willing to have interviews with one another. In such cases the prisoners of Central Prison, Rajahmundry are to be taken to the State Jail for Women, Rajahmundry and those of Central Prison, Hyderabad to local jails of Hyderabad and vice versa under the police or warder escort.

Time for interviews

495. The Superintendent shall fix the days and hours at which all interviews shall be allowed and no interview shall be allowed at any other time except with the special permission of the Superintendent. A notice of the interview hours shall be posted outside the prison.

Place of interview

496. Every interview shall take place in a special part of the prison appointed for the purpose, if possible at or near the main gate. Provided that interviews with female prisoners shall, if practicable, take place in the female enclosure. Provided also that if a prisoner is seriously ill, the Superintendent shall permit the interview to take place in the hospital, and a condemned prisoner shall ordinarily be interviewed in his cell. Provided further that the Superintendent may for special reasons to be recorded in writing, permit an interview to take place in any part of the prison.

Interview to take place in the presence of Prison Officer

497. Every interview with a convicted prisoner shall take place in the presence of a prison officer who shall be responsible that no irregularity occurs and who shall be so placed as to be able to see and hear what passes and to prevent any article being passed between the parties. The Assistant Matron or a female warder shall be present at interviews of female prisoners. Conversation at the interview shall not be permitted in any language not readily understood by the Prison Officer present.

Termination of interview

498. Any interview may be terminated at any moment, if the officer present considers that sufficient cause exists. In every such case, the reasons for terminating the interview shall be reported at once for the orders of the senior officer present in the prison.

Duration of interview

499. The time allowed for an interview shall not ordinarily exceed half an hour, but may be extended by the Superintendent at his discretion.

Search before and after interviews

500. Every convicted prisoner and every unconvicted criminal prisoner shall be carefully searched before and after an interview.

When Superintendent may refuse interview

501. A Superintendent may refuse to allow any interview to which a prisoner would ordinarily be entitled under these rules if in his opinion it is inexpedient in the public interests to allow any particular person to interview a prisoner or if other sufficient cause exists.

Withholding of letters and their disposal

502. (1) No letter shall be delivered to or sent by a prisoner until the Superintendent or any other official so authorised by the Superintendent has satisfied himself that its transmission is unobjectionable. No letter written in cypher shall be allowed. The Superintendent may withhold any letter which seems to him in any way improper or objectionable or may erase any improper or objectionable passages. If a letter is written in a language of the State but cannot be satisfactorily translated in the prison concerned, it shall be sent to some other officer for translation in accordance with such arrangements as may be made from time to time by the Inspector General subject to the approval of the Government in the case of any arrangement by which letters will be sent outside the Prison Department.

If a letter is written in a language not ordinarily current in the State it shall be sent for translation to the Criminal Investigation Department, Hyderabad. A slip marked "Urgent-No unnecessary delay in examination should be allowed to occur" should be attached to any letter sent outside the prison for translation.

(2) If a letter is addressed to a prisoner who is not entitled under the rules to receive it, it may, unless the Superintendent determines to communicate it under Rule 491, be with-held and kept in the Superintendent's custody until the prisoner is entitled to receive it, or released, when it shall be delivered to him, unless it is improper or objectionable; or it may be returned to the sender with an intimation that the prisoner is not entitled to receive it.

Convicts may keep letters if allowed

503. A convict may retain any letter which has been delivered to him with due authority unless the Superintendent otherwise directs or may ask that it be kept for him.

Supply of writing materials and other facilities

504. Writing materials including service post cards shall be supplied in reasonable quantities to any convict who has permission to write a letter and all letters shall be written at such time and place as the Superintendent may appoint. A fixed day of the week, preferably Sunday, shall be set apart for letter writing service postage stamps shall be provided for prisoners' letters.

"A" and "B" class prisoners shall be allowed to purchase writing materials at their own expense. All papers and note-books used by them should be paged and numbered by the Superintendent for purposes of check and to prevent secret correspondence.

Exclusion from privileges

505. Any prisoner who abuses any privilege relating to the holding of an interview or writing of letters or other communications with any person outside the prison shall be liable to be excluded from such privileges for such time and may be subjected to such further restrictions as the Superintendent may direct.

Facilities to be granted to unconvicted Criminal prisoners and Civil Prisoners in the matter of interviews and letters

506. (1) Unconvicted criminal prisoners and civil prisoners shall be granted all reasonable facilities at proper times and under proper restrictions for interviewing or otherwise communicating either orally or in writing with their relatives, friends and legal advisers.

(2) Every interview between an unconvicted prisoner and his legal adviser shall take place within sight but out of hearing of a prison official. A similar concession shall be allowed by the Superintendent in the case of an interview with any near relative of the unconvicted prisoner.

(3) When any person desires an interview with an unconvicted criminal prisoner in the capacity of the prisoner's legal adviser, he shall apply in writing giving his name and address and stating to what branch of the legal profession he belongs and he must satisfy the Superintendent that he is the bonafide legal adviser of the prisoner with whom he seeks an interview and that he has legitimate business with him.

(4) Any bonafide confidential written communication prepared by an unconvicted criminal prisoner as instructions to his legal adviser may be delivered personally to such legal adviser or to his authorised clerk without being previously examined by the Superintendent. For the purpose of this rule, the term legal adviser means a legal practitioner within the meaning of Act XVIII of 1789.

(5) Civil prisoners may see their friends, relations and legal advisers at such time and under such restrictions as the Superintendent may appoint, and the presence of a Prison Officer shall not be necessary. No visitor shall be allowed to take within the Civil Prison any sweetmeats or other eatables without the express permission of the Superintendent.

Waiting room for prisoners' friends and relations

507. The Superintendent shall make arrangements for providing a waiting room for prisoners' friends and relations that may come for interview and provide benches and drinking water in or near the waiting room.

CHAPTER XXVIII

APPEALS BY PRISONERS

Superintendent to forward petitions of appeal

508. Under section 383 of the Code of Criminal Procedure, 1973, (Act No 2 of 1974), an appellant who is in prison may present his petition of appeal, copy of judgment, and other documents if any, accompanying it to the Superintendent, who shall thereupon forward them to the proper Appellate Court. The cost of postage shall be borne by the prison. Every petition of appeal shall be countersigned by the Superintendent.

NOTE:— The petition of appeal shall contain the number of the case on the Magistrate's file against which the Appellant is appealing.

Application for copy of judgment

509. The Superintendent shall, on the application of a prisoner who desires to appeal, address the Court on his behalf for the necessary copy of the order of judgment appealed against (Form No. 60). If before the receipt of the copy of the order of judgment, the prisoner has been transferred to another prison or to the custody of any other officer the copy shall, on receipt, be forwarded without delay to the Superintendent of such prison or to such officer as aforesaid

NOTE:— In rule 171 of the Criminal Rules of Practice, Sessions Judges have been directed to send to the Superintendent of the prison to which any prisoner convicted by them is committed, copies of their judgment, if the judgment is printed.

Prisoners to be assisted in appealing

510. Superintendent shall give prisoners every facility for preferring their appeals. If a prisoner desires to appeal, and declares that he has no friends or agents who can make an appeal for him, he shall, if he can write, be provided with writing meterials and allowed to write his own petition of appeal. If he cannot write, the Remission Clerk or another prisoner shall write the petition of appeal at his dictation. The Superintendent shall not be obliged to give assistance in the preparation of appeals of prisoners who omit to give notice of their intention to appeal before the period of limitation has expired. A prisoner whose petition of appeal is written for him shall be given full opportunity of expressing himself and his case shall, as far as possible, be recorded in his own words. Printed forms of appeal petitions should not be used. The appellant shall affix his signature, if he is a literate, otherwise, his left thumb impression will be taken on the appeal petition in token of correctness of its contents. The Superintendent shall attest the signature of the appellant on the appeal petition. The Superintendent shall affix the following certificate on the appeal petitions which contain the left thumb impressions of the appellants:—

"Read over to the prisoner and acknowledged by him to be correct."

NOTE:— 1. The provisions of rules 786 and 787 which are applicable to petitions for special leave to appeal to the Supreme Court on behalf of the condemned prisoner shall also apply to such petitions on behalf of other convicts.

2. A petition of appeal or an application for revision or an application for leave to appeal to the Supreme Court addressed or purporting to be addressed to the High Court, or a petition of appeal or an application for special leave to appeal so addressed to the Supreme Court of India by a prisoner shall, together with the accompanying documents including written arguements if any be forwarded by the Superintendent with the utmost expedition to the Registrar of the High Court or the Registrar, Supreme Court of India, as the case may be. The Superintendent shall at the same time forward a copy of such petition or application to the Inspector General.

511. Advocates shall be engaged for the drafting of the appeal petitions to High Court on behalf of the prisoners and they should be paid Rs.25/-(Rupees twenty five only) per petition. The Superintendent of the prison concerned shall obtain from the High Court a panel of advocate for this purpose. The advocates will draft the petitions and present them to the Superintendent of the prison who will forward them to the High Court under section 383 of Criminal Procedure Code, 1973 (Act No. 2 of 1974).

Exclusion of time taken in obtaining copy of judgment

512. (1) The date on which a prisoner expresses his intention to appeal shall be entered in the appropriate space in his history ticket, and the time intervening between that date and the date on which the copy of judgment is delivered to the prisoner shall be treated as the time requisite for obtaining a copy of the order or sentence appealed against within the meaning of section 12 of the Indian Limitation Act, 1963.

(2) The periods allowed under the Indian Limitation Act, 1963 (Act 36 of 1963) for appeal to the different courts are as follows:—

Description of appeal.	Period of limitation.	Time from which period begins to run.
1	2	3
(i) Appeal to the High Court against a sentence of death passed by a Sessions Judge.	30 days.	The date of the sentence.

1	2	3
(ii) Appeal from a Subordinate Magistrate's decision to the District Magistrate.	30 days.	The date of the sentence or order appealed from.
(iii) Appeal to the Sessions Judges.	30 days.	,,
(iv) Appeal to the High Court where the sentence appealed against is not a sentence of death passed by a Sessions Judge.	60 days.	The date of the sentence or order appealed from.

(3) In order to enable Appellate Courts to calculate the period of limitation prescribed for criminal appeals by the Indian Limitation Act, 1963, every appeal petition shall be endorsed with the following notice, initialled by the Superintendent.

"The period requisite for obtaining a copy of the order appealed against to be excluded from the period of limitation, under section 12 of the Indian Limitation Act, 1963, was.....days."

Any delay to be noted

513. The Superintendent shall not withhold the petition of appeal in respect of any prisoner even if it is presented after the expiry of the period of limitation. In such an event the prisoner's explanation for the delay and prayer for the condonation of the delay should be submitted to the appellate court.

Communication of Appellate Order

514. On receipt of an order disposing of an appeal, the purport thereof shall be communicated to the prisoner concerned in the presence of the Jailor, who shall enter on the order a certificate to the effect that it has been so communicated. Whenever a prisoner has been transferred before the receipt of orders on his appeal such orders shall be forwarded without delay to the Superintendent of the prison in which the prisoner is confined.

The result of the appeal together with the Criminal Appeal No. and date of the appellate Court's order shall be recorded in proper columns of the convicts' Admission Register.

Record of Appellate Order

515. The result of an appeal shall be entered in the Prisoner's History Ticket. The order of the Appellate Court, the copy of the original judgment, and other connected papers shall be filed and kept with the prisoner's warrant.

Submission of particulars regarding appeal o Superintendent

516. Particulars regarding every appeal shall be entered in the prescribed Register which shall be placed before the Superintendent regularly every Monday so that he may, when necessary pass orders regarding the issue of reminders for copies of judgments or result of appeal.

Prison authorities to act on behalf of Prisoners only in one appeal

517. A prisoner can appeal only once to a judicial court; the order of the Appellate Court is final. If the prisoner wishes to move a higher court for the revision of the proceedings in his case, action shall be taken by his friends or agents. The prison authorities cannot act in the matter.

CHAPTER XXIX

PETITIONS TO GOVERNMENT FROM CONVICTS

NOTE:— This chapter does not apply to petitions for clemency from condemned prisoners, which are dealt with under rules 788 et seq.

Facilities for preparing petition

518. (1) Every convict shall be provided with writing materials and be given proper facilities to enable him to petition Government in the Home Department for clemency, should he desire to do so.

(2) The petition may be drafted by the convict himself or by his friends or legal advisers; in the latter case and for this purpose he shall be permitted to communicate by letter or interview with such persons as he may desire to consult.

(3) If a convict cannot write, and has no friends or relatives who are able and willing to help him, the petition shall be drawn up by the Remission Clerk, or by another prisoner, at the convict's own dictation, and if by an officer of the prison, without suggestion on the part of the writer, or additions to what the prisoner himself desires to state. Convicts sentenced in the same case may adopt a joint petition.

(4) Every petition from a convict shall be submitted through the Superintendent, and not through the convict's agents or friends. If his relatives or friends wish to petition to the Government against the sentence passed on the convict, they should send their petition direct.

(5) All communications addressed by a Member of the State Legislature or of Parliament who is under arrest, detention or imprisonment, to the Speaker or the Chairman of the House of which he is a Member, or to the Chairman of a Committee (including a Committee of Privileges) of the House or of a Joint Committee of both the Houses of the State Legislature or of Parliament, as the case may be shall immediately be forwarded by the Superintendent of the prison to the Government so as to be dealt with by them in accordance with the rights and privileges of such person as a Member of the House to which he belongs.

Authentication and submission of petition

519. (1) Every petition for clemency drawn up by a Prison Officer, or by another convict, or received from convict's friends or legal advisers shall be read over to, and if acknowledged correct, signed, by the prisoner concerned or left thumb impression affixed in the presence of the Superintendent or Jailor, who shall certify accordingly.

(2) Every petition whether prepared within or out of the prison (and if in a language other than English, and English translation of it) shall, after countersignature by the Superintendent, be forwarded with the nominal roll and such other papers as may be necessary, to the Inspector General for transmission to Government in the Home Department.

(3) Should a petitioner assign his state of health as a reason for the exercise of clemency, a report drawn up by the Medical Officer as to his condition shall accompany the petition.

Copy of Judgment to accompany petition

520. Every petition shall be accompanied by a copy of the judgment passed in the case, and if an appeal has been lodged, a copy of the judgment of the Appellate Court shall also accompany it.

NOTE:— Copies of judgments are supplied on application to the courts concerned free of charge.

When copy of warrant to accompany

521. Every petition from an Indian Military prisoner convicted and sentenced by Court Martial shall be accompanied by a copy of the warrant on which the prisoner was committed to prison.

Correspondence rules to be observed

522. (1) Every petition shall be submitted on foolscape paper folded lengthwise and properly numbered and docketed. The instructions regarding submission and receipt of petitions addressed to the Government are contained in Part-XII of Appendix-II. The Officers are instructed to adhere of these instructions.

(2) Every petition, whether by a single convict or by two or more convicts conjointly, shall be submitted with a separate covering letter.

(3) In the case of prisoners convicted by a Court subordinate to some other State Government, the petitions shall be forwarded direct to such State Government whether addressed to them or to a higher authority.

Communication of orders on petition

523. The orders passed on every petition to Government shall be communicated to the convict concerned, in the presence of the Superintendent or Jailor, as soon as practicable after their receipt, and the purport of them, with the date of communication, shall be recorded on the Convict's History Ticket and in the prescribed column of the Convict Register.

Second petition to be withheld

524. A second petition to Government shall not be forwarded, unless in the opinion of the Superintendent, further information is available which renders a reconsideration of the case desirable.

CHAPTER XXX

GUARDING

525. The Warder Establishment of each Prison shall be divided into the Reserve Guard and the Warder Guard. The Reserve Guard shall supply all guards for the prison, while the Warder Guard shall supervise the internal administration and shall not be concerned with the guarding. **Divison of Warder Establishment into two Portions**

526. The Reserve Guard shall consist of the Head Warder and from six to sixteen warders. As many as possible of the men employed in the Reserve Guard shall be ex-military men, and special attention shall be paid to their drill and target practice. Daily exchange of Warders between the Reserve Guard and the Warder Guard is prohibited except in the case of men deputed to or from the Reserve Guard to supply a casuality. **Composition of Reserve Guard**

527. The Reserve Guard's duties by day are to furnish the sentry at the main gate and such other sentries as the Superintendent may direct; and to be present in the guard room ready to turn out on the alarm being sounded. **Duties of Reserve Guard**

528. The full strength of the Reserve Guard shall be on duty every day from unlocking to lock-up. Arrangements shall be made by which a proportion of the Guard, not exceeding one third at a time, shall be enabled to leave the guard room in order to take their meals in some convenient place near the main gate but none of them shall leave the immediate prison precincts. The Superintendent shall personally satisfy himself that a suitable arrangement has been made, and the orders regulating it shall be briefly drawn up and hung up in the guard room. **Attendance of Reserve Guard during day**

529. (1) The Reserve Guard by night shall be termed as Night Standing Guard which shall be equal in number of men to that of the full strength of the Reserve Guard by day. The entire Night Standing Guard shall be on duty from lock-up to unlocking. **Night standing guard**

(2) The officer in command of the Reserve Guard or the Night Standing Guard shall be termed as Guard Officer.

530. The duties of the Night Standing Guard are similar to those of the Reserve Guard by day. **Duties of Night Standing Guard**

Posting of sentries by night

531. The sentries by night shall be posted at the main gate and at such other important places of the prison as the Superintendent may determine from the security point of view and according to the structure of the prison.

Duties of sentry

532. (1) It is the duty of a sentry, by day or night, to challenge all unknown or suspicious persons approaching his beat and to require them to stand and not to approach nearer unless they can satisfactorily account for themselves or, at night, give the pass word. No convict shall be permitted to approach within five yards of any sentry. It is the duty of a sentry to resist all attempts to break into or out of the prison or of any part of it and to prevent escapes or illicit communication with prisoners. At night every sentry shall report to the patrolling officer anything suspicious or unusual that comes to his knowledge. It shall also be his duty to see that the Convict Officer inside each ward is on the alert and moving about, and that he gives the required assurance that all is well each time the sentry passes the Ward.

(2) The sentry must be on the alert during his turn of sentry duty. He must be in uniform; must not sit down or lounge about; must converse with no one; must on no account quit his arms, and must not leave his post till relieved.

(3) On the approach of a person or persons, the sentry should call out in a sharp tone, "Halt" who comes there? (THAM, KAUN ATA HAI?) "and at the same time, come to the "On Guard" (TAN SHASTR)" position. The words of challenge should also be repeated in the language of the district when the approaching person is a stranger, and when there is reasonable apprehension of an attack from him or when two or more persons approach, the sentry should call out the guard.

(4) If the approaching person or persons at once halt and reply satisfactorily, the sentry will say "Advance or advance one at a time (in the case of two or more persons) and be recognised (PAHCHAN KE LIE (EK) AGE BARHO)". After the person or persons have been recognised by means of passes or otherwise, the sentry or the guard officer will say "Pass, all is well (CHALO, SAB THIK HAI)". After the person or persons have passed, the sentry will slope arms and the guard, if turned out, will be dismissed to the guard room.

(5) If a person fails to halt and reply when challenged, the sentry should turn out the guard and the guard officer will then institute enquiries and take such action as is required to deal with the situation. Fire may be opened in self-defence when there is an apprehension of being over-powered or when there is an imminent danger of the property under guard being destroyed or sabotaged. If a person cannot satisfactorily explain his pre sence

there, he should be detained in the guard room and a report sent at once to the officer on duty for taking action under Sections 42 and 43 of the Prisons Act, 1894.

(6) If the approaching person is a visiting officer and replies 'Visiting rounds' the sentry, after satisfying himself regarding his identity, should call out the guard. The guard and sentry will present arms by day, and will stand at the slope by night, after which the guard will be dismissed to the guard room.

(7) During the day, sentries will warn the guard to turn out on the approach of any officer entitled to compliments. Guards will turn out and present arms on every occasion to the Governor and Ministers of Government. Guards will act in a similar manner once a day on their first appearance to the following officers:—

(i) District and Sessions Judges,

(ii) Magistrates of the First Class,

(iii) Collectors, and

(iv) Gazetted Officers of the uniform services.

(8) The lantern in the guard premises shall be so placed that its light may be diffused only in the main approach to the premises and at the same time will not enable any undesirable person or persons to easily spot out the sentry and attack him. At night, the guard shall use a lantern and not an uncovered and unprotected lamp.

(9) The sentries shall be posted by the guard officer. During nights, the sentry on duty is responsible for waking the guard officer five minutes before he is due to be relieved for the latter to mount the next sentry.

Relief and Supervision of sentries

533. As a rule sentries shall be relieved at the end of every two hours. During the day the Head Warder shall conduct the reliefs, and at the same time satisfy himself that the sentries are on the alert and attending to their duties properly. To discharge these functions during the night, two Patrolling Officers shall be appointed from among the First Grade Warders and Senior Second Grade Warders. Each patrolling officer shall record the hour of his visits by means of the tell-tale clock. He shall be provided with a lantern. He shall specially see that all convict overseers or watchmen inside the wards are on the alert. If he receives a report of anything suspicious or unusual having occurred, he shall immediately take measures to investigate it.

Night watch by convict officers.

534. A system of watch by convict overseers and convict night-watchmen shall be conducted inside each ward. For this purpose the night shall be divided into five watches of two hours each commencing at 8 p.m. and each watch shall be allotted in regular rotation to a convict officer, who shall be changed at the same time as the sentry outside is relieved. The convict officer on duty for the time being, shall keep constantly moving up and down the ward. He shall carry out the duties indicated in rule 370, and shall be responsible that no irregularity goes on. If any prisoner leaves his pial or behaves in an irregular or suspicious manner he shall at once inform the sentry outside, who shall summon the Patrolling Officer. He shall frequently count the prisoners in the ward to assure himself, that the number is correct, and whenever the sentry passes the ward he shall call out an assurance that all is well.

Morning and evening muster of guard

535. Before the prison is unlocked in the morning the Reserve Guard and Warders whose duties for the day have not been fixed shall be mustered under the arms outside the main gate, and the Head Warder shall at once post the day sentries. The guard shall be drilled and afterwards remain under arms till the gangs are marched out, when they can be dismissed to the guard room. The guard will again be under arms from the hour fixed for the cessation of work till the prisoners are locked up for the night.

Salutes

536. (1) Guards and sentries are required to salute--

The Inspector General, Official and Non-official visitors, the Superintendent and the Medical Officer;	By presenting arms.
All other gazetted officers of Government and the Jailors;	By sloping arms and placing the right hand smartly on the butt, fingers extended.
The Deputy Jailor, Clerks, Gate-Geepers and and Chief Head Warders.	By standing to attention with ordered arms.

(2) The guard shall turn out and present arms only during day time.

(3) The procedure for presenting arms will be as follows:—

(i) On the approach of an officer entitled to compliments, the sentry on duty will turn out the guard. The guard will line up and take up positions. It will present arms only when the officer

takes up his position in front of the guard. The guard will not present arms when the officer is still in the car or is alighting therefrom or even approaching the guard. But, if the officer does not get down from the car, the guard will present arms when the car passes in front of it.

(ii) When officers, on whose first appearance only the turn out of the guard is prescribed appear again during the same day, the sentry will present arms. Officers of lower rank than gazetted officers will be given only butt salute by the sentry.

(iii) If there is only one other than of the guard present in the guard room, the sentry in the day time will not turn out the guard of the arrival of an officer entitled to compliments, but will present arms or salute according to the status of the officer.

Duties of Warder Guard

537. The Warder Guard shall consist of all the warder establishment except the Reserve Guard. To it is entrusted the duty of carrying on the interior management and discipline of the prison, the supervision of convicts during labour and at other times, and the work of guarding with the exception of the duties specified in rule 527.

Classes of Warder Guard's day duties

538. The day duties of the warder guard may be divided into full time and part time. Full time is from unlocking to lock-up.

Combination of night duty with day duty

539. Warders employed on full time day duties shall, as far as possible, be relieved from night duty but may, when necessary be so employed for not more than two nights in six. Warders employed on part time duties may be placed on night duty for not more than three nights in six. All warders including members of the Reserve Guard shall have one complete day off-duty in the week of seven days.

Custody of arms

540. The Head Warder shall be responsible that arms are never left within reach of prisoners. All arms shall be kept in the guard room when not in use. The approach to the guard room shall be outside the main gate.

Custody of articles facilitating escape

541. The Jailor and all other officers shall be responsible that no ladders, planks, bamboos, ropes, or other impliments or materials of any kind likely to facilitate escape, are left lying about. Every warder in charge of a workshop shall be responsible that all such articles are properly secured and put away when work ceases.

Use of weapons against prisoners

542. (1) Any officer or member of the guarding staff of a prison may use a sword, bayonet, fire-arm or any other weapon against any prisoner in the following cases:—

CHAPTER XXXI

CONFINEMENT IN IRONS FOR SECURITY

Statutory provisions

Under section 56 of the Prisons Act, 1894, the Superintendent of a prison, subject to such rules as may be laid down by the Inspector General with the sanction of the State Government, and if he considers it necessary (With reference either to the state of a prison or the character of the prisoners) for the safe custody of any prisoners that they should be confined in irons, may so confine them.

Prisoners under sentence of imprisonment for life, may, under section 57 of the Act and subject to any rules made under section 59, be confined in fetters for the first three months after admission to prison, should the Superintendent consider it necessary, either for the safe custody of the prisoner himself or for any other reason, that fetters should be retained on such prisoner for more than three months, he shall obtain the orders of the Inspector General.

Under section 58 of the Act, no prisoner shall be put in irons or under mechanical restraint by the Jailor of his own authority, except in case of urgent necessity, in which case notice there of shall be forthwith given to the Superintendent.

Pattern of irons to be used

545. In placing prisoners in irons in exercise of the powers conferred by section 56 of the Prisons Act, 1894, no irons of any kind other than link fetters and hand cuffs of the patterns prescribed by rules 310 and 311 shall be imposed on any prisoner.

Imposition of fetters when permissible

546. (1) Fetters shall not be imposed upon any prisoner as a means of restraint except on the specific ground that such prisoner is refractory, violent or dangerous.

(2) The Superintendent may in his discretion require all or any prisoners to wear fetters and belchains while confined in any place without the walls of the prison.

(3) Bel-chains shall be of secure, well-made links and shall ordinarily not weigh more than 680 grams to the 91 cm. Each prisoner secured in this way shall be allowed not less than 61 cm., of chain.

Record of imposition of fetters

547. If the Superintendent considers it necessary to impose fetters on any prisoner under the last preceding rule, he shall record in the register in Form No. 15, the number and name of the prisoner, the class of fetters used, the dates when they were

(a) When the prisoner is engaged in an outbreak or in any attempt to force or break open the outer gate or enclosure wall of the prison provided that he may use such weapon only so long as such out-break or attempt continues.

(b) When a prisoner uses violence to any officer of the prison or other person, if such officer or member of the guarding staff has responsible ground to believe that the officer of the prison or other person is in danger to life or limb or that other grievous hurt is likely to be caused to him.

(c) When the prisoner escapes or attempts to escape, provided that resort shall not be had to the use of any such weapon, unless such officer or member of the guarding staff has reasonable ground to believe that he cannot otherwise prevent the escape.

(2) (a) Before using any fire-arms against a prisoner the officer or the member of the guarding staff shall give a warning to the prisoner in a loud voice that he is about to fire on him.

(b) No officer of the prison shall in the presence of his senior officer, subject to his right of self-defence, use arms or weapons of any sort against a prisoner except under the orders of such senior officer.

(c) In all cases requiring the use of force only the minimum force shall be used.

Arms and ammunition warder escorts

543. (1) All consignments of arms and ammunition consigned by rail to and from prisons shall be sent in sealed boxes and escorted by an armed guard of one first grade warder and one second grade warder. It shall be the duty of the escort to guard the arms and ammunition against any contingency. Empty cases returned to Ordinance Stores by rail need not be escorted.

(2) When the guard is detailed, each man comprising the guard shall carry in his pouch a packet containing 10 rounds of ball ammunition. Ten loose ball cartridges shall be carried by the man who is actually on sentry duty, his pouch being kept open. These 10 loose cartridges shall be handed over to the relieving sentry, who shall exchange for them his closed packet of cartridges. Thus every man on guard will have 10 rounds of ammunition, the sentry alone having loose ammunition.

(3) When the guard is relieved, all the ammunition shall be handed over to the relieving guard. The Guard Officer in command shall be responsible for the correct handing over of his ammunition.

(4) The men on Prison guard duty shall not carry their fire-arms loaded, but shall carry a closed packet containing 10 rounds of ball ammunition in their pouches. The sentry on duty shall wear his pouch open in front for quick loading and shall carry his 10 rounds loose.

544. (i) Demarcation of an out of bound area of at least 182.880 metres around the institutional premises; and

(ii) A system of good lighting inside and around the institution shall be maintained.

imposed, and removed, the periods for which they were imposed, and the reasons which led him to consider the use of fetters necessary;

Provided that in the case of prisoners sentenced to imprisonment for life, the Inspector General shall obtain the approval of the Government before keeping the prisoners in fetters and in urgent cases, within a fort-night of imposing fetters, a report shall be sent to the Government for post approval. In case of other prisoners, the Inspector General himself is competent to pass such final orders as he deems fit.

Imposition of handcuffs

548. (1) Handcuffs may, as a measure of restraint, be imposed on any prisoner if the Superintendent is of opinion that their imposition is necessary for the protection of the prisoner himself or of any other person.

(2) Handcuffs may be imposed upon any female prisoner who is violent, or dangerous, but in no case, except where the prisoner is likely to injure herself, should they be kept no longer than twenty-four hours at a time and even then they should occasionally be removed to give the arms relief.

Prisoners exempted absolutely

549. No fetters shall be imposed for purposes of security on any female or juvenile prisoner, civil prisoner, or convict officer or on any prisoner who, by reason of age, physical infirmity or serious illness, is in the opinion of the Medical Officer, unfit to be placed in fetters.

Prisoners ordinarily exempted

550. Fetters shall not, without special reasons to be recorded by the Superintendent in his journal, be imposed on—

(a) Any prisoner, the unexpired term of whose imprisonment including imprisonment, if any, in lieu of fine remaining unpaid, is less than six months; or in the case of prisoners employed extramurally, three months;

(b) Any prisoner who has undergone three-fourths of his substantive sentence of imprisonment, including any period to be passed, subsequent to release, under police surveillance;

(c) An unconvicted criminal prisoner,

(d) A convict under sentence of death.

Removal of fetters

551. Fetters imposed for purpose of security shall be removed under the orders of the Superintendent whenever he is of opinion that this can be done safely, or on the recommendation of the Medical Officer, at any time on the ground that their continued imposition is injurious to health.

Ankle rings

552. (1) Ankle rings shall be used for purposes of security only on prisoners that have to be attached to a chain after lock up, when occupying tents and temporary buildings which are insecure. Round iron of good quality and not less than 1 cm., in diameter shall be used for ankle rings and care shall be taken that the rings are securily rivetted, without any roughness or projections which might cause injury. The rings should be of such a size that they cannot be drawn over the heal, but they should be capable of moving freely.

(2) All prisoners required to wear fetters shall be provided with pliable leather or cloth gaiters to prevent abrasion of the skin, and a strip of leather to suspend the fetters from the waist.

Examination of fetters and return of cases in which they are used

553. (1) All fetters imposed on prisoner custody shall be examined daily by first grade warder and once a week by the Jailor who shall notify the fact with the result of his examination in his Report Book.

(2) The number of cases in which fetters have been imposed and removed respectively during the month, under the rules in this Chapter, together with the total number of prisoners on the last day of the month who are wearing fetters for purposes of security, shall be shown in the returns for the month to which the figures relate.

Explanation:— The object of these rules is to prevent escapes and to restrict the too free movement of dangerous and violent prisoners and not as a punishment. Superintendents are expected to use their powers with discretion and to remove any irons imposed for security as soon as they consider it can be done with safety. The particulars concerning their imposition and removal are to be recorded in the Register in Form No. 15, as well as on the History Ticket.

CHAPTER XXXII

ESCAPES

Alarm to be given of an escape

554. (1) An alarm gong or bell capable of being heard at the quarters of the subordinate officials shall be kept at or near the main gate of every prison, and at every place where prisoners in large numbers are employed. In the latter case, the sound of the gong shall be sufficiently penetrating to be heard at the main gate.

(2) The signal that assistance is urgently needed owing to an escape or an attempt to escape, shall be the blowing of a whistle, to be followed by the sounding of the bugle and striking of the alarm gong. If the alarm gong is not originally sounded at the main gate, it shall be repeated there.

Procedure thereupon

555. (1) On the alarm being sounded owing to an occurrence outside the prison, the officer in charge of the standing guard at the main gate shall forthwith despatch as many warders as he can spare to the assistance of the escort giving the signal. The remaining warders on assembling shall act as the senior officers present may direct.

(2) The warder in charge of an outside gang from which a prisoner has escaped, shall, after sounding the alarm, collect his remaining convicts and march them back to the main gate.

Duty of Jailor

556. Upon a report of an escape being received, the Jailor or senior officer on duty shall—

(1) Despatch a party of sufficient strength to search the locality in which the escape occurred; and

(2) Send immediate information of the escape to the Superintendent.

Duty of Superintendent

557. The Superintendent shall give prompt notice of escape, accompanied by a nominal roll in Form No. 50, giving personal and descriptive marks of the escaped prisoner, to the nearest police station, to the concerned court, to the Superintendent of Police. He shall also send immediate intimation by telegraph to the police near the prisoner's home, and if the prisoner belongs to a district other than that in which he is confined, to the Superintendent of Police of the former district; or if he belongs to Hyderabad or Secunderabad; to the Commissioner of Police, Hyderabad.

Report to Inspector General

558. If a prisoner escapes, a report shall be made the same day to the Inspector General. A further report with full details shall be subsequently submitted containing information as to the time and circumstances under which the escape took place, the party or parties through whose neglect it occurred, whether the prisoner has been recaptured, and if not, what measures have been adopted to effect his recapture. The escapee's recapture at any future time shall also be reported.

Publication of escapes

559. Notice of the escape of prisoners and of the rewards offered for their recapture shall be published in the District Gazette and, if the Inspector General shall so direct, in any other way.

Power to sanction rewards

560. The powers of the Inspector General and the Superintendents of prisons to sanction rewards are set out in item (13) (E) of Appendix 15 Andhra Pradesh Financial Code, Volume-II.

Reward to prisoner preventing an escape

561. All cases in which prisoners prevent an escape, either by giving warning of any plot or preparation, or by seizing a prisoner attempting to escape, or otherwise, shall be brought to the notice of the Inspector General with a view to a reward being conferred.

Punishment of conduct facilitating an escape

562. Every officer of the prison through whose assistance, connivance or neglect an escape takes place shall be prosecute under sections 222, 223 or 225-A of the Indian Penal Code, unless very extenuating circumstances are present, or unless Superintendent considers the evidence insufficient to procure a conviction, when the case shall be submitted to the Inspector General for orders.

Procedure on recapture

563. If the prisoner is recaptured intimation of the fact shall be given to any officer who has been addressed under rules 557 and 558.

564. A recaptured prisoner may be received back into prison on his original warrant.

Procedure regarding Disposal of warrants of escaped prisoners

565. The warrant of a prisoner who escapes from prison shall be retained in the prison for a period of ten years from the date of his escape. If he is not recaptured within that period, it shall be returned to the commiting court with an endorsement that the prisoner escaped from the prison ten years ago and has not been recaptured.

CHAPTER XXXIII

OUTBREAKS

Alarm to be sounded on outbreak

566. In the event of an outbreak or disturbance, the prison official present at the scene of occurrence shall raise the alarm by blowing his whistle when it shall be the duty of the warder staff to blow their own whistles. Upon this signal being given. or when news of an outbreak or disturbance is otherwise received, the alarm shall be sounded on the bugle or siren and the bell or gong at or near the main gate shall be rung when it shall be the duty of every prison official who is outside the prison to proceed at once to the guard room and arm himself with baton. A messenger shall be sent by the senior officer present, to the Superintendent and Jailer if they are absent, and to the lines, if necessary to summon every available man.

procedure when alarm is sounded

567. Upon the alarm being given, the reserve guard shall themselves with rifles loaded with ball ammunition and fixed bayonets and stand outside the prison in readiness. The main gate sentry, with three other warders, shall be posted between gates and unless the prisoners are actually threatening the main gate, the rest of the force available shall, enter the prison armed with batons and proceed at the double to the scene of the disturbance. If the prisoners are threatening the main gates it must be defended until the guard is strong enough to enter and drive the prisoners back. The armed reserve guard shall not enter the prison or arrive at the scene of the disturbance until specially sent for by the officer in.

Duty of convicts on hearing alarm

568. It shall be the duty of every convict immediately upon the alarm being given, to run at once to previously selected places of security, usually the nearest sleeping barrack, where they shall be as far as possible locked in by the warders inside the prison. Prisoners should be warned that neglect of this rule will render them liable to be treated as participating in the outbreak and to be fired on.

Method of quelling disturbance

569. On reaching the scene of disturbance, the guard shall proceed to quell it by means of baton charge or by the use of tear gas, if available as the officer in command may decide, action being first directed to prevent any attempt to escape, to isolate the rioters from other convicts, and to rescue any prison officer who may be in danger. If the disturbance is accompanied by violence to any prison official or by a combined attempt to be out of the prison, or of any yard of enclosure, the officer in command should warn the prisoners that they will be fired upon if they do not submit. If circumstances permit of the delay this warning should

be given three times. If the prisoners do not submit or the out break or disturbance cannot be quelled by the means referred to above, the officer in command may summon the reserve guard and open fire on the refractory prisoners, but shall stop firing as soon as they cease resistance or submit. Only minimum force necessary shall be used in all circumstances.

Defence of main gate

570. The main gate sentry and the additional warders posted between gates shall defend the main gate. If the prisoners cannot be driven back by other means than by opening fire, firing shall be resorted to after due warning. The firing shall be stopped as soon as the prisoners are driven back.

Disturbance within wards

571. If the disturbance occurs within the wards, as at night, the available force shall enter the prison armed with batons and shall proceed at the double to the yard gate, whence a party shall be detached to enter the ward and quell the disturbance, the remaining force remaining at the yard gate.

Treatment of extramural gangs

572. Gangs which are outside the prison when the alarm is sounded shall be at once collected and halted under charge of their escort until the disturbance is over, the convicts being made to sit down close together. If situation permits, these gangs should be taken in and locked up in a ward with a view to release the warders in charge of the gang for other duty.

Rehearsal of procedure on alarm

573. In the event of an outbreak, it is of utmost importance that each person should be aware in precise terms what he has to do, and to achieve this object an alarm parade should be held once in two months or as oftener as circumstances require in each prison, at which the procedure laid down in the foregoing rules should be rehearsed as accurately and as promptly as possible. It should be especially impressed on convicts that on the alarm being given they must run at once to the assigned place of security, failing which they shall be treated as taking part in the disturbance and liable to be fired on. No arms shall be taken inside the prison during practice alarm parades. The Superintendent shall record in his journal the fact of alarm parade having been held and whether the rehearsal was satisfactory.

574. Prison Authorities should not attempt to disperse a mob outside the premises of their prison unless the prison itself is threatened.

Police aid shall be invoked by the Superintendent or Deputy Superintendent or in his absence by the Jailor either by phone or by other means as speedily as possible, only when this is absolutely necessary.

CHAPTER XXXIV

ACCIDENTS, SUICIDES AND FIRE

Procedure when unnatural death occurs

575. (1) If a prisoner dies within 24 hours of his admission to the prison, post-mortem examination shall be held.

(2) Whenever a sudden or violent death or death from suicide or accident takes place in a prison, immediate notice shall be sent to the Superintendent and the Medical Officer, and the body shall, if life be extinct, be left in the position in which it was found, pending inspection by the officers concerned.

(3) If the death is uncertain all measures shall at once be taken to restore animation and for this purpose the body may be removed immediately on its discovery from the position in which it was found.

(4) If the prisoner is found in a suspended position and if there is reason to believe that life is not extinct or the point is doubtful, the body shall be at once raised to relieve pressure and all measures should be taken to restore consciousness without waiting for assistance which however should be called without delay. The body of the deceased prisoner shall be kept for the inspection and orders of the officer holding the inquest.

Intimation to inquiring magistrate and police officers

576. (1) In case a prisoner dies in prison due to causes other than natural causes or if the cause of death is not known or if the death has occurred due to suicide or violence or accident or whenever there is any doubt or complaint or question concerning the cause of death of any prisoner, the Superintendent shall inform the officer in charge of the Police Station, having jurisdiction. The Superintendent shall immediately give intimation to the nearest Magistrate empowered to hold inquests. The Magistrate shall proceed to the place where the body of such deceased person is, and there, in the presence of two or more respectable persons, shall make an investigation and draw up a report regarding the apparent cause of death, discribing such wounds, fractures, bruises and other marks of injury as may be found on the body, and stating in what manner or by what weapon or instrument (if any) such marks appear to have been inflicted.

(2) No prison officer shall be a Panch called to express an opinion as to the cause of death of any prisoner.

(3) In case of death due to suicide, accident, violence, and sudden death, etc., both inquest and post-mortem shall be held.

Report by Superintendent

577. (1) Where the death has occurred due to violence or unnatural causes, the Superintendent shall at once send a brief report to the Inspector General.

(2) The Superintendent shall then make a detailed investigation of all the circumstances connected with the case and forward the same without delay along with the inquest report to the Inspector General. This report shall contain a distinct and formal finding in addition to the depositions of the witnesses examined. The report shall be submitted along with the report made by the Magistrate, the nominal roll and the reports required under section 15 of the Prisons Act.

Action when natural death occurs

578. (1) The Medical Officer shall report to the Superintendent about the happening of the natural death of a prisoner and see that the body is decently removed to the mortuary.

(2) In every case of illness which ends fatally the Medical Officer shall see the body of the prisoner and shall record full particulars of the cause of death as detailed below, in relevent registers.

(i) The day on which the deceased first complained of illness or was observed to be ill;

(ii) The labour, if any on which he was engaged on that day;

(iii) The scale of his diet on that day;

(iv) The day on which he was admitted to hospital;

(v) The day on which the Medical Officer was first informed of the illness;

(vi) The nature of the disease;

(vii) When the deceased was last seen before his death by the Medical Officer or by the Assistant Surgeon;

(viii) When the prisoner died; and

(ix) (In cases where a post-mortem examination is made) an account of the appearances after death, together with any special remarks that appear to the Medical Officer to be required.

(3) In the case of a natural death, the post-mortem examination may not be held by the Medical Officer where the Civil Surgeon or his nominee concurs.

(4) Where the death is due to natural causes, the Medical Officer shall sign the casualty report. This will be forwarded to the Inspector General, along with the other documents.

(5) The Inspector General need not submit such reports to Government unless they are of special importance or indicate some defect in the existing system of Prison Administration to which the attention of Government should specially be invited.

(6) When a woman prisoner dies in prison and leaves a child behind, notice shall at once be sent to tht Magistrate of the District who shall make arrangements for the care of such child. Should no relation or friend be found willing to take care of the child the Magistrate shall either place it in some approved institution or shall entrust it to some respectable person.

Custody of articles facilitating Suicide

579. (1) Knives and Tools used in worksheds and barbers' or tailors' implements shall be counted over and locked up by the warders at the close of work. Well ropes shall be properly secured or locked up, and wells protected so as to prevent persons falling or throwing themselves in. Care shall be taken that nothing that may be used for suicidal purposes is left about in the prison.

(2) For prevention of attempts at suicide by means of electrocution, the wires leading to the bulbs should be shortened and the bulbs should be fixed on to the beam of the trusses inside the cells or blocks. Further an expanded metal cage should be provided for each bulb. All the exposed wire leading to the switches and all the switches should be encased with a locking arrangement to facilitate operating the switches by the prison warders. For the condemned cells, the lights should be fixed opposite to the door of the cell, in such a manner that the light is thrown into the cell. The position of the light is to be encased and kept inaccessible to the prisoners inside the cells.

(3) Prisoners with apparently suicidal tendencies shall be carefully watched and not left alone in a cell.

Custody of poisons

580. Poisonous drugs shall not be left within the reach of prisoners. The word "Poison" in large printed characters shall be affixed to every receptacle containing any poisonous drug. All such drugs shall be kept under lock and key, and the key shall not be entrusted to a prisoner.

Precaution against drowning

581. A strong rope and grappling irons shall be kept in the guard room of every prison, to be at hand in case of accidents in connection with the wells.

The prevention of fires.

582. The following directions for the prevention and suppression of fires in prisons shall be observed:—

(1) No light unprotected by a shade shall be used in any office room or store-room.

(2) The Head Clerk and Store-Keeper shall go round the office and store rooms, respectively before they are closed for the night, and shall satisfy themselves that every thing is safe.

(3) Fire shall only be used in the workshops in properly constructed fire places and the senior officer who locks up the prison shall satisfy himself, before leaving, that these fires are extinguished.

(4) A good number of fire buckets always filled, half the number with water and half the number with sand, and soda acid type extinguishers, for the extinction of fire, should be maintained in the prison buildings.

The size of Fire buckets and the scale of extinguishers and fire buckets to be maintained in each building are given in Appendix—II, Part—XIII.

(5) In the event of fire breaking out in the prison by day or night, an alarm shall be given in the manner prescribed in rule 566.

(6) Each Superintendent shall draw up instructions adapted to his prison, showing precisely the respective duties of all members of the prison establishment on an alarm of fire being given, and he shall occasionally practice the staff in the fire drill thus laid down.

(7) The Superintendent is authorised to employ prisoners in the quelling of fire and to take such action as he thinks fit to save life and property. Due regard to the safety of the prisoners employed should, however, always be given.

CHAPTER XXXV

HOSPITAL MANAGEMENT AND EPIDEMICS

Statutory provisions

Section 37 of the Prisons Act, 1894, requires that the names of sick prisoners shall be reported without delay to the Jailor and by him to the Assistant Surgeon. The Jailor shall carry into effect all written directions given by the Medical Officer or Assistant Surgeon respecting the treatment of any such prisoner. Under section 38, directions of this nature, shall be entered day by day in the prisoner's History Ticket or in such other record as the State Government may direct, and the Jailor shall record the action he has taken upon them.

Under section 39, a Hospital shall be provided in every prison.

I. General

Examination of prisoners complaining of illness

583. Every prisoner complaining of illness, or appearing to be ill, shall be sent to the Hospital for immediate examination by the Medical Officer or, in his absence by the Assistant Surgeon.

Medical treatment of sick prisoners

584. Every prisoner suffering from any active disease shall be brought under medical treatment, either as an out-patient or as an in-patient and his name shall be recorded in the appropriate register.

Detention of a prisoner for observation

585. A prisoner who is not considered a lunatic may be detained under observation in hospital for 48 hours without being brought on any register if his disease has not been diagnosed, but after that period, whether the disease is diagnosed or not, his name shall be entered in the proper register. The number of prisoners detained under observation shall be recorded in the prison hospital roll and their treatment in the Prescription Book.

Medical Officer to supervise treatment of out-patients

586. (1) The Medical Officer, shall daily inspect the out-patients Register, and shall order the admission to hospital of any out-patient if necessary. At least once a week the Medical Officer shall examine all out-patients.

(2) Only trifling ailments shall be treated outside the hospital, and the Medical Officer shall be responsible that all other cases of sickness are admitted into hospital. In no circumstances shall cases of dysentery be treated as out-patients.

Assistant Surgeon to treat out patient

587. Subject to the foregoing provisions, the examination and treatment of out-patients may be conducted by the Assistant Surgeon.

Medical Officer to treat sick in hospital

588. The treatment of the sick in hospital is the personal duty of the Medical Officer and shall not in any circumstances be delegated by him to any subordinate. If, in his absence, the Assistant Surgeon takes any action in the treatment of the sick, he shall report the action taken in his report book to the Medical Officer.

His daily visit

589. The Medical Officer shall daily visit all prisoners in hospital and under observation and shall decide whether any prisoner shall be admitted into or discharged from hospital. He shall record the names of the prisoners admitted into or discharged from the hospital in his journal.

Record of sick in hospital

590. The number of sick in hospital shall be daily recorded in the Register of in-patients in the prison hospital (Form No. 88). Their treatment and diet shall be recorded in the Bed Head Ticket (Form No. 96).

Maintenance of case book

591. (1) In addition to these records there shall be maintained in every hospital a case book in Form No. 94 and a laboratory register in Form No. 95. In the former shall be recorded the history of every case admitted into hospital and in the latter the results of microscopic and other examinations of blood, sputum, urine, faeces, etc. The case book is intended to be a contemporaneous record or diary of each prisoner's symptoms, treatment and diet; all entries in it shall, therefore, be direct. The practice of keeping notes, to be afterwards copied into the case book is prohibited.

(2) The entries in the Case Book shall usually be made by the Assistant Surgeon, as symptoms appear or treatment is applied, though the Medical Officer will add notes of his own observations, orders, etc. The Medical Officer shall see the case book daily and initial the entries regarding each case in token of having seen them.

(3) As a general rule the entries in the case book shall be made day by day, but in chronic cases where there is little or no change from day to day, the Medical Officer may, by entry in his own hand in the Case Book, record that daily entries are unnecessary.

Control of Hospital diets

592. The dietary of prisoners in hospital is entirely under the control of the Medical Officer who may either keep the prisoner on the ordinary prison diet of his class, or may place

him on one of the regular hospital dietaries, or may order any modification of the prison or hospital diet, or any extras he may consider necessary.

NOTE:— For scales of hospitals' diet see rule 409.

Forcible feeding of prisoners on hunger-strike

593. It is the duty of the prison authorities to do what they reasonably can, to keep prisoners in their charge in health, where therefore on account of hungerstrike a prisoner is likely to cause his own death, the Medical Officer may in his discretion, at such stage as he thinks fit, direct that the prisoner be forcibly fed, if in his opinion it is the only means of keeping him alive. Forcible feeding should not be attended with unnecessary violence. Until the stage at which forcible feeding is necessary is reached, food approved by the Medical Officer shall be regularly placed at the side of the hunger striker for his consumption and shall be renewed periodically.

Indent for Hospital diets

594. An indent in Form No. 98 showing the number of hospital diets of each class and extras required, shall be sent not later than 9 a.m. daily to the rations officer, and care shall be taken that diets and extras reach the prisoners promptly. Emergent indents may in cases of urgency be sent at any hour of the day, but should be avoided except in cases of necessity.

Preparation of hospital diets

595. Hospital diets requiring special preparation shall be cooked in the hospital kitchen, and the Medical Officer shall examine these diets frequently and satisfy himself by weighment that the full quantities of the prescribed articles are present and that they are well cooked. Rice may be cooked in the main kitchen.

Precautions regarding milk

596. Special care shall be taken with such articles as are liable to be adultered or stolen, such as milk. Fresh milk shall be used, when it can be obtained, in preference to tinned milk; it should de frequently tested to ensure that it is pure, and should not be accepted if the specific gravity is below 1025.

Supply of hospital clothing and bedding

597. Every prisoner shall on admission to hospital be supplied with hospital clothing and bedding, his convict clothing and bedding being withdrawn and returned to him on his discharge from hospital. Care shall be taken that clothing and bedding are changed frequently for purposes of cleanliness and that in infective cases all clothing and bedding are thoroughly disinfected.

NOTE:— (1) Every patient in hospital shall be provided with a proper mattress and a pillow and with white sheets.

If an epileptic is placed in a cell, there shall be no raised masonry berth, but he shall be provided with a mat of a thicker pattern and shall sleep on the floor.

(2) All prisoners suffering from Malarial fever should be provided with mosquito nets.

Indent for clothing and bedding

598. The quantities of clothing and bedding required for hospital use shall be reported in good time by the Medical Officer to the Superintendent who shall include them in the general indent of prison clothing submitted for the sanction of the Inspector General.

Scale of hospital equipment

599. The scale of hospital equipment is laid down in Part-IV, Appendix-II. For articles other than diet, clothing and bedding, the Medical Officer shall indent by letter or by entry in his journal.

Reference library

600. Every prison hospital shall be supplied with a small reference library of standard works on medicine and surgery and a medical journal regularly circulated from prison to prison for the benefit of Assistant Surgeons.

Local purchases of medicines

601. In cases of exceptional illness and in order to meet extraordinary demands, Superintendents on the recommendation of the Medical Officers of prisons, are authorised to purchase medicines locally upto an annual limit of Rs.1,000/- provided that such medicines are not usually supplied by the Medical Store Depot, and that the officer making the purchase has budget provision to cover the cost. This limit should not under any circumstance be exceeded.

Appointment of Attendants and selection and training of Nursing Orderlies

602. For the purpose of attendance on the sick, a few well conducted convicts of some education and long sentence shall be selected by the Superintendent, in consultation with the Medical Officers and trained as Nursing Orderlies. A brief syllabus for the training to be undergone will be drawn up as a guide to the Assistant Surgeons, who, under the direction of the Medical Officer, will be responsible for conducting the course of training. The number of convicts employed as Nursing Orderlies shall ordinarily, be, in the proportion of one for every ten patients. In times of epidemic sickness, and other emergencies, this proportion may be increased and special orderlies may be allowed for very serious cases or for bed ridden patients. Convict Nursing Orderlies, who perform their duties satisfactorily shall be awarded extra remission and gratuity at the same rate and scales as prescribed for Convict Night Watchmen. They shall not be transferred from the hospital to other work except an account of misconduct and with the concurrence of the Medical Officer.

should not therefore be removed to an outside hospital until actually required for an investigation, operation or treatment. The Superintendent shall, before sending a sick patient to an outside institution, inform the hospital authorities in advance.

Procedure on death of prisoner

610. (1) In the event of the death of any prisoner, the Medical Officer shall see and, if necessary, examine the body of the deceased prisoner, so that he may, in every case, be in a position to certify to the fact and cause of death. When the Medical Officer is in doubt as to the cause of death, and in every case in which death appears or is likely to have been the result of an offence punishable under the Indian Penal Code, he shall make a complete and regular postmortem examination of the body of the deceased. In the event of several deaths resulting from any prevailing epidemic, a postmortem examination shall be made in one or more cases to be selected by the Medical Officer.

(2) The provisions of sub-rule (1) shall mutatis mutandis, apply to the case of a death occurring amongst the officers of the prison while employed on duty at or within such prison.

(3) The record required by section 15 of the Prisons Act, 1894, shall be made by the Medical Officer in the case book.

Treatment of malingerers

611. If the Medical Officer is of opinion that a prisoner is malingering, he shall at once report the fact to the Superintendent. Treatment for other than curative purposes is strictly prohibited.

Treatment of prisoner discharge from hospital

612. Every prisoner on discharge from hospital shall be put to labour or placed on the "Invalid gang", as the Medical Officer may direct.

Composition of invalid gang

613. The invalid gang shall consist of (1) those who from age or bodily infirmity are physically and permanently incapacitated from the performance of hard or medium labour; these will be permanent members of the gang; (2) those who have been discharged from hospital as convalescent, but are temporarily unfit to perform hard or medium labour; (3) men who, though not permanently incapacitated for labour, not lately discharged from hospital, nor labouring under any active disease, are generally out of health. This class will contain all convicts passed as fit for light labour only, prisoners exhibiting scorbutic malerio-scorbutic gums, those found to be steadily falling in weight, and those who are anaemic.

Treatment of invalid gang

614. Prisoners on the invalid gang shall be given some light work suited to their strength and shall as far as possible be kept together for purposes of diet and observation, both by day and night, a register of them shall be kept in Form No. 90 and no-

prisoner shall be placed in or discharged from this gang without the permission of the Medical Officer. They shall be examined daily by the Assistant Surgeon, and once a week by the Medical Officer.

Prisoners convalescent from dysentery, cerebrospinal meningitis pneumonia should be segregated for atleast a month after their discharge from hospital.

Special Dieting of prisoners not in hospital

615. The Medical Officer may recommend any special diet for any prisoner on the invalid gang, and every prisoner, not being a patient in hospital, who receives special diet on medical recommendation shall be brought on the invalid gang register. But any modification of the diet of a prisoner out of hospital, which involves increased expenditure and is continued for more than a month, shall be reported to the Inspector General. He may sanction extra diet to a prisoner, who has donated his blood for the blood bank, for a period not exceeding fifteen days.

Return of death of prisoners transferred on ground of health

616. If any prisoner other than a prisoner suffering from tubercle who is transferred for the benefit of his health dies within three months of his transfer, of the disease on account of which he was transferred, or if he dies of tubercle at any time, his death shall be borne on the returns of the transferring prison; but if he dies of a different disease or after the lapse of three months, the casuality shall be borne by the receiving prison.

NOTE:— For transfer on medical grounds vide Rule 1040 for release on medical grounds vide Rules 991 to 994.

Vaccinations of prisoner on admission

617. (1) Every prisoner admitted to prison shall be vaccinated, on admission or as soon afterwards as possible, unless —

(a) He shows clear evidence of being protected against small-pox either by having suffered from the disease, or by previous vaccination, or

(b) He is undergoing a sentence which will detain him in prison for a period not exceeding one month.

The Medical Officer may, at his discretion, dispense with vaccination or revaccination in any case in which he may consider it undesirable or unnecessary.

(2) Every prisoner admitted to a prison shall be inoculated against typhoid on admission or as soon afterwards as possible. Other protective inoculations (such as inoculations against cholera, etc.) shall be given whenever the Medical Officer considers such inoculation necessary in the interest of the health of the prison population.

Vaccination register

618. A vaccination Register in Form No. 91 shall be maintained and the particulars of those vaccinated shall be entered in it. When failure is not attributed to immunity arising from previous vaccination or from small-pox, the operation shall be repeated. All attempts to render the operation unsuccessful shall be brought to the notice of the Superintendent.

The vaccination of prisoners shall be carried out by the Assistant Surgeon of the prison.

All officers and their families presiding in prison quarters shall be vaccinated if found necessary.

II. THE TREATMENT OF EPIDEMICS

Presaution against outbreaks

619. When epidemic disease is present in the vicinity of a prison, communication between the staff and the infected locality shall be as far as possible prevented and special care shall be taken that arrangements to meet an outbreak are complete. If epidemic disease is present, in a district, care shall be taken that all prisoners received from such district are carefully examined and thoroughly disinfected before admission into prison. They shall then be rigorously segregated for a period of not less than ten days in such manner as the Medical Officer may deem proper.

Isolation sheds

620. It is desirable that every prison, where a site is available, shall be provided with two permanent isolation sheds built outside the prison walls.

Camping ground and its features

621. For every prison, one or more camping grounds, sufficient to accommodate the usual total population of a prison with guards, shall be selected. Its exact accommodation should be ascertained by measurement. In selecting the camp site, the Superintendent should consult the Medical Officer, and keep in view the following points, besides the state of the site during the rains:-

(a) It shall be easy of access and not nearer than two miles to any military cantonment or than one mile to any civil station or town;

(b) It shall not be on any heavy lines of communication;

(c) The ground shall be high and well drained;

(d) There shall be a good supply of drinking water;

(e) There shall be no rank vegetation and thick trees must be avoided; and

(f) The distance of the camping ground from the prison shall not ordinarily exceed five miles without the Inspector General's permission.

Inspection of camping ground

622. Prior to the removal of prisoners to a camp, the Superintendent and the Medical Officer shall inspect the ground afresh and satisfy themselves that it is really available and in order.

Removal to isolation shed

623. On first occurrence of a case of cholera, plague, cerebrospinal meningitis, suspicious diarrhoea, small pox or chicken pox, the patient shall not be taken to the prison hospital, but shall be immediately removed out of the prison to one of the isolation sheds, while in the other shed all attendants, sweepers, etc. looking after the case shall be strictly isolated and shall, on no pretext, be allowed to enter the prison or communicate with other prisoners until all risk of infection is over. Before deciding to remove the case to the isolation sheds, the Superintendent must be satisfied that there is no accommodation available in the outside hospital for the treatment of such case.

Treatment of prisoners after contact with infection

624. The utmost care shall be taken that all prisoners employed in cleaning a ward in which a case of epidemic cholera, or plague has occurred, or who have been in contact with the patient after the first symptoms have appeared, are retained under medical observation in a separate building, where available, in a manner that shall effectually prevent their mingling, on any pretext, with other prisoners who have not been so employed, special care being taken that they are bathed and fed apart, and that their excreta are separately collected and are disinfected before removal, and that they and their clothing are thoroughly disinfected before they are again allowed to mix with other prisoners. These disinfecting parties shall, as far as possible, be selected from among those prisoners who have been confined in the same ward or barrack as that in which the case of epidemic disease has appeared.

Disposal of prison officers' clothing if infected

625. If there is any reason to think that the clothing of any warder or other prison officer is likely to have been polluted by any cholera discharge, it should be at once withdrawn from use and disinfected. The prison officials and their quarters shall be attended to in every respect according to the rules laid down for the protection of prisoners.

Treatment of infected barrack

626. The barrack in which a case occurs shall be immediately vacated and other accommodation found for the inmates, who shall be kept together, and on no account, mixed up with the other

prisoners. The vacated barrack shall be thoroughly and carefuly disinfected, the disinfection being carried out, if possible, by the prisoners who occupied the barrack.

Accommodation of patients

627. All overcrowding shall, as far as possible, be strictly avoided both in the hospital barracks and cells. If the epidemic be severe, it may be desirable to use the hospital for epidemic cases only, removing all other cases to any temporary hospital that can be improvised in a ward or work-shed, should there be no better place available. Slight cases of colic or ordinary diarrhoea should also be treated separately and not admitted to hospital until the characteristic symptoms of cholera have appeared.

Storilization of drinking water

628. The drinking water shall, on the recommendation of the Medical Officer, be thoroughly boiled. An issue of firewood at the rate of 450 grams per head per diem may be made for this purpose and care shall be taken that sufficient appliances are provided and that there is adequate control to ensure efficient boiling. (See rule 681)

Observation of healthy prisoners

629. The general condition of the prisoners shall be carefully watched in order to detect incipient cases. During the night, any man attacked by premonitory symptoms shall be immediately removed for treatment. Convict officers shall be required to report at once and sign of sickness, and a prisoner visiting the latrine oftener than usual shall be placed under observation.

Sanitation of latrines

630. Scrupulous attention shall be paid to the state of the latrines. Disinfecting agents, such as perchloride of mercury lotion, shall be freely employed and every precaution connected with "dry earth conservancy" strictly enforced.

NOTE:— For a special note on disinfectants, please see Appendix—II, Part—V.

631. If necessary the number of sweepers shall be increased; and, if there are not sufficient prisoners available for conservancy duty, the extra member required shall be engaged from outside. The convict sweepers and attendants on patients may be encouraged in their work by a small daily allowance of some inexpensive change of diet. All reasonable charges, which it may appear necessary to incur in carrying out these rules, will be authorised by the Inspector General.

Treatment of hospital floor

632. The parts of the hospital floors which are liable to be soiled may be sprinkled with disinfectants, such as bleaching powder All discharges shall immediately be carried away and any portion of the floor which is soiled shall at once be cleaned and disinfected with bleaching powder.

633. The dejects of a patient suffering from cholera or other garstro-intestinal disease shall be received in a vessel containing some disinfectant and immediately buried or burnt. Disposal of dejects

634. Special attention to the cleanliness of prisoners and their clothing shall be enforced. The water used for washing shall not be allowed to remain within the prison walls. Attention to Persons of prisoners

635. The clothing and bedding of the inamtes of an infected ward shall be either immersed for 30 minutes in boiling water, or steeped in weak perchloride solution and then dried and returned to them after they have bathed. Hospital clothing and bedding used by infected patients shall be burnt. Treatment of clothing and bedding

636. The body of a prisoner who has died of a highly infectious disease, shall be entirely wrapped up in sheet saturated with a strong disinfectant, e.g , one part perchloride of mercury in 500 parts of waters and buried or burnt with the least possible delay. Disposal of an infected corpse

637. (1) The first occurrence of a case of cholera shall be at once reported to the Inspector General by telegram, and this shall be supplemented the same day, by a written report, stating the circumstances of the case and the measures taken to arrest the progress of the disease. Report to Inspector General

(2) Every subsequent case up to the third shall likewise be reported by telegram to the Inspector General, and on the occurrence of the second case the Superintendent shall submit a report, stating at the same time whether he proposes to encamp the prisoners, if so, what measures to that end have been taken and if not, for what reasons encampment is considered unnecessary, If the Inspector General is known to be absent from head-quarters, the substance of this report shall be telegraphed.

638. If within a week after the occurrence of the first case of cholera, cerebrospinal meningitis or plague in a prison, two or more cases occur, it shall be considered that the disease has assumed an epidemic form. When disease should be deemed epidemic

639. When cholera has become epidemic, the immediate removal into camp of a part at least of the prison population is desirable in all but very exceptional circumstances, such as heavy rain. In order to cut short the epidemic and save life, the removal must be prompt and the Superintendent shall be responsible that there is no preventible delay. The fact of prisoners being encamped shall be reported at once by wire and by letter to the Inspector General and any difference of opinion between Superintendent and Medical Officer as to the necessity for encampment, or the number of prisoners to be encamped, shall be referred to the Inspector General by wire. Promt removal to camp necessary

Use of tents

640. Tents for encampment are supplied to the more important prisons. When the Superintendent has insufficient tents or none, he may apply by telegram for such tents as he may require to the nearest prison where tents are available. If tents cannot be procured without excessive delay or expense, temporary sheds should be erected.

Sleeping arrangements in camp

641. When in camp, cots for the sick, and dry straw for other prisoners to sleep on, should be provided.

Precautions against fire

642. When prisoners are encamped in huts of inflammable material, every precaution shall be taken against fire. No lights shall be allowed inside the huts, but the camp shall be lighted by closed street lanterns only. An adequate number of buckets of water shall be maintained in the camp, and fire checks shall be kept in readiness in case of need. The measures to be taken on the occurrence of fire shall be pre-arranged and all the staff drilled and instructed in them.

Hospitals in camp

643. There should be two detached hospitals in camp one for miscellaneous cases and the other for epidemic cases. These should be to the leeward of and at some distance from the camp.

Conservancy in camp

644. Careful attention should be paid to the conservancy of the camp, and trenches should be dug to which the prisoners and staff should be made to resort for the purposes of nature. Excreta shall be covered over with earth immediately.

Transfer of camp to another site

645. If the disease continues unabated in frequency and virulence among the prisoners in camp, it will be advisable to shift the camp to another site.

Entry into camp prohibited

646. Only prison officials, or persons authorised by the Superintendent, shall be allowed to enter a camp. The boundary of a camp shall be marked by a ditch 60 C.M. deep and 45 Centimetres wide, the earth removed being banked on the outside.

Rules generally applicable to epidemics

647. (1) The above instructions relate especially to the treatment of cholera, but are also applicable to other outbreaks of epidemic diseases, such as small-pox and plague. In these cases the necessity for segregation is equally important, but removal into camp would be less frequently resorted to. In outbreaks of typhoid fever the changing of the water supply is of the first importance.

(2) The Chief epidemic diseases which are likely to occur in Indian prisons are:—

Cholera, diarrhoea, small pox, cerebrospinal meningitis, influenza, relapsing-fever, dysentery, pneumonia, plague, beriberi, mumps, measles and scurvy.

(3) When it is clearly apparent that plague in an epidemic form is established in a prison or in the surrounding districts inoculation (on Professor Haffkine's system) shall be resorted to.

Daily return during epidemic

648. Whenever epidemic sickness prevails in a prison, a daily return in Form No. 99, shall be furnished to the Inspector General. In this return the Medical Officer shall briefly note the progress of the epidemic, the measures he is taking to arrest it, and any information he may consider of importance. A copy of this return shall also be sent to the Director of Medical and Health Services.

Special epidemiological inquiry

649. The Inspector General in consultation with the Director of Medical and Health Services, may call for an epidemiological inquiry or report whenever he considers such a course advisable. A copy of such inquiry or report shall be furnished to the Director General of Health Services, Government of India, New Delhi.

Return of prisoners from camp

650. If for ten clear days no fresh case has occurred either in camp or in the prison, and the prescribed purification of the latter has been completed, the prisoners may return to it.

CHAPTER XXXVI

SANITATION

1. ACCOMMODATION AND VENTILATION

Capacity of ward to be inscribed near door

651. The number of cubic and superficial space which it contains, and the number of prisoners which it is capable of accommodating, shall be recorded near the door of every ward. No prisoners in excess of the accommodation thus fixed shall be confined in any ward.

Minimum allowance of superficial and cubic area in wards

652. (1) Every prisoner in a ward shall be allowed not less than 4.65 square metres of ground space and 19.82 cubic metres of breathing space. The height of the walls of a ward shall not be less than 3.96 metres and in calculating the allowance of cubic area per man, no account shall be taken of any air space above 3.96 metres.

(2) All barracks or wards should have two rows of berths only. Masonry berths may be provided, one for each prisoner. The measurement of each berth in the ground floor should normally be 198 C.M. 76 C.M. and 46 C.M. high. In upper stories the berths need be only 15 C.M. high. The number of berths shall not be greater than the sanctioned capacity of the barrack and shall be arranged in two parallel rows.

Minimum dimensions of a cell

653. Cells should have a ground area of not less than 8.92 square metres and a cubic capacity of least 33.98 cubic metres.

NOTE:— For the purposes of these rules a cell means any compartment intended to accommodate a single prisoner only, while a ward means a compartment for the accommodation of more than one prisoner.

Accommodation in hospital

654. The minimum floor area and cubic space which shall be allowed for each patient in hospital is 5.57 square metres and 23.79 cubic metres.

Responsibility for preventing over-crowding

655. The Superintendent and the Medical Officer shall be respectively responsible that no prisoners in excess of the authorised accommodation are confined if any ward or in hospital. The Lock-up Register (Form No. 12) shall show the maximum accommodation of every ward so that the Superintendent may be able to judge at a glance whether any ward is overcrowded or not.

Measures to relieve over-crewding

656. Ordinarily the number of prisoners confined in a housing unit should not exceed its authorised accommodation, However, during emergencies such as sudden influx of prisoners,

over-crowding, etc., the Superintendent may temporarily relax the minimum standards of accommodation. If over-crowding continues for a long period, the rules regarding accommodation may be relaxed with the sanction of the Inspector General.

Location of Prisoners in sheds or tents

657. Prisoners in excess of the accommodation shall not, except as a temporary measure, be placed in worksheds or varandahs, but shall be located in sheds or tents inside or outside the prison.

Ventilation of wards

658. Free through ventilation of barracks, wards and cells should be secured by the provision of large barred doors and windows situated in opposite walls. The total area of these openings should be at the rate of 1.11 square metres per head of the sanctioned number of prisoners the barrack or ward is designed to accommodate. In the case of a cell the ventilating area should be at least 2.23 square metres. As the condition of the atmosphere breathed by prisoners during the night can only be judged of by visiting at all seasons the sleeping wards several hours after the inmates have been locked-up; the Superintendent and the Medical Officer shall at uncertain intervals visit the prison at night to satisfy themselves as to the adequacy of the ventilating arrangements and to see that such are properly controlled, and are not obstructed by prisoners in the cold season to ensure warmth. When testing the atmosphere, it is advisable to bend down to the level at which the prisoners sleep, as the air on a level with the windows may be comparatively pure while that exhaled by the lungs, bodies and clothes of the prisoners is very impure.

659. In work-sheds where convicts work with their legs in a pit, care shall be taken that such pits are damp-proof.

Colour and white wash

660. The exterior of prison buildings shall be colour washed and the interior white washed from time to time, as may be necessary. The interiors of barracks, wards and cells, in which prisoners are confined, shall ordinarily be white washed to a height of 305 C.M. from the ground twice a year.

Names of blocks to be shown

661. The names and numbers of the blocks and other important buildings and enclosures shall be shown upon them in a conspicuous and suitable position.

II. CONSERVANCY

Responsibility of all officers

662. It is the duty of all prison officers to pay special attention to conservancy, and official and non-official visitors are expected to satisfy themselves that it is properly carried out.

Prison area to kept clean

663. The prison area shall be cleaned daily and shall be kept free from all jungle and weeds, accumulations of broken bricks, manufacturing refuse etc. No cook room refuse shall be permitted to be thrown on the ground, nor shall rubbish of any kind be allowed to accumulate in or near the prison.

Grass growing and trees planting

664. Grass should be grown and trees planted and kept neatly trimmed, in or near the prison where practicable.

Prohibition of cesspools and drians

665. All drains and latrines should be kept scrupulously clean. Cesspools of any kind or description are prohibited within the prison premises and no sewage matter shall be permitted to find its way into the drains of the prison. No sewage drains or effluet drains from mills and factories or other public nuisance which will affect the health of the prisoners should be allowed near any prison.

Precautions against malaria

666. Low or hollow ground and stagnant pools should be filled up. The drainage of the land round the prison shall be carefully attended to and drainage channels should be made, when necessary.

Medical Officer to approve drainage

667. The Medical Officer shall bring to notice any defects in the drainage within or about the prison, and his not doing so will be considered proof of his being satisfied with it.

Injurious conditions in neighbourhood of prison

668. If anything that might injuriously affect the health of a prison occurs or is about to occur in its neighbourhood, it shall be reported to the Inspector General. The construction of public latrines sewage drains or the like near prison is objectionable and measures should be taken to prevent it.

Sanitation in Kitchen

669. The inmates engaged in cooking should be regularly examined to make sure that they are not carriers of any infection. There should be adequate arrangements for cooks to wash their hands with soap and water before they engage in cooking. Cooks should change over to clean uniforms overall before they are permitted to cook or serve food. Manual handling of food is undesirable and must be avoided.

Construction and use of latrines

670. (1) The dry earth system of conservancy shall ordinarily be adopted in all prison.

(2) Latrines shall be built of stones or galvanized iron and no wood whatever should be used. The partitions which divide the seats should be high enough to provide a reasonable degree of privacy. Dwarf doors should be provided in front of each seat for the same purpose. Every seat shall be provided with foot rests.

made of blocks of stone. The floors of all latrines shall be made of impermeable material. The latrines so constructed shall be fly proof.

(3) Each seat shall be provided with separate receptacles for urine and faecal matter. A sufficiency of dry earth shall be provided and every prisoner shall be required to cover his excreta with a scoopful of it. No water shall be allowed inside a latrine, but water for personal ablution and a place for washing shall be provided outside.

(4) Provisions shall be made for a sufficient supply of dry sifted earth in every latrine, and a stock shall be kept in reserve under cover. The earth to be used must be dry and finely powdered. The more sandy the less efficacious it is for conservancy purposes.

(5) Latrine accommodation shall be provided at the rate of one seat for every six prisoners.

(6) Flush out system latrines are to be provided in all Central Prisons and wherever possible in all District Jails.

Cleaning of latrines

671. The latrines shall be thoroughly cleaned both in the morning and in the evening and, if necessary, in the middle of the day. Night soil and urine shall be removed in covered iron receptacles from the latrines and shall be passed out of the prison by means of an ejector and not through the main gate. Sweepings and cook house refuse shall be disposed of separately from night soil.

Sanitation in wards and cells

672. Every sleeping ward and cell shall be provided with receptacles for urine and faecal matter, the former being half filled with water. These receptacles shall be placed on an impervious surface. A receptacle for dry earth shall also be provided, and every prisoner shall cover his excreta with a scoopful of it.

Disposal of night soil and urine

673. Where sufficient land exists the night-soil shall be buried in trenches 46 C.Ms. deep, 61 C.Ms. broad and of sufficient length to contain the night-soil of one day. These trenches should be prepared at least 24 hours before use so that they remain freely exposed to the atmosphere and sunlight. The soil removed from the trench should be pulverised by a mallet so that no lumps exist. The night soil should be filled into a depth of 23 C.M. and no more; and the trench filled in with the broken up earth sufficiently above the surrounding ground to allow for subsidence. This process is to be continued from day to day till the plot is finished when it must be left fallow for at least six months by which time the night soil will become innocuous. In dealing with urine, the trenches should be filled with 23 C.M. of pulverised mould first; the urine is added to the point of saturation, when the trench is filled in as for

night-soil. The land should be plotted out before hand. Pits or deep trenches for the deposit of urine excreta or refuse matter are forbidden.

Disposal of urine in garden

674. Urine when not trenched in the manner described in the preceeding rule, shall be disposed of in the garden separately from night soil, it should be diluted and thinly scattered, as otherwise it becomes offensive and is injurious to plant life from its stimulating properties.

Precautions against polluting water supply

675. Care shall be taken that night-soil and urine are not applied where they can be a danger to the drinking water supply. The disposal of night soil and urine must always be strictly controlled and should be placed under the supervision of a responsible officer.

III. WATER SUPPLY

Selection of source of water supply

676. The purity of the water supplied to the prisoners for drinking and culinary purposes is a matter of the first importance, and both Superintendent and Medical Officer shall therefore, pay constant attention to it. The sources from which the drinking water is derived shall be carefully selected and protected from pollution. In selecting sources of supply for drinking water it should be remembered that the deeper the well the less is the probability of contamination, and in protecting wells it should be borne in mind that all dangerous impurities come from above, either direct down the mouth of the well or by percolation of polluted surface water.

Wells to be protected

677. (1) The mouth of every drinking water well shall be completely closed in, and the water shall be raised by a pump. The surface immediately surrounding the well shall be covered with a sloping cement platform with a drain round it to carry off spilt water, and the well shall be lined to a sufficient depth to render the tube impermeable.

(2) Supply of pure water may also be obtained by sinking deep tube wells in water bearing strata within the prison precinets. The water obtained from these tube wells is generally free from contamination. Water may be supplied by pumping it direct into service pipes or preferably through the medium of storage tanks. No crevices should be left along the sides through which surface water may trickle down. To prevent the possibility of contamination this space should be well grouted with cement.

Periodical cleaning

678. Every well shall be cleaned out once a year, and the date on which this is done shall be recorded.

679. Once a week the depth of water in each drinking water well shall be tested, and a record of the results maintained. Depth of water to be tested

680. Water intended for drinking may be filtered or not according as the Superintendent on the advice of medical and sanitary authorities, may direct. Filteration of water

681. If it becomes necessary, owing to the prevalence of epidemic disease, to boil the drinking water the Superintendent and Medical Officer shall be responsible that the boiling is thorough and that to this end sufficient fuel is issued and sufficient apparatus provided, and that a responsible officer is told off to superintendent the boiling (see rule 628). Boiling of water

682. The raising and distribution of water shall be effected by means of a pump and pipes. If a bucket and wihch be used for raising water, mechanical means shall be provided for emptying the bucket at a sufficient height above the well. Distribution of water

683. (1) Every sleeping ward and cell shall be provided with drinking water. Prisoners at work shall be supplied with as much drinking water as is necessary. The receptacles used for holding or conveying drinking water shall be covered and shall be thoroughly cleaned out daily. They shall be used for no other purpose. The water should be kept as cool as possible. Supply of water to prisoners

(2) There shall be arrangements for adequate supply of water in every prison. The daily requirements of an individual is about 136.38 litres. But in hospitals, the requirement may be more.

684. (1) Samples of the water in use for domestic purposes in every prison shall ordinarily be submitted to the Regional Laboratory, Visakhapatnam or Hyderabad twice yearly for both chemical and bacteriological examination. Analysis of water

(2) In the event of outbreak of an epidemic disease in any prison which, there is reason to believe, might be due to contamination of the water supply, or if in the opinion of the Medical Officer a special and immediate examination of the drinking water is necessary, he should communicate his opinion by wire to the Director of Medical and Health Services, Andhra Pradesh and that officer will make his own arrangements to obtain the necessary samples for analysis.

(3) The Regional Laboratory, Visakhapatnam or Hyderabad, will in due course, forward a copy of its report of analysis through the Director of Medical and Health Services,

Andhra Pradesh, to the Prison Superintendent and another to the Inspector General.

NOTE:— For particulars concerning the manner of preparing and despatching samples of water for analysis, see Appendix-II, Para-VI.

Disinfection of wells

685. When there is reason to believe that any of the wells from which drinking water is obtained is a source of danger it shall be treated daily with chlorin or bleaching powder in a dosage prescribed and recommended by the Local Health Authorities.

NOTE:— The District Health Officer, Municipal Health Officer or other officer of the Public Health Department, who is in charge of Public Health Administration of the area where the prison is located should be consulted as to the testing of the water and ascertaining its chlorine demand and prescribing the correct dosage of chlorine or bleaching powder to be used for disinfection of drinking water from the wells so that they may advise the officials in charge of the prisons and see that it is carried out properly.

IV. BURIAL OF THE DEAD

Disposal of corpses

686. (1) The body of any prisoner, who has—

(a) Died in prison, the cause of death not being disease of an infactious character, or

(b) Been executed in prison, the removal of the body not being likely to be made the occasion of a public demonstration, may at the request of the friends or relatives of the deceased, expressed before the body has been disposed of by burial, be made over to such friends or relatives.

(2) Excepting Central Prisons at Visakhapatnam, Rajahmundry, Hyderabad and Warangal and District Jail, Secunderabad, the bodies of Muslim and Christian prisoner who die in prisons and which are not made over to friends or relatives may be handed over to Khazis and Christian Priests respectively, for burial or cremation, as the case may be, at their request, subject to the condition laid down in sub-rule (1) (a) and to the condition that there shall be no public demonstration in regard to the removal of the dead bodies of prisoners connected with any political movement.

(3) The dead bodies of prisoners not disposed of under sub rule (1) or under sub rule (2) shall be either wrapped in a new cloth and buried in the prison burial ground, or burnt according to the faith of the prisoners. The Superintendent may incur an expenditure of Rs. 30/— (Rupees thirty only) for cremation of a prisoner who has been executed or who dies in the prison.

(4) (i) When a prisoner is removed to the Headquarters Hospital, the Superintendent of the Prison shall send a copy of the letter, addressed to the relatives or friends of the prisoner intimating such removal, to the Superintendent of the Headquarters Hospital and the Superintendent of that hospital may in consultation with the Superintendent of the prison hand over the body of the prisoner, who had died in the hospital to his relatives or friends, is claimed, subject to the condition that there shall be no public demonstration in regard to the removal of the dead body of prisoner connected with any political movement.

(ii) If however, the relatives or friends do not respond and do not claim the dead body of a prisoner the Superintendent of the Headquarters Hospital may arrange for the disposal of the same either through Municipal Authorities or as per section 4 of the Andhra Pradesh (Telangana Area) Pathology and Anatomy Act, 1955 (Act No. X of 1955) if such hospital is situated in the Telangana area of the State or as per section 4 of the Andhra Pradesh (Andhra Area) Anatomy Act, 1951 (Act No. XVIII of 1951) if such hospital is situated in Andhra area of the State.

(5) (i) When a prisoner dies in either of the Central Prisons at Visakhapatnam, Rajahmundry, Hyderabad and Warangal or in the District Jail, Secunderabad, the Superintendent of the prison concerned shall immediately inform the fact to the nearest relative mentioned in the records of the prisoner. If such relative claims the dead body within 24 hours in case he is a resident of the same district or within 72 hours in case he is residing outside the district, the dead body may be handed over to him, subject to the condition that the removal of the dead body not being likely to be made an occasion of a public demonstration.

(ii) Pending receipt of the claim, if any, in pursuance of sub rule (i) the dead body shall be removed for prevention from decay to:—

(a) The King George Hospital, Visakhapatnam, if a prisoner dies in Central Prisons, Visakhapatnam.

(b) The Headquarters Hospital, Rajahmundry, if a prisoner dies in Central Prison, Rajahmundry.

(c) The Osmania Medical College Mortuary or any teaching medical institution, if a prisoner dies in Central Prison, Hyderabad.

(d) The Mahatma Gandhi Memorial Hospital, Warangal, if a prisoner dies in Central Prison, Warangal.

(e) The Gandhi Hospital, Secunderabad, if a prisoner dies in District Jail, Secunderabad.

(iii) If such body is not claimed within the period specified in sub-rule (i), the Superintendent of the prison concerned shall, with the least practicable delay report the fact to the officer specified in sub rule (v) who shall take possession of the dead body for disposal as per section 4 of the Andhra Pradesh (Telangana Area) Pathology and Anatomy Act,1955 or as per section 4 of the Andhra Pradesh (Andhra Area) Anatomy Act, 1951, as the case may be.

(iv) Nothing contained in these rules shall apply to cases where death has taken place under suspicious circumstances and the body is required for medico-legal examination.

(v) The following shall be the authorised officers to act under section 4 of the Acts mentioned in sub rule (iii) to whom a report shall be made by the Superintendent of the concerned prison.

Item	Designation of the authorised officer.	Local area within which powers can be exercised
(1)	(2)	(3)
(a)	Resident Medical Officer, King George Hospital, Visakhapatnam.	Visakhapatnam city area.
(b)	Resident Medical Officer Headquarters Hospital, Rajahmundry.	Rajahmundry town area.
(c)	Resident Medical Officer, Osmania General Hospital, Hyderabad.	Hyderabad city area.
(d)	Resident Medical Officer, Mahatma Gandhi Memorial Hospital, Warangal.	Warangal town area.
(e)	Resident Medical Officer, Gandhi Hospital, Secunderabad.	Secunderabad city area.

Provided that in the absence of a Resident Medical Officer mentioned above, the officer for the time being discharging the duties of the Resident Medical Officer, including the Dean or

Superintendent-incharge of the hospital, shall act as the authorised officer.

NOTE:— Unclaimed bodies of prisoners dying or executed in the following prisons may be sent by the authorised officers mentioned in sub rule (v) to the teaching medical institutions mentioned against the prisons for purposes of anatomical examination and dissection.

Sl. No.	Name of the prison.	Name of the teaching Medical Institution.
(1)	(2)	(3)
(1)	Central Prison, Visakhapatnam.	Andhra Medical College, Visakhapatnam.
(2)	Central Prison, Rajahmundry.	Sri Rangaraya Memorial Medical College, Kakinada.
(3)	Central Prison, Warangal.	Kakateeya Medical College, Warangal.
(4)	Central Prison, Hyderabad.	Osmania or Gandhi Medical College, Hyderabad.
(5)	District Jail, Secunderabad.	—do—

The prison burial ground

687. (1) There shall be an enclosed burial ground attached to every prison to be used only for the burial of prisoners.

(2) The site selected for the burial ground shall not be in the immediate vicinity of any city, town or of village or of the prison itself; it must not be near any source of drinking water used either by the prison or the free population; and sufficient ground must be secured to last for atleast fifteen years.

(3) The burial ground shall be kept clean and tidy and free from jungle, and the graves shall be disposed in regular rows, so as to economize space, but not too close together. The growth of grass about the graves is to be encouraged, the grass being kept trimmed; quick-growing trees, such as the casuarina, should be planted about the cemetry.

(4) No grave shall be less than 183 C.Ms. deep. One or more graves, as may be necessary, shall always be kept ready for occupation. In filling in a grave, the earth must be well pressed

down to protect the body from the depredations of wild animals; and it should be heaped up 30 C.Ms. above the surrounding ground.

(5) The Superintendent and the Medical Officer shall visit the burial ground from time to time and see that it is kept in proper order.

CHAPTER XXXVII

THE PRISON GARDEN AND FARM

688. The vegetables required for prisoners' consumption shall, when possible, be grown in the prison garden, and the Jailor, or the Deputy Jailor if he is incharge of the garden, shall be responsible that this is done. — Garden to supply all vegetables

689. The prison garden shall be kept clean, free from weeds and undergrowth, and as far as possible under cultivation. It should be enclosed by a thick hedge, preferably of aloes, or a high wall sufficient to prevent prisoners from seeing over and to hinder escapes. Special attention should be given to the selection for growth in the garden of vegetables possessing antiscorbutic qualities. Onions, carrots, turnips, cabbages, beet-root, mustard, radish and potatoes should be the class most largely grown. — Cultivation of garden

690. A First or Second Grade Warder who understands gardening should be in immediate charge of the garden and may be specially recruited for the purpose. (In the larger prisons this Warder should be exempted from night duty). — Charge of garden

691. The number of prisoners employed for the cultivation of vegetables and condiments for prison use shall be determined by the extent of garden and the facilities available for intensive cultivation. — Employment of Prisoners

692. All available sources of water supply in prison gardens should be utilised to the extent necessary. The main irrigation channels should be built of stone or brick and leakages should be promptly repaired. — water supply to garden

693. Tamarind trees should be planted if space is available on the prison grounds. — Planting of tamarind trees

694. Those portions of the prison lands which are in use as a garden shall be utilised for the growth of grain, grass, fuel or aloe plants. No prison land should be left unutilised unless it is incapable of being turned to any account. — Utilisation of all prison lands

695. Information should be ascertained from the Agriculture Department, regarding the growth of vegetables as well as plants, whenever necessary.

696. A sufficient number of cows and buffaloes may be maintained to supply whatever milk is needed in the prison, provided that it is economical to do so, and that sanitary — Dairy

requirements can be complied with. One or more pairs of bullocks shall ordinarily be maintained, with the sanction of the Inspector General, for use in ploughing prison lands, carting and other purposes.

Supply by adjustment of cost

697. All supplies from the Garden, Farm and Dairy shall be made to the prison by adjustment of cost. The value of the Garden, Farm or Dairy produce supplied to the prison shall be taken as receipts under "056 Jails other receipts" by debiting the same under "270-Dietary charges."

Recording of receipts and issues in garden register

698. Receipts and supplies of all Garden, Dairy and Farm produce including fire wood shall be recorded daily in the garden register. The supplies of Garden, Dairy or Farm produce shall be made to the prison during the year at the prison contract rate and if such contract does not exist for any year, the supplies shall be made at the current bazaar rates during that year.

Disposal of surplus vegetables

699. Where distance and means of transport permit, Vegetables should be supplied by prisons which have a surplus to those where there is a deficiency. Surplus vegetables after meeting the needs of prisoners and staff should be sold to the public at current bazaar rates. A discount of upto 25 per cent of this price may be given to shop-keepers who by large quantities to sell.

Rate of charges for keeping animals on prison premises

700. All members of the staff who keep animals on prison premises will be charged the following rates per year for each animal whether grazing is available or not:—

	Per year. Rs.	P.
A buffalo or a cow or a horse.	5	00
A cow or a buffalo calf less than three years old.	3	00
A sheep or a goat.	3	00

701. The animals maintained by the staff may be permitted to graze on such land as the Superintendent may appoint but no attendants or cut fodder will under any circumstances be provided. Owners will be held responsible for any damage done to Government property by their animals and the Superintendent has full power to forbid to keeping of animals in any case where he considers it undesirable.

Fodder stocking

702. Fodder should be stocked for consumption by the prison cattle during the dry season. Any surplus may be sold to members of the staff or the public at current bazaar rates.

Vegetable storing

703. Vegetables such as onion and potatoes which will keep should be suitably stored for issue during the rains when the garden ordinarily produces very little. The possibility of storing other vegetables should be remembered.

CHAPTER XXXVIII

CIVIL PRISONERS

Statutory provisions

Under section 31 of the Prisons Act, a civil prisoner shall be permitted to obtain, subject to certain restrictions, food, clothing, bedding or other necessaries. The Superintendent shall, under section 33, supply clothing and bedding to a civil prisoner unable to provide himself with these articles. Under section 34 of the Act, a civil prisoner may, with the Superintendent's permission, work and follow any trade or profession and may, with certain reservations, receive the whole of his earnings. Section 40 requires that due provision shall be made for the admission of visitors to civil prisoners.

Under section 46 of the Act, a civil prisoner is exempted from the punishments of hand-cuffs and fetters.

Application of rules to civil Prisoners

704. No civil prisoner shall be required to labour against his will and nothing in Chapter XXV applies to such prisoners. The provisions of Chapters XXIII and XXIV do not refer to any civil prisoner who is able to supply his food, clothing and bedding, and such of the provisions of Chapter XIX as are incompatible with exemption from labour and prison clothing are similarly inapplicable. With these exceptions, all the foregoing rules in this Manual apply to civil prisoners.

Confinement of civil prisoners

705. Every civil prisoner shall be confined in the civil prison or portion of the criminal prison set apart for civil prisoners and shall not be allowed to hold communication or be associated with criminal prisoners.

NOTE:— A separate room need not be provided for each individual civil prisoner.

Clothing to be clean

706. Civil prisoners who supply their own clothing and bedding shall be required to dress themselves properly. Thorough cleanliness shall also be insisted on, and the Superintendent may decline to allow any clothing or bedding to be introduced into the prison or used until it is in his opinion, clean.

Scale of clothing supplied by Prison

707. When clothing and bedding is not provided by a civil prisoner or by the decree-holder, so much as may be necessary shall be supplied by the Superintendent and its cost debited to contingencies "Clothing and Bedding of prisoners". The scale of clothing and bedding for a civil prisoner shall be two cotton cloths or one cotton suit consisting of trousers and coat, one mat or cotton carpet, one sheet and, in the cold months, one woollen blanket or cumbly.

Disposal of clothing supplied by decree-holder

708. Whenever articles of clothing and bedding are supplied for the use of a civil debtor, at the cost of the decree-holder, the latter shall be given an opportunity of taking possession of them on the debtor's release. If the decree holder does not prefer his claims within a month, the articles shall be either sold or destroyed.

Bathing of civil prisoners

709. Civil prisoners shall be required to bathe at such times as the Superintendent may fix.

Restrictions on supply of food from out side

710. The supply of food to civil prisoners from out side the prison shall be of raw rations only, and shall be subject to the following restrictions:—

(1) It shall be admitted only between such hours and shall be cooked inside the prison at such places as the Superintendent may prescribe.

(2) It shall be subject to such restrictions for the prevention of undue luxury as the Superintendent, may impose.

(3) No civil prisoner shall be allowed to receive or use any spirituous liquor or intoxicating drug, unless prescribed by the Medical Officer on medical grounds, but he may be allowed to smoke or otherwise use tobacco.

Supply of food on medical grounds

711. If the Medical Officer recommends, on medical grounds, any food which a civil prisoner is unable to provide, such articles shall be supplied by the Superintendent at the cost of the prison.

Supply of food by prison

712. Civil prisoners unable to provide their own food, revenue defaulters for whom, subsistence allowance is not paid and civil debtors, whose subsistence allowance has not been paid and who are detained over a Sunday or other prison holiday (under rule 723) shall receive food in accordance with the scale laid down for civil debtors of class I if classified as such by the Court and in other cases, that prescribed for civil debtors of Class II and the cost thereof shall be debited to Dietary Charges. Civil prisoners shall be permitted to cook their own food at such place as the Superintendent may direct, and to use their own cooking, eating and drinking vessels.

Application or charitable donations

713. All charitable donations and bequests of money or other articles for the benefit of poor debtors shall be distributed by the Superintendent at his discretion; provided that specific conditions or directions imposed by the donors shall be observed, if not contrary to prison rules, and that articles liable to damage by keeping shall be distributed as soon as possible after receipt.

Use of books and recreation

714. Civil prisoners shall be allowed the use of books in the prison library and to provide at their own cost such books and newspapers or to engage in such harmless indoor games or other means of occupation as the Superintendent considers unobjectionable.

Extractes from the Code of Civil Procedure of Insolvency provisions to be posted

715. Extracts from the Code of Civil Procedure, containing the provisions relating to insolvency, shall be posted in the Civil Prison, and Civil Prisoners shall be allowed to make the necessary application under the Code, should they desire, to be declared insolvents.

Release on grounds of illness

716. (1) In accordance with section 59 of the Code of Civil Procedure, 1908 (Act V of 1908), Civil debtor may be released from prison—

(a) By the Government on the ground of the existence of any infectious or contagious disease, or

(b) By the committing court or any Court, to which that court is subordinate, on the ground of his suffering from any serious illness.

A civil debtor thus released may be re-arrested but the period of his imprisonment shall not in the aggregate exceed that prescribed in section 58 thereof.

(2) If it is desired to move the Government or the Court under the preceeding rule, the Superintendent shall, without delay forward direct to the Secretary to Government, Home Department, or to the Court, as the circumstances may require, a report from the Medical Officer showing the nature of the illness, and a nominal roll in Form No. 50 with particulars of the amount of the decree and the name of the creditor. The orders of Government or the Court shall then be awaited.

(3) Pending receipt of orders from Government or the Court, the prisoner shall, if suffering from a contagious of infectious disease, be segregated inside the prison, and if the means of segregation within the prison are not available or the disease, is of a particularly infectious character, he shall be provided with accommodation outside the prison and such temporary establishment as may be necessary for his custody and treatment shall be entertained in anticipation of the sanction of the Inspector General.

(4) In cases of serious illness or where operative skill is required, Superintendents of prisons may in anticipation of the sanction of the civil court, remove civil prisoners to out side hospital for treatment. Temporary establishments as indicated in

sub-rule (3) may be provided for the safe custody of the prisoners, in anticipation of the approval of the Inspector General until orders are passed by the court concerned. A brief statement of the case and a certificate as to the necessity for the transfer should be furnished to the Inspector General forthwith.

Detention dependent on payment of subsistence allowance and cost of return journey home

717. No civil debtor shall be received into a prison, unless the preliminary payment of the monthly subsistence allowance, cost of conveyance for his journey and feeding charges during transit from the civil prison to his usual place of residence according to the rate mentioned in the Court's warrant of commital, has been made, and no civil debtor shall be detained when the time limited for any subsequent payment lapses without its being duly made.

Release of civil prisoners transferred from which prison to be affected

718. If for the convenience of the State a civil prisoner is, after commitment to the civil prison, appointed under section 55 of the Code of Civil Procedure, 1908 for his detention, transferred from that prison to another, he should be released direct from the prison in which he finds himself at the expiry of the period of detention. As regards the subsistence allowance and railway fare for the return journey in such cases the amount already collected from the decree holder for the purpose, and which would have sufficed had he been released at the original place of detention, will be utilized and the balance, if any, met by Government.

Scales of subsistence allowance

719. The monthly scales of subsistence allowance for civil debtors are prescribed by Government from time to time under section 57 of the Code of Civil Procedure, 1908.

On medical or other special grounds to be recorded in each case, the court may order such increased allowances as it may think fit, and may from time to time cancel or modify such order. Revenue defaulters receive the same rates of subsistence allowance as are fixed for civil debtors.

First payment of subsistance allowance

720. The first payment of the monthly subsistence allowance fixed by the court shall be for such portion of the current month as remains unexpired when the civil debtor is comitted to prison. This payment shall be made to the proper officer of the Committing Court and will be transmitted to the Superintendent.

Subsequent payments

721. Subsequent payments of the monthly subsistence allowance shall be made to the Superintendent by the detaining creditor by monthly payments in advance before the first day of each month (Order XXI, Rule 39, of the Code of Civil Procedure 1908) and each payment shall be the full amount due for the ensuing month or for as many days less than a month as the civil debtor may have to be detained to complete the full period of his imprisonment. Payment by instalments shall not be permitted.

Latest date for payment

722. If any monthly payment of the subsistence allowance is not received by the Superintendent in advance before the first day of each month, and if it is afterwards tendered, it shall be refused. Every payment shall be made during ordinary business hours, and money tendered after lock up or on Sundays or other prison holidays shall not be received untill the next working day.

Release of judgment debtor

723. Under section 58 of the Code of Civil Procedure, 1908 a judgment debtor shall be immediately discharged from prison on the amount mentioned in the warrant of committal being paid to the Superintendent, on the detaining creditor omitting to pay the monthly subsistence allowance in accordance with the two last preceding rules, on the term of imprisonment as limited by the same section being fulfilled or on an order of the court; provided that Superintendents and Jailors are not required to accept payment of the amount mentioned in the warrant of committal nor to release judgment debtors on an order of a court after lock up or on Sundays or other prison holidays; and provided that in the cases of the subsistence allowance paid by a detaining creditor becoming exhausted on a Sunday or other prison holiday and not being renewed, the debtor shall not be released on the preceding day under rule 976, but on the following Monday or working day as the case may be.

Subsistence allowance to be excluded from debt

724. The amount disbursed by a decree-holder for the subsistence of a judgment-debtor in prison may not be included in the amount for which the judgmentdebtor's detention is ordered. If in any warrant such amounts are found to be so included, the warrant shall be returned to the Court for amendment. Money disbursed by the decree holder for the judgment debtor's subsistence between arrest and admission to prison, may, however, be included in the amount for which his detention is ordered.

Disposal of subsistence allowance

725. Each payment of subsistence allowance shall be entered in the Civil Prisoner's Register (Form No. 7) together with the date of receipt. If the civil debtor supplies his own raw materials, the amount of subsistence allowance shall be made over to such persons outside the prison as he may indicate; in other cases, the staple articles of diet as required by the civil debtor shall be supplied from the prison supplies at cost rates, the costs there of being adjusted as abatement under 'dietary charges' in respect of different classes of jails under the head '256. Jails', and the balance shall be paid in daily instalments to the civil debtor who will arrange with a prison officer deputed for the purpose to purchase such extra articles of rations, etc., as he may require. The Jailor shall be responsible for seeing that the civil debtors are not charged excessive rates for such supplies.

Release on non-payment of allowance

726. In case of non-payment of the mothly subsistence allowance in the prescribed manner, the civil debtor shall be produced before the Superintendent on the morning of the first working day of the month for which the monthly subsistence allowance has not been duly paid. The Superintendent shall satisfy himself by examining the entries in the Civil Prisoners' 'Register' by checking those entries with the entries relating to the Civil Debtors' batta in the Cash Book, and by questioning the Jailor, that the monthly subsistence allowance has not been duly paid, and shall then release the civil debtor.

Disposal of money on debtor's release

727. (1) On the discharge of a civil debtor, any amount paid to the Superintendent under clause (i) of the first Proviso to section 58 of the Code of Civil Procedure, 1908 shall be forwarded to the Committing Court.

(2) The unexpended balance (if any) of the first payment of subsistence allowance forwarded by the Committing Court with the civil debtor shall be returned to the Court, but any balance of subsistence allowance subsequently received at the prison from the decree holder in the suit shall be refunded direct to the party.

Duty of escorting civil debtors

728. The duty of escorting civil prisoners who are judgment debtors to or from any Civil Court belongs to the Nazarat establishment of such Court, and shall not be imposed on the police or on the warder establishment.

NOTE:— For the rules regulating interviews and communications—vide Chapter XXVII.

Procedure on escape of Civil Prisoners

729. Any Civil Prisoner by escaping commits an offence under section 225-B of the Indian Penal Code. On the occurrence of an escape of a civil prisoner, intimation shall be given to the Judgment creditor, who may, if he be able to ascertain the whereabouts of the prisoner, assist the prison authorities and the police in recapturing him. On recapture after escape or on an attempt to escape, the prisoner shall be prosecuted before a criminal court.

CHAPTER XXXIX

UNDERTRIAL PRISONERS

Statutory Provisions

Under section 27 of the Prisons Act, 1894, unconvicted criminal prisoners (undertrial prisoners) shall be kept apart from convicted criminal prisoners as well as from civil prisoners. Under section 31 of the Act, an undertrial prisoner shall be pemitted to obtain, subject to certain restrictions, food, clothing, bedding or other necessaries. The Superintendent, shall, under section 33, supply clothing and bedding to an undertrial prisoner unable to provide himself with these articles. Sicton 40 requires that due provision shall be made for the admission of visitors, including their duly qualified legal advisers, to undertrial prisoners.

Classification of undertrial prisoners

730. Undertrial prisoners shall be of two classes, viz., special and ordinary. The former class will consist of those who by social status, education and habit of life have been accustomed to a superior mode of living. Courts shall make the initial recommendations for classification in the special class to the District Magistrate, by whom the recommendations shall be approved or reviewed. Prisoners recommended for classification in the special class shall be tentatively treated as belonging to that class until the orders of the District Magistrate concerned approving or reviewing the recommendations are received.

Treatment of approvers

731. Where an undertrial prisoner has been admitted by the court as an approver, he shall be kept separate at all time from, and shall be prevented from communicating with, other prisoners concerned in the same case. When an approver is detained in custody under section 306(4)(b) of the Code of Criminal Procedure, 1973, pending the termination of the trial in which he is concerned by the court of Sessions or High Court, the Jailor shall be responsible that the prisoner is not over-detained. Magistrates and Superintendents of Police should intimate to the prison authorities the fact of the admission of any undertrial prisoner in whose case special precautions are necessary.

Undertrial prisoners exempt from labour

732. No undertrial prisoner shall be required to labour and nothing in Chapter XXV shall apply to such prisoners.

Application of other rules

733. (1) The provisions of rule 704 apply to unconvicted criminal prisoners equally with civil prisoners, except that the former are not exempt from handcuffs or fetters. They shall be allowed to purchase or receive from outside the prison, raw ration for cooking their food inside the prison, clothing, bedding and other necessaries and to supplement at their own expense the

prison supply of diet, clothing and bedding. Where food is supplied at the cost of the prison, the diet provided for 'A' and 'B' class convicts shall be given to undertrial prisoners of the special class and that provided for 'C' class non-labouring convicts to undertrial prisoners of the ordinary class.

(2) Food from outside may be allowed subjuct to the following conditions:—

(a) A written undertaking shall be given by the undertrial prisoner and the supplier of food that they are entirely responsible for the wholesomeness of such food and that prison administration will not be responsible for any mishap that may happen. Food for only one day's requirement of the undertrial prisoner shall be allowed at one time. Food articles will be tasted by the person who delivers the food. The food will be delivered at hours prescribed by Prison authorities. Food shall be eaten in the prescribed area and during prescribed hours only. During emergencies or epidemics or for reasons of health of the undertrial prisoner, out side food may be disallowed. The Superintendent has the authority to disallow or discontinue this concession at any time.

(b) Prisoners allowed to receive outside food shall not be given Prison food.

(c) Undertrial prisoners should not be allowed to cook their food separately in the institution.

(3) Usual private clothing to meet reasonable requirements should be allowed to undertrial prisoners. Such articles of clothing as will affect the security requirements of the institution should not be allowed. An undertrial prisoner who has no sufficient clothing of his own may be provided with the same at Government cost at the prescribed scale. Such clothing may be allowed to be retained by the undertrial prisoner even after his release. Private articles bearing marks or symbols of political affiliations shall not be allowed to be kept or used by undertrial prisoners.

(4) They may be allowed the use of beedies, cigarettes and tobacco in reasonable quantities at their own expense at the discretion of the Superintendent, under such restrictions as will prevent their giving them to other prisoners, but all purchases shall be made through the Jailor, and supplies from private sources shall be subject to the restrictions imposed by sub-rule 1 and 2 of Rule 710. They may be allowed to obtain soap, oil and tooth powder at their own cost subject to the condition that the concession is not abused and that the above articles are received only at the particular hour prescribed by the Superintendent. Those, who by their good conduct are found deserving, should also be allowed to receive these articles from their friends and relatives, subject to

the condition that the quantity received is limited upto their requirements for a fortnight and that a thorough examination of the article to be passed to the prisoners is made by a senior executive officer of the prison. The "Lingam" worn by Lingayat undertrial prisoners shall not be removed until they are convicted or in the event of appeal, under the conviction is upheld by the appellate court. Soap nut and washing soda on the scale allowed to 'C' class prisoners may be given to any remand and undertrial prisoner who is unable to provide himself with washing materials.

Convict officers not to guard undertrial prisoners

734. The rules relating to the guarding of prisoners by convict officers shall not apply to undertrial prisoners.

Hair-cutting

735. (1) Undertrial prisoners shall not be allowed to cut or shave the hair on their heads or faces, or in any way to alter their personal appearance so as to make it difficult to recognize them. They shall not, however, be prevented from changing their clothes provided that their appearance is not thereby materially altered when they are presented for identification in the prison or when sent to Court for trial. They may also be permitted to wear shoes and chappals if provided by relatives and friends or if purchased by them at their own cost. When the Medical Officer deems it necessary on the ground of dirt or vermin, the hair of an undertrial prisoner may be cut, but it shall not be cut closer than is necessary for the purposes of health and cleanliness.

(2) A prisoner who has been more than a month in prison, may, if he so desires it, have his hair or beard suitably cut. He may also be shaved provided it does not so alter his appearance as to make identification difficult.

Use of books etc.

736. They shall be allowed the use of such books as are in the prison library. They shall be allowed to purchase any daily newspaper or newspapers at their own cost and also such books as the Superintendent may approve.

(2) Special class undertrial prisoners shall further be permitted, if they desire, to purchase at their own cost, magazines and periodicals allowed to 'A' class convicts. Books (other than those from the prison library), magazines and periodicals shall, if considered necessary, be censored by the Superintendent before issue.

Other privileges

737. (1) In the matter of other privileges, special class undertrial prisoners shall be treated in the same way as 'A' class convicts and undertrial prisoners of the ordinary class, as 'C' class convicts, subject to the rules and orders for the time being in force.

(2) An ordinary undertrial prisoner may make purchase from the canteen upto Rs. 40/— (Forty) per month from his prisoners private cash as per canteen rules.

(3) Special class undertrial prisoner can purchase to an extent of Rs. 50/— (Fifty) per month from canteen as per canteen rules.

General discipline

738. Undertrial prisoners shall not be subjected to more restraint than is necessary for their safe custody, the maintenance of discipline and the enforcement of prison rules. They may be permitted to work in their yard if they desire it, but shall not be employed outside it.

They shall not be kept in their cells by day, but any undertrial prisoner who wishes to remain in his cell shall be allowed to do so.

Classification and segregation of undertrial prisoners

739. As far as possible, undertrial prisoners shall be confined each in a cell. The undertrial yard, shall also be divided, if possible, into separate divisions, so that prisoners who have been in prison before, shall be separated from those committed for the first time, adolescents from adult offenders, and special class from the ordinary class.

Cleaning of apetments and bedding

740. Undertrial prisoners shall be required to keep their yards, wards, cells and bedding clean, but shall not be compelled to perform duties of a degrading nature. For these duties and other necessary purposes, convicts may be admitted to the undertrial yard in charge of a prison official, who shall prevent any communication between the convicted and the undertrial prisoners.

Production before court

741. (1) The duty of ascertaining the time at which a prisoner committed to the Sessions is to be produced before the Sessions Court, and of providing the necessary escort for this purpose, rests with the police.

(2) The Superintendent is responsible for the production in Court, at the appointed time, of a prisoner remanded pending a magisterial inquiry or trial, and shall make suitable arrangements with the police for the provision of the necessary escort. The responsibility of providing escort well in time, for taking delivery of the prisoners and for producing them before the court in time, rests entirely with the police.

When possible a prisoner shall be conveyed to and from the Court in a special conveyance.

(3) A receipt in Form No. 67 shall be obtained from the senior police officer of the escort, whenever a prisoner, whether committed to the Sessions or under remand, is made over to the charge of such police officer for production in court.

(4) The police are responsible for the safe custody of any prisoner committed to their charge under the preceeding sub rules of this rule, till he is returned to the prison or discharged from custody in due course of law. It is for the police to decide whether such prisoner shall be handcuffed or not.

(5) When an undertrial has to be brought back to the prison even in the event of his acquittal or discharge, the senior police officer of the escort should be informed of the fact and the receipt in Form No. 68 substituted.

(6) When women undertrial prisoners are taken from courts to prisons or vice versa, they shall be provided with conveyances where the distance to be traversed by them exceeds 1.60 K.Ms. Conveyance may also be provided for shorter distances in cases in which, for reasons of health, or custom, or other valid reason, failure to make such provision would cause undue hardship to them.

(7) The property including cash, jewellery etc., of the undertrial prisoner should be handed over to the Police escort in his presence and under proper acknowledgments each time he goes to the court.

Roll to accompany prisoners

742. When undertrial prisoners are sent to a court for trail, a nominal roll, showing their numbers and names, with a blank column for disposal, should accompany them. The manner of disposal will be filled in by the court, over the initials of the Judge or Magistrate, and the roll returned to the Superintendent. When an undertrail prisoner has to be brought back to the prison even in the event of his acquittal or discharge, the facts should be prominently noted in red ink in the nominal roll for the information of the court. When a prisoner is acquitted after trail by a Sessions Court, it is not necessary that a formal warrant of release should be sent to the Superintendent. The expenditure incurred on the conveyance of such prisoners to and from the courts etc., is debitable to charges for police custody, but if railway or bus warrants are issued, the entire cost of such warrants is debitable to the head "255. Police".

Prevention of undue detention

743. Whenever undertrail prisoners are unduly detained in a prison, the Superintendent, shall address the District Magistrate or the Sessions Judge concerned with a view to the speedy disposal of their cases or the exercise by them of the power of releasing the prisoners on bail. Should prolonged detention continue, even after

the attention of these officers has been drawn to it, the matter should be reported to the Inspector General, who shall, if necessary, bring it to the notice of Government.

744. When an undertrial prisoner detained in a prison has to be sent to Court, he shall be given his food before he goes and arrangements made to enable him to have his food when he returns. Food arrangement during trial

745. On receipt of a warrant of a court directing the release on bail of an undertrial prisoner, he shall be at once released and his property shall be made over to him. Release on bail

746. (1) If an undertrial prisoner is seriously ill the Superintendent shall report the fact to the court accompanied by a medical statement of the case, in order that, if the court sees fit, the prisoner may be released on bail. Report of illness to the court

(2) The Superintendent may transfer any such undertrial prisoner to a hospital outside the prison in anticipation of the orders of the court where the Medical Officer considers such transfer absolutely necessary in order to conduct a surgical operation or otherwise.

(3) Where guarding of such prisoners in an outside hospital has to be arranged, the procedure laid down in Rule 1050 shall be followed.

NOTE:— For the rules regulating interviews and communications — vide Chapter XXVII.

747. Prisoners who are undertrial shall be admitted on separate warrants signed by competent authority. On admission they shall be examined by the Medical Officer for marks of violence. On their conviction or discharge their warrants shall be retained in the prison office. Separate warrants

748. Every undertrial shall be provided with a ticket on which shall be entered, the date of his arrest, the nature of the charge against him, the date of his arrival in prison, and the date of each subsequent examination and remand, also dates of interviews and letters, records of punishment etc., in the event of the Superintendent getting any information about the previous conviction of a prisoner, the fact should be notified to the police. Tickets

The ticket of the undertrial prisoner shall show the class to which he belongs.

Presentation before the court

749. Prisoners whose cases are being enquired into by a Magistrate shall be brought before the Magistrate at least once in fifteen days for the purposes of remand. Upon the expiry of each period of remand the prisoner should again be placed before the court.

CHAPTER XL

PRISONERS SENTENCED TO FINE

Statutory provisions

The law regarding fines is contained in Section 63 of the Indian Penal Code. Sections 68 and 69 relate to the termination of imprisonment awarded in default of payment of fine.

Payment of fines to prison

750. The Superintendent and Jailor are authorised to receive fines at the prison provided that payment is tendered on working days and before 5 p.m. The Superintendent shall at once remit the sum received to the court when the prison is located in the same station as the Court. In other cases he shall remit the sum received to the local Treasury, intimating the payment to the adjudicating court and forwarding the Treasury Officer's receipt.

Liability of prisoner to payment

751. An offender who has undergone the full term of imprisonment to which he was sentenced in default of payment of fine is still liable to have the fine levied by distress and sale. See section 421, Code of Criminal Procedure 1973. Superintendents should therefore accept the whole fine, if tendered, even though a part of the alternative imprisonment has been undergone.

Intimation of payment of fine

752. Every Court receiving payment of a fine in whole or in part will communicate the fact to the Superintendent of the prison to which it committed the convict. Such communication shall be by letter and action shall not be taken on telegrams. If the convict has been transferred elsewhere, the Superintendent shall forward such intimation by Registered Post to the prison in which the convict is confined. If the fine or part thereof is realised by a court other than the court sentencing the person, the Court realizing the fine will give intimation to the prison concerned. The Superintendent shall acknowledge the receipt of the intimation of payment of fine to the Court.

Prisoner to be informed

753. When payment or intimation of payment of fine in part or in whole is received, the prisoner concerned shall be informed. The revised date of release shall also be communicated to the prisoner.

NOTE:— For proportionate reduction of sentence as part payment of fine see rule 235.

CHAPTER XLI

PRISONERS SENTENCED TO SIMPLE IMPRISONMENT

Statutory provision

Under section 53 of the Indian Penal Code, the imprisonment of a criminal prisoner may be either rigorous, that is, with hard labour, or simple. Section 36 of the Prisons Act, 1894, requires that the Superintendent shall provide for the employment (so long as they so desire) of prisoners sentenced to simple imprisonment, but no such prisoner shall be punished for neglect of work except by such alteration in the scale of his diet as may be prescribed by rule.

Application of remission and labour rules

754. None of the rules Chapters XXI, XXII, and XXV apply prima facie to prisoners sentenced to simple imprisonment. If, however, a prisoner provided with employment works to the satisfaction of the Superintendent he shall be allowed the scale of diet provided for convicts sentenced to labour and may earn remission as provided in the Remission Rules (Chapter XXI).

Disciplinary restrictions

755. (1) Prisoners sentenced to simple imprisonment shall clean their own wards and wash their own clothes and shall keep their clothing and bedding neatly arranged and folded. They shall be supplied with the same blankets, bedding, pots and plates as labouring prisoners. They may be compelled to cook their own food or the food of other prisoners sentenced to simple imprisonment, provided they belong to a class accustomed in their own houses to perform such duties.

(2) They shall not be compelled to perform menial duties for others, nor shall they be compelled to perform any duties of a degrading character.

(3) They shall remain during the day in the part of the prison assigned to them and shall not wander about the prison, nor enter the labour yards or work-sheds.

Exercise

756. Prisoners sentenced to simple imprisonment may be compelled to take walking exercise for not more than an hour in the morning and an hour in the evening if the Medical Officer considers it advisable.

Hair cutting and clothing

757. (1) Prisoners sentenced to simple imprisonment shall be permitted to retain their hair as they were having on admission and it shall not be cut closer than is necessary for the purposes of

health and cleanliness. They shall be allowed to wear their own clothing which if insufficient may be supplemented by prison clothing (See Chapter XXIV).

(2) Military prisoners sentenced to simple imprisonment shall on no account be permitted to wear military uniform while in prison. If such a prisoner has no clothing in his possession other than uniform, he shall be provided at prison expense with the clothing provided for his class.

(3) A simple imprisonment prisoner who elects to work and after some time if he expresses his desire to discontinue with sufficient notice, he may be allowed to discontinue to work and from that date he will be treated as a simple imprisonment prisoner.

(4) Simple imprisonment prisoner shall:—

(i) Be required to participate in all correctional and cultural activities of the prison, such as education, vocational training, moral instructions, games entertainment, etc., according to their needs and aptitudes, as determined by the authorities of the prison;

(ii) Be allowed to have such books and periodicals of their own as are approved by the Superintendent, in addition to those available in the prison library; and

(iii) Be allowed canteen facilities at the discretion of the Superintendent.

758. In other respects the rules contained in this Manual apply to prisoners of this class, but they should, so far as possible, be kept separate from other convicted prisoners. Application of other rules

CHAPTER XLII

PRISONERS SENTENCED TO SOLITARY CONFINEMENT

The rules in this Chapter refer only to solitary confinement inflicted as a judicial punishment under sections 73 and 74 of the Indian Penal Code. Under section 49 of that Code the word "month" denotes a calendar month, and the terms of solitary confinement mentioned in section 73, besides the reference to "any one month" in section 74, must be so interpreted. Accordingly no period of solitary confinement exceeding 14 days, or, if the imprisonment is for more than three months, exceeding seven days, can be inflicted in any one calendar month.

Under section 29 of the Prisons Act, 1894, a cell used for solitary confinement must be provided with the means of communication and every prisoner so confined for more than twenty four hours shall be visited at least once a day by the Medical Officer or the Assistant Surgeon.

Method of executing sentence

759. A prisoner sentenced to solitary confinement shall be placed in a separate cell, as far as possible out of sight and hearing of what is going on outside. He shall be so confined for the periods laid down in section 74 of the Indian Penal Code, and such periods shall not be broken except upon the recommendation of the Medical Officer.

Calcuation of term

760. A sentence of imprisonment for a year and a day, of which three months shall be undergone in solitary confinement, through legal under section 73, cannot be executed under section 74, because not more than 84 days of solitary confinement can be inflicted in any one year, and the Superintendent should inform the Court accordingly. A similar discrepancy occurs if a prisoner is sentenced to four months imprisonment of which one is to be solitary, or to seven months imprisonment of which two are to be solitary. The execution of solitary confinement need not be postponed until the expiry of appeal time.

When two sentences are imposed

761. When a prisoner is setenced to imprisonment under two separate warrants, of which the second alone awards any period of solitary confinement the solitary confinement shall not be executed during the duration of the first term of imprisonment. Similarly, if the term of solitary confinement under one warrant is too long to be executed completely during the term of imprisonment awarded under that warrant, the balance shall not be carried out during any subsequent term of imprisonment undergone under a second warrant.

762. A period of cellular or separate confinement awarded as a prison punishment under the Prisons Act, 1894, shall not be carried out in continuation of a period of solitary confinement forming part of a judicial sentence.

Prisoner to be medically examined

763. No prisoner shall be placed in solitary confinement as a judicial punishment until the Medical Officer has certified in Form No. 61 that he is fit to undergo it.

Search of prisoner and cell

764. Every prisoner before being placed in solitary confinement shall be thoroughly searched, and any article which it is considered dangerous or inexpedient for him to retain shall be removed. Both the cell and the person of the prisoner shall be carefully searched daily so long as the solitary confinement continues.

Ticket outside cell door

765. Outside the cell door of every prisoner undergoing solitary confinement shall be suspended a ticketin Form No. 57. showing the particulars mentioned in the form. The provisions of rule 315 (3) shall also apply to prisoners undergoing judicial solitary confinement.

Exercise

766. Prisoners undergoing solitary confinement shall be permitted to take such exercise in the open air as the Medical Officer shall consider to be necessary for their health.

Airing of bedding

767. The bedding of prisoners in solitary confinement shall be taken out of the cells during the day and exposed to the sun and air for as long a period as the weather permits.

Occupant o clean cell

768. The occupant of each cell shall be required to keep it scrupulously clean.

Precautions to prisoners safety

769. A warder or convict warder shall at all times be on duty over the cell in which any prisoner is undergoing solitary confinement and every prisoner so confined shall be inspected whenever the officer on guard is changed, In case of sickness, immediate notice shall be given to the Assistant Surgeon on duty who shall visit the cell without delay and examine the prisoner. If necessary the Jailor may cause the man to be removed to the hospital, reporting his action to the Superintendent in his report for the day. If the health of the prisoner is such that the award of the solitary confinement is not likely to be carried out during the sentence, the opinion of the Medical Officer shall be reported to the court which awarded the sentence. Every prisoner in solitary confinement shall be visited daily by the Superintendent, Jailor, Medical Officer and Assistant Surgeon. He shall be allowed ordinary diet.

Record of confinement

770. On the admission of a prisoner, who is sentenced to a period of solitary confinement entries shall be made by the Jailor in the Release Diary (Form No. 9) showing the dates on which each period is carried out, a remark to such effect shall be entered in the diary under the initials of the Superintendent and Jailor. On each occasion on which a prisoner undergoes solitary confinement as a Judicial Punishment, the Jailor shall note on the back of the prisoner's warrant and on his History Ticket the date on which the prisoner was placed in the cell, the date on which he was removed and the number of days passed in such confinement, and the Jailor and Superintendent shall initial the entries. If any portion of sentence of solitary confinement is not executed the reason for the same shall be endorsed on the back of the warrant.

CHAPTER XLIII

PRISONERS SENTENCED TO IMPRISONMENT FOR LIFE

Statutory provision

Under section 32 of the Prisoners Act, 1900, the State Government may appoint places to which persons under sentence of imprisonment for life shall be sent; and the State Government or some officer authorised in this behalf by the State Government, shall order the removal of such persons to the places so appointed.

Convicts sentenced to imprisonment for life to be sent to Central Prisons

771. (1) All Central Prisons have been appointed as places to which persons sentenced to imprisonment for life may be sent with reference to section 32 of the Prisoners Act III of 1900. All convicts sentenced to imprisonment for life shall, therefore, as soon as convenient, be removed to a Central Prison.

(2) While allotting work or planning vocational training, the possibility of imparting multiple skills according to the abilities of each inmate should be kept in view.

NOTE:— Acquisition of multiple skills will help the inmate in maintaining interest in prison work, and his future prospects for employment will improve.

(3) Educational programmes should be so planned as to suit the individual needs of the inmate. These programmes should be diversified so that the inmate's cultural level will be raised. Emphasis should be laid on the education of a life convict.

NOTE:— This would not only be beneficial for the inmate's overall training, but it will also greatly help him in maintaining his interest and hope in life. Education can be of great support to him during his long period of incarceration.

(4) The inmate shall be encouraged to take an active and continued interest in his family. The Superintendent may, in his discretion, extend more facilities like interviews and letters to a life convict.

CHAPTER XLIV

PRISONERS SENTENCED TO DEATH

Statutory provisions

When any person is sentenced to death by a Court of Session, the sentence shall not be executed unless it is confirmed by the High Court (Section 366, Code of Criminal Procedure, 1973). When the sentence has been confirmed by the High Court, the Court of Session shall issue a warrant to the Superintendent of the prison in which the prisoner is confined to cause the sentence to be carried into effect (section 413 of the said Code). If a woman sentenced to death is found to be pregnant, the High Court shall order the execution of the sentence to be postponed and may, if it thinks fit, commute the sentence to transportation for life (Section 416 of the said Code).

Under section 30 of the Prisons Act, 1894, a prisoner under sentence of death shall, immediately on his arrival in the prison after sentence, be searched by, or by order of the Jailor, and all articles shall be taken from him which the Jailor deems it inexpedient or dangerous to leave in his possession. Every such prisoner shall be confined in a cell apart from all other prisoners, and shall be placed by day and by night under the charge of a guard,

Search of prisoner

772. When a prisoner sentenced to death is searched under section 30 of the Prisons Act, 1894, every article of private clothing shall be taken away from him, as well as all other articles of every description, whether money, jewellery or otherwise, and he shall be supplied with a suit of convict clothing.

Confinement in a condemned cell

773. (1) The prisoner shall then be removed to one of the condemned cells. The Jailor shall inspect the cell before the prisoner is placed in it, and shall satisfy himself of its fitness and security. No prisoner under sentence of death shall be placed in a cell having only a wooden door, and if there is an external wooden door in addition to the grated door, it shall be kept open.

(2) Condemned prisoners shall not be removed to the prison hospital for treatment without the special sanction of the Government. The Superintendent may, however, order the removal of a prisoner to the prison hospital in anticipation of sanction, provided the Medical Officer of the prison certifies that the prisoner is in danger of death and requires treatment in the prison hospital. A condemned prisoner removed to a prison hospital shall be segregated from all other prisoners in the hospital and a special guard of three second-grade warders shall be deputed to watch the prisoner continuously by day and night.

(3) The Superintendent may also order the removal of a condemned prisoner to any hospital for X-ray examination, in anticipation of the sanction of the Government, if the Medical Officer considers that such an examination is necessary.

Provision of guard

774. When the prisoner is placed in the condemned cell, a special guard of three second grade warders shall be deputed to watch him continuously day and night.

NOTE:— See note under Rule 843 (6).

Soures of guard

775. The ordinary warder establishment should be sufficient to furnish the special guard over a condemned prisoner, but, if absolutely necessary, extra men may be entertained with the sanction of the Inspector General. As far as possible, the duty of guarding a condemned prisoner shall be entrusted to permanent warders, the extra temporary men being placed on less responsible duties.

Restrictions on communication with Prisoners

776. The special guard shall allow no one to approach the cell or communicate with the prisoner except the Superintendent, the Medical Officer, the Jailor, or a visitor of the prison, the convict servants who attend on the prisoner, and such other persons as may be authorised in writing by the Superintendent.

Precautions against suicide

777. The warder for the time being on duty shall keep the prisoner in view. To enable him to do this by night, a lantern shall be so placed as to throw a good light into the cell. The keys of the hand-cuffs, if any are imposed, shall be kept by the Jailor. The key of the cell door shall be kept by a first grade warder by day and by the patrolling officer by night, so that they may be able to enter the cell without delay in case of an attempt at suicide. The key of a lock used on a condemned cell shall not be capable of opening any other lock in the prison.

Supervision of guard

778. The first grade warder on duty during the day and the patrolling officer during the night shall visit the sentries posted over the condemned cells frequently at un-certain hours. They shall at once report to the Jailor, for communication to the Superintendent, any irregularity or suspicious conduct on the part of the prisoner.

Guard over several condemned prisoner.

779. (1) When two or more condemned prisoners are confined at a distance apart, a separate guard shall be placed over each; but where the cells are adjoining, it will be sufficient to post a single guard over every six cells.

(2) Condemned prisoners should always be confined in adjoining cells if possible, unless there are special reasons for separating them.

(3) The entire guard shall be present whenever condemned prisoners are allowed out of their cells for meals, bathing, latrine or exercise. Not more than one prisoner shall be allowed out at the same time.

(4) When the prisoners are locked up in their cells one sentry shall patrol the verandah constantly and shall under no circumstances leave his post or sit down until relieved.

Daily search of prisoner

780. Every morning and evening the Jailor shall carefully search the prisoner with his hands, examine his cell, his hand-cuffs and irons if any are imposed, and shall satisfy himself that they are sound and secure, and that the prisoner has no concealed weapon or any article which may be dangerous in his possession. The result of his examination shall be entered in his Report Book.

Diet

781. (1) Prisoners under sentence of death shall be allowed the diet prescribed for prisoners sentenced to simple imprisonment. It shall not be added to or altered in any way except on medical grounds and on the written recommendation of the Medical Officer.

(2) A condemned prisoner's food shall be given to him after examination by, and in the presence of the Jailor.

Exercise

782. Every prisoner under sentence of death shall be allowed such exercise in the open air every day under strict and careful watch as the Medical Officer may consider necessary.

Application of rules to females

783. The preceeding rules are applicable to female prisoners under sentence of death except that—

(a) No female shall be fettered, and hand-cuffs shall not be used unless the Superintendent, is of opinion that the woman might seriously injure herself if not restrained by these means; and

(b) The duty of searching shall be performed by the Assistant Matron and in her absence by a female warder, and that of guarding by female warders.

Admission of visitors

784. Condemned prisoners who can read may be provided at their request with a supply of such books as are in the prison library. Subject to the control of the Superintendent they may also be allowed purchase at their own cost, or, obtain from their relations or friends any other books which they may wish for, provided the Superintendent may, in deserving cases, purchase books for the prisoners at the expense of Government. They may also be allowed to purchase any daily newspaper or newspapers at their own cost. They may be given, on request, betels and nuts and tobacco in the form of cigars, cigaretes or beedies for smoking,

in the form of leaves for chewing and in the form of snuff for snuffing, provided the Medical Officer of the prison finds no objection to their supply from the point of view of health. They shall be supplied with soap, oil and tooth powder at the expense of Government. They may be allowed to wear chappals in deserving cases on medical grounds at the expense of Government. All reasonble indulgences shall be allowed in the matter of interviews with relatives, friends and legal advisers. It shall be the duty of the religious teacher of his persuasion attached to the prison to visit the condemned prisoner daily and if he expresses a desire to see any other approved religious minister, endeavours shall be made to comply with this request.

Date of execution.

785. When a sentence of death is confirmed by the High Court, the Court of Session will issue a warrant to the Superintendent of the prison with reference to section 413 of the Code of Criminal Procedure, 1973, fixing the date of execution, which will be not less than twenty one days nor more than twenty eight days from the date of receipt by the Sessions Court of the orders confirming the sentence of death. If the date fixed by the Court be a recognized holiday for prisoners, the execution shall take place on a next working day. The warrant should be accompanied by a copy of the High Court's judgment which should be at once communicated to the prisoner, after translation, if necessary.

The Superintendent of the prison shall immediately on receipt of the orders of the High Court, dismissing the appeal preferred by the condemned prisoner, inform the said prisoner to make arrangements for executing the power of attorney and record the fact of having done so in the History Ticket under his attestation.

Appeal to Supreme Court.

786. The Superintendent of the prison shall immediately on receipt of a warrant for execution consequent on the confirmation by the High Court of the sentence of death inform the convict concerned that if he wished to appeal to the Supreme Court or to make an application for special leave to appeal to the Supreme Court under any of the relevant provisions of the Constitution of India, he should do so within the period prescribed in Note (2) to this rule.

NOTE:— (1) If sentence of death has been passed on more than one person in the same case, and if intimation is received from, or on behalf of only one or more but not all of them of an intention to appeal to the Supreme Court, or to make an application for special leave to appeal to the Supreme Court, the execution of the sentence shall be postponed not only in the case of the person or persons from whom, or on whose behalf such intimation has been received

but also in the case of the other person or persons from whom, or on whose behalf no such intimation has been received.

(2) In cases involving a sentence of death, an application for special leave to appeal shall be lodged in the Supreme Court within sixty days from the date of refusal of certificate by the High Court or within ninety days from the date of the Judgment, final order or sentence sought to be appealed from, as the case may be.

Procedure for submitting petitions for special leave to appeal

787. (i) The procedure governing the submission of petitions for special leave to appeal to the Supreme Court is contained in Order Nos. XVI, XVIII and XXI of the Supreme Court Rules, 1966. These rules lay down that a petition for special leave to appeal shall be drawn up in the proper form and shall be accompanied by the following documents:—

(a) A certified copy of the judgment and order appealed from;

(b) An affidavit in support of the statement of facts contained in the petition;

(c) An affidavit in support of the petition as required by rule 4 of Order XVIII of the Supreme Court Rules, 1966;

(d) An application praying for condonation of delay in filing the petition, if it is presented after the expiry of the period of limitation prescribed in rule 1 of Order XVI read with rule 1 of Order XXI of the Supreme Court Rules, 1966;

(e) An affidavit as per rule 1 (2) of Order XXI or as per rule 2 of Order XVI of the Supreme Court Rules, 1966; and

(f) Certified copies of documents which have formed parts of the record of the case in the court sought to be appealed from, if the petitioner wishes to rely upon the same.

(ii) Since all proceedings in the Supreme Court are conducted in the English Language (vide Article 348 (1) of the Constitution of India) petitions in a language other than English must be accompanied by their English translation duly authenticated.

(iii) The procedure governing the presentation of the petitions detailed in sub-rule (i) shall be explained by the prison authorities to the intending petitioners before forwading the petitions to the Supreme Court.

(iv) Such petitions shall on no account be withheld even if the period of limitation has expired.

(v) Facilities for swearing of affidavit, obtaining certified copies of the judgment of the lower courts, consulting legal advisers, etc., shall be afforded to the petitioners in accordance with the provisions in these rules.

NOTE:— The provisions contained in the following Supreme Court Rules, 1956, shall be followed scrupulously:—

(i) Rules 1 to 7 and 10 of Order No. XVI.

(ii) Rules 1, 2, 4 and 8 of Order No. XVIII.

(iii) Rules 1 to 8, 12 to 14 and 29 of Order No.XXI.

(iv) Rules 2 and 5 of Order No. X; and

(v) Article 136 (i) of the Constitution of India.

Intimation for submission of petition

788. The Superintendent of the prison shall, immediately on receipt of intimation of the dismissal by the Supreme Court of the appeal or the application for special leave to appeal to it lodged by or on behalf of the convict, in case the convict concerned has made no previous petition for mercy, inform the convict concerned that if he desires to submit a petition for mercy it should be submitted in writing within seven days exclusive of the date on which the convict has been informed by the prison Superintendent. The petition for mercy should be addressed to the Governor of Andhra Pradesh and the President of India.

NOTE:— In cases where no appeal to the Supreme Court or no application for special leave to it, has been lodged by or on behalf of the convict, the said period of seven days shall be counted from the date next after the date on which the time allowed for an appeal, to the Supreme Court or for lodging an application for special leave to appeal to it expires. On expiry of such time, if the convict has made no previous petition for mercy it shall be the duty of the superintendent of the prison to inform the convict that if he desired to submit a petition for mercy he should do so in writing within seven days exclusive of the date of such intimation,

Where there is no petition to Government

789. If the convict does not elect to submit such petition within the period laid down in the last preceding rule, the Superintendent shall intimate the fact to Government and the execution shall take place on the date already fixed by the Court of Sessions.

Where convict petitions Government

790. If the convict submits such petition within the period prescribed by rule 788, the Superintendent of the prison shall forthwith despatch it to the Secretary to Government, Home Department, together with a covering letter reporting the date fixed for the execution, and shall certify that the execution has

been stayed pending receipt of the orders of the Government on the petition. Both the letter and the cover of the letter shall bear in red ink the words "Petition for Mercy" and shall be marked "Urgent".

Reminder for orders

791. If no reply is received within fifteen days from the date of the despatch of the petition from the prison, the Superintendent of the prison shall telegraph to the Secretary to Government, Home Department, drawing attention to the fact, but he shall in no case carry out the execution before the receipt of the Government's formal orders by post.

Submission of late petitions

792. If the convict submits a petition after the expiry of the period prescribed in rule 788, the Superintendent of the prison shall at once forward it to the State Government, and at the same time telegraph the substance of it, requesting orders whether the execution should be postponed and stating that, pending a reply the sentence will not be carried out. If such petition is, however, received by the Superintendent later than noon on the day preceeding that fixed for the execution, he shall at once forward it to the State Government and at the same time telegraph the substance of it, giving the date of execution and stating that the sentence will be carried out, unless orders to the contrary are received.

Interval before execution

793. (1) The Superintendent shall, in every case allow one full working day to elapse between receipt of the orders of the President of India and the execution. The condemned prisoner shall be informed, immediately after the receipt of the orders of the President of India, when he is to be executed.

(2) Immediately on receipt of the orders of the President of India on the petition for mercy of the condemned prisoner declining to interfere with the death sentence passed on the prisoner, the Superintendent shall:—

(a) Acknowledge the receipt of the orders;

(b) Fix the date and time for the execution of the prisoner and record in his order book;

(c) Intimate the above facts to the Medical Officer and the Magistrate seeking their attendance for execution;

(d) Intimate the above fact to the relatives of the prisoner by a telegram;

(e) Communicate to the condemned prisoner about the President's refusal and the date and time when he will be hanged; and

(f) Allow all reasonable indulgences in the matter of interviews with relatives, friends and legal advisers and to write letters to his friends and relatives.

(3) Even in cases in which condemned prisoners do not elect to submit petitions for mercy, the Superintendent while acting according to rule 789 shall follow as far as may be applicable the instructions in sub-rule (2).

Exceptional circumstances may be reported

794. In the event of its coming to the knowledge of the Superintendent at any time before the execution of the sentence that altogether exceptional circumstances have arisen which plainly demand a reconsideration of the sentence, he is at liberty, anything in the foregoing rules notwithstanding, to report the circumstances by telegraph to the State Government and ask their orders and to defer execution till they are received.

Confirmation of telegrams to be awaited

795. The Superintendent shall at once repeat back to the Secretary to the State Government in the Home Department all telegrams communicating orders to him regarding petitions for mercy by way of acknowledgment of their receipt. He shall act only upon formal orders of Government received by post.

Action to be taken if prisoner is suspected to be insane

796. If a prisoner, under sentence of death, such sentence having been either passed by the High Court or confirmed by it, is suspected to be insane, the Superintendent shall keep him under observation in the condemned cell and submit a report to the Government on his mental condition together with a nominal roll in Form No.50

After observation—

(i) If the prisoner is certified to be not insane by the Medical Officer of the Prison, the Superintendent shall submit a report without delay to the Government for orders; and

(ii) If the prisoner is found to be insane, the Superintendent shall, as soon as the certificate in Form 3 of Schedule I to the Indian Lunacy Act, 1912, has been signed by the Medical Officer, submit it together with a medical history sheet in Form A in part VII of Appendix—II, to the Government for orders. The execution of the prisoner should, in all cases, be stayed pending orders of Government.

Where female prisoner found pregnant

797. Should a female prisoner sentenced to death be found to be pregnant the fact shall be certified to by the Medical Officer and shall be noted by the Superintendent on the warrant, which shall (after a copy has been taken) be returned to the Sessions Judge for the orders of the High Court, under section 416 of the Code of Criminal Procedure, 1973.

Where female prisoner alleges to be pregnanty

798. If a female prisoner sentenced to death declares herself to be pregnant, and the Medical Officer is unable to certify to the truth or otherwise of the statement, he shall record the fact in writing, and the interval of time necessary to enable him to satisfy himself on the point. The statement shall be attached to the warrant and farwarded to the Sessions Judge, a copy being kept for record.

Orders of Government to be taken

799. When the execution of a female has been suspended under either of the two last preceeding rules, it shall not afterwards be carried out without the orders of Government, for which the Superintendent shall apply through the Inspector General.

Prisoners' attendance as witness

800. The rules framed and orders issued under the Prisoners, (Attendance in Courts) Act, 1955, (which are given in Appendix—VII) shall be followed where prisoners are required to be produced before courts for giving evidence.

Place of execution

801. Executions shall take place within the premises of the prison. They shall be carried out in a special enclosure attached to the condemned cells.

Attendance of spectators

802. (1) When the execution takes place within prison premises, the Superintendent may admit any adult male relative or relatives of the prisoner and any other respectable male adults, up to a maximum number of twelve, to witness the execution.

(2) The Superintendent may refuse such admission to any applicant, or may exclude all applicants. No prisoner shall be allowed to attend or witness an execution.

Preparation of mechanical appliances

803. (1) A manilla rope (2.5 C.M. in diameter) obtainable from the Central Prison, Rajahmundry, shall be used for execution purposes and at least three such ropes, in serviceable condition, shall be maintained in every prison where executions are liable to take place. It shall be kept in charge of the Jailor.

(2) The gallows shall at all times be ready for use and shall be carefully examined on the last working day before an execution, to ensure that everything is in proper working order. It should be ascertained that the pit is sufficiently deep to be well clear of the convict's feet after the drop has fallen.

(3) The ropes to be used shall be tested week before the date fixed for an execution and (with the other requisites such as pinioning straps,) shall be then securely locked away in a place of safety till required.

(4) A rope shall be tested by fixing one end to the cross-tree of the gallows and the other end to a weight one and a half times the weight of the prisoner to be executed. This weight

shall then be dropped the height of the drop it is proposed to give the prisoner.

(5) Every detail in connection with an execution shall receive the personal attention of the Superintendent and Medical Officer.

804. (1) The Medical Officer shall report in the medical report book (journal) about the drop to be given to the prisoner at least four days before the date on which the prisoner is to be executed.

(2) The Medical Officer of the prison shall work out the details of the length of the drop to be given to a prisoner on principles as shown below :—

(i) If the prisoner weighs less than 45 Kgs, he should be given a drop of 244 C. M.;

(ii) If the prisoner weighs from 45 to 60 Kgs, he should be given a drop of 229 C. M.;

(iii) If the prisoner weighs more than 60 Kgs; but not more than 75 Ks; he should be given a drop of 213 C. M.;

(iv) If weighing more than 75 Kgs; but not more than 91 Kgs; he should be given a drop of 198 C. M. ; and

(v) If weighing more than 91 Kgs; he should be given a drop of 183 C. M.

Provided that so long as the extreme limits of 183 C. M. on the one hand and 244 C. M. on the other hand are adhered to, if owing to any physical peculiarity of the prisoner, the Medical Officer is of opinion that the drop should be increased or decreased, effect should be given to the Medical Officer's opinion.

(3) The following measures should be adopted regarding the fixing of the length of the rope to permit the required drop :—

(i) The height of the prisoner to the angle of the jaw immediately below the left ear shall be accurately measured, as shuld also be the height from the drop sutter, when fixed in position, to the lower portion of the ring in the beam to which the rope will be affixed.

(ii) These two measurements will determine the distance when the prisoner is standing in position on the drop, from the point of the latter's jaw to the ring in the beam.

(iii) The measurement of the prisoner's neck shall also be carefully taken, the next measurement and the height measurement to the angle of jaw being carried out immediately after the prisoner has been admitted.

(iv) The length of rope for any given drop shall be the length of that drop plus the distance from the angle of the prisoner's jaw to the ring in the beam.

Illustration:— Assuming the distance between the angle of the jaw and the iron ring to be 122 C.M., and the desired drop to be 213 C.M., the amount of free rope hanging from the ring shall be 335 C.M., from the ring to the leather washer maintaining the loop in position on the neck of the condemned prisoner.

Hour of execution presence of officers

805. Every execution shall take place as soon after day break as possible. Both the Superintendent and the Medical Officer shall be present as well as a Magistrate.

Security of prisoner

806. The condemned prisoner's wrists shall be handcuffed behind his back before he leaves his cell, from which he shall be conducted to the scaffold under a guard of not less than four warders in charge of a responsible officer.

Provision of armed guard

807. A guard of warders, not less than ten strong, armed with muskets and with ball cartridges in their pouches, shall be mustered in front of the gallows to repulse any attempt at rescue. If the prisoner establishment is small, the Superintendent of Police in the case of districts and the Commissioner of Police in the case of cities of Hyderabad and Secunderabad may be asked to furnish this guard.

Reading of Warrant and identification

808. Before the condemned prisoner leaves the cell, the Superintendent shall read the warrant aloud in English, and it shall be translated into the language known to the prisoner by the Jailor or other Prison Officer. The Superintendent and Jailor shall identify the prisoner by a reference to the prison registers as the individual named in the warrant.

Limbs to be secured

809. The prisoner's arms shall then be pinioned behind his back and his ankles shall be strapped together.

Examination of body

810. The body shall hang for half an hour and shall then be examined by the Medical Officer. It shall not be taken down till the Medical Officer declares life to be extinct.

Disposal of body

811. The body of an executed prisoner may be made over to the friends of the deceased, if claimed by them, unless there are special reasons to the contrary if any particular case.

812. When the sentence has been executed, the Superintendent shall return the warrant to the Court which issued it with an endorsement in the following from over his signature certifying the manner in which the sentence has been cerried out:— Certificate of execution

I here by certify that the sentence of death passed on by the Court of Sessions and confirmed by the High Court has been duly exec ted and that the said was accordingly hanged by the neck till he was dead at on the 19

I further certify that the body of the said remained hanging for half an hour, and that the Medical Officer, in attendance certified to the complete extinction of life prior to its removal, and that it was afterwards interred in the prison burial ground, (or made over to friends, as the case may be) and that no accident, error, or other misadventure occurred during the execution.

813. Money rewards, at the rate of Rs.5/- per condemned prisoner, shall be made for the services of a warder assisting at executions. Money reward of warders

814. (1) The Superintendent shall, immediately after the execution of the condemned prisoner, report to the Secretary to Government in the Home Department, by express telegram, the date and fact of execution of the prisoner with the number and name of the prisoner and also the number of the judgment of the Sessions Court. Report to Government about fact of execution

(2) The Superintendent shall also send to the Government and to the Inspector General, post copies of the telegram with the nominal roll of the prisoner.

815. The execution of a condemned prisoner should not be carried out on the date fixed, if he is physically unfit to receive the punishment but in determining the degree of physical disability sufficient to justify postponement of execution, the illness should be both serious and acute (no chronic) before postponement is considered. Ordinarily the criterion for postponing the execution should be that the mere act of moving the prisoner from his bed in hospital and placing him in an erect position on the scaffold might in itself be sufficient to cause death. Postponement of execution in cases of physical unfitness of prisoners

816. Petitions from convicts under sentence of death, which may have to be forwarded to Government by post, should be transmitted by registered post. Petitions from convicts under sentence of death

CHAPTER XLV

FEMALE PRISONERS

Statutory provisions

Under the provisions of section 27 of the Prisons Act, 1894, female prisoners shall be so separated from male prisoners as to prevent their seeing, conversing or holding any intercourse with the male prisoners. Under the same section unconvicted female prisoners shall be kept apart from convicted criminal prisoners. Under section 46, no female prisoner, shall be liable as a punishment to any form or handcuffs, or fetters.

Classification and segregation of female Prisoners

817. Female prisoners shall, as far as possible, be classified and separated, not only the unconvicted from convicted but also adolescents from older prisoners, habituals from non-habituals and prostitutes and procuresses from respectable women.

Restriction of females to female enclosure

818. (1) No female prisoner shall, on any pretext, leave or be permitted to leave or be removed from the enclosure set apart for females, except for release, transfer or attendance at Court, or under the orders of the Superintendent for any other special purpose. Suitable arrangements for writing letters and petitions for female convicts shall be made according to local circumstances.

(2) Every female prisoner authorized to leave the female enclosure under sub-rule (1) shall ordinarily be accompanied by the Assistant Matron or a female warder from the time she leaves the enclosure till she returns to it or quits the prison premises.

Exclusion of males

819. (1) No adult male shall enter or be permitted to enter the female ward of any prison by day unless he has a legitimate duty to attend to there, and is accompanied by the Assistant Matron or a female warder while he remains therein, and no adult male shall enter it, at all, by night except in an emergancy and he shall then enter a distinct report of his visit with the reason and hour thereof, in his report book. When the subordinate concerned does not himself maintain a report book, he shall make an early report of the circumstances to the Jailor (and Assistant Matron, if necessary) with the view to its being recorded in their respective report books.

(2) Warders acting as escorts to visitors and officials shall remain outside the enclosure.

Locks of female enclosure

820. The locks of the enclosure and compartments where females are confined shall be different from those in use in other parts of the prison, so that the keys of the latter may not open the former.

(i) The keys of the female enclosure shall be kept in a separate glass fronted box next to the general key box.

(ii) The key of this box shall be kept either by the Jailor or Assistant Matron according to local circumstances.

(iii) In case of serious emergency such as fire or attempted suicide in the female enclosure, the senior warder on duty in the prison at the time shall break the glass, take out the keys and hand them over to the female section after having sent messages summoning the Jailor, Assistant Matron and Medical Officer.

(iv) If the alarm from the female section should merely be complaint of illness or similar occurrence where a short delay would not matter the senior warder, shall send for the Assistant Matron or Jailor.

(v) Where necessary a bell or gong within easy reach at night, must be provided in the female section so that attention may be attracted in case of emergency.

(vi) Some means of rapid communication must be provided between the main gate and the Assistant Matron's or Jailor's Quarters, either by a messenger or by an electric bell or similar contrivance. In some cases it might also be desirable to have electric bell communication between the female enclosure and the main gate.

Treatment of hair

821. The hair of a female prisoner shall not be cut without her consent, except on account of vermin or dirt or when the Medical Officer deems it requisite on the ground of health and cleanliness, and than the hair of such prisoner shall not be cut closer than necessary for the purpose of health and cleanliness. They shall each be provided with 8 grams of coconut oil daily for dressing the hair and 15 grams of soapnut powder twice a week for bathing. Female prisoners shall be supplied with a comb each and be allowed the use of a looking glass, one in each cell and one or two in each ward being provided therefor.

Not to be fettered

822. Female prisoners shall be liable to be handcuffed as a means of restraint under the same conditions as male prisoners, but no female prisoner shall, in any circumstances, be fettered.

Application of rules

823. Except in so far as they are inconsistent with the rules in this chapter, all the rules under other chapters apply to female prisoners.

Menial duties

824. Women offenders should be employed for conservancy work in women's institutions/annexes, provided they volunteer for such work. If women offenders are not available for this

work, part-time paid female scavengers should be appointed. Under no circumstances should male scavengers be allowed to enter the areas where women offenders are kept.

Register for recording regularity of menses

825. A register should be maintained in every female prison, by the Assistant Matron, or by a female warder, if there is no Assistant Matron, for recording the regularity of the menses of female prisoners and the treatment given to them by the Medical Officer if necessary for any irregularity.

Release of female prisoners

826. Before a female prisoner is released, timely notice shall be sent to her relations or friends to enable them to attend at the prison and receive her. If no relative or friend appears on the day of release, she may be sent to her home in charge of the female warder, should the Superintendent consider this course desirable.

Provision of conveyances

827. Women prisoners who are released from prisons shall be provided with conveyances where the distance to be traversed by them exceeds 1.6 Kms. Conveyances may also be provided for shorter distances in cases in which, for reasons of health, or custom, or other valid reasons, failure to make such provision would cause undue hardship to them. They shall not be allowed to loiter about the prison office or grounds. If necessary the children of the female prisoners shall also be provided with batta and railway ticket.

Prisoner's children

828. (1) A child up to five years of age shall be admitted to prison with its mother if it cannot be placed with relations or otherwise properly provided for. Children born in prison may remain with their mothers upto five years of age, if they cannot be otherwise suitably disposed of. The Medical Officer shall determine the age of children not born in prison.

(2) No child shall be admitted into or retained in prison if it has attained the age of five years. On a child becoming disqualified for further retention it may be handed over to a relative or guardian with the consent of the parent, provided such relative or guardian is willing to take care of the child. In case no relative or guardian is forth-coming, the case of the child may be reported to the nearest Magistrate of the First Class to be dealt with under the provision of the Children Act.

(3) Children in prison shall be allowed such diet and clothing as the Medical Officer may order for them.

NOTE:— See relevant Chapters.
For dietary of female prisoners.
For clothing of female prisoners.

For transfer of female prisoners before release; and Rules 797 to 799 for treatment of pregnant female prisoners sentenced to death.

829. In all registers and returns the numbers and names of female prisoners shall be written in red ink.

Number and names of female prisoners to be written in red ink in registers, etc.

830. Whenever a female convict is transferred to a Home under orders of Government to pass the unexpired portion of her sentence there, the final date of release including the remission earned in prison should be communicated to the officer-in-charge of the Home and the Inspector General.

Information to be furnished on transfer of female convict to a Home

831. (a) (1) Married Hindu female prisoners may be permitted to wear bangles as under:—

Married female prisoners may be allowed to wear bangles etc.

'A' and 'B' class.	Glass bangles.
'C' Class.	Bone including ivory and celluloid.

These will be provided at the prisoners' expense.

(2) Married Hindu female prisoners may on religious grounds be allowed to wear a small red mark (kunku) on their foreheads.

(3) All Married Hindu female prisoners whose husbands are alive should, on religious grounds, be allowed to wear 'Mangala Sutras'.

(4) All Married female prisoners who are not widows may be allowed to wear nose-rings.

(5) If a female prisoner has not bangles or if the bangles break, she should be supplied with four plastic bangles at Government cost, where religion or custom makes wearing of bangles obligatory. Female prisoner should be supplied with kum-kum worth 25 paise per month, in accordance with local customs at Government cost.

(b) The tasks allotted to female prisoners shall be from one half or two thirds of those prescribed for male convicts.

(c) The following should be kept in view while organising the recreational activities for women offenders:—

In door games like draughts and carrom, outdoor games according to local customs, group music, community and folk dances, dramatics, educational films, arts and crafts.

CHAPTER XLVI

LUNATICS

Statutory provisions

The law relating to lunatics, so far as their confinement in prisons is concerned, is contained in the Indian Lunacy Act, 1912, in Chapter XXV of the Code of Criminal Procedure, 1973 and in section 30 of the Prisoners Act, 1900. In section 3 (4) of the Lunacy Act, a "Criminal lunatic" is defined to mean any person, for whose detention in, or removal to, any asylum, prison or other place of safe custody an order has been made in accordance with the provisions of section 330 or section 335 of the Code of Criminal Procedure, 1973 or of section 30 of the prisoners Act, 1900, or of section 145 of the, Army Act, 1950.

NOTE:— The rules made by Government under the Lunacy Act, together with supplementary instructions issued for the guidance of officers administering the Act (G.O.No. 1095, Public, dated the 29th August, 1913 and G.O.No. 328, Law (General), dated 20th October, 1926) are printed in part-VII of Appendix—II and should be read as supplementary to this chapter.

Classes of lunatics

832. (1) Lunatics in prisons may be divided into five classes, namely:—

(i) Persons supposed to be lunatics and detained under observation under the provisions of section 16 of the Indian Lunacy Act, 1912.

(ii) Prisoners who have become insane after their conviction and admission to prison.

(iii) Prisoners incapable of making their defence owing to unsoundness of mind, and detained under sections 328 and 330 of the Code of Criminal Procedure, 1973, pending transfer to the Mental Hospital, Visakhapatnam in the Andhra Region and to the Mental Hospital, Hyderabad, in the Telangana Region.

(iv) Prisoners who have been tried for a criminal offence and found to have committed the act alleged but who have been acquitted on the ground of having been insane when the act was committed and who are detained under section 335 of the Code of Criminal Procedure, 1973, either permanently or pending transfer to the Mental Hospital, Visakhapatnam in the Andhra

Region and to the Mental Hospital, Hyderabad in the Telangana region.

NOTE:— In the absence of accommodation for the confinement of lunatic prisoners in the Mental Hospital of one region, they can be removed to the Mental Hospital in the other region.

(v) Recovered criminal lunatics.

(2) Prisoners falling within class I above are termed civil lunatics, while prisoners falling within classes II to V are criminal lunatics.

Lunatics of class I. information to accompany Lunatic

833. Whenever a supposed civil lunatic is sent by a court to a prison for observation, the court shall send with him a medical history sheet in the prescribed form, omitting the supplementary headings (Appendix-II) Part-VII and in this sheet all the available information regarding the lunatic shall be given.

Maximum period of detention

834. The maximum period for which any alleged to be a lunatic can be detained for observation by order of a Magistrate under section 16 of the Indian Lunacy Act, 1912, is 30 days from the date on which he was first brought before the Magistrate; but each order given by the Magistrate for such detension can only cover 10 days, and must be renewed as soon as that period expires. If the maximum period of 30 days expires before an order for the transfer of the alleged lunatic to the Mental Hospital at Visakhapatnam or Hyderabad or his release is received, the Superintendent shall immediately address the local police authorities and request them to produce the alleged lunatic before the Magistrate under whose warrant he was received with a view to orders being passed for his release or transfer to the Mental Hospital at Visakhapatnam or Hyderabad. If no such order is received within a week, the Superintendent shall report the matter to the Inspector General.

Lunatics of Class II. Report of insane convicts case and removal pending orders

835. If any convict becomes insane after admission to prison, a report of his case shall immediately be submitted to the Inspector General with a view to Government being moved to order his removal to the Mental Hospital at Visakhapatnam or Hyderabad under section 30 of the Prisoners Act, 1900 (Act III of 1900). The insane prisoner may, however, be removed to the Mental Hospital in anticipation of the issue of the Government order of removal as soon as the certificate in Form No. 3 of Schedule 1 of the Indian Lunacy Act, 1912, has been signed by the Medical Officer.

Documents accompanied report

836. The report reffered to in rule 835 shall be accompanied by a nominal roll of the prisoner (Form No. 50), a certificate of the Medical Officer in Form No. 3 of Schedule 1 of the Indian

Lunacy Act, 1912, and a medical history sheet in the form prescribed (Vide Form 'A' in Part-VII of Appendix-II).

Transfer to mental hospital

837. At the time of forwarding the lunatic to the Mental Hospital at Visakhapatnam or Hyderabad, the Superintendent shall also send the documents referred to in rule 836. The lunatic's medical case will include the medical history sheet in prescribed form, and a medical certificate in Form 3 of Schedule 1 of the Indian Lunacy Act, 1912.

Lunatics of Classes III and IV. General instructions

838. Prisoners confined under Sections 330 and 335 of the Code of Criminal Procedure, 1973, shall be dealt with in accordance with the orders which the Government or the Court, as the case may be, may pass on their case. Under section 336 of the said Code, the Government have empowered Superintendents of Prisons to discharge all or any of the functions imposed on the Inspector General under sections 337 or 338 of the said Code. (Vide: G.O.Ms.No. , Home (Prisons-B) Department, dated — — 1976).

NOTE:— Under section 328 of the said Code, the Government direct that the Officer in medical charge of a Central Prison shall be the Medical Officer by whom persons accused before a Magistrate of offences and appearing to be of unsound mind shall be examined.

Medical Certificate accompany

839. When any prisoner confined under section 330 and 335 of the Code of Criminal Procedure, 1973, is transferred to the Mental Hospital at Visakhapatnam or Hyderabad under orders of Government or of a Court, the Medical Officer's certificate in Form 3 of Schedule 1 of the Indian Lunacy Act, 1912, shall be sent with him, in addition to the other documents prescribed by the said Lunacy Act and the rules made thereunder.

Provided that in the case of persons judicially acquitted on the ground of insanity, but not insane when sent to the Mental Hospital at Visakhapatnam or Hyderabad no certificate in Form 'A' shall be necessary.

Certificate under section 337, Code of Criminal Procedure, 1973

840. When a prisoner confined in a prison under section 330 of the Code of Criminal Procedure, 1973, is certified to be capable of making his defence, the certificate made under section 337 shall be sent together with a medical history of the case, which should include information as to his conduct while in prison, to the court before which he is to be tried so that the court may appoint a time for his trial.

Half-yearly return

841. On the 10th of January and 10th of July of each year the Superintendent shall forward to the Inspector General a report in the required form (Form No. 115), on the lunatic prisoners confined in his prison under sections 330 and 335 of the Code of

Criminal Procedure, 1973. The Inspector General shall submit a consolidated return to Government by the 1st February and 1st August, respectively. The names of lunatics dying during the half-year shall be entered in the return, the cause of death being stated. When no lunatics remain in confinement on the above dates, a nil return shall be submitted.

Occupation to be provided

842. A criminal lunatic believed to have recovered should, if possible be given some employment with or without pay and with such amount of liberty as the Superintendent may think safe.

Special precautions in confining lunatics

843. (1) Whenever a person is suffering from, or is under observation for insanity, he shall be confined in a cell and placed under the charge of a guard both day and night.

(2) The first grade warder or patrolling officer for the time being on duty, if within easy cell, or if not, the warder or convict warder in actual charge, shall be provided with the key of the cell in which the lunatic or person under observation is confined.

(3) On the occurrence of any incident which may lead the sentry on duty to suspect that the person contemplates suicide, or when help is otherwise needed, such officer shall raise the alarm by blowing his whistle.

(4) On the arrival of assistance, or before if the circumstances call for it, the cell door shall be opened, and such measures taken as may appear to be necessary.

(5) The sentry on duty (in case there is more than one person in his charge) shall keep on the move, visiting each prisoner at short intervals, and shall not leave his beat till properly relieved. From sunset to sunrise he shall carry a lighted lantern.

(6) As far as circumstances will allow, all insane persons and those under observation for insanity shall be kept in contiguous cells near the hospital and under the orders of the Medical Officer, and shall be allowed only such clothing as, while sufficient in amount for purposes of health and decency, is least likely to be used for the commission of suicide.

NOTE:— Three men are sufficient to supply a continous guard day and night. Each man should do two hours duty at a time, and not more than one man should be absent at any time and then only with the permission of the first grade warder or other senior officer on duty, in whose presence each change of sentry shall be made.

Precautions on transfer

844. No lunatic shall be transferred to the Mental Hospital at Visakhapatnam or Hyderabad until the Medical Officer of the prison has examined him and has certified in Form No. 61 that

he is in a fit state to travel. Every precaution shall be taken by the Superintendent and Medical Officer to ensure that the lunatic is properly cared for whilst in transit to the Mental Hospital at Visakhapatnam or Hyderabad.

Clothing on transfer

845. The Medical Officer shall see that the lunatic is provided, before he is despatched, with sufficient clothing, special attention being paid to the covering of the chest and abdomen, and that, in the cold months of the year, the lunatic is also provided with a cumbly.

Food

846. The Superintendent shall see that sufficient food for the lunatic's consumption during the journey is sent with him or that the escort is provided with sufficient funds to purchase food and with clear instruction as to what to purchase.

Procedure in cases of illness

847. The escort shall be distinctly instructed that if the lunatic falls ill or refuses food enroute, he shall be taken to the nearest hospital for treatment.

Female to accompany female lunatic

848. Every female lunatic, when sent to the mental hospital at Visakhapatnam or Hyderabad shall be accompanied by a female warder, attendant, or relative, in addition to the usual escort.

Property of lunatic

849. When a prisoner is sent to the Mental Hospital at Visakhapatnam or Hyderabed all property in the prison belonging to him shall be sent with him and a receipt for the same obtained.

Medical Officer's observations to be recoreddin journal

850. The observations made by the Medical Officer regarding a lunatic shall be recorded in the Medical Officer's journal.

Procedure to be followed when a Special Medical Board is appointed

851. Whenever a Special Medical Board is appointed for the purpose of examining the mental condition of a convict sentenced to death, the following procedure should be followed:—

(1) Whenver a Special Medical Board is appointed for the purpose of examining the mental condition of a convict sentenced to death, the convict shall be kept under observation in the prison by the Mental Specialist in charge of the nearest Mental Hospital, for a period of ten days, or longer if considered necessary, prior to his examination by the Medical Board.

(2) The Superintendent and the Medical Officer of the prison in which the convict may be confined shall give all facilities to the Mental Specialist for a physical examination of the convict including serological tests and for the observation of the convict without his knowledge.

(3) As soon as possible after the Medical Board is appointed and the convict is placed under observation, the Superintendent of the Prison shall collect the following information about the convict through the police or otherwise and place it at the dispcsal of the Mental Specialist:—

(i) The history of the convict should be obtained from institutions or individuals with whom he has had contacts. The Mental Specialist should furnish the Superintendent of the prison with a questionnaire for collecting this information.

(ii) Factual material concerning the mental condition of the convict should be obtained either from records or from eye-witnesses including arresting officer.

(iii) For the purpose of an estimation of the convict's state of mind just prior to or at the time of and scon after the commission of the offence reports should be obtained from eye-witnesses including relatives of the convict.

(iv) Evidence regarding the behaviour of the convict at the time of the trail and especially during examination in court will be available from notes of proceedings of the court including notes of evidence and the summing up and judgment.

(v) Reports on the convict should be obtained from individuals who have been in contact with him during his remand and subsequent datention in the prison.

NOTE:— While collecting this information, utmost care should be taken to see that the object with which it is collected is not divulged. It should also be remembered that the relatives of the convicts are likely to be specially interested in making out a case for insanity and the information supplied by them should be used with the greatest care.

(4) As soon as the Mental Specialist is ready with his report, he shall request the Director of Medical and Health Services to fix a date for the meeting of the Special Medical Board.

852. The Mental Specialist shall place all the record before the Medical Board. The President shall forward the proceedings of the Medical Board to the Secretary to Government, Home Department, through the Inspector General and the Director of Medical and Health Services.

CHAPTER XLVII

LEPERS

Submission of case to Inspector General

853. On the admission to prison of any convict suffering from leprosy, his nominal roll, shall be submitted to the Inspector General, together with his medical case (Form No. 69), with a view to his removal if necessary to the separate enclosure at Central Prison, Rajahmundry or at District Jail, Nizamabad for confinement and treatment.

Order of transfer

854. If a convict sentenced to imprisonment for a period of three months and upwards or to imprisonment for life is suspected to be suffering from leprosy, he shall be transferred to the separate enclosure at Central Prison, Rajahmundry or at District Jail, Nizamabad which shall be the leprosy units meant for the segregation, confinement and treatment of leper prisoners. Prisoners who are received in these prisons shall be thoroughly examined and certified to be suffering from leprosy before they are retained in the separate enclosure. If on such examination they are found to be free from the disease, they shall be returned to the prisons from which they were received.

Segregation in lieu of transfer

855. Any undertrial prisoner suffering from leprosy and any convict leper detained in any jail other than the separate enclosures at Central Prison, Rajahmundry, and District Jail, Nizamabad, shall be completely segregated from other convicts.

Other precautions

856. (1) Any cell or other building occupied by a leper prisoner shall be thoroughly disinfected, the walls scrapped and white-washed and the floor if of earth, renewed, before it is used for any other purpose. Clothing and bedding that has been used by a prisoner suffering from leprosy shall never be re-issued to another prisoner but should be destroyed by burning and a note to that effect should be made in the Clothing Register.

(2) When a leper prisoner is travelling by rail, due notice of the fact shall be given to the Railway Authorities.

CHAPTER XLVIII

CORRESPONDENCE AND RECORDS

Nominal roll to accompany reference

857. Every reference made regarding a convict whether for disposal by the Inspector General or for submission to Government shall be accompanied by a nominal roll of the convict (Form No. 50).

Prohibition of erasures

858. Erasures in Prison Registers are prohibited. If a correction is necessary, the original entry shall be scored through and the corrected entry made in red ink, and initialled and dated by the officer responsible for the maintenance of the register. Pencil entries and signatures or initials impressed by a stamp are prohibited.

Initials to be dated

859. In every case in which the Superintendent, Jailor, or other prison officer is required to initial any register or book, the initials shall be accompanied by the date on which they were actually entered in the register.

860. Every Officer shall maintain an up-to-date list of all accounts, registers and files in his custody and assign to each file a serial number. Each new current i.e., every current other than a reply to a reference issued in a pending file, shall be assigned a new file number and a corresponding entry shall immediately be made in the list of files. The filing of papers by the officers concerned shall be systematic. As soon as a file is closed, or a register or any particular account is completed, it shall be transferred to the record-keeper and his initial taken. The registers of currents received and currents despatched, and other registers and account books shall be subject to periodical check by the Superintendent.

CHAPTER XLIX

REGISTERS

Statutory provisions

Under section 12 of the Prisons Act, 1894, the Superintendent shall keep, or cause to be kept, the following records:—

(1) A register of prisoners admitted;

(2) A book showing when each prisoner is to be released;

(3) A punishment book for the entry of the punishments inflicted on prisoners for prison-offences;

(4) A visitors' book for the entry of any observations made by the visitors touching any matters connected with the administration of the prison; and

(5) A record of the money and other articles taken from prisoners and all such other records as may be prescribed by rules under section 59 of the Prisons Act, 1894.

List of registers

861. The following registers and books shall be maintained in all prisons in so far as they may be applicable:—

I. REPORT AND ORDER BOOKS

1. Visitors' Book.
2. Superintendent's journal.
3. Medical Officer's journal.
4. Assistant Surgeon's Report Book.
5. Jailor's Report Book.
6. Report Book of the Assistant Matron.
7. Supetintendent's Order Book.

II. GENERAL REGISTERS

8. Convict Register.
9. Register of Undertrial Prisoners.
10. Register of Civil Prisoners.
11. Register of Prisoners to be released.

12. Diary of convicts released and the amounts paid to them.
13. General Abstract of all classes of prisoners.
14. Lock-up Register of all classes of prisoners.
15. Barrack-wise prisoners Register.
16. Panchayat Register.
17. Labour Register.
18. Home Leave Register.
19. Furlough Register.
20. Interview Register.
21. Prisoners' Punishment Book.
22. Register of Prisoners on whom fetters were imposed for security.
23. Clothing and Bedding Register.
24. Prisoners' Escape Register.
25. Remission sheets (in book form)
26. Alphabetical Register of convicts.
27. Register of articles of uniform received and issued to warders.
28. Defaulter Book.
29. Ammunition Register.
30. Ball Practice Register.
31. Attendance Roll.
32. Duty Register of warders.
33. Fine Statement Book.
34. Register of Currents received.
35. Issue Register.

36. Stock Books and Ledger of Stationary and Forms.
37. ,, ,, ,,
38. ,, ,, ,,
39. ,, ,, ,,
40. Main Gate Registers.
41. ,, ,, ,,
42. ,, ,, ,,
43. Stock Book of Civil Stores.
44. File Register of Record room.
45. Delivery Book.
46. Old Records Register.
47. Destruction of Records Register.
48. Call Book.
49. Casual Leave Register of staff.
50. Miscellaneous articles stock Book.
51. Library Books Register.
52. Games articles Register.
53. Register of subordinates due for retirement within one year.
54. Punishment Roll.
55. Probation and confirmation Register (cadrewise).

III. RATION REGISTERS

56. Stock Book of Rations.
57. Diet Roll.
58. Garden Register.
59. Receipt Book for articles received.
60. Weighment Register.

IV. FINANCIAL REGISTERS

61. General Cash Book.
62. Register of Contingent Charges.
63. Acquittance Roll.
64. Register of increments due to staff.
65. Undisbursed Pay Register.
66. Budget allotment Register.
67. Auction Book.
68. Treasury Bill Book.
69. Treasury intimation Book.
70. Register of Advances to staff (Advance-wise).
71. Earnest Money Deposit Register.
72. Prisoners' Property Register.
73. Prisoners' Cash Property Register.
74. Register of valuable property of prisoners.

V. MANUFACTORY REGISTERS

75. Stock Book of Raw Materials.
76. Stock Book of Manufactured Articles.
77. Individual Ledger of Credit Sales.
78. Day Book of Credit Sales.
79. Day Book of Realizations.
80. Store-Keeper's Cash Book.
81. Register of Inter and Intra-Departmental Supplies.
82. Stock Book of Manufactory Plant and Tools.
83. Transit Register.
84. List of Unsatisfied Manufactory Indents.
85. Deta Book.

86. Register of Orders for Execution in the Manufactory Department.

87. Weighment Register.

88. Forwarding Memo Book of articles supplied.

VI. MEDICAL REGISTERS

89. Register of In-patients.

90. Register of Out-patients.

91. Invalid Gang Register.

92. Vaccination Register.

93. Hospital Roll.

94. Prescription Book.

95. Case Book.

96. Accident Register.

97. Historical Register.

98. Register of Surgical Instruments and Medicines.

99. Register of Hospital Clothing.

100. Expense Book of Drugs.

CHAPTER L

MAINTENANCE OF REGISTERS OF THE GENERAL DEPARTMENT

I. REPORT AND ORDER BOOKS

Registers Nos. 1 to 6

862. Direction for the maintenance of the following registers and the forms in which they are to be kept will be found respectively:—

For the Visitors' Book. In rule 31 and Form 1.

For the Superintendent's weekly journal. Note (2) under Rule 49.

For the Medical Officer's journal. In rule 64 and Form 2.

For the Jailor's, Assistant Metron's, Chief Head Warder's and Assistant Surgeon's Report Books. In rules 165, 184, 191 (2) and 73 respectively and Form 3.

Register No. 7

863. In the Superintendent's Order Book (Form No. 4) shall be recorded by the Superintendent all orders and minutes which he may make relative to the management of the prison. The book shall be circulated to all subordinates concerned, each of whom shall add his initials against the instructions in acknowledgment that he has seen and understood them.

II. GENERAL REGISTERS

The Convict Registers.

Register No. 8

864. (1) This register (Form No. 5) is to be maintained in every prison where convicts are liable to be confined. Every convict's name, with the particulars as indicated by the various headings, shall be entered in it as soon as possible. The entries in columns 12, 13 and 26 to 28 are to be made by or under the control of the Medical Officer, and the other entries by or under the control and responsibility of the jailor.

(2) Column 7:— For a Christian, the denomination, for a Muslim, the sect, and for a Hindu, the particular caste, should be given.

Column 8:— The occupation should be described in terms of the list - vide Part -X, Appendix -II.

Column 13:— For the manner of recording marks of identification, see Part -IX, Appendix-II.

Column 15:— This column should be filled up only in the case of persons imprisoned in default of furnishing security under section 110 of the Criminal Procedure Code, or convicted under Chapters XII, XVI, XVII and XVIII of the Indian Penal Code, who had previously been convicted under any of these Chapters or under section 110 of the Criminal Procedure Code.

Column 26:— Weight is to be recorded in grams without fractions. If a convict is weighed in clothes or irons, their weight must be deducted.

Column 31:— Particulars of the nature and value of all property in the prison belonging to a convict are to be entered in this column.

Column 33:— The initials in this column place the responsibility for the correctness of the entries on the Superintendent and Jailor, who accordingly should check each item personally.

(3) If a convict undergoing imprisonment is sentenced for another offence or ordered a further period of imprisonment for failure to furnish security, a new register number shall not be given to him. Necessary additions are to be made in Part C in red ink under the initials of the Superintendent and Jailor.

(4) When a convict is released on bail, or escapes or leaves the prison temporarily, an entry to that effect is to be made in column 29, but columns 30 and 33 are not to be closed. Should he be re-admitted he is not to be given a new register number, but any necessary alterations are to be made in Part C under the initials of the Superintendent and Jailor.

REGISTER OF UNDER-TRIAL PRISONERS

865. This register (Form No. 6) is to be maintained in every prison where under-trial prisoners, whether remanded by a Magistrate or awaiting or undergoing trial before a Sessions Court, are admitted. The entries in columns 1 to 15 and 19 to 21 are to be made at the time of admission, those in columns 19 and 20, either on admission or on receipt of property, as the case may be, and those in columns 15 to 18 as soon as the information is available. Entries in columns 9, 10, 14 and 15 are to be made by or under the control of the Medical Officer, and the other entries by or under the control and responsibility of the Jailor. Register No. 6

Columns 1, 5 and 10:— The entries in these columns are to be made in the same way as in the corresponding columns of the Convict Register.

Column 13:— Only the crime with which the accused is charged is to be noted; the crime of which he is actually convicted is to be entered in the Convict Register.

Column 19:— Property removed from the prisoner at the time of admission or received subsequently is to be entered.

REGISTER OF CIVIL PRISONERS

Register No. 10

866. This register (Form No.7) shall be kept in every prison in which civil prisoners are received. The instructions given regarding columns 1, 5, 10 and 19 of the Register of under-trial prisoners apply to the corresponding columns of this register. Columns 8 to 11 shall be filled up by the Medical Officer; the remainder by or under the control of the Jailor.

Register of prisoners to be released No. 11

867. (1) This register (Form No.8) shall be kept by the Jailor. As the dates of release of certain convicts are determined by the amount of remission they earn, and under Rule 872 the Remission Clerk is responsible for the correct date of their release being intimated to the Jailor, it is unnecessary to enter these convicts in this register.

(2) On the admission of a convict sentenced to less than three months imprisonment, an entry of his register number shall be made in the Register of Prisoners to be released under the date on which his sentence will expire. If the term of imprisonment be subsequently altered, the original entry shall be scored through with red ink under the Jailor's initials and a new entry made under the revised date of release.

(3) If a prisoner is sentenced to imprisonment with fine and to a further term in default of payment, his number shall be entered on the date on which his substantive sentence expires, and the alternative date of release, supposing the fine to remain unpaid, shall be entered in red ink under his register number. If the fine be paid in full before the expiration of the term of substantive imprisonment, the alternative date shall be struck out under the Jailor's initials, but if only a portion of the fine is paid, the alternative date shall be corrected, according to the amount of fine paid. If on the expiration of the term of substantive imprisonment the fine or any portion thereof remains unpaid, the prisoner's number shall be entered under the date upon which he will be entitled to release in default of payment of the fine.

(4) On the expiration of his sentence or on his discharge from any cause a line in red ink shall be drawn through his number and the cancellation initialled.

DIARY OF CONVICTS RELEASED AND THE AMOUNTS PAID TO THEM

868. This register (Form No. 9) shall be maintained by the Remission Clerk. It is a list of the register numbers and names of prisoners released during each day of the month, with particulars of their villages, and of the road batta, subsitence allowance or gratuity (if any) payable. It shall be prepared from the Convict Register, Register of Prisoners to be released and Remission sheets. On the release of a prisoner the entry relating to him in the Dairy of convicts released and the amounts paid to them shall be initialled by both Jailor and Superintendent. Register No. 12

GENERAL ABSTRACT OF ALL CLASSES OF PRISONERS

869. The General Abstract (Form No. 10) shall be written up, on the morning after the day to which it relates. It shall be initialled daily by the Superintendent. Register No. 13

870. (1) From the Labour Register (Form No. 11) is complied the monthly return showing employment of convicts and annual statement No. 119 in the Administration Report. In column 'A' should be included only such forms of labour as are unproductive and not employed for the purpose of any manufacture. Convicts employed on a mechanism which supplies the motive power for looms, presses, etc., should be shown under the head of the industry effected, e.g., if the looms produce police drill cloth, the convicts should be entered in the appropriate sub-column of column I. Register No. 17

(2) All convicts employed on preparation of articles for prison use or consumption must be entered in column 'F', and in column I, convicts employed on "Manufactures" proper alone must be entered. Column 'J' will be blank except in a prison solely employed on Public Works. Convicts whose labour is supplied to contractors carrying out P. W. estimates for prison buildings shall be entered in column 'H', and not treated as supplied to private individuals.

(3) In deciding whether convicts should be entered in column 'G' - prison repairs, or in column 'H' - Alterations and additions to prison buildings, the Superintendent must be guided by the following definitions, viz:—

(i) Repairs include all works carried out periodically, such as white-washing and works which consist primarily and essentially in the renovation or renewal of existing buildings or parts of buildings such as replacing tiles, wood-work, etc.

(ii) Additions and alterations include all new buildings, additions to buildings, complete reconstruction of existing buildings, alterations (not being merely renewals) in existing buildings and generally all departmental works which are not either periodical repairs or mere renewals.

871. The Labour Register shall be filled in daily by the subordinate in charge of it as soon as the prisoners have been sent to work, the particulars required being obtained from the rough distribution statement maintained under rule 266. On Sundays and holidays, only such convict servants and convict officers as work on those days shall be shown. In the monthly statement which relates solely to working days, convicts employed on Sundays and holidays shall be omitted. The register shall be initialled daily by the Superintendent and Jailor.

NOTE:— The Superintendent shall, by an order in writing in Form No. 4 determine the officer by whom the General Abstract, the Lock-up Register and the Labour Register, shall be kept.

Remission sheets Register No. 25

872. (1) A Remission sheet (Form 12 or 13) shall be maintained for every convict to whom the Remission system applies. The Remission Clerk shall post in the sheets every month the amount of ordinary and special remission gained by each convict, the number of days fined and the amount of remission to credit.

(2) At least once a month the Superintendent shall examine the Remission sheets, and satisfy himself that the entries are up to date and correct. Remission sheets relating to prisoners unconditionally released or who died shall be removed and preserved as provided in Rule 360.

(3) In the first week of each month the Remission Clerk shall examine every Remission sheet to ascertain whether any convict will, when credited with remission likely to be earned in the interval, become entitled to release in the next following month. A list of such prisoners shall then be made out, with the amount of gratuity earned by each.

PRISONERS' PUNISHMENT BOOK

Register No. 21

873. The instructions regarding entries to be made in the Punishment Book (Form No. 14) are laid down in section 51 of the Prisons Act, 1894. The book shall be maintained under the immediate supervision of the Superintendent by the Jailor or some other subordinate deputed in writing in Form No. 4. The entry of the particulars relating to a prisoner and his offences when not entered by the Jailor himself, must be with his cognizance, while those of the punishments and dates of award shall be in the Superintendent's own handwriting. In ordinary

cases, reports against prisoners will be made direct in this book; but in the case of serious offences against discipline the entries may have to be copied from the Jailor's Report Book (See Rule 165 [c]).

REGISTER OF PRISONERS ON WHOM FETTERS WERE IMPOSED FOR SECURITY

874. The instructions regarding entries to be made in the Register in Form No. 15 are given in rule 547. The Superintendent shall, by an order in writing in Form No. 4, determine the officer by whom the Register shall be maintained. Register No. 22

CLOTHING AND BEDDING REGISTERS

875. Two clothing and Bedding Registers (Form No. 16) one relating to new, the other to part-worn clothing, shall be kept by the Deputy Jailor. Each Register shall show the receipts of clothing, bedding, etc., on the upper page and on the lower, the issues and the Register numbers of the prisoners to whom clothing has been issued. The entries on both pages shall be totalled monthly, and the balance remaining in store ascertained. At the end of each month the Superintendent shall check the balances, satisfy himself that the entries are correct and sign the books in token of their correctness. Register No. 23

REGISTERS OF LETTERS RECEIVED AND DESPATCHED

876. Every letter received shall be entered in the Current Register in a single consecutive series, which shall be serially numbered throughout the calender year, and every letter despatched shall similarly be entered in the issue Register. The Correspondence Register of the General Department shall be kept by the Head Clerk and that of the Remission branch by the Remission Clerk. Separate Registers shall be kept by the Store-Keeper or Assistant Store-Keeper for the Manufacturing Department. Register Nos. 34 and 35

STOCK BOOKS OF STATIONERY AND FORMS AND PERSONAL LEDGER OF STATIONERY

877. These books shall be maintained in accordance with rule 39 of the rules regulating the supply and consumption of Stationery and Printed Forms, and shall be kept by the Head Clerk in the Forms shown in Appendices 2 and 1 to the Stationery Rules. Each book, shall contain an index and shall occasionally be checked by the Jailor, if there is no Office Superintendent. Register Nos. 36 to 39

REGISTER OF WARDERS' UNIFORM RECEIVED AND ISSUED

Register No. 27

878. This Register (Form No.17) shall be kept by the Chief Head Warder, or Head Warder, who shall be responsible for its regular and correct maintenance. The entries shall be totalled monthly, and a balance struck when any issue is made.

AMMUNITION REGISTER

Register No. 29

879. This Register (Form No. 18) shall be maintained by the Chief Head Warder or Head Warder, and shall be initialled by him and the Superintendent whenever receipts or issues of ammunition occur.

BALL PRACTICE REGISTER

Register No. 30

880. A Register (Form No. 19) of ball practice shall be kept by the Chief Head Warder or Head Warder. The percentage of points scored to the total number possible shall be worked out after each practice and initialled by him and Superintendent.

MAIN GATE REGISTERS

Registers Nos. 40 to 42

881. Main-gate Registers shall be kept in Forms Nos. 20 and 21 (vide rules 203 and 204) and shall be checked by the Jailor and the Superintendent daily, who should satisfy themselves that the entries are correct and initial the books in token thereof.

STOCK BOOK OF CIVIL STORES

Register No. 43

882. (1) A Stock Book of all civil stores, live-stock and dead-stock, other than those belonging to the Manufacturing Department, shall be maintained, in Form No. 25. It shall contain an index and shall show all receipts, disposals, and belances remaining. Early in April of each year the balances shall be verified by the Jailor and checked by the Superintendent and a deduction of 5 per cent for wear and tear shall be written off from the value of each article. When the full value has been deducted, the articles will be still retained on the Register, until finally condemned and written off under the orders of the Inspector General, but no value will be shown against them.

NOTE:— (1) The 5 per cent depreciation for wear and tear shall be calculated annually on the original value of the articles and not on the value shown at the close of the previous year.

(2) The registers and books mentioned against serial Nos. 15, 16, 18 to 20, 48 to 55 and 65 to 71 in rule 861 shall be maintained in the forms prescribed in Appendix III."

CHAPTER LI

MAINTENANCE OF RATION REGISTERS

THE STOCK BOOK OF RATIONS

Register No. 56

883. (1) A separate page or set of pages in sequence of the Stock Book of Rations (Form No.26) shall be devoted to each article, and when a fresh page becomes necessary, a reference to it shall be made at the foot of the closed page, as well as in the index.

(2) Uncleaned bajra ragi, cleaned bajra ragi and bajra ragi flour shall be dealt with separately, but the pages allotted to them should be contiguous, for purposes of easy comparison. The same rule shall apply to other articles, such as cholam and the meterials for curry powder which have to be cleaned or prepared prior to issue.

(3) The wastage to be entered in column [13] of the Stock Book shall be arrived at by deducting the quantity of the cleaned or prepared article received back into store from the quantity of uncleaned or unprepared article issued. At the end of each month a balance shall be struck, to ascertain that the receipts plus the wastage are equal to the issues.

(4) The Deputy Jailor shall be responsible that the wastage represents what was ascertained by actual weighment, and not an assumed parcentage, while the Superintendent shall not only satisfy himself of its correctness but also of the fact of its entry in Form No.26.

(5) The direction in sub rules (c) and (d) of rule 939 shall apply mutatis mutandis to articles of rations also.

(6) Once a quarter the Jailor shall take stock of all articles of ration and compare them with the balances shown in the Stock Book and record the result in his Report Book. All differences shall be reported to the Inspector General for orders. Once a month or oftener the Superintendent shall, without notice, check by actual weighment the balance of some of the articles of rations and compare the result with the balance shown in the Stock Book. Any excess found shall be brought on the book. The Superintendent shall take stock of all retion articles in March every year and compare them with the balances shown in the Stock-Book. All differences between the actual weighments and the quantities shown on the Stock Book shall be reported to the Inspector General, for orders. A certificate in the following form shall

then be drawn up by the Superintendent and a copy of it forwarded with the above report to the Inspector-General.

"I hereby certify that I have examined the stocks of all articles of rations by actual weighment together with the several entries in the Stock Book relating thereto, and that I have found them as noted in the accompanying statement."

(7) Errors in the Stock Book affecting totals or balances shall be corrected in red ink and explained at the foot of the page. But all extra or short issues from the stores due to undetected wrong calculations, or the like, in indents, shall be specially brought to the notice in the monthly bills by an explanatory note in the diet statements concerned for the orders of the Inspector General in the objection statements.

DIET ROLL

Register No. 57

884. (1) The issues of articles of rations from Store, as shown in column (11) of the Stock Book, will be checked by means of the Diet Roll (Form No.27). This Diet Roll shall be carefully maintained, and it is not sufficient to rely on a mere calculation of the diet scales by the aggregate number of prisoners in prison, as the numbers on special, hospital and punishment diets constantly fluctuate.

(2) The Deputy Jailor shall not make any issue of rations from his stores except on indents in the prescribed form duly initialled by a responsible officer. Form No. 28 is for issues to the General Kitchen and Form No. 98 for those made to the Hospital.

(3) All food-stuffs and fire-wood must be issued correctly at fixed and suitable hours. The issues in Form No. 28 for each of the three meals shall be made separately and the numbers to be dieted shall provide for the known population in prison at the time of the preparation of the indent (excluding patients in hospital, civil debtors and any undertrial prisoners receiving food from outside sources) after allowing for admissions and disposals since the preparation of the previous indent, or expected to occur before distribution of the meal for which the particular indent is made.

(4) The Jailor shall be responsible that the calculations are properly and accurately made by some subordinate other than the Deputy Jailor. The latter shall, before complying with indents, duly satisfy himself as to the correctness of the quantities to be issued.

(5) The foils of the kitchen indents shall be produced when the Diet Roll and Stock Book are checked by the Superintendent, and finally filed in the Jailor's office.

(6) The kitchen warders shall procure the necessary information as to the number of prisoners of each class in each barrack or yard from the warder in charge, in order to regulate the distribution in the slate maintained for this purpose.

885. (1) Bills submitted by suppliers in the prescribed form (in duplicate) shall be checked with reference to the counterfoils of the receipts for the articles supplied and shall be passed for payment if found correct in all respects. Acknowledgment for payment of bill amount of the supplier should be taken on the bill itself (both copies). The original bill may be attached to the monthly return and the duplicate shall be retained with office copy of the return for check by the auditors.

Submission of bills by contractors in the form prescribed (i.e., Annexure to Form No. 44)

(2) Daily purchase of rations shall be avoided. If they have to be made, a list of the articles, with the quantity of each, shall be maintained.

CHAPTER LII

CASH TRANSACTIONS AND FINANCIAL ACCOUNTS

NOTE:— All Jail Officers are liable, in view of rules 42 and 88 to make good any loss to Government occasioned by failure to comply with these rules or neglect of duty in connection therewith. This direction applies to articles of Civil Stores also.

Maintenance of Cash chest

886. Every Jail shall be provided with a general cash chest, in which shall be kept all moneys belonging to Government (except money belonging to the manufactory) and all the documents of value other than those mentioned in rule 146. "The Office Superintendent or the Jailor or the Assistant Matron of State Jail for Women Rajahmundry or the Women Block of Central Prison Hyderabad, as the case may be, shall keep the key of the chest and the duplicate key shall be deposited in the treasury. When a large amount of cash is frequently kept in the chest, it shall be fitted with double locks of different patterns and the keys of the two locks shall be kept in the custody of two responsible Government Servants". (See also SR. I under TR. II). For items of Prisoners' Property in Cash, please see Chapter XXVI on Prisoners' Property and for 'Canteen amounts' please see Chapter LXV on 'Canteen for Prisoners'.

Register No. 61 Cash Book

887. (1) Cash Book: A Cash book shall be maintained in APTC form by the office Superintendent or the Jailor as the case may be for the record of all cash transactions connected with the general Department of the Jail. Cash transactions relating to the manufactory department shall be dealt with as provided in rule 927. The cash book of the State Jail for Women, Rajahmundry, or the Women Block of Central Prison, Hyderabad shall be in the custody of the Assistant Matron and she shall be responsible for its proper maintainance. The cash book shall be signed by the Superintendent/Asst. Matron daily. An abstract of balances coming under (1) Cash Book (2) Permanent advance register (3) U. D. Pay Register (4) Misc. Cash Book shall be struck daily in the cash book itself and a certificate appended as indicated below (See also SR 3 (a) under TR. 10).

"Physical verification of cash balances has been made and found to agree".

(2) Permanent Advance Register: A permanent advance register shall be maintained in A.P.T.C. Form 89 (Form No. 33) as per SR 5 under TR 32. Payment made from permanent advance

and amount received on recoupment should be entered there in. Recoupment should be made only on Fully Vouched Contingent Bills.

(3) Undisbursed Pay Register: Undisbursed Pay Register should be maintained in A.P.T.C. Form 20 as per SR 4 (c) under TR 32 to watch the disposal of undisbursed pay and allowances through office copies of bills or the acquittance rolls. The same register shall also be used, when necessary, for watching the disposal of the undisbursed balances, if any, of amounts drawn on contingent bills in excess of permanent advance.

NOTE:— Every receipt and disbursement of money shall be entered in the relevant register on the date on which it occurs.

Check by Superintendent

888. The Superintendent shall examine the cash book, check the entries in it by the vouchers, test the correctness of the balance by comparison with the actual cash in the Cash chest and sign the cash book in token that he has satisfied himself as to its accuracy. A similar procedure shall be followed when transfer of charge of the Jail occurs, and both relieved and relieving Officers shall then sign the cash book. The cash balance with the Office Superintendent or the Jailor as the case may be and that with the Assistant Matron and Store Keeper shall be verified at the same time and signed.

Entry of Abstract Bills

889. The total of abstract bills should be entered in the receipt column of the cash book without details. The bill shall be quoted by its date and general character. Full details of payment should be noted in the disbursement column. Every item of contingent expenditure, whether the charge is to be countersigned or not should be recorded in a register to be maintained in each office. Separate register may be opened if convenient, for the countersigned and the non-countersigned contingencies respectively. The unit for these registers should be the Major Head of account, and the General agreement should be as in A.P.F.C. Form 7 (See Art. 103 of A.P.F.C. Vol. I).

Whenever the Superintendent or Jailor/Assistant Matron makes a payment under the head "contingencies, he/she should enter in the proper columns of the contingent register the date, the name of the payee, the amount and the number of sub-voucher according to the detailed unit of appropriation of the Budget. If any charge requires any explanation, he should make the necessary entry in the Column "Description" and obtain the initials of the Superintendent/Assistant Matron, as the case may be, who incurred the charge against the entry (See Art. 104 A.P.F.C. Vol.I).

Entries regarding Civil Prisoners

890. Receipts and disbursements on account of Civil Prisoners' diet shall be entered in a lump. The amounts received can be checked by reference to the Register of Civil Prisoners and all sums disbursed should be supported by vouchers.

Permanent Advance

891. The rules relating to the grant of permanent advance and the utilization of such advances for contingent expenditure are contained in Articles 94 to 98, 103 to 107 of the Andhra Pradesh Financial Code Volume I and SR 18 (a) 19 and 32 under T.R. 16 of the Andhra Pradesh Treasury Code Volume. I.

Large Payments how made

892. All large payments shall be made by endorsing the bills in favour of the parties by the Superintendents under the provisions of the Article 114 of the Andhra Pradesh Financial Code, Volume-I.

Small Payments how made

893. All small payments due by the General Department shall be made by the Office Superintendent or the Jailor as the case may be from the permanent advance.

Receipts not be spent

894. No expenditure shall be met from money received from the sale of manufactures, garden or farm produce, or any other Government property, which must be paid into the Treasury intact. (See T.R. 7 (1) and S.R. 4 under T.R. 10 of the Andhra Pradesh Treasury Code Volume I.).

Drawals to meet the actual requirements

895. (1) Money shall not be drawn from the Treasury until it is required for disbursement. See Art. 94 of A.P.F.C. Vol. I. The practice of drawing sums in addition to, and in excess of, the permanent advance, for payment of ration or other special charges, and of keeping these in head as a separate and unauthorised permanent advance, is prohibited.

(2) If prompt payment is later found to be impracticable the money drawn shall immediately be refunded into the treasury.(See Article 39 Andhra Pradesh Financial Code Volume I.) Subject to the provisions of Art. 124 of the A.P.F.C. Vol. I.

Receipts for Payments

896. A separate receipt and, where there is more than one head of charge involved, separate receipts under each head of charge, shall be taken for every disbursements made, and all receipts shall be countersigned by the Superintendent after he has satisfied himself that they are genuine. No receipt signed by a subordinate, except for his own salary, shall be accepted.

Method of drawing money

897. (1) An abstract bill in Form No.57 A.P.T.C. Vol.II shall be used to draw money from the Treasury only in respect of two items of Appropriation viz. (i) 19 Materials and supplies (2) 27 Dietary Charges. The drawal of amounts on abstract bills shall be restricted subject to the condition laid down in Rule 910.

898. In every Jail three separate bills in the forms supplied shall be used for drawing the salaries of (1) the Gazetted Establishment, and (2) Non-Gazetted Establishment and (3) the Temporary Establishment. Pay Bills

These bills shall be drawn in accordance with the Art.70 to 75 Andhra Pradesh Financial Code Volume. I.

899. When temporary establishment is sanctioned by the Inspector General agreeably to Fundamental Rule 9 (30) each separate sanction must be renewed from time to time as may be necessary. Salary on temporary Establishment

900. Travelling Allowance: Travelling allowance shall be drawn by Superintendents from the treasury on the prescribed forms of the Andhra Pradesh Treasury Code Vol. II Supplied by the Director of Stationary and Printing, Andhra Pradesh, and in accordance with the provisions contained in the Andhra Pradesh Manual of Special Pay and Allowances. Travelling Allowance

901. Expenditure debitable to petty construction and repairs shall be drawn from the Treasury on a bill in the relevant form of Andhra Pradesh Treasury Code Vol. II. The first bill drawn for each separate work shall be accompanied by a copy of the order of the Inspector General sanctioning the work. The provisions of Art. 157 & 158 of A. P. F. C. Vol. I shall be followed as far as possible. Building Expenditure

902. Expenditure on account of manufactures shall be drawn from the Treasury on bill, in the relevant form of the Andhra Pradesh Treasury Code, Volume. II. See Chapter No. LIII "The Manufacturing Department". Expenditure on Manufactures

903. The classification of expenditure and receipts in respect of various items relating to Jail department should be as indicated below:— Classification of Expenditure and Receipts

I. EXPENDITURE

Sl. No.	Name of the Institutions.	Major head.	Minor head.	Sub-head.
1	2	3	4	5
I.	All Central Prisons, District Jails. and Open Air Jails	256 Jails	05 Jails	(01) Jails (02) Sub-Jails.

190	Materials and Supplies.	Will include purchase of medicines, sanitation articles, clothing and bedding.
260	Other charges.	This will also include rewards and fines.
270	Dietary charges.	Will include expenditure on the feeding of prisoners.

II. FOR JAIL MANUFACTURES

"256 Jails M.H. 10 Jail Manufactures"

CLASSIFICATIONS OF ITEMS OF EXPENDITURE UNDER VARIOUS DETAILED HEADS

010	Salaries.	Will include pay and allowances, in all forms of officers and staff, except Travel expenses (other than Leave Travel Concession) Educational concession and other fringe benefits.
020	Wages.	Will include wages of Labourers and staff at present paid out of contingencies.
030	Travel Expenses.	Will cover all expenses on account of Travel on duty including conveyance and fixed Travelling Allowances but excluding Leave Travel Concession.
190	Materials & Supplies.	Will include Raw Materials to product the Jail Industry and for running Machinery in Manufacturing units.
260	Other Charges.	A Residuary head. This will include rewards and fines.

III. DETENUS ETC.

256 Jails M.H. 15 Other Expenditure.

(i) Charges on account of the person confined or detained in Jails out side the stage 260 Other Charges.

(ii) Charges on account of state prisoners and on account of convicts conditionally released-260 Other Charges.

(iii) Charges on account of Detenus under Andhra Pradesh Preventive Detention Act, Internal Security Measures Act-1971 "260 Other Charges".

CLASSIFICATION OF ITEMS OF EXPENDITURE UNDER VARIOUS DETAILED HEADS OF ACCOUNT

010 Salaries	Will include pay, allowances in all forms of officers and Staff, except travel expenses, (Other than Leave Travel Concession), Education concession and other fringe benefits.
020 Wages	Will include wages of labourers and of staff at present paid out of contingencies.
030 Travel Expenses.	Will cover all expenses on account of Travel on duty including conveyance and Fixed Travelling Allowance but excluding Leave Travel Concession.
040 Office Expenses.	Will include all contingent Expenditure for running an office, such as furniture, postage, purchases on maintenance of office machines and equipment, liveries, hot and cold water charges (excluding wages of staff paid from contingencies) Telephone, Electricity and Water Charges, Stationary — Printing of forms, purchase and maintenance of staff cars and other vehicles for office use as distinct from vehicles for functional purpose like Ambulance Vans, etc.
050 Payment of professional and special Services.	Will include charges for Legal Services, consulting fees, Remuneration to the moral instructors.
060 Rent, Rates and Taxes.	Will include payment of Rent for hired Buildings, Municipal rates and Taxes etc. It will also include leave charges for land.
150 Tools and Plant.	Will include machinery, equipment, apparatus etc., other than those required for the running of an office (vide-4) and Special Tools and Plants acquired for specific works.

170 Maintenance.	Will record expenditure on maintenance of works, of Machinery and equipment (covered under item 15). It will also include repairs incidental to maintenance.

NOTES:— (1) The Expenditure shall be booked under each appropriate head distinctly according to nature of claim with in the Budget allotment.

(2) Every bill should contain the full and complete classification of expenditure with reference to the Budget allotment. Incomplete and erroneous classification on the bills should be avoided.

2. RECEIPTS

MAJOR HEAD 056 Jails.

MINOR HEAD 05 Services and Service Fees.
10 Sale of Jail Manufactures.
15 Other Receipts.

M.H. 15 Other Receipts:

S.H. (01) Recoveries of over Payments.

S.H. (02) Leave Salary contribution.

S.H. (03) Sale Proceeds of Dead-Stock, Waste Paper etc.,

NOTES:— (1) Recoveries on account of convicts hired to Government Departments are credited to the minor head "Services and Service Fees".

(2) Sale proceeds of articles produced in the Manufacturing departments of Jails, which are purchased mostly by the Police, Medical and other Government Departments, are credited to the minor head "Sale of Jail Manufactures". But the value of articles manufactured in one Jail and supplied to another within the State is adjusted in reduction of expenditure in the manufacturing Jail.

(3) Recoveries of pay and allowances, etc., over paid in previous years, contributions towards the leave salary of Officers deputed to other States and Defence Department and miscellaneous receipts such as the sale proceeds of the surplus garden produce of Jails, livestock, old stores and materials etc., are credited to the appropriate sub-head under minor head "Other Receipts".

Expenditure and receipts on Garden Farm and Dairy

904. The ordinary expenditure on Garden, Farm and Dairy shall be debited to "256 Jails-M.H. 05 Jails, "260 Other Charges". The Receipts derived due to supply of Garden, Farm and Dairy

Produce to the Jail shall be shown as receipts under "056-Jails M.H.15 Other Receipts".

905. No expenditure may be incurred without authority. All charges on account of establishment must be in accordance with the scale sanctioned by Government or, in the case of temporary establishment, by Government or the Inspector General. **Authority for Payments**

906. The powers of Superintendent of Jails to sanction petty construction and repairs are contained in item 14, Part I, Appendix 12, Andhra Pradesh Financial Code, Volume II. Such charges shall be met from the permanent advance as far as possible and recouped agreeably to the rules in articles 94 to 98, 106 and 107 Andhra Pradesh Financial Code Vol. I. **Superintendent's power to sanction repairs**

907. In the case of large purchases of materials required for works carried out by Superintendents under "Petty Construction and Repairs" tenders should be called for by advertisement, or a circular letter of inquiry sent to the chief producing firms, Smaller quantities, if obtained locally, should be purchased by the system of departmental purchase as described in Chapter LXII. All purchases should be made after full inquiry, in the cheapest market. **Method of procuring materials**

908. (1) All purchases of rations and fuel within the budget allotment may be made by the Superintendent on his own responsibility subject to any other restrictions imposed by the Inspector General of Prisons. **Other powers of Sanction**

(2) All regular recurring charges on account of such items as straw for cattle, oil for lighting, seeds for garden, may be paid by Superintendents subject to any other restrictions imposed by the Inspector General of Prisons.

(3) Charges admissible in accordance with a fixed tariff or scale, such as batta, etc., to discharged prisoners, gratuities, rail and other charges in connection with transfers, service postage and telegrams, municipal taxes, water rates, annual licence for factories and the like may be incurred in accordance with authorised scale and rules.

(4) The following petty items although neither regular recurring expenditure nor admissible under a fixed scale, may be purchased by Superintendents subject to the limits imposed in sub-rule (5) below; but recourse must not ordinarily be had to the market for any article which can be made in the Jail (See rule 465).

Dietary Charges:— Earthen or metal pots and plates cooking utensils, frames for moulding puddings, sifters, baskets, sacks, ropes.

Hospital Charges:— Bandage cloth, coconut oil, sulphur, soap.

Clothing and Bedding:— Needles, thread, bees, wax, scissors.

Sanitation Charges:— Brooms, brushes and baskets, earthen or wooden pots or tubs, bamboos for carrying tubs, sulphur for fuimgation, chunam for conservancy purposes, ropes, fuel for boiling water.

Moving Prisoners:— Clothes for released prisoners.

Miscellaneous services and supplies:— Chinneys, wicks and burners for lanters, Ankle rings, leg and waist strapes including buckles, wooden and metal tickets, canes for flogging, repaires of fetters and handcuffs, marking nut, white lead or paint for marking clothes, umbrella hats, shaving or hair cutting charges, hones and charges for sharpening razors, hair combs for females of A and B Class Prisoners, soap for same, minor repaires to articles of warders equipment, execution ropes and caps, books and slates for education etc.

Contingencies:— Oil for punkah wheels, matches, punkah ropes, shelves, repaires to office furniture.

(5) Previous sanction of the Inspector General is essential for the purchase of the following items or the raw materials to manufacture the same; as also when the cost of any articles exceeds the monetary limit prescribed in Rule 55.

(a) Clothing and bedding of prisoners.

(b) Uniform and equipment of Jail establishment.

(c) Live Stock for gardens, Carts, Dairy or Poultry.

(d) Games and Sports materials.

(e) Phenyle.

(f) Furniture (including record racks, rattan mats, blinds, table clothes and office scales and weights).

(g) Items booked under contingencies required for use in the Jail, which are not provided any where.

(h) Arms and ammunition.

Clothing in monthly Accounts

909. All charges are treated for account purposes as being incurred within the month in which the money to meet them is drawn. See Art. 102, Andhra Pradesh Financial Code Vol.I. The

charges incurred each month should therefore be drawn from the Treasury during the same month. To enable this to be done, the accounts shall be closed on the last working day of the month or in month when the last two or three days are holidays, it may be necessary to close the accounts on the last working day of the month. The accounts relating to the month of March each year, shall be closed on the last working day of that month so that the charges incurred in one financial year are not allowed to stand over for payment from the grant for the succeeding financial year. See Article 39 of Andhra Pradesh Financial Code, Vol.I.

Preparation of Abstract Bill

910. When the accounts are closed an Abstract bill including all expenditure incurred upto the date of closing the accounts and not previously drawn from the Treasury, shall be prepared only for such items debitable to the detailed heads "19. Materials and Supplies" and "27-Dietary Charges" (vide G.O. Ms. No.495 Home (Prisons.B) Department, dated: 22-4-1975) subject to the conditions laid down in Andhra Pradesh Financial Code Vol.I and II. Before signing the abstract bill, it should be ensured that the amount of the bill is clearly entered in words in such a way as to make subsequent alterations impossible.

NOTES:— (1) Drawal of amounts on abstract bills indiscriminately for every time of expenditure, even where credit supplies are availble from approved contractors should be avoided.

(2) It should be abstained from the indiscriminate use of the facility of drawing amounts of Abstract contigent bills and should be restricted only to such occasion when purchase of articles on cash payment is inevitable sush as (1) procurement of rice from Food Corporation of India (2) purchase of Medicines locally for urgent medical treatment of inmates (3) Expenditure on Detenus where supplies on credit are not available. They may prefer drawals on Fully Vouched Contingent Bills-

(3) Separate bills for each detailed viz, "19 Materials and Supplies" and" 27 Dietary Charges" should be prepared.

Preparation of detailed Bill

911. As soon as the sums disbursed prior to the closing of the Jail accounts have been drawn from the Treasury, a detailed bill vide articles 108, 113, 118 Andhra Pradesh Financial Code, Volume I, SR 2 under TR 16 of A.P.T.C. Vol.I (See Form No.34) shall be prepared. This bill is a full account of all moneys that have been drawn during the month. As it is very important that it should agree in all particulars with the record of Jail drawings in the current Treasury account forwarded by the Treasury Officer to the Accountant General, Superintendents shall be strictly responsible:—

(1) That all moneys are drawn under the same secondary unit as that under which they are shown in the Detailed Bill;

Illustration:— The practice of drawing a lumpsum from the Treasury under rations, and then distributing it in the Detailed Bill under the various sub-heads to which it related is strictly prohibited.

(2) That all moneys included in the detailed bill of any one month, are drawn within that month before the Treasury accounts for that month are closed.

(3) That any sums refunded into the treasury during the month are deducted from the charges under the secondary unit to which the refund appertains and from the total amount drawn from the Treasury as shown at the foot of the bill. A memorandum of any such refunds should be appended to the Detailed Bill and should be supported by the Treasury Officer's receipt of Bank Challan.

NOTES:— (1) Divertion of amount from permanent advance etc., to the amounts drawn on A.C. Bills and vice versa is strictly prohibited.

(2) Detailed bills for each detailed head with reference to the amount drawn on A.C. Bills under the respective detailed head should be prepared.

Date of Closing Accounts

912. The Superintendent shall close the Jail accounts in confirmity with the treasury accounts for the month that is the last working day of the month.

Entries in Detailed Bill

913. The date of payment of the Treasury of each Abstract Bill should be entered in the place provided for the purpose at the foot of the detailed bill to enable the office of the Inspector General to enter the amount in the Contingent Register against the month in which the payments were made. See article 110 and 111, Andhra Pradesh Financial Code, Volume I, and SR (2) TR 16 of Andhra Pradesh Treasury Code, Volume.I.

Submission of Vouchers

914. Agreeably to Article 108 and 113, Andhra Pradesh Financial Code, Volume I, the Superintendent shall in support of every charge of more than Rs. 100/- in the Detailed Bill submit to the Inspector General direct, vouchers signed by the person to whom the payment was made. For the instructions regarding the preparation and submission of vouchers see SR 1, 2 and Instructions 25 and 26 under TR 16 and SR 2, and 3 under TR 32, Andhra Pradesh Treasury Code, Volume I, shall be followed.

Verification of charges

915. The Detailed contingent and Manufactory Bills prepared under the foregoing rules and Rule 953 shall be submitted on the first working day of each calender month to the Treasury of sub-

treasury officer with the Disbursing Officer's return of expenditure and liabilities in Form No. 39. Amounts short drawn under Rule 917 shall be shown in the statement as refunds. After verifying the charges, the Treasury or Sub-treasury Officer will bring to notice any omissions or discrepancies and return each return to the officer who forwarded it for the transmission to the Inspector General.

Arrangement of Vouchers

916. The vouchers and receipts in support of the charges included in the Detailed Bills should be stitched together in the order in which the entries they support appear in the bill and should be forwarded to the Inspector General direct, accompanied by a memorandum or docket specifying the bill or bills to which they relate.

Audit of Detailed Bills

917. The Detailed Bill shall be audited in the Inspector General's Office and forwarded to the Accountant General/Pay and Accounts Office. An item disallowed by the Inspector General must be adjusted by short drawal on the next Abstract Bill, but the gross amount of the Abstract Bill and not the net amount must be shown in the body of the next Detailed Bill. If the objection is afterwards withdrawn, the amount reallowed can be drawn on an Abstract Bill and entered in the foot of the bill under "Add amount of disallowance refunded". See Article 112, Andhra Pradesh Financial Code, Volume. I.

Monthly statements to be submitted

918. With the vouchers referred to in Rule 916 shall also be submitted to the Inspector General direct in Form No. 32.

(a) (1) A statement showing the number of prisoners dieted daily.

(2) A diet roll statement showing all rations issued to prisoners during the month.

(3) A stock statement showing receipts, issues, wastage and balance of each article of rations, together with the prescribed certificate.

(4) A consolidated statement showing in detail the expenditure incurred under all other sub-heads and detailed head of account separately. "See Rule 915".

(5) A certificate that the amount of road batta, subsistance allowance, cart hire and gratuity paid to the released prisoners during the month was in accordance with the rules on the subject in the Andhra Pradesh Prisons Rules.

(6) A statement showing the Value of articles of rations if any, issued to civil debtors from the ration stock.

(7) A statement showing the expenditure incurred under "Petty Construction and Repairs".

(8) A statement giving details of expenditure on each work of petty construction and repair during the month. When work is completed, a note of the fact should be made against it.

(9) A certificate relating to adherence to contract rates, securing of contracts for all articles, recoveries made from suppliers on account of excessive wastage, and adjustments carried out as ordered in the objection statements.

(10) A list of vouchers accompanying the bill.

NOTE:— Copies of all travelling allowance bills cashed during the month, the date of encashment noted in each case, and the certificate required by Articel 82 (a) Andhra Pradesh Financial Code, Volume I shall be attached to Form No. 32.

(b) A detailed statement of manufacturesin Form No. 78 Vide Rule 961.

Date of Submission

919. The vouchers, receipts and statements connected with the Detailed Bills shall be submitted so as to reach the Inspector General not later than the 10th of the month following that to which they relate. As the date of despatch of bills to the Accountant General depends on their reaching the Inspector General in good time, punctuality must be observed.

Certificate to first Abstract Bill

920. The following certificate shall be attached to the first Abstract Bill presented at the Treasury after the tenth of the month, without which no payment will be made. See Article 108, Andhra Pradesh Financial Code, Volume I and SR 18 and 32(h) under TR 16 of the Andhra Pradesh Treasury Code, Volume I.

"Certified that the detailed contingent bill for the previous month was forwarded with all necessary vouchers to the Controlling officer of the Department on ....."

Register No. 62

921. The instructions for maintenance of contingent registers are contained in Articles 103 to 105, Andhra Pradesh Financial Code Volume I. (See Rule 889).

Treatment of budget grants

922. The procedure regarding control of appropriations in the budget, application for additional appropriation and surrender of funds is laid down in Chapter 19 and 20 of the Andhra Pradesh Budget Manual. The first of February in each year is the latest date for the receipt by the Inspector General of the reports of surrenders of funds and applications for additional appropriations to cover the expenditure in the year.

Register No. 6X

923. The Acquittance Roll is a list of the subordinate establishment of the Jail, with the pay of each member. Every officer shall affix his signature to the roll each month in token of having received the amount shown as due to him and if it exceeds, Rs. 20/- shall affix a receipt stamp and sign his name across it. If possible the pay shall be disbursed in the presence of the Superintendent. After the roll (which should be in Form No. 88 Andhra Pradesh Treasury Code, Vol. II read with Government Name No. 76419-C/ 1059/ Accounts /71-5, Finance Department, dated 2-11-1973) has been signed by all officers to whom salary is due a certificate shall be recorded by the Superintendent and it shall be signed by the Superintendent.

"Certified that a proper aquittance has been taken in respect of each amount paid in this roll from the person entitled receive it".

Use of Railway Warrants

924. The Railway Warrant Form No.41 is to be used when prisoners are sent by train from one Jail to another, or on release if they have to travel by train. The following instructions should be observed:—

(1) Subject to the provisions contained herein the Superintendent shall issue to each released convict who have to travel by rail a Railway warrant entering therein the prisoners name in full, the place and date of departure, the station to which he is to travel, and the date for which the warrant is available (See Rule 981 and note).

(2) The convict should be instructed to present the Railway warrant to the Station Master, who will provide the necessary passage.

925. When a transfer has to be made and a railway or bus journey is necessary, a railway or bus warrant is issued by the Police, and the Jail Superintendent has only to enter the number of prisoners the in warrant and countersign it (See rule 1061). The entire cost of railway or bus warrants is debited the head "255 Police".

Use of Credit Note

926. The Credit Note (Form No. 86) is for use whenever stores of any kind are consigned by rail from one jail to another jail or to another Government department. It shall not be used for consignment to private parties.

NOTE:— Miscellaneous Form Nos 42 to 70 both inclusive are referred to in the rule throughout the Manual, and which are noted at the foot of each form.

CHAPTER LIII

THE MANUFACTURING DEPARTMENT

NOTE:— All Prison Officers are liable, in view of rules 42 and 88, to make good any loss to Government occasioned by failure to comply with these rules or neglect of duty in connection therewith. This direction applies to Articles of Civil Stores also.

Manufactory to be kept Separate

927. In every Prison there shall be manufacturing department distinct from the general department and with distinct registers, accounts and returns. Neither manufactory receipts nor charges shall be entered in the General Cash Book.

Duties of Store Keeper

928. In Central Prisons the raw materials required for manufactures, manufactured articles and all books and accounts relating to this department, shall be in charge of an officer of the grade of prison clerk and called Store Keeper who may have an Assistant Store Keeper to help him. In district prisons the duties of the Store Keepers shall be performed by the prison clerk.

Adherence to budget allotment

929. The budget appropriation for manufactures shall be communicated to the Superintendents at the beginning of each official year by the Inspector General. No Superintendent may without previously obtaining an extra appropriation exceed the amount provided. When the sanctioned appropriation is found insufficient, timely application should be made to the Inspector General for a further sum with an explanation of the requirements, otherwise a Superintendent, who exceeds the annual appropriation, will be held responsible for the excess.

Purchase of raw materials

930. Superintendents may incur expenditure (up to the budget allotment) in the purchase of raw materials but they are expected to exercise discretion in their dealings and to avoid the accumulation of unnecessary stocks. All purchases shall be made after full inquiry, in the cheapest market. In the case of large purchases tenders should be called for by advertisement, or a circular letter of inquiry should be addressed to the Chief Producing Firms. Smaller quantities, if obtained locally, should be purchased by the system of departmental purchase, as described in Chapter LXII. Tenders should be invited in sealed covers and should be opened by a responsible officer of Government and not by subordinates as required by Article 125, rule III, Instruction 8. Andhra Pradesh Financial Code. Volume. I. Frequent petty purchases shall, as a rule, be avoided, sufficient stocks shall be laid in at the cheapest season and generally the transactions shall be carried on in a business like manner. Prompt payment should be made for articles purchased and discount secured.

(2) As regards timber required for the prison department the Forest Department should undertake to select logs for the prisons or supply planks and scantlings, when these become available from the nearest and most economical sources of supply.

Sanction to special charges

931. The following charges require the previous sanction of the Inspector General or of the Government, viz.,

(1) All charges on account of establishment.

(2) Purchase of tools and plants exceeding Rs. 250/- and repairs thereof exceeding Rs. 250/- each time, vide item No. 53- Stores (G) in Appendix 7 of Andhra Pradesh Financial Code Volume. II.

(3) Purchase of raw materials non-contract items exceeding Rs. 5,000/- each time, vide item 46(2) in Appendix 7 of Andhra Pradesh Financial Code Volume II.

(4) To write off losses and shortages of raw materials, manufactured articles, plant and tools above Rs. 25/- each case, item No. 16 in Appendix 23 of Andhra Pradesh Financial Code Volume II.

(5) Write off unserviceable plants and Tools above Rs. 250/- Article 140, Andhra Pradesh Financial Code Volume I read with item No. 53 Stores (G) in Appendix 7 of Andhra Pradesh Financial Code Volume II.

Examination of raw materials

932. Raw materials received into prison shall be examined by the Office Superintendent and by the Jailor if there is no Office Superintendent, before being handed over to the Store Keeper, who shall be jointly responsible with the Office Superintendent or Jailor, as the case may be, that their quality and quantity are correct.

Record of raw materials

933. When raw material is taken over by the Store Keeper, he shall enter it at once it the Stock Book (Form No. 70). Before payment is made for the material, the Superintendent shall satisfy himself that it has been brought to account in the stock book and that the price charged corresponds with the rate entered therein.

Issue of raw materials

934. (1) All raw materials shall be issued from store or an indent in Form No. 80 signed by the Foreman or Warder, incharge of the workshop, where the materials are required, and countersigned by the Office Superintendent or by the Jailor, if there is no Office Superintendent. These indents shall be filed by the Store Keeper.

(2) Indents for raw materials shall be made daily or at short intervals as required and shall be passed by the Office Superintendent or by the Jailor, where there is no Office Superintendent. The practice of issuing large quantities of materials, in excess of immediate needs, is prohibited.

Indent Forms

935. Indent shall be bound together in books of a certain number, which shall be noted on the cover, each indent and counter-foil shall bear a serial number, and the counterfoils shall be carefully preserved by the warder in charge of the workshop.

Entry in Stock Book

936. When raw materials are issued, the Store Keeper shall enter the details in the appropriate column of the Stock Book, and shall strike the balance of the stock remaining.

Examination of manufactured articles

937. The manufactured articles completed each day shall, before they are delivered to the Store Keeper, be examined by the Office Superintendent or by the Jailor, if there is no Office Superintendent, who shall be responsible that they are of good workmanship and up to the samples. If there is any defect, the Office Superintendent or the Jailor, as the case may be, shall bring it to the notice of the Superintendent, who shall enforce responsibility against the Foreman, Warder in charge of the Work Shop, Convict Overseer or Convict Workman.

Record of manufactured articles

938. (1) As manufactured articles are received from the Workshops the Office Superintendent or the Jailor, if there is no Office Superintendent, shall cause them to be entered in columns 1 to 3 of the Transit Register in Form No. 81 by some subordinate other than the Store-Keeper. The Store-Keeper shall than enter the number and weight on the right hand portion of the indent untill the whole of the raw materials issued is accounted for, reference to the indent being given at the same time in column 4 of the Transit Register. It may not be possible to ensure that the manufactured articles entered as a set off against raw materials issued have been made with that identical issue, but if raw materials are thus regularly accounted for, the outstanding balance in the workshops and the number of indents not satisfied will always be easy to check.

(2) The store-keeper shall also at once enter particulars, of the articles received in the stock-book of manufactured articles (Form No. 71) reference being given in like manner to the page of the stock-book in column 5 of the Transit Register.

Record of wastage in conversion and subsequent recovery

939. (a) When an indent in Form No. 80 is finally closed in full satisfaction of the quantity of materials issued thereon, the wastage resulting from its conversion into manufactured articles shall distinctly be set out on the right hand portion thereof and subsequently entered against the identical issue in its proper column

in the Stock-Book of raw materials (Form No. 70), the Superintendent and the Store-Keeper initialling the indent at the same time in token of such closure.

(b) The Office Superintendent or the Jailor, if there is no Office Superintendent, shall be responsible that the wastage calculated represents what actually occurred, and that it is not raised to the maximum when it is in reality lower; while the Superintendent shall not only satisfy himself of its correctness, but also of the fact of its entry in Form No. 70.

(c) The Superintendent shall likewise be responsible (1) that all wastage in excess of the maximum permissible persentage as stipulated for, in the agreement in Form No. 44 is regularly recovered from the contractor either when the payment for supplies is next made or when the amount of the security deposit is returned to him, and (2) that the dates of payment and recovery are noted at the time in the appropriate columns of Form No. 70, under his initials.

(d) If, for good and sufficient reasons, raw materials have to be purchased otherwise than by contract, any excess over the maximum percentage of wastage ordinarily allowed shall be made good by the officers who may be responsible.

Percentage of out-turn not to be reduced without sanction

940. Superintendents shall not reduce percentages of out-turn in any industry without the previous sanction of the Inspector General. The sanction of Government shall be obtained for reductions of over 25 per cent in out-turn.

Record of issue of manufactures

941. All sales or issues of manufactured articles shall be entered in the appropriate columns of the same stock book. They shall also be entered in Day Books of Sales (see rule 946).

Weekly check by Superintendent

942. Once a week or oftener, the Superintendent shall check all indents and their counterfoils with the entries in the Stock book of raw materials and shall satisfy himself that all issues have been made only on a counter-signed indent and a corresponding counterfoil. At the same time he shall check the entries of manufactured articles on the right hand portion of the indents with those in the stock book of manufactured articles, and shall satisfy himself that the issues of raw materials are accounted for by the entries of manufactured articles and shall initial the books in token of having checked them as prescribed. The Superintendent shall similarly check all issues noted in the Stock Book of manufactured articles with the passes and with the Day Book of Credit Sales or the Day Book of Realisation, as the case may be.

Superintendent's monthly check of materials in work-shops

943. At the end of each month, the Store Keeper shall make out a list in Form No. 82 of all indents of raw materials which have not yet been satisfied by the receipts of manufactured articles. This list, shall after being checked by the Office Superintendent or by the Jailor, if there is no Office Superintendent, to see that it is correct and complete, be submitted to the Superintendent who shall satisfy himself by personal examination of the Transit Register and the stock of raw materials in the workshops that there is sufficient material to satisfy the indents. He shall also see that no undue delay occurs in the completion of the manufactured articles for which raw materials have been issued.

Register No. 82

944. The Store Keeper shall maintain a Register of Orders in Form No. 83 in which shall be recorded all orders including articles to be manufactured for stock. It shall be produced for the Superintendent's initials whenever fresh entries are made therein. An extract from this Register shall be hung up in each workshop, so that the Foreman or Warder incharge may know what orders he has to complete. The Superintendent shall examine this Register at short intervals and shall satisfy himself that no undue delay occurs in the execution of orders and that they are carried out as far as possible in the order in which they are received.

Agreement upon sample

945. No contract for the supply of articles to a Government Department shall be entered into until a sample has been obtained. If there is any doubt of prison's ability to make articles equal with the sample, no contract shall be entered into until a prison made sample has been approved by the department requiring the supply.

Pass for articles removed from prison

946. No manufactured articles shall be sold or removed from the prison except on a pass initialled by the Superintendent and Office Superintendent or Jailor. In urgent cases the Office Superintendent's or Jailor's initials as the case may be, alone may, if the Superintendent permits, suffice, but the pass shall be subsequently submitted to the Superintendent for his initials at the first opportunity. The pass shall be presented at the gate to the Gate Keeper who shall thereupon permit the articles in question to be taken out and shall retain the pass as a voucher. The Store Keeper shall prepare the pass to accompany all articles issuing from the manufacturing department which are to leave the prison and shall post the entries at the same time in the Day Books of Credit Sales (Form No. 73) or the Day Books of Realizations daily (Form No. 74) as the case may be. These entries shall be daily verified by the Superintendent by comparision with the gate passes, and the initials of the verifying officer appended in token of the correctness of the entries.

Settlement of prices

947. The cost of production of articles manufactured in prisons shall be arrived at as follows:—

(1) In the case of articles the manufacture of which required no elaborate machinery, the cost shall include:—

(a) The cost of raw materials inclusive of allowance for waste and for incidental charges such as cost of carriage and dyeing or bleaching materials.

(b) Five per cent of the cost of raw materials for depreciation on account of plant and renewals, which may be reduced by the Inspector General in individual cases to not less than 2½% for special reasons to be recorded by him. Plant shall include any transport or share of transport used for collection of raw materials; and

(c) The value of convict labour worked out at Rs.2/- per head per day for skilled labour and Rs. 1/- per head per day for unskilled labour.

(2) In the case of articles manufactured by power driven machinery, the cost shall include:—

(a) Cost of raw materials issued to be fixed at the nearest round figure on the 1st January, and only to be revised when the replacement value varies by 10 per cent;

(b) Cost of convict labour so added to the data that it will produce two rupees per head per day for skilled labour and one rupee per head per day for unskilled labour;

(c) Supervision charges to cover the cost of staff, directly employed in the industry; and proportionate charge of pay and allowance of the Store-Keeper and Assistant Store-Keeper who are solely employed for the Manufacture Department;

(d) Store charges to cover running expenses power and Office expenses;

(e) Wear and tear to cover the cost of depreciation, of machinery to be fixed in accordance with the nature of machinery and written off every six months, and

(f) Depreciation at 2 per cent on the value of buildings which have been specially erected for the industry.

Percentage on account of profit

948. (1) The sale price of prison made articles shall be fixed by adding a percentage to the cost of production, as defined in rule 947, on account of 'profit'.

The percentage to be added to the cost of production to arrive at the sale price shall be ——

(a) Ten percent of the cost of the raw materials and labour in the case of articles supplied to Government Departments including Prison Department, Local Bodies and whole-sale dealers;

(b) Fifteen percent of the cost of raw materials and labour in the case of articles supplied to others, including private consumers.

(2) The Inspector General shall enhance the percentage mentioned above in respect of any particular prison, when necessary, so that the excess of the value of the estimated total turn-over for the year over the costs of production will be equivalent to five percent on the capital employed and he may reduce the percentages mentioned above in respect of any particular prison when he considers it desirable to do so;

Provided that he shall not reduce them below the rates on the basis of which the excess of the value of the estimated total turn-over for the year over the costs of production will be equivalent to five percent on the capital employed.

Capital employed includes, besides the original cost of machinery, tools and other plant and buildings specially erected, the working capital required for purchases of materials, for contingencies, wages and salaries. As sales are occuring throughout the year, the working capital may be taken as half the year, the working capital n ay be taken as half the total annual cost of raw materials, plus average charges for wages and salaries of special staff, if any, power and other contingencies. Where the market rate for any article is above the prison cost of production plus 'profit' as fixed above, it shall not be sold to dealers and private consumers at less than the market rate.

(3) In the event of a dispute as to the price of articles supplied to the departments of Government the decision of an expert officer of the department of Industries nominated by the Director shall be final.

(4) Government officials who are required to provide themselves with uniform at their own cost may be supplied on indents countersigned by a gazetted officer, with prison made drill-white or khaki at the rates charged to Government Departments under clause (1) (a).

Provided that the supplies are intended for making uniform for the personal use of the Officers concerned and that the quantity indented for is not in excess of ordinary requirements.

Revision of price fixed

949. If on account of long storage or for any other cause, e.g., competition for orders from a Central Department, it is found necessary to revise the sale price of articles, once fixed in

accordance with rule 947 the Superintendent shall submit a report to the Inspector General explaining fully the reasons for the revision and obtain his sanction to the disposal of the articles at the revised price.

Authority for payments

950. Petty expenditure on account of manufactures may be paid by the Store Keeper, who for this purpose, shall be furnished with a small sum from the permanent advance. This shall be accounted for in the Store Keeper's cash book in Form No. 33. Large payments shall be made by the Superintendent in accordance with rule 892. The Superintendent shall, once a week or oftener, check the cash book and verify the balance shown therein by an examination of the actual cash in hand, in the manner prescribed in rule 888, initialling the book at the same time in token that he has satisfied himself as to its accuracy. This procedure shall be followed when transfer of charge of the prison occurs and both relieved and relieving officers shall then initial the cash book.

Register No. 56

951. The Store Keeper's cash book is a record of the transactions connected with the manufactory permanent advance and of the drawings and payments made on account of the Manufactory Department. It shall be maintained in Form No. 33 as in the case of the cash or permanent advance book in use in the general department (rule 887). The total of the permanent advance and any subsequent sums, drawn, whether to recoup it or not, shall be entered in the receipt column and all payments in the disbursement column. The balance shall be struck daily.

Cash drawings

952. All drawings of cash for manufactory purposes shall be on abstract bills in Form No. 76 (Form No. 57 of the Andhra Pradesh Treasury Code, Volume. II). The provisions of rules 892 to 897 apply to these drawings.

Detailed bill of manufactory drawings

953. A detaild bill of manufactory drawings shall be prepared at the close of each month in Form No. 76 (Form No. 8 of the Andhra Pradesh Financial Code, Volume I) and shall be forwarded to the Treasury or Sub-Treasury Officer along with the Detailed Contingent Bill, and the disbursing Officer's return of expenditure and liabilities referred to in rule 915.

The provisions of rules 909 to 913 apply to this Detailed Bill.

Entry of receipts

954. All receipts shall be divided into two classes, those received in cash and those received by transfer credit. In the case of receipts in cash, the entries in the monthly statement referred to in rule 956 (4) under Major Head "0.56 Jails" and the sub-heads for 'sales' under Minor Head "Sale of Jail Manufactures", for Hire of convicts under Minor Head "Services and Service fees"

and for others under Minor Head "Other Receipts" shall be the totals of the transactions of the month falling under these designations. In the case of receipts by transfer credit, every transaction shall be shown in detail and shall be supported by a countersigned invoice (Vide rule 957).

Payment to be receipted

955. On the payment of any sum due to the manufactory, a receipt in Form No.85 signed by the Superintendent or Office Superintendent or the Jailor, where there is no Office Superintendent, shall be given or sent, to the person making payment. This form will be bound in books of 50 forms each in triplicate one below the other and machine numbered.

Disposal of cash received

956. (1) Every sum in cash received on account of the Manufactory Department shall be entered at once in the Day Book of Realisation (Form No.74) and the Superintendent shall satisfy himself that this is done before signing an acknowledgment for the same.

(2) The Store Keeper shall be held responsible for the correctness of the manufactory cash which shall be in his charge; but when cash belonging to the manufactory is kept in the general cash chest, as and when necessary under sub rule 3, the responsibility, for its safe custody, shall lie with the Office Superintendent or the Jailor, where there is no Office Superintendent.

(3) No sum exceeding Rs. 100/- or the security deposit of the Store Keeper, whichever is greater, shall be retained by him. Any sum in excess of this amount shall be remitted into the treasury at once, or, if this is not possible on any day, shall be made over to the Office Superintendent or to the Jailor, as the case may be, for safe custody and be deposited in the treasury on the next working day.

(4) The usual form of challan, showing in detail the major, minor and detailed heads to which the money is to be credited in the accounts, shall be sent with money to the Treasury and the Treasury Officer's receipt obtained. Certified copies of the receipted challans shall be forwarded to the Inspector General with the monthly statement of manufactory charges and receipts (vide rule 961) the originals being retained at the prison.

Payment by transfer credit

957. (1) Payment for work done for other prisons or for Government Departments shall be made by transfer credit. The supplying prison shall forward to the officer supplied as soon as possible after despatch of the goods an invoice in quadruplicate in Form No. 79. The Officer who receives the supply will countersign the four copies of the invoice and shall present bill at the treasury for the cost of supplies or services made by the Superintendents of prisons along with the accepted invoice and

challen in quadruplicate indicating the designation of the Superintendents of prisons invoice number and the heads of accounts to which the amount claimed is to be paid by transfer credit. The Treasury Officer shall check the head of classification noted in the challan with that noted by the Superintendent of Prisons in the invoice and pass the bill for payment by transfer credit to the above head of account debiting the amount to the head indicated in the bill by the Superintendents of Jails. After the adjustment the Treasury Officer shall retain the original copy of the challan and send the duplicate and triplicate to the supplied officers, who shall keep one for their office record and send the other to the Superintendents of Prisons. The fourth copy shall be sent to the Accountant General along with the bill.

(2) On receipt of one copy of the challan duly endorsing the payment by transfer credit from the Office receiving the supply, the prison.....

The value of the goods supplied for which the challan duly endorsing the payment by transfer credit have not been received .... payment by transfer credit outstanding.

Adjustment of Transactions

958. The payment by transfer credit between one prison and another or by a prison to itself and other departments is made in accordance with the procedure laid down in rule 957 (i).

Register No. 53

959. when articles are sold on credit, they shall be entered in the Ledger of credit Sales (Form No.72). Each purchaser shall be allotted a separate page and the ledger shall contain an alphabetical index of the persons, firms or departments, as the case may be, doing credit business with the prison.

Restriction on credit sales

960. (1) Credit sales shall not be allowed except to such private firms and such classes of Govnrnment officsrs other than prison officials and private individuals as the Inspector General may approve. In compliance with orders received through the post, the value payable system shall be utilised whenever it will be convenient to do so.

(2) To every private firm, Government Officer and private individual to whom credit is allowed, a bill in Form No 86 showing the details of the sum due, and signed by the Superintendent shall be submitted as soon as possible after the last day of the amount to which the bill relates; no further credit shall ordinarily be given till the bill is settled.

(3) In the case of supplies made to Local Bodies such as Zilla Parishads and Municipalities etc; the Superintendents should send to the Accountant General, a quarterly statement of

the arrears due from each Local Body to enable the Accountant General to issue instructions to the Treasury Officers concerned for effecting the necessary recoveries.

Statement of charges and receipts

961. (1) A statement of manufactory charges and receipts in Form No. 78. shall be submitted to the Inspector General in accordance with rule 918 sub rule [10].

(2) This statement shall account for all expenditure under Major Head "256 (c) Jail Manufactures" connected with the manufactory, classified under the following heads viz., for purchase of raw materials, purchase and repair of plant and articles supplied by Public Departments other than prison Department under transfer credit system under Minor Head "190-Materials and Supplies", for pay of Establishment under Minor Head "Salaries" and for all receipts under "0.56 Jails". All charges shall be supported by vouchers or receipts as in the case of the Detailed Contingent Bill vide rule 915.

Stock taking

962. (1) In March each year, the Superintendent shall take stock of the whole raw materials, manufactured articles, plant and tools and shall satisfy himself that every item is correctly entered and accounted for on the credit and debit sides of the books and that the stock and cash accounts are correct in every particular. A certificate in following form shall then be entered in the Superintendent's Order Book and a copy of it shall be forwarded to the Inspector General not later than the 30 th April

CERTIFICATE

I hereby certify that I have carefully examined the manufactory accounts of the prison and the stocks in hand of raw materials, manufactured goods, plant, etc., together with the several registers and books relating there to, and I have found them to be correct except in the particulars specified.

Date

Station. Superintendent of Prison.

(2) Before taking stock, raw materials shall not be issued from the stores (from about the 10th to the 15th March) and the stock of raw materials in the workshops shall be worked up and the manufactured articles brought into store for inclusion in the stock taking. Any materials remaining in the work sheds at the end of the year shall be brought into store and accounted for in the stock books before the annual accounts are closed; re-issues

taking place on and after the 1st April. Outstandings due to and by the prison shall, as far as possible, be adjusted before the close of the year. During the period of stock taking, convict labour may be employed in cleaning the work-shops, repairing looms and machinery, etc.

(3) After stock taking, and depreciaton in the value of raw materials or manufactory articles, or loss from any cause, shall be reported to the Inspector General with particulars of the circumstances and the value of the articles.

(4) After stock taking and along with the certificates referred to above a separate statement should also be submitted to the Inspector General showing all old stores of raw materials and manufactured articles remaining in stock for over a year with their quantities, numbers, values, dates of purchase or manufacture and reasons for accumulation. A copy of this statement together with the orders passed by the Inspector General should be produced before the auditors for scrutiny.

Register No. 58

963. A stock book for manufactory plant shall be maintained in Form No. 25 and the provisions of rule 882 shall mutatis mutandis apply to it.

Statement of outstandings

964. At the end of every month the Store Keeper shall make out and present for the Superintendent's orders a statement in Form No. 87 showing the outstandings due to and by the Manufactory Department of the Prison. Not later than the 31st January and 31st July each year, fair copies of the statement for December and June preceding shall be submitted to the Inspector General Sums payable for book adjustment shall be grouped separately from sums payable in cash. Information shall be given as to the steps which have been taken or which it is proposed to take to recover all longstanding amounts.

Quarterly report progress of manufactures

965. The quarterly progress report of manufactures (Form No. 84) shall be submitted by every prison which undertakes work for public departments and others, so as to reach the office of the Inspector General not later than the 30th of the month succeeding the quarter to which it relates.

Half yearly profit and loss statements

966. The Superintendent shall submit the half yearly profit and loss statements in respect of each of the industries of his prison, for the half years ending 31st December and 30th June each year in Form No. 115-A., so as to reach the office of the Inspector General not later than the 1st March and 1st September each year respectively.

NOTE:— Regarding Annual Statement showing the Assets of the Manufactory Department for the year see rule 999.

CHAPTER LIV

RELEASE OF PRISONERS ON FURLOUGH/LEAVE AND PAROLE/EMERGENCY LEAVE

Release of Convicted Prisoners on Furlough/Leave

967. (a) A prisoner who is sentenced to imprisonment of more than one year and upto five years may be released on furlough leave provided he has actually undergone one year's imprisonment

(b) (i) A prisoner who is sentenced to imprisonment of more than five years may be released on furlough/leave provided he has actually undergone two years imprisonment.

(ii) A prisoner who is sentenced to imprisonment above one year and confined in 'Prisoners' Open Air Work Camp may be released on furlough/leave after he has actually undergona one year imprisonment in tne Camp.

(c) The concession of release on furlough/leave shall be conditional on good behaviour on the part of the prisoner during the period of imprisonment actually undergone referred to in clauses (a) and (b) above.

(d) The period of furlough/leave shall not exceed two weeks at a time.

(e) The cost of the journey both from and to the prison shall be borne by the prisoner. Provided however that in exceptional circumstances, the prisoner himself or any other of his relatives is unable to meet his travelling expenses, the cost of the journey may be borne by the Government.

Grant of further furlough/leave

968. A prisoner may be released on furlough/leave more than once during the term of his imprisonment:—

Provided that a further/leave may be granted in the case of a prisoner sentenced to imprisonment for more than one year and upto five years, after he has completed one year imprisonment from the date of his return from the last furlough/leave, and in the case of a prisoner sentenced to imprisonment for more than five years, after he has completed two years of imprisonment from the date of his return from the last furlough/leave.

A prisoner if he so desires may make a fresh petition for the release on furlough/leave six months after the rejection of his petition.

Convicts to whom release on furlough/leave shall not be admissible

969. The concession of release on furlough/leave shall not be admissible to habitual criminals, prisoners convicted under sections 392 to 402 (both inclusive) of the Indian Penal Code, 1860 (Act XLV of 1860), convicts whose presence is considered as highly dangerous of prejudicial to public peace and tranquility by the District Magistrate, in whose jurisdiction the prisoner wants to spend the period of furlough/leave, and to prisoners sentenced to imprisonment for one year or less.

Period of furlough/leave

970. The period of furlough/leave may be sanctioned under the rule as ordinary remission.

Authority competent to sanction furlough/leave

971. Release on furlough/leave may be sanctioned by the Inspector General subject to the conditions laid down in Form No. 36—A or to such other conditions the Government may prescribe.

Procedure for releasing the prisoner on furlough/leave

972. (1) The Superintendent of the Prison, shall as soon as a prisoner becomes eligible for release on furlough/leave, inform the prisoner accordingly. If the prisoner desires to avail himself of the concession, he shall apply for the same to the Superintendent, who shall forward the application for the opinion of the Superintendent of Police in whose jurisdiction the prisoner wants to spend the period of furlough/leave. The Superintendent of Police shall verify carefully the antecedents of the prisoner and report direct to the Inspector General suggesting at the same time whether he (Superintendent of Police) considers that any surety bond should be obtained for such release and if so, the nature thereof. If the Sperintendent of Police sees no objection to the release of the prisoner on furlough on the conditions laid down in Form 36—A (Appendix-III) or such other conditions as may be prescribed by Government in this behalf, he shall forward the application to the Inspector General for sanction. The Superintendent of Police may, while forwarding the application, suggest such other conditions as he may think fit, for the consideration of the Inspector General.

Provided that applications for the grant of furlough/leave to be availed of out side the State, shall be forwarded by the Superintendent of Prison direct to the Secretary to Government, Home Department, who will, after consultation with the Government of the other State concerned, pass such order as may be deemed fit.

(2) The prisoner shall, before proceeding on furlough/leave sign the form of acceptance set-forth in Form No. 37—Awhich shall be certified by the Superintendent in the manner laid down therein.

Punishment for the breach of conditions.

973. If a prisoner who is released on furlough/leave commits a breach of any of the conditions of furlough/leave the following punishments or any of them may, in the discretion of the Superintendent of the prison be awarded to the prisoner, after giving him an opportunity to show cause as regards the breach of the conditions:—

1. A maximum cut of five days remission for each day of overstay.

2. Withholding the concession of either interviews or letters or both a maximum period of three months.

3. Non-inclusion of furlough/leave period towards sentence.

4. Warning.

5. Reduction from the grade of 'Night Watchman' or 'Convict Overseer' or 'Convict Warder' to convict if applicable.

Provided that if a prisoner who is released on furlough/leave does not return to the prison at the time specified in that behalf he may be arrested by any Police Officer and brought back to prison to undergo the sentence.

Release of prisoner on Parole/Emergency Leave.

974. (1) A prisoner may be released on parole/emergency leave under Section 432 of the Code of Criminal Procedure, 1973 for such period as the Government may order in case of serious illness, death, or marriage of any member of the family or near relative or for any other sufficient cause. The period spent under Parole/Emergency leave will not count as a part of the sentence.

(b) Under Section 432 of the Code of Criminal procedure, 1973, Parole/Emergency leave shall be granted by the Government of the State where the prisoner was convicted for an offence against a law relating to a matter to which the executive power of the State extends and by the Central Government where he was convicted for an offence against any law relating to a matter to which the executive power of the Union Government extends. The State Government shall deal with the petitions in the latter class in the manner prescribed by the Central Government in the rules published by the Ministry of Home Affairs Notification No. 40/32/55-Judl. I Dated: the 9th November, 1955.

(2). When a petition for release on parole/emergency leave on the ground of serious illness death or marriage of any member of the family or near relative of the petitioner, or for any other sufficient cause is made by a prisoner, the Superintendent of the prison in which the prisoner is imprisoned shall examine

whether the grounds set out, therein are in accordance with these rules and if they are genuine and in his opinion justify the grant of suspension of sentence of parole/emergency leave, forward the same to the Government together with a copy of the prisoner's Nominal Roll, and also forward copies therof to the Inspector General of Prisons. Applicatons from habitual offenders or those convicted, of offences involving grave moral turpitude need not be forwarded to Government except in very special circumstances. Applications which in his opinion are not in accordance with thees rules shall be lodged after being endorsed by the Superintendent to that effect.

There shall be no bar for the grant of parole/emergency leave to the prisoners during the pendency of their appeals.

(3) The Superintendent of the prison to whom the petition was presented shall, before sending the petition to Government and Inspector General, ensure:—

(a) That the prisoner his, in has petition given full particulars of his relationship with the person, on the ground of whose death or serious illness, or marriage the petition made together with the fulll address of such person or his address at the time of his death as the case may be.

(b) That the prisoner has specified the place or places which he intends to visit during his parole and the routes that he would take.

(c) That the prisoner has given a declaration in the petition that he would bear the cost of his journey from and to the prison, in case he is relcased and if he would not so bear, the reasons therefor are given.

(d) That he has personally enquired of the prisoner whether the contents of the petition are genuine and has warned him that he would be liable to be punished in case they are found to be false.

(e) That he has endorsed on the petition to the effect that: 'I asked the prisoner--whether the contents of the petition are correct and he has replied in the affirmative. I also warned him that, if on an enquiry, the contents of his application are found to be false, he would be liable to be punished.

(4) The Superintendent shall, in respect of a petition which in his discration, needs reference to Government, communicate the gist of the matter by express letter to the District Superintendent of Police concerned for verification and

report direct to Government and shall also endorse copies of such express letters to the Government (Home Department) and the Inspector General;

Provided that, when prisoners apply for parole/emergency leave on grounds of serious illness or sudden death of any of their family member or for any such sufficient cause which the Superintendent may consider urgent enough to require the Police verification reports over radio message the Superintendent may send such radio message.

(5) The Superintendent shall, while alling for the Police Verification report, furnish the details and the names of the persons whom the prisoner mentions would furnish security or surety for him. So that the Commissioner of Police/District Superintendent of Police may, if necessary, verify the solvency of such persons and obtain the bond in the Form prescribed in Annexure— II.

(2) After Annexure-II, the following shall be added, namely:—

I son of by caste and resident of do hereby declare myself surety for son of; Convict No. confined in and I do hereby bind myself that he will abide by the conditions for the release order and to produce him before the Superintendent of the on the expiry of the period of release on parole/emergency leave and in case of my making default therein, I bind myself to forfeit to the State the sum of Rs. Executed this date of

Signature of the Surety.

Attested.

"Designation (Not below the rank of Sub Inspector of Police)

(6) The Commissioner of Police/District Superintendent of Police shall (a) furnish to Government (Home Department) the verification report on the prisoner's statement, and his views for or against the release, as the case may be, and such report shall be sent by the a letter, unless specifically requested to furnish it by radio message;

(i) Within 7 days in case the place of enquiry is hear enough and the matter under enquiry urgent; and

(ii) Within 15 days at the most when the place of enquiry is a village situated in the interior parts of the country not connected by rail or road;

(iii) Specify, in case release, is recommended, the conditions proposed for such release if any other than those specified in Annexure-I hereto attached, eg., the taking of surety/ security, etc.

(iv) Verify whenever a prisoner has shown his inability to bear the expenses of journey from and to the prison, the financial conditions of the family of the prisoner and report whether such expenses may be borne by Government.

(7) The District Superintendent of Police may incur legitimate expenditure from the sanctioned grants for deputing special police officers or for sending telegrams to the distant police stations for purposes of urgent verification in cases where the prisoner's family or relatives stay at places very far away from the head-quarters and having no rail or road connection or any other quicker means of transport.

8. When a petition is made direct to the Government by the relatives or friends of a prisoner, under these rules, the Government themselves may call for the police verification reports referred to in the aforesaid rules wherever such action may be possible on the strength of information contained in such a petition and the Superintendent of the prison in which the convict in question is imprisoned shall on being intimated of the same, take further action, as may be necessary according to these rules.

9. (1) The Government shall on receipt of the said papers and if they consider it necessary after obtaining the opinion and record of trial referred to in sub-section (2) of section 432 of the Code of Criminal Procedure, 1973, pass such orders in the matter as they deem fit and communicate the same to the Supeintendent of the prison concerned, the petitioner, the District Superintendent of Police and other officers concerned.

(2) If they direct that the prisoner be released on parole/emergency leave, the period during which the parole/emergency leave shall be availed of by the prisoner shall be specified in the order and after the said period, the orders of release ceases to be operative.

(10) The prisoner, shall, before proceeding on release on parole/emergency leave, sign the form of acceptance set forth in Annexure-II, attached hereto and the form so signed shall be

certified by the Superintendent of the prison concerned, in the manner laid down therein.

(11) The Superintendent of the prison shall award punishment to the prisoner as laid down in the Prison Manual.

(i) If the petitioner is found to have made a falsestatement in the petition for release on parole/emergency leave; and

(ii) If after obtaining release, he is found to have committed any breach of the conditions laid down by Government and Inspector General for such release and the fact of awarding of such punishment shall be communicated to the Government and Inspector General of Prisons.

(12) The period of release on parole/emergency leave shall not ordinarily exceed two weeks, except in special circumstances and the Government shall decide the period of ~~such release on the~~ merits of each case.

(13) The period spent on parole shall not be counted as part of sentence.

(14) The prisoner shall bear the expenses of journey from and to the prison, unless otherwise ordered by Government

(15) The Superintendent of the prison concerned shall report to Government, the Inspector General and the District. Superintendent of Police concerned the date when the prisoner is released on parole/emergency leave and the date of his surrender back to the prison.

Advance intimation should also be sent to the concerned District Superintendent of Police regarding the date of extension of the period of release on parole/emergency leave and the condition as set forth in Annexure-I.

(16) The continued illness of a relative of a prisoner shall not be considered a reasonable ground to justify grant of extension of the period of release on parole/emergency leave already sanctioned.

(17) Parole shall not be granted to be availed of within the first six months from the date of his admission into prison, after conviction and six months atleast should elapse from the date of his surrender back to the prison after availnig the parole/emergency leave, before he is again released on parole/emergency leave, except in very exceptional circumstances.

ANNEXURE. I.

(See Rules 971 & 972)

Sub: Prisoners - Convict No. — — (Name — —)
confined in — — — — — Prison/Jail - -
Relseae on furlough/leave - Ordered.

Ref: 1. Letter No.

2. Letter No.

ORDER

In pursuance of the provision contained in Rule 971 of the Andhra Pradesh Prisons Rules, the Inspector General of Prisons, Andhra Pradesh, Hyderabad/the Superintendent, Central Prison/District Jail,— — — —hereby sanctions the release on furlough/leave to convict No. — — — (Name — — —) now confined in — — — — prison — — — — for a period of — — — — — days, with effect from the date of his release on fulrough/leave subject to the following conditions and acceptance there of by the said prisoner:-

1. The prisoner shall reside with his.... .... at.... .... village in.... ....taluk of.... ....District, during the period of release on furlough/leave and shall not go beyond the limits of the said place or the head quarters of the police station of the area in which he resides, without the permission of the Sub Inspector of Police Station of the area concerned.

2. The prisoner shall not commit any offence punishable under any law for the time being in force.

3. The prisoner shall not associate with notoriously bad characters nor lead a dissolute life.

4. The prisoner shall not indulge in party politics nor take part in political propaganda.

5. The prisoner shall furnish surety/personal bond.

6. The prisoner shall bear the cost of the to and fro journey.

7. The prisoner shall surrender himself to the Superintendent of.... .... prison/Jail.... ....on the expiry of the period of release on furlough/leave.

8. This order will get automatically cancelled if the prisoner does not avail of the furlough/leave within two months from the date of issue of this order.

Inspector General Of Prisons/
Superintendent.

To

The Superintendent,.... ....prison.... .... He is requested to take necessary action, immediately under advance intimation to the Superintendent of Police, and the local police conserned and explain to the prisoner the implications of the above conditions.

ANNEXURE II.

(See Rules 974 [5])

SURETY BOND.

I, (Name.... .... son of.... ....) by caste.... .... and resident of.... .... village in.... .... taluk of.... .... district, do hereby declare my self surety for (Name.... .... son of ....) Convict No. .... confined in .... Prison/Jail, ... and I do hereby bind myself that he will abide by the conditions of the release order and to produce him before the Superintendent.... .... Prison, ... on expiry of the period of Furlough/leave and in case of my making default therein, I bind myself to forfeit to the State the sum of Rs..... ....

And I agree that any extension of time given to the convict will not discharge me from my liability to pay the said amount.

Dated this.... .... day of ... . 19 .

SIGNATURE OF THE SURETY.

Signed by the above named

surety in the presence of:-

1.

2.

/ATTESTED/

(Designation)

(NOTE :— This bond has to be attested by an officer not below the rank of Sub Inspector of Police.)

ANNEXURE III

(See Rules 972(2))

PERSONAL BOND

WHEREAS I, (Name — — — son of — — —) resident of — — — — village in — — — — Taluk of — — District, have been sentenced to undergo imprisonment for a term of — — — — years — — .... — months — — days, and whereas the Inspector General of Prisons Andhra Pradesh, Hyderabad/Superintendent — .... — prison/ Jail, — has been pleased to release me on furlough/ leave for a period of — — — — — commencing from — — and ending on .. — — — on the condition of my executing a personal bond for my appearance on the following date viz —

I hareby agree with and bind myself unto the Government of Andhra Pradesh to abide by the conditions mentioned in the release order and I further agree to appear and surrander myself before the Suprintendent, — — — prison, — — at— — O' Clock on the following date viz — —and in case the period of furlough/leave is extended, then on the date following the date of expiry of such extendad period of furlough/ leave and in case of my making default herein, I bind myself to pay to the Government of Andhra Pradesh a sum of Rs — — (Rupees — — — only) and I agree that the Government of Andhra Pradesh may, without prejudice to any other rights or remedies, recover the said sum from me as an arrear of land revenue.

Dated this — — — — day of — — 19 .

BEFORE ME.

Signature of prisoner.

SUPERINTENDENT,

— — — — — Prison, — — — — — — — —

ANNEXURE IV

(See Rule.967)

FORM OF APPLICATION FOR RELEASE ON FURLOUGH/LEAVE

To

The Commissioner of Police/ The Superintendent of Police, — — — — —

Sir,

I, (Name ... . Convict No. ....)

confined in — .... - prison, — — hereby apply for furlough/leave for - - - days to go to my native place viz - - - village in - - taluk of - - District.

The following persons will stand surety for my release on Furlough/leave.

1. Name - - - (Full address)
2. Name - - - (Full address)

SIGNATURE OF THE PRISONER.

Signed by the prisoner

before me.

JAILOR, -- — prison,

IMMEDIATE

Office of the Superintendent,
- - Prison - -

Endt. No - - - - Dated - -

Forwarded to the Commissioner of Police/the Superintendent of Police, ... with a request to verify carefully the antecedents of the convict and to send his remarks whether he recommends the grant of furlough/leave and

if so for what period and also whether there is likelihood of breach of peace if the prisoner is released on furlough/leave.

If the case of the prisoner for release on Furlough/Leave is recommended kindly make arrangements to obtain the necessary surety bond/bonds in the form enclosed from the person/persons mentioned by the prisoner, and to send them to this office urgently.

Nominal Roll of the prisoner is enclosed.

Date: Superintendent.
Place: . . . . Prison.

Copy together with nominal roll of the prisoner is communicated to the District Probation Officer, ... with a request to conduct social investigation about the prisoner and to send his detailed report with recommendation.

ANNEXURE V

(See Rule 973)

FORM OF ACCEPTANCE OF CONDITIONS OF RELEASE ON FURLOUGH/LEAVE

I hereby accept and agree to abide by the conditions of the release order and acknowledge that should I fail to fulfil those conditions or any of them, the Inspector General of Prisons may cancel the orders, and thereupon I may be arrested by any Police Officer without warrant and remanded to undergo the unexpired portion of my sentence.

(2) I intend to visit the following place/places during my furlough/leave period and take the following route only.

PRISONER

Certified that the foregoing conditions were read over to the prisoner and accepted by him/her in my presence.

SUPERINTENDENT.

Date:

Witness:

(1)

(2

Dated:

ANNEXURE VI

FROM FOR TIGHTENING RESTTRICTION REGARDING SURVEILLANCE DURING THE PERIOD OF FURLOUGH/LEAVE.

(1) Number and name of the convict and his father's name:

(2) Residential address, village, taluk and District:

(3) Sentencing court and section under which convicted, sentence and date:

(4) Name of the prison from which released:

(5) Reference to the order of release:

(6) Period of furlough/leave granted:

(7) Date of release;

(8) Due date of surrender to the prison on expiry of furlough/leave:

Date of daily Attendance.	Name of the Police Station or Village Munsiff's Office or residence.	Signeture of the Station House Officer or the Village Munsiff as the case may be with date.	Signeture or thumb impression of the prisoner with date.
1	2	3	4

Opinion of the Survellance Officer about the stay of the prisoner during the period.

Signeture with date of the survellance officer with his designation.

CHAPTER LV

RELEASES

Statutory provision

Under Section 26 (3) of the Prisons Act, 1894, no prisoner shall be discharged against his will from prison, if labouring under any acute or dangerous distemper, nor until, in the opinion of the Medical Officer, such discharge is safe.

Names of convicts due for release be read out at parade

975. The names of convicts for release during any month, as recorded in the register of prisoners to be released and the Convict Register, shall be read out by the Jailor at a general parade to be held on the last day of the preceding month, and any complaint of omission shall be at once inquired into by the Jailor and if necessary, brought to the notice of the Superintendent.

When date of release falls on a prison holiday

976. Should the date on which a convict is entitled to release fall on any of the prison holidays referred to in sub-rule (1) of rule 442 he shall be released on the preceding day, an entry to that effect being made in the Convict Register and on the warrant:

Provided that this rule shall not apply to prisoners sentenced to two days imprisonment either substantively or in default of payment of a fine.

Procedure prior to releasing convict

977. (1) On the day of release, the convict's state of health and weight shall be recorded by the Medical Officer in the Convict Register, and the convict's personal marks of identification shall be duly verified by the Jailor. The convict shall then be produced before the Superintendent, together with his warrant, the Convict Register, his History Ticket, the Register of prisoners to be released and Dairy of convicts released and the amounts paid to them and his private clothing and other private property, if any.

(2) The Superintendent shall compare the entries in the warrant with those in the registers, and shall satisfy himself that they agree and that the sentence passed on the prisoner has been duly executed. He shall then sign the endorsement for release on the warrant, certifying to the execution of the sentence and the date of release (vide rule 984) and shall affix his initials together with the date in the proper column of the Convict Register.

(3) The procedure laid down by rule 479 shall then be carried out, and the gratuity, batta and subsistence allowance to which the prisoner is entitled shall be paid to him in the presence of the Superintendent.

(4) On receipt of the orders of Government directing the release of a prisoner under rule 992 or 993, the prisoner shall be placed before the Medical Officer for examination before effecting the actual release and the Medical Officer shall cartify that the prisoner's state of health continues to be the same as it was when his case was originally recommended to Government, justifying his release under rule 992 or 993. If the Medical Officer considers that the conditions of the Prisoner, on the day or receipt of the order of release, does not Justify his release under rule 992 or 993, as originally recommended, he shall issue a certi ficate to that effect to the Superintendent of the prison who shall not release the prisoner but forward the certificate to the Inpsector General for submission to Government.

Time and method of release

978 Every convict to whom prison clothing has been issued should be required to wash it clean on the morning of his release and every prisoner shall be given the usual food before release. Ordinarily prisoners shall be released as soon as possible after the mid-day meal, or earlier, if the train to their homes starts earlier. All Prisoners shall be released at the prison gates.

Compliance with orders received date or on Sunday or on prison holiday

979 If an order for the release of a prisoner otherwise than on medical grounds is received after 5 p.m. or on any of the prison holidays referred to in sub-rule (1) ~~of rule 442~~ it shall not ordinarily be acted upon on that day, unless specially ordered by the court to do so. The usual practice, in the obsence of such special order from the court, shall be to release the prisoner on the next working day. Superintendents shall not accept payment of fines after 5 p.m. or on any of the prison holidays referred to above.

Release of prisoner in Superintendent's absence

980. If an order for the unconditional release of a prisoner is received at the prison before 5 p.m. and in the absence of the Superintendent, the prisoner shall be released by the Jailor, or other senior prison officer present, who shall strictly carry out the procedure laid down in rule 977, but shall not sign the endorsement on the warrant, which, together with the Convict Register, shall be put before the Superintendent for signature next day.

Grant of travelling expenses

981. (1) Subject to the provisions contained in sub-rule (5) every "C" class prisoner whose destination, after release, is on or near a railway line shall be supplied with a railway warrant of the lowest class to the station (i) nearest his home, or (ii) at which he was convicted, or (iii) to the station nearest the place at which he is to be employed after release, as the Superintendent may decide:

Provided that in the last mentioned contingency the Superintendent of the prison shall satisfy himself that the prisoner has secured employment at that place through competent

agencies prior to his release, or will, beyond reasonable doubt, secure suitable employment at such place after release; and

Provided also that a ticket shall not be issued to an Indian Military prisoner to the place at which he was convicted, if his regiment is for the time being quartered there, unless such place happens to be his home.

'A' and 'B' class prisoners shall be provided with second class accommodation. If these prisoners desire to travel by a higher class, they shall be allowed to do so, provided they themselves pay all additional expenses.

(2) When a journey has to be made by boat or steamer, the prisoner shall be provided with a passage or passage money to the halting place nearest his destination at the lowest rate.

(3) Every prisoner who has to proceed a distance of more than eight kilo-metres by road, or more than three hours' journey by rail or other mode of conveyance, or if the journey will be completed next morning; shall, on release, be given subsistence allowance at the rate of Rs. 1.50 (Rupee one and paise fifty only) if he is a 'A' or 'B' class prisoner and at the rate of Re. 1/- (Rupee one only) if he is a 'C' class prisoner. In other cases the subsistence allowance to be given shall be Rs.3/-per head per day in respect of 'A' and 'B' class prisoners, and Rs. 2/- per head per day in respect of 'C' class prisoners.

(4) Where facilities exist for travel by bus in respect of the whole or any portion of road journey or more than eight kilo-metres, the released prisoner shall be paid the bus fare:

Provided that when the distance of the journey by bus is over 80 K.M. which can be covered partly by rail and partly by bus, the prisoner shall be given a warrant for the railway journey and bus fare for the road journey of over eight kilo-metres.

Convicting courts shall note, in the warrant of commitment, wherever necessary, the following particulars:—

(i) The distance that will be covered by bus from the nearest prison railway station to the bus stand nearest to the prisoner's place of residence;

(ii) The distance from the bus stand nearest to prisoner's place of residence to his place of residence; and

(iii) The amount of bus fare.

(5) In the case of prisoners released on bail pending appeal, the issue of railway warrant, payment of bus, boat or steamer fare and the payment of batta and subsistence allowance

shall be restricted only to such prisoners as are not possessed of sufficient cash property to meet their travelling expenses and for whom no amount necessary to meet the travelling expenses has been received, subject to the following conditions:—

(i) Only the difference between the amount required for their travelling expense and the amount of cash property actually held by them shall be paid; and

(ii) Such payments may be entirely in cash in cases where the amount is not enough to cover the issue of a railway warrant for the railway journey.

NOTE:— (1) The term "Indian Military prisoner" is intened to include all military prisoners who are not enlisted out of India.

(2) A railway warrant is available for the day of issue only, except when, for special reasons, the Superintendent makes it available for the day following.

(3) For the purposes of sub-rule (3), 25 k.m. by road shall be regarded as full day's journey.

(4) See rule 827 for the provision of conveyances to released women prisoners.

(5) The subsistence allowances mentioned in sub-rule (3) above are to be given to the prisoners even while in transit for production in courts and on transfer as well; and that the rates of subsistence allowances in respect of 'A' and 'B' class prisoners, and 'C' class prisoners are applicable to special class undertrial/remand prisoners, and ordinary class undertrial/remand prisoners as well, respectively.

Prisoners unable to walk

982. Sick prisoners, if unable to walk on release, shall be provided with suitable cheap conveyance or such conveyance charges as may be necessary.

Discharged prisoners Aid Society

983. (1) A Discharged prisoners' Aid Society has been established in Hyderabad and Branch Societies exist in the various districts in which important prisons are located.

(2) The society is mainly non-official in character, but receives a large measure of official assistance and support and prison officers and district officials are expected to take an active part in advancing the aims and objects of the Society.

(3) The Honorary Secretary and Agent of the local society shall have free access to all prisoners whose sentences are about to expire, for the purpose of ascertaining their needs and plans for the future with a view to decide the assistance required, if any, in each case.

(4) The Superintendent shall give the Honorary Secretary of the local society at least a month's notice of the impending release of prisoners selected for help and patronage and afford every facility to the Secretary or the Agent to interview prisoners for this purpose.

(5) A careful record should be maintained of all prisoners assisted by the Society and an analysis of the cases assisted incorporated in the Superintendent's Annual Report.

Return of warrant to court

984. On the release of a convict the warrant under which he was confined shall, within 36 hours be returned to the court from which it issued with the certificate referred to in rule 977, stating the manner in which the sentence has been executed, or the reasons such as remission, pardon, reversal of the sentence (with the number and date of any orders of Government or any court authorising the same), why the convict has been discharged from custody before his sentence had fully expired. The date of the return of the warrant shall be recorded in the Convict Register. The endorsement shall be in the following form:—

"I hereby certify that the sentence passed on the prisoner named in this warrant has been executed according to law and that he has this day been released from custody on — —

— — he having earned — — — days' remission.

Jail/Prison

Date 19

Jailor.

Superintendent."

NOTE:—(1) Warrants of commitment of prisoners sentenced by (1)General Courts-martial, (2) Summary General Courts-martial, or (3) District Courts-martial should be sent to the Judge Advocate General Army Headquarters, New Delhi and those of prisoners sentenced by (4) Summary Courts-martial to the Officer Commanding the unit in which the court was held after the sentence has been executed. The discharge certificates of these prisoners should be delivered to them at the time of their release.

(2) In case of release on bail, reversal or modification of the sentence, the warrant of commitment shall be returned to the original court thruogh the Appellate Court, except in case of orders issued by the High Court.

Prisoner s under going more than one sentence

985. When a convict has to undergo two or more sentences under different warrants, each warrant shall, except where an order under section 356 of the Code of Criminal Procedure, 1973, has been made against the convict, be returned to the court immediately on expiry of a sentence to which it relates. The warrant of commitment on which an order under section 356 of the Code of Criminal Procedure, 1973, is entered shall not be returned to the committing court until such time as the prisoner has undergone all the sentences under different warrants and has been served with the notice under section 356 of the Code of Criminal Procedure, 1973.

When prisoner dies

986. The warrant of a prisoner, who dies in prison shall be returned to the court within 36 hours of his death with an endorsement certifying to the date and cause of death. Whenever a prisoner dies in prison, the Superintendent, shall take action as laid down in rules 575 to 577 or as laid down in rule 578, as the case my be.

Return of warrant of commitment for trial

987. Warrants of commitment for trial, shall, as soon as the trial is over, be returned to the Committing Magistrate with an endorsement signed by the Superintendent in one of the following forms, as may be applicable viz:—

(1) Prisoner was acquitted and discharged by the Court this day, or

(2) Prisoner was convicted this day and is now in my custody under a warrant of the Court sentencing him to

or

(3) Prisoner died in Prison/Jail on the — —of— — (state cause of death).

NOTE:— When a prisoner is acquitted in Court, a formal warrant of release is not usually sent to the Superintendent.

Treatment of telegraphic orders of release

988. No action shall be taken on a telegram directing the release of a prisoner, unless it has been sent by a Secretary to Government or the Registrar of the High Court. If doubt is felt as to the genuineness of a message a telegraphic enquiry should be made.

Order of release from High Court

989. When an order of release is received direct from the High Court under rule 249 of the Criminal Rules of Practice by the Superintendent or Officer in charge of the prison, the prisoner or prisoners concerned shall be released immediately without waiting for the receipt of the formal warrant of release from the lower court. The same procedure shall be followed in cases where sentences are reduced or modified by the High Court and where, as a result of such reduction or modification, a prisoner is due for immediate release.

990. (1) Not later than the 20th of each month the Superintendent shall send to the Superintendent of Police of the district in which the prison is situated or to the Commissioner of Police, Hyderabad in the case of prisons the situated within the limits of the Metropolitan area of Hyderabad, a list of— Intimation to Police of impending releases

(i) Habitual Offenders:

(ii) Prisoners sentenced to one year or more for offences under Chapter VI of the Indian Penal Code, 1860;

(iii) Prisoners sentenced to six months and upwards under Chapters XII, XVII and XVIII of the Indian Penal Code, 1860;

(iv) Prisoners sentenced to imprisonment for one or the other of the offences mentioned in sections 170, 328, 363 to 373 of the Indian Penal Code, 1860;

(v) Prisoners sentenced to imprisonment for the offences under one or the other of the following laws, namely :-

(a) Indian Arms Act, 1878.

(b) Indian Explosives Act, 1884.

(c) Dangerous Drugs Act, 1930.

(d) Telegraph Wireless (Unlawful Possession), Act, 1950.

(e) Explosiges Substances Act, 1908.

(f) Central Excise and Salt Act, 1944.

(g) Opium Act, 1857.

(h) Opium Act, 1878.

(i) Railways Stores (Unlawful Possession) Act, 1955, and

(vi) Those imprisoned under the bad livelihood section (i.e., persons committed to prison under section 122 of the Code of Criminal Procedure, 1973, for failure to furnish security ordered under section 117 of the said Code) who will be released during the following month, giving the particulars of the police station, crime number and section of law under which each prisoner in the list was convicted. A similar list shall also be sent to the Superintendent of Police of the districts in which the prisoners' homes are situated and to the Superintendent of Police of the districts in which they were convicted. In the case of prisoners who are convicted by a

criminal court within the limits of the Metropolitan area of Hyderabad and that or who are ordinary residents within the said limits, the said list shall be sent to the Commissioner of Police, Hyderabad.

(2) Where a prisoner has been registered for being shadowed on release by the Superintendent of Police or the Commissioner of Police, Hyderabad, the Superintendent of the Prison, shall indicate the letters "P.R.S." against his name in the list in red ink.

(3) When necessary, a supplemental list containing the names and other particulars of prisoners who were admitted after the 20th of each month and who will be released during the following month shall be sent to the Superintendent of Police concerned and/or the Commissioner of Police, Hyderabad, as the case may be.

Release of blind or decrepit prisoners.

991. (1) In all cases of complete and incurable blindness not caused by any act of the prisoner in order to procure release, or of decrepitude or other incurable infirmities, such as advanced pulmonary tuberculosis which incapacitate a prisoner from all commission of further crime of the nature of that for which he is confined, a report recommending the release of such prisoner may be submitted by the Superintendent to the Inspector General. This report shall state the amount of remission earned by the prisoner the date on which he would be released in the ordinary course, details of his conduct in prison, and of periods spent in hospital or on the convalescent gang, together with information as to the prisoner's home and relatives likely to receive him, and with such other remarks as may appear necessary. It shall be accompanied by a nominal roll, and by a report by the Medical Officer on the state of the prisoner's health.

(2) If the case appears to be a suitable one for submission to Government, the Inspector General shall forward the report and its enclosures to the Magistrate of the district in which the prisoner's home is situated or in which the prisoner's relatives reside and in case they reside within the Metropolitan area of Greater Hyderabad to the Chief Metropolitan Magistrate and shall inquire whether he sees any objection to the conditional release of the prisoner. At the discretion of the Inspector General the case may then be submitted for the orders of Government.

Release of sick Prisoners

992. (1) If the Medical Officer considers (i) that any prisoner is dangerously ill and that his illness has not been purposely caused or aggravated by the prisoner himself; (ii) that his illness, whether caused by imprisonment or not, will be so aggravated by further imprisonment as to render his early death likely; and (iii)

that the prisoner will have a reasonable chance or recovery if released, he shall record a certificate in the following form:—

"I,— — — , hereby certify that convict No — — — — Name — — — — is, in my opinion, dangerously ill, suffering from (name of disease). His illness has not been caused or aggravated by any acts committed by him in order to procure release, and I sincerely declare that in my opinion he is likely to die if he remains in confinement, but that he will have a reasonable chance or recovery if he is released.

Place: Signature.

Date: Designation:"

In order to be accepted by Government the certificate must be strictly in accordance with the terms of this rule. To it the Medical Officer shall append a full statement of the medical case and of the reasons which led him to the belief expressed in the certificate.

(2) The Superintendent shall at once consult the District Magistrate of the district to which the prisoner belongs or the Chief Metropolitan Magistrate, in the Metropolitan area of Hyderabad, about the desirability of releasing the prisoner and then forward the papers to the Inspector General for submission in Government together with a nominal roll of the prisoner showing the amount of remission earned and any remarks relevant to the case, the Superintendent may desire to add. A certificate to the effect that the Superintendent has satisfied himself that the convict will, if released, be suitable cared for, shall accompany the other documents.

Release of prisoner in danger of death

993. (1) If the Medical Officer considers that any prisoner is in danger of death from sickness not due to infectious desease, and that there is no hope of recovery within or without the prison, he shall record a certificate in the following form:—

"I, — — — — hereby certify that convict No — — — Name — — — — is, in my opinion, in danger of death from sickness — — — — not due to infectious disease. There appears to be no chance of his recovery within or without of the Prison/Jail.

Place: Signature:

Date: Designation:"

In order to be accepted by the Government the certificate must be strictly in accordance with the terms of this rules. To it the Medical Officer shall append a full statement of the

Medical case and of the reasons which led him to the belief expressed in the certificate.

(2) If the Superintendent and the Medical Officer consider it desirable to give such prisoner the comfort of dying at home, the Superintendent shall at once consult the District Magistrate of the district to which the prisoner belongs or the Chief Metropolitan Magistrate, in the Metropolitan area of Hyderabad, about the desirability of releasing the prisoner and then forward the papers to the Inspector General for submission to Government together with a nominal roll of the prisoner showing the amount of remission earned and any remarks relevant to the case the Superintendent may desire to add. A certificate to the effect that the convict will, if released, be suitably cared for, by his friends or relatives shall accompany the documents.

NOTE:— All references under this rule should be treated as specially urgent at all stages by the officers concerned.

(3) Great care should be exercised in recommending release of prisoners under this rule and the report to the Government should contain full particulars showing that on humanitarian grounds the balance of advantage lies in allowing the prisoner to die at home. In such cases the nature of medical relief which the prisoner is likely to be able to command at his home is an important consideration which should not be overlooked.

(4) All releases under this rule shall be counted as dead in the statistical records of the prison.

Release of security prisoners on medical grounds

994. If a prisoner detained solely under a sentence of imprisonment in default of furnishing security to keep the peace or for good behaviour is so seriously ill as to be likely to die, whatever the term of his unexpired sentence, the Superintendent shall refer the case immediately to the District Magistrate of the district in which the prisoner was ordered to give security or to the Chief Metropolitan Magistrate, in the Metropolitan area of Hyderabad, who should exercise the discretion allowed to him by section 123 of the Code of Criminal Procedure, 1973, under which he can release the prisoner without referring to Government.

Conditions of release on grounds of health.

995. In the absence of instructions to the contrary, every release from prison on medical grounds under rule 991 and 992 shall be subject to the condition that the prisoner agrees and subscribes to the conditions set-out in Form No. 65. This form shall be printed in English and in the language of the district to which the prisoner belongs. The prisoner shall sign copies of the form both in English and in the language of the district and the copy signed in the letter language shall be delivered to him on his release, the English copy being retained in the prison. The

prisoner shall be instructed to produce his copy of the form of release when reporting himself to the police authorities, but it should not then be taken from him. A prisoner released from a prison situated in a district other than that in which he wishes to resides, will be handed over to the police of the district in which the prison is, for escort to the district where he proposes to reside. Where the prisoner, undergoing special treatment in a civil hospital is released directly from such hospital without returning to prison custody, the conditions contained in Form 65 shall be subscribed to by the prisoner before such officer or Magistrate as the Government shall direct in their order of release. The officer before whom from to 65 is signed shall forward the English copy Superintendent of prison from which the prisoner was temporarily released.

CHAPTER LVI

STATISTICAL AND OTHER RETURNS

MONTHLY STATISTICAL RETURNS

Monthly returns.

996. The following monthly returns shall be forwarded so as to reach the Inspector General not later than the 10th of the succeeding month. For the prescribed forms of these returns and instructions for preparing them, vide Appendix-III :—

Form No. 106:— General summary showing the distribution of prisoners of all classes.

Form No. 107:— Judicial (for convicts only) showing the number remaining, admitted, and disposed of (with one Appendix).

Form No. 108:— Judicial (for convicts only) showing the religion, age, previous occupation and state of education of convicts admitted (with one Appendix).

NOTE:— (1) In order to secure uniformity in the classification of the previous occupation of convicts the Government have drawn up a list of occupations duly classified vide Apdendix- II, part -X.

(2) If any prisoner transferred for the benifit of his health dies within three months after his arrival, of the disease on account of which he was transferred his death shall be borne on the returns of the transfering prison. But if during this period he dies of a different disease or dies subsequently of the disease on account which he was transferred, his death shall be included in the returns of the prison wherein he dies. In the former case, his admission shall not be included in the statistics of the dispatching prison.

Form No. 109:— Judicial (for convicts only) showing the convicts admitted, clasified according to number of convictions (with an Appendix).

Form No. 110:— Judicial (for convicts only) showing the offences committed by convicts and the punishments inflicted.

Form No. 111:— Financial (for convicts only) showing the employment of convicts.

Form No. 112:— Statement showing the number and disposal of undertrial, state and civil prisoners.

Form No. 113:— Statement showing the detention of under-trial prisoners.

Form No. 114:— Statement showing the condtion of the convicts released.

997. (1) The daily average of all classes of prisoners during a month is obtained by adding the total lock-up figures of each day and dividing by the number of days in the month. The aggregate obtained by this method will occasionally differ slightly from the total of the average of the several classes separated but should nevertheless be adopted. Calculation of daily average.

(2) The daily average of all classes, any class, during a year, is obtaind by adding together the daily figures for the year and dividing by 365 or in leap year by 366.

NOTE:— For other monthly returns see rules 918, 919 and 961

HALF YEARLY RETURNS

998 The undermentioned return in the Form No. 115 shown in Appendix - III shall be submitted to the Inspector General so as to reach him not later than the 10th January and 10th of July, each year. Half yearly returns.

Report of lunatic prisoners confined under sections 330 and 335 of the Code of Criminal procedure, 1973.

NOTE:— For other half—yearly returns see rules 994 and 996-

ANNUAL RETURNS

999 The following returns in the forms shown in Appendix -III shall be submitted so as to reach the Inspector General not later than the 20th January in each year. Annua returns

Form No. 116:— Annual statement - Judicial (for convicts only) showing convicts admitted accotding to the nature and length of sentence.

Form No. 117:— Annual statement showing the escapes and re- capture of convicts.

Form No. 117(A):— Annual statement showing the offences committed by the convicts and the punishments inflicted on them 1-1-19- - - to- - 31-12-19- -.

Form No. 118:— Annual statement (Finahcial) showing the expenditure in guarding and maintaining prisoners.

Form No. 119:— Annual statement (Financial) showing the result of the employment of convicts for the year 19..

Form No. 120:— Annual statement (Financial) showing comparative statement of manufactures.

Form No. 121:— Annual statement (Financial) showing the expenditure on prison buildings.

Form No. 122:— Annual statement (Vital) showing admission and deaths from chief diseases among the convicts.

Form No. 123:— Annual statement (Vital) showing sickness and mortality among the prisoners.

Form No. 124:— Annual statement showing the working of the remission system.

Form No. 125:— Annual statement showing the imposition of irons of fetters on convicts.

Form No. 126:— Annual statement showing the number of visits of official and non-official visitors.

Form No. 127:— Annnal statement snowing the average cost per head for calendar year.

Instructions for compiling annual statements

1000. The following instrictuons are to be observed in the compilation of the statements enumerated in the last rule:--

(1) Annual Statement Form No. 116:-- Criminal lunatics detaind under section 335 of the Code of Criminal Procedure, 1973, who though classified as convicts in the Monthly Returns, are not under definite sentences, and convicts re-captured or recommitted to prison during the current year whose escape or release on bail occurred within the same year, should be excluded from statement Form No. 116.

A note should be added to this statement stating how many lunatics confined under section 335 of the said Code, have been excluded from it, and furnishing particulars of their sex, religion, age, previous occupation and state of education.

(2) Annual Statement Form No. 117:— This Statement should be prepared in December and forwarded to the District Superintendent of Police for verification prior to despatch.

(3) Annual Statement Form No. 118:— Houserent in lieu of quarters should be shown under "Salaries" (2) The cost of temporary guards employed on account of cholera should be included under Salaries and not under "Establishment". (3) The value of articles supplied to the prison during the year should be entered in red ink under the sub-heads and detailed heads to which

the supplies relate. (4) At the foot of the statement, a note should be added showing--

(i) The quantity (in kg.) and value of vegetables supplied to prisoners from the prison garden during the year.

(ii) The value of vegetables sold to the public and remitted in to the Treasury during the year.

(iii) The amount realised during the year by the sale of old and unserviceable articles, not belonging to the Manufactory Department, and remitted in to the Treasury under "056. Jails-Other charges" as well as particulars of the sub-heads and detailed heads under which the several sums should be adjusted.

(iv) The value of provisions and fuel remaining in stock on the date on which the accounts were closed for the year.

With statement Form No. 118 shall be submitted a statement of valuation of the stock of each article of rations on hand as ascertained by catual weighment, with the quantity, and rate noted. The recorded entries in the Stock-Book of the quantities to be accounted for, shall also be noted. To this statement a certificate in the following form shall be appended:--

"I hereby certify that the quantities of articles of rations as set down in the foregoing valuation statement have been arrived at by me by actual waighment of stocks on hand on the dates noted and that their values have been estimated in accordance with the rates last paid for them and in the case of articles raised on prison and in accordance with current market rates. I also declare that the entries in the stock-book as given above have been verified by me."

(4) Annual Statement Form No.119:— The value of civil stores unconnected with the Manufacturing Department should not be included in the columns relating to "Tools and Plant" in this statement. Care should be taken that no item is entered as outstandings due to the prison which has already been taken credit for, on the receipt side of the monthly detailed statement of manufactures.

To statement in Form No. 119 :—a certificate in the following form shall be appended:—

"I hereby certify that the raw materials, manufactured goods, tools and plant accounted for in columns 4 and 5 have been assessed as follows:— the raw materials at the prices actually paid less deduction for detericre'ion, the manufactured goods at the cost of production exclusive of profits less reduction for any casual damage and the tools and plant at thier present value after deductions for wear and tear and I declare that the rates adopted

for purposes of valuation are in accordance with the facts. Particulars of the deductions made reducing the certified values in the case of raw materials and manufactured goods with the authoritify any, for such deductions are entered on the reverse."

(5) Annual Statement Form No.121:— A note shall be made on this statement ofthe value of any work done by the prison department for the Public Works Department in the execution of public works connected with the prison, and any certificates obtained from the Executive Engineer as to such value shall be attached to the statement.

(6) Annual Statement Form No. 123:— Column (3) is intended to show the highest lock up figures reached during the year for each class of prisoners (convict, under-trial and civil) separately, and not the number of each class confined on the day in which the total lock up of the prison was highest. Special attention should be paid to the correct working of the ratios is this statement. Vide foot note (ii) appended to the said statement.

(7) Annual Statement Form No.127:— In thisstatement the number of prisoners belonging to other States and imprisoned in the Andhra Pradesh Prisons and the charges incurred on thm for guarding and maintenance shall be furnished annually for each calendar year, so as to reach the Inspector General not later than the 15th January each year. Separate statements shall be prepared in respect of each State. The procedure for the submission of the statement of claims to the Government is laid down in L.R.I. clause (viii) and L.R. (2) (a) of Appendix 3, Andhra Pradesh Account Code, Volume.I."

OTHER ANNUAL RETURNS

Statement of land acquired

1001. Every non-medical Superintendent shall submit to the Inspector General, not later than the 14th January, each year, a statement showing all the immovable property of which he stood possessed or in which he had an interest at close of the proceding calender year. He shall also see that every member of the subordinate eatablishment in his prison furnishes to him annually on the said date, a similar statement in respect of his or her immovable property.

NOTE:— For futher instructions, please See the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Certificate of verification of civil stores

1002. A certificate in the following form relating to the Superintendent's cheek of civil stores, office furniture, including live-stock, in the prison as referred to in rule 882 shall be furnished so as to reach the Inspector General by the 10th April annually. This certificate should embrace all civil stores without exception.

CERTIFICATE

"I hereby certify that I have carefully examined the stock in hand of civil stores together with the several registers and books relating thereto and that I have found them to be correct except in the particulars specified."

Application for sanction to sell by public auction or to write off unserviceable civil stores and office furniture should be submitted in duplicate giving information as to (i) Name of article, (ii) cost of purchase, (iii) Date of purchase, (iv) Present Book value, (v) Whether the article is repairable, and (vi) How the article is proposed to be disposed off. On receipt of the orders of the Inspector General, articles returned as unserviceable shall be disposed off by public auction or otherwise utilized or written off.

Annual indents for arms and ammunition

1003. The annual indents for arms and ammunition shall be submitted to the Inspector General in the prescribed forms as detailed below, not later than 1st April every year.

(i) Indent for arms. .. Form No. 128.

(ii) Indent for service ammunition. .. Form No. 129.

(iii) Indent for practice/ training ammunition. .. Form No. 130.

Scales for supply of arms and ammunition to prison staff

1004. The following are the scales laid down by the Government of India, for the supply of arms and ammunition for the staff working in prisons per annum:—

(A) Arms (for service, practice and training:—)

(i) Pistols/Revolvers. .455/.38 .. One per officer of the rank of sub jailor.

(ii) Muskets. .410 .. One per warder.

(B) Ammunition for service:—

(i) Muskets .410:— at 50 rounds per weapon plus 10 blank rounds as detailed below:—
Rounds Ball - 40.
Rounds Blank - 10.
Rounds Buck-shot - 10.

(ii) Pistols/Revolvers .455/.38:- at 30 rounds per weapon.

(C) Ammunition for practice and training:—

(i) Muskets .410:- at 75 rounds per head annum plus 10 blank rounds.

(ii) Pistols/Revolvers .455/.38:- at 30 rounds per head per annum.

Forecast of works

1005. Not later than the 1st June each year, a forecast of the works which it is proposed to have carried out by the Public Works Department under (1) New Works and (2) Repairs during the ensuing official year, shall be submitted to the Inspector General. Works and repairs not included in the forecast shall not subsequently be sanctioned within the official year, unless they are clearly of an urgent nature. The forecast must, therefore, be made after careful examination of the prison building. On the other hand, no work or repair shall be included in it unless absolutely necessary, and ordinarily no new work should be entered unless it has received the previous approval of the Inspector General.

Stationery indents

1006. Stationery is supplied by the Director of Stationery, Andhra Pradesh, Hyderabad, on indents sent by the Superintendents as per provisions in the Stationery Manual. The indents should be sent to the Director of Stationery not later than the 1st October each year.

NOTE:— For other annual returns see rules 49, 65, 163, 177, 922, 952 and 1014.

CHAPTER LVII

MAINTENANCE OF MEDICAL REGISTERS AND FORMS

1007. Only the cases of sick prisoners shall be entered in any of the prescribed Medical Registers. If any prison official receives treatment, a separate record may be kept of his case, or a supplementary register may be opened. **Prisoners only to be entered**

1008. In the Register of in-patient (Form No.88) referred to in Rules 584 and 590 et seq., shall be recorded the prescribed details in respect of every prisoner under medical observation or treatment for more than 48 hours who is not placed on the out-patient or the Invalid Gang Register. The In-patient Register shall be maintained under the control and responsibility of the Medical Officer, who shall himself enter the details of the patient's disease in accordance with the revised nomenclature of diseases employed in the Monthly Return of sick prisoners. **In-patient Register**

1009. In the Out-patients' Register (Form No.89) shall be entered the prescribed details of all prisoners under treatment for such trifling ailments as do not render admission to hospital necessary. **Out-patients' Register**

1010. In column 5 of the Invalid Gang Register (Form No.90) shall be entered a reference to the page of the Hospital Register, if the prisoner has been recently discharged from hospital. **Invalid gang Register**

1011. The Hospital Roll of Sick, Diets and Extras (Form No. 92) shall be initialled daily by the Medical Officer and from it shall be prepared the Daily Hospital Indent (Form No.98) for diets and extras. (See Rule 594). **Hospital Diet Register**

1012. In the prescription Book (Form No.93) shall be entered every prescription issued for prisoners under observation. The prescriptions for out-patients and prisoners on the convalescent gang may be entered in separate books in the same form. Both the register number and name of every prisoner shall be entered. **Prescription Book**

1013. An Historical Rigister, containing such information concerning the prison from a medical point of view as may be useful to succeeding Medical Officers, shall be maintained. **Historical Register**

1014. The annual returns of the sick prisoners in the prescribed forms shall be submitted to the Inspector General so as to reach him not later than the 20th of January following the year to which they relate. They shall be compiled by or under the **Submission of sick returns**

supervision of the Medical Officer to whom the Superintendent shall supply such figures as are necessary to enable him to complete the returns. The Annual Sick Returns shall be accompanied by the prescribed Sanitary Sheet.

NOTE:— For the maintenance of the following books and registers see the forms and rules mentioned against them:—

(a)	Vaccination Register . .	Form No. 91;	Rule 618.
(b)	Hospital Case Book . .	Form No. 94;	Rule 591.
(c)	Medical Officer's Journal . .	Form No. 2;	Rule 64.
(d)	Assistant Surgeon's Report Book.	Form No. 3;	Rule 73.
(e)	Laboratory Register. . .	Form No. 95:	Rule 591.
(f)	Bed Head Ticket . .	Form No. 96;	Rules 590 and 604.
(g)	Temperature chart . .	Form No. 97.	
(h)	Daily return of epidemic sickness.	Form No. 99.	Rule 648.

CHAPTER LVIII

PRESERVATION AND DESTRUCTION OF RECORDS

Classification of records

1015. All Prison Registers, Returns, letters and Records of every description shall, for purposes of preservation or destruction, be classified in to the following seven heads, namely:—

A. Those to be preserved permanently.

B. Those to be kept for 35 years.

C. Those to be kept for 12 years.

D. Those to be kept for 6 years.

E. Those to be kept for 5 years.

F. Those to be kept for 3 years.

G. Those to be kept for 2 years.

NOTE:— (1) As regards the period from which retention shall run in the case of registers and other books, see Article 326, Andhra Pradesh Financial Code, Volume-I.

(2) For preservation of service books in the case of Gratuity and of Government servants dismissed, discharged or resigned, see Article 326 ibid.

Arrangement of records

1016. Each of the seven classes of records shall be so arranged as to make it easy to select those records which have to be destroyed at the proper date, and, if possible, each class of records shall be kept separate from the other. Government orders, the Andhra Pradesh Gazette and Circulars of the Inspector General shall be bound annually. The records shall be tied up in cloth or wooden planks and kept in bundles of not more than 100 files each.

Register of Records

1017. (1) The Record Keeper shall maintain three registers for records, one for classes A and B, one for Classes C, D and E and the other for classes F and G.

(2) On receipt of a file in the record section, the Record Keeper shall sign against the relevent entry relating to the file in the register of the concerned section. He shall then make necessary entries serially in the relevant register for records and mark the serial number on the file.

(3) A placard shall be prominently displayed in the middle of each vertical line of shelves showing the year in which the files were recorded. A smaller placard shall be placed on each shelf showing the year of record, the nature of disposal, year of weeding and the first and last serial number, according to the register for records, of the files in bundles (e. g. 1952-D-1953) Nos. 101 to 200.

(4) In calculatig the period of retention, the ensuing calendar year shall be taken as the first year.

Disposal of correspondence

1018. The Superintendent shall exercise his discretion as to the classification of letters and correspondence, except in regard to documents bearing on the following subjects, which shall be permanently preserved, viz., standing orders relating to important public works and manufactures, the acquistion and renting of land pensions and any permanent charge upon Government, and escapes when the prisoner is not recaptured. The bundles to be permanently preserved should be marked with a coloured slip of paper and placed in the receptacle for permanent records. For further instructions, see Article 326, Andhra Pradesh Financial Code, Volume I.

Permanent Records

1019. The following are the records in Class A, which shall be permanently preserved :—

FINANCIAL

General Cash Book.

Records connected with expenditure which is within the statute of limitation.

Records connected with expenditure on projects, schemes or works not completed, although beyond the period of limitation.

Records connected with claims to service and personal matters affecting Government servants who are in service.

Orders and sanctions of a permanent character, until revised.

Pension cases (including the service books and leave accounts attached thereto).

Diary of convicts released and the amounts paid to them.

Office copies of pay bills.

MANUFACTORY DEPARTMENT

Day Book of Credit Sales.

Day Book of Realizations.

Store Keeper's Cash book.

Stock Book of Manufactory Plant.

MEDICAL

Case Book.

Historical Register.

Register of Currents received and issued.

Laboratory Register.

GENERAL

The printed Annual Administration Report of the Prison Department and Government Order thereon.

Circulars of the Inspector General.

Proceedings of Government.

The Andhra Pradesh Gazette.

Superintendent's Order Book.

Convict Register.

Register of Currents received-prison and Manufactory.

Issue Register-prison and Manufactory.

Stock-Book of Civil Stores.

Prisoners' Escape Register.

File Register of Record Room.

1020. The following are the records in Class B which shall be preserved for 35 years and then destroyed:— Records to be kept for thirty five years

FINANCIAL

Annual Establishment Returns.

Books of Establishment.

Pay bills and acquittance rolls where these are maintained separately of Government servants for whom no establishment returns are submitted or no service books are maintained.

Records to be kept for twelve years

1021. The following are the records in Class C, which shall be preserved for twelve years and then destroyed.

Administration Reports and Returns of prisons Medical Officers' Administration Reports and Returns.

Visitors' Book.

Superintendent's Journal.

Medical Officer's Journal.

Jailor's Report Book.

Report Book of the Assistant Matron.

Register of Under-trial Prisoners.

Register of civil Prisoners.

Register of prisoners to be released.

Home Leave Register.

Furlough Register.

Miscellaneous Articles Stock Book.

Library Books Register.

Games Articles Register.

Punishment Roll.

Probation and Confirmation Register (cadre-wise).

Registter of Advances to staff (Advance-wise).

Prisoners' Punishment Book.

Defaulter Book.

Fine Statement Book.

Prisoners' property Register.

Register of valuable property of prisoners.

RATIONS

Stock Book of Rations.

Diet Roll.

Garden Register.

Receipt Book for articles received.

Weighment Register.

Delivery Book.

Bill Book of payment for the purchase of Rations.

MANUFACTORY DEPARTMENT

Stock Book of Raw Materials.
Stock Book of Manufactured Articles.
Individual Ledger of Credit Sales.
Transit Register.
Data Book.
Weighment Register.

MEDICAL

Hospital Register of In-patients.
Hospital Register of Out-patients.
Invalid Gang Register.
Vaccination Register.
Hospital Roll.
Prescription Book.
Assistant Surgeon's Report Book.
Bed Head Ticket.
Register of Surgical Instruments and Medicines book.
Register of Hospital Clothing.
Expense Book of Drugs.
Accident Register.

1022. The following are the records in Class D, which shall be preserved for six years and then destroyed:— Record to be kept for six years

FINANCIAL.

Pay bills of Government Servants other than those mentioned in rull 1020 and acquittance rolls for pay and allowances (other than travelling allowances) when maintained separately.

1023. The following are the records in Class E, which shall be preserved for five years and then destroyed:— Records to be kept for five years

General Abstract of all classes of prisoners.
Lock-up Register for all classes of prisoners.
Labour Register.

Register of prisoners on whom fetters were imposed for security.

Clothing and Bedding Registers.

Stock Books and Ledger of Stationery and forms.

Register of articles of uniform received and issued to warders.

Ammunition Register.

Ball Practice Register.

Main Gate Register.

Register of Orders for Execution in the Manufactory Department.

List of unsatisfied manufactory indents.

Office copies of all monthly, quarterly, half-yearly and annual returnes and statements.

Counter-foils of Indents.

Register of Contingent Expenditure.

Detailed Budget Estimates.

Mortality Return of Prisoners.

Duty Roster of Warders.

Attendance Roll.

Register of inter and intra departmental supplies.

Call Book.

Panchayat Register.

Barrack-wise prisoners' Register.

Budget allotment Register.

Undisbursed Pay Register.

Auction Book.

Treasury Bill Book.

Treasury Intimation Book.

Earnest Money Deposit Register.

Forwarding Memo Book of articles supplied.

Records to be kept for three years

1024. The following are the records in Class F, which shall be preserved for three years and then destroyed:—

FINANCIAL

Travelling Allowance Bills.

1025. The following are the records in Class G, which shall be preserved for two years and then destroyed:— Records to be kept for two years

Certificate of Admission of prisoners into prison.

Casual Leave Register of staff.

Interview Register.

Nominal Rolls of convicts.

History Tickets of convicts unconditionally released or who died.

Indents for prison and Hospital Clothing.

Medical Officer's Certificate of fitness to undergo solitary confinement.

Vouchers for cash payments below Rs. 25.

Reports of delivery of charge of office of Superintendent.

Statement of monthly progressive expenditure and correspondence relating to discrepancy in figures.

Register of Subordinates due for retirement within one year.

Other papers not mentioned in these rules.

1026. The following papers shall be disposed of in the manner shown opposite each:— Special rules for disposal

(1)	Magistrate's statement of previous history and crime of prisoners sentenced to imprisonment.	To be filed with prisoner's warrant and retained as long as the warrant is in force.
(2)	Notice of appeal. Proceedings of courts of Appeal and orders of Government on petitions from prisoners.	To be filed with prisoner's warrant and retained as long as the warrant is in force.
(3)	Warrants for the production of prisoners under the prisoners (Attendance in Courts) Act, 1955 (Central Act XXXII of 1955.)	To be destroyed on the final disposal of the case.

(4) Remission sheets.	To be retained in the prison for a period of one year after the unconditional release, death or transfer of the prisoners to whom they relate.
(5) Records relating to the property of convicts.	To be retained for three months after the prisoner's death or disposal.

Destruction of records

1027. (1) The records due for destruction under these rules shall be destroyed by the Record Keeper at the and of each year under the supervision of the Office Superintendent, or the Jailor, as the case may be, nominated by the Superintendent for this purpose. The Record Keeper and the Office Suprintendent, or the Jailor, as the case may be, shall be held responsible for any mistake or delay in the work of destruction.

(2) Before a record is actually destroyed:—

(a) A note indicating its destruction shall be made under the signature of the Office Superintendent, or the Jailor, as the case may be, in the register of destruction of records,

(b) The date of destruction shall be entered in the remarks column of the relevant register of records and the serial number shall be rounded off in red ink and

(c) In case there are any records which do not appear in the register of records, such records shall be entered in a separate register and a note indicating their destruction shall be made accordingly.

(3) If the Office Superintendent, or the Jailor, as the case may be, is of the opinion that a record which may be destroyed under these rules should be preserved permanently or for a period longer than that provided for under these rules, he shall submit such record to the Superintendent with his opinion and act according to his opinion and instructions.

(4) The records shall be destroyed by tearing up all the papers provided that stamped papers, used stamps, papers bearing the signatures of the Chief Minister or the Minister and confidential papers shall be burnt in the presence of the Office Superintendent, or the Jailor, as the case may be.

(5) The torn up records shall be disposed of in accordance with the standing orders of Government issued from time to time in this regard.

1028. In these rules, unless there is anything repugnant in the subject or context "Government" means the "Government of Andhra Pradesh." Definition

CHAPTER LIX

ADOLESCENT DELINQUENTS

Statutory provisions

Section 27 of the Prisons Act, 1894, requires that in a prison where male prisoners under the age of twenty one are confined, means shall be provided for separating them altogether from the other prisoners and for separating those of them who have arrived at the age of puberty from those who have not.

Segregation of adolescent delinquents

1029. (1) By term adolescent delinquent meant any person who has been convicted of any offence punishable with imprisonment or who having been ordered to give security under section 117 of the Code of Criminal Procedure, 1973, has failed to do so and who at the time of such conviction or failure to give security is not less than 16 not more than 21 years of age.

(2) So long as a male adolescent delinquent is detained in any prison, measures shall be taken to enforce the requirements of section 27 (2) of the Prisons Act, 1894, both day and by night so as to prevent any communication between him and any prisoner of another class. Habitual adolescent delinquents shall be separated from casual adolescent delinquents.

(3) If there is only one such delinquent in the prison and it is considered inadvisable to keep him in solitude, the Superintendent should apply for his transfer to a prison where delinquents of the same class are confined.

(4) Every opportunity should be taken to reform adolescent delinquents and to prevent their further contamination.

Diet and discipline

1030. Every youthful convicted prisoner shall—

(a) If he has attained the age of puberty received the diet prescribed for convicts under sentence of rigorous imprisonments;

(b) If he has not attained the age of puberty receive the diet provided for convicts sentenced to simple imprisonment;

(c) Be exercised for one hour daily either by drill, marching, or gymnastic exercise; and

(d) If the length of his sentence and other circumstances admit of it, be taught some trade or handicraft.

NOTE:— Time occupied at exercise and at school shall be deemed to be occupied at labour for the purpose of section 35 (1) of the Prisons Act, 1894. See also rule 450.

Application of rules

1031. Except where they are in-consistent with the foregoing provisions, all the Andhra Pradesh Rules apply to adolescent delinquents. An adolescent delinquent refusing or neglecting to learn the lessons or to perform the tasks prescribed shall be held to have committed an offence under section 45 of the Prisons Act, 1894. Though section 46 of the said Act applied to such delinquents, reduction of diet should be avoided in their cases.

Determination of age

1032. In determining whether a prisoner is an adolescent delinquent, the age as recorded by the convicting court should be accepted. The convicting court before passing orders should have medically examined any accused who says he is or appears to the court to be, between 16 and 21 years and obtained a certificate of his age. The finding on his certificate should be recorded with the judgment. The Superintendent of prison shall report to Inspector General any case in which a prisoner is certified by the prison authorities to be under 21 years and in respect of whom no medical certificate has been taken by the court, as well as those cases in which it appears clearly that a mistake has been made in this matter by the court.

Transfer of adolescent delinquents to Borstal School

1033. The nominal roll of every casual adolescent delinquent sentenced to imprisonment for one year and more and who is not a lifer, shall be submitted to the Inspector General for issuing orders for his transfer to a Borstal School as per provisions of the Borstal Schools Act, 1925, and the rules made thereunder.

Action when adolescent delinquents are committed to prisons

1034. If an adolescent delinquent with a sentence of less than one year is committed to the prison, and if he is not a habitual offender nor involved in a politically motivated offence, his case shall be referred to the Probation Officer concerned along with the nominal roll and judgment copy, well within the period of appeal, for moving the appellate court as per section 11(3) of the Probation of Offenders Act, 1958.

Notice of release

1035. Timely notice of the date of release of every adolescent delinquent shall be sent to his parents, relatives or friends, to enable them to attend at the prison to receive him.

CHAPTER LX

CLASSES OF CONVICTED PRISONERS AND THEIR TREATMENT

1036. (1) As mentioned in rule 216 supra, convicted prisoners are divided into three divisions namely classes A, B and C.

(2) Prisoners shall be treated as "A" Class if—

(i) They are non-habitual prisoners of good character;

(ii) They by social status, education and habit of life have been accustomed to a superior mode of living; and

(iii) They have not been convicted of—

(a) Offences involving elements of cruelty, moral degradation or personal greed;

(b) Serious or premeditated violence;

(c) Serious offences against women and children;

(d) Serious offences against property;

(e) Offences relating to the possession of explosives, fire-arms and other dangerous weapons with the object of committing an offence or of enabling an offence to be committed;

(f) Abetment or incitement of offences falling within these sub-rules.

(3) Prisoners shall be treated as "B" Class if—

(i) They, by social status, education and habit of life have been accustomed to a superior mode of living; and

(ii) They have not been convicted of;

(a) Offences involving elements of cruelty, moral degradation or personal greed;

(b) Serious or premeditated violence;

(c) Serious offences against women and children;

(d) Serious offences against property;

(e) Offences relating to the possession of explosives, fire arms and other dangerous weapons with the object of committing an offence or of enabling an offence to be committed;

(f) Abetment or incitement of offences falling within these sub-rules.

NOTE:— Habitual prisoners may be included under this class or grounds of character and antecedents.

(4) (i) If no orders about classification are passed by the sentencing court, it should be assumed that a prisoner belongs to "C" Class. A reference should be made in doubtful cases but it should not be presumed in the absence of specific orders that the prisoner belongs to a class higher than "C".

(ii) Notwithstanding anything contained in sub-rule (1), any person convicted of an offence involving gross indecency or exhibiting gross depravity of character may not be placed in class 'A' or 'B'.

Classifying authority

1037. (1) The High Court, Sessions Judges, and District Magistrates, Sub-Divisional Magistrates and Magistrates of the First Class (the two latter through the District Magistrate in cases tried by them originally and in other cases the District Magistrate) should make the initial recommendation for clasisfying the prisoners as class 'A' or 'B' to the Government by whom the recommendations shall be confirmed or reviewed. Prisoners recommended by courts for classification in class 'A' or 'B' shall be tentatively treated as belonging to the class recommended till the orders of Government confirming or reviewing the recommendations are received.

(2) Immediately on admission into prison of 'A' or 'B' class prisoners, the Superintendent should forward to the Inspector General, a nominal roll of the prisoner. The Inspector General will forward the nominal roll to the Government for their information and orders of confirmation of the classification.

(3) On the admission into the prison of any exmilitary prisoner convicted by a court-martial or a navel court, the Superintendent of the prison shall bring the case to the notice of the District Magistrate. The District Magistrate, after making such enquiries as may be necessary, including, if necessary, a reference to the local Brigade Area Commander, shall make the initial recommendation for classifying the prisoner as class 'A' or 'B' to the Government by whom the recommendation shall be confirmed or reviewed.

Treatment of 'A' Class prisoners

1038. (1) Separation from other prisoners:— Prisoners of 'A' class shall be kept separate from that of classes 'B' and 'C'. Except when this is imposed as a prison punishment, the imprisonment should in no case involve anything of the nature of separate confinement. Accommodation in cells should be provided where available. Sick prisoners in hospital, or prisoners requiring assistance or supervision at night may, at any time, on the recommendation of the Medical Officer, be placed in association wards.

(2) Diet:— They shall be given the diet prescribed for this class under dietary chapter but shall be allowed to buy fruits and supplement their food with articles which have food value such as biscuits, cocoa and ovaltine, at their own cost, subject to medical advice. The food so imported should be of a simple character and the concession should not be made an excuse for the importation of luxuries. Cooked food shall, in no case, be allowed to be imported from outside the prison.

(3) Clothing:— They shall be allowed to wear their own clothing at their own cost during nonworking hours, but this concession should not cover the wearing of Political symbols. Clothing supplied at Government expense shall be the prison clothing prescribed in rules.

(4) Bedding:— They shall be allowed to use their own bedding. Bedding supplied at Government expense shall be that prescribed in rules.

(5) Facilities for reading books and newspapers:— Literate prisoners may be allowed to read books or periodicals in the prison library. Suitable books and magazines may be permitted at the cost of the prisoners, subject to the approval of the Superintendent of the prison. Any daily newspaper or newspapers may be allowed to be purchased at their own cost. Newspapers and magazines shall be censored by the Superintendent, before they are delivered to prisoners. The maximum number of books (whether private or from the prison library) allowed to a prisoner shall not exceed twelve at a time. Prisoners who possess or receive private books in excess of this number shall either return them to their relatives or friends or deposit them in the prison library.

(6) (i) Letters and interviews:— Prisoners shall be allowed to write and receive one letter a week but on urgent occasions, e.g., a death or serious illness in the family, the rule may be relaxed at the discretion of the Superintendent. The contents of all letters shall be limited to private matters and there shall be no reference to prison administration and discipline to other prisoners or to politics.

(ii) Interviews shall be permitted once in a fortnight. The conversation shall be limited to private and domestic matters and there shall be no reference to prison administration and discipline, to other prisoners or to politics. The number of persons who may interview a prisoner at one time should ordinarily be limited to three. Publication of matters discussed at interviews or of the substance of letters received from prisoners may be treated as a sufficient ground for the withdrawal of the privilege, if the Superintendent has reason to believe that such publication has in any way been due to any act or omission on the part of the prisoner.

NOTE:— A letter with reply may be substituted for an interview with the permission of the Superintendent or vice versa.

(7) Prison tasks:— The tasks allotted in the case of those sentenced to rigorous imprisonment shall be assigned after due consideration on medical grounds and with careful regard to the capacity, character, previous mode of life and antecedents of the prisoner.

(8) Furniture:— Articles of furniture of the following description shall be supplied to prisonors free of cost:—

One cot.

One table.

One chair.

One commode with pan.

One chamber pot.

One Book shelf.

One Jug for water.

One basin for washing hands.

One lamp for reading (where no electric light is available).

NOTE:— Prisoners shall be allowed to supplement their furnithre at their own expense, subject to the Superintendent of teh prison being satisfied that there is room for it in the quarters provided.

(9) Private cooking and eating veseels:— If so desired, private feeding utensils may be permitted. The use of private cooking utensils may also be permitted at the discretion of the Superintendent of the prison.

(10) Toilet:— Prisoners shall be allowed the use of soap, hair oil, unction oil, tooth paste or powder and tooth brush at their own cost. Prisoners who by their good conduct, are found

deserving, should be allowed to receive the above articles from their friends and their relatives, subject to the conditions that the quantity received is limited upto their requirements for a fort-night and that a thorough examination of the articles to be passed to the prisoners is made by a senior executive officer of the prison.

(11) Handcuffing and fetters:— A prisoner shall not be fettered or handcuffed except when there would be danger of the prisoner's escape or of an attack being made on the prison staff or on other prisoners.

(12) Razors:— They shall, subject to the discretion of the Superintendent, be permitted to use their own razors provided that the razors shall be kept with the prison authorities when not in use.

(13) In other respects, prisoners of this class should be treated in the same way as ordinary prisoners subject to other provisions of these rules.

Treatment of 'B' Class prisoners

1038. A. (1) Accommodation:— Separate cellular accommodation, shall be provided for 'B' class prisoners apart from 'A' class and 'C' class prisoners. Sick prisoners in hospital or prisoners requiring assistance or supervision at night may at any time, on the recommendation of the Medical Officer, be placed in association wards. 'B' class prisoners appointed as Convict Officers shall be allowed to sleep with 'C' class prisoners if they are prepared to do so.

If cellular accommodation is not available one basin to wash hands and a charpoy shall be issued to each prisoner.

A large table and chairs according to the number of prisoner and space available should also be provided in the barracks.

(2) Diet:— The provisions under "Dietary" chapter shall apply to this class of prisoners.

(3) Clothing and Bedding:— The provisions under "Clothing and Bedding" Chapter shall apply to this class of prisoners.

(4) Letters and interviews:— The provisions of sub-rule (6) of rule 1038 shall apply to this class of prisoners.

(5) Facilities for reading books and newspapers:— The provisions of sub-rule (5) of rule 1038 shall apply to this class of prisoners subject to the restriction that the maximum number of books (whether private or from the prison library) allowed to a prisoner shall not exceed six at a time.

(6) The provisions of sub-rules (7), (8), (10), (11), (12) and (13) of rule 1038 are also applicable to this class of prisoners.

1038. B. (1) 'A' and 'B' class prisoners shall keep their utensils etc. clean:— 'A' and 'B' class prisoners shall keep their cells, utensils, clothing and bedding clean and neatly arranged. They shall also be required to take their food in their own cells. The sweeping or washing down of their cells should be done by the prison sanitary or sweeping gangs.

(2) Use of looking glass to be allowed:— All 'A' and 'B' class prisoners shall be allowed the use of a looking glass one in each cell and one or two in each ward.

(3) Use of mosquito nets to be allowed:— 'A' and 'B' class prisoners shall be allowed the use of mosquito nets purchased at their own cost.

(4) Use of bangles by female prisoners to be allowed:— 'A' and 'B' class female prisoners may be permitted to wear glass bangles to be provided at their own cost. The married Hindu female prisoners will be allowed to retain Mangal Sutram.

(5) Hours of Lock-up:— 'A' Class prisoners should be locked up one hour after the ordinary lock-up time of the prison.

'B' class prisoners should be locked up at the same time as 'C' class prisoners.

(6) Open Air Exercise to be allowed to 'A' and 'B' class prisoners:— Every 'A' or 'B' class prisoner who is required to work in his cell shall be allowed such exercise daily in the open air as the Medical Officer considers necessary.

(7) Copy of rules to be hung up in cells:— A copy of the purport of the rules relating to 'A' and 'B' class prisoners in English and regional languages shall be placed in each cell. An abstract of the rules shall also be hung up in some conspicuous place in the apartment.

(8) Supply of soap in the cooking house:— Each cook in the cook house shall be supplied with 25 grams soap per week.

(9) 'C' Class prisoners may be allowed to purchase News Papers:— 'C' class convicts may be allowed to purchase any daily newspaper or newspapers at their own cost. They may be censored by the Superintendent, before they are delivered to the convicts.

(10) Issue of Spectacles:— (i) One pair of spectacles should be supplied free of cost to prisoners of classes A, B and C in the prisons of the State who are certified by the Medical Officer of the prison, to be in real need of them, for the proper preservation of their health.

(ii) In respect of prisoners in classes 'A' & 'B', the free supply should be restricted to only those who have no means to purchase the same at their own cost. The cost of each pair of spectacles supplied to the prisenors should not exceed Rs.30/- (thirty).

CHAPTER LXI

TRANSFER OF PRISONERS

Statutory provisions

Under section 29 of the Prisoners Act, 1900, the power of removing a convicted prisoner or a person confined in prison in default of giving security for keeping the peace or for maintaining good behaviour, from one prison to another within the State, vests in the State Government and (subject to its orders and under its control) in the Inspector General.

Section 26 of the Prisons Act, 1894, requires that all prisoners, previous to transfer, shall be examined by the Medical Officer, who shall certify that they are free from any illness rendering them unfit for removal,

Powers of Inspector General

1039. The Inspector General is authorised to sanction the transfer from one jail to another within the State of such prisoner as are referred to in section 29 of the Prisoners Act, 1900.

Transfer of sick prisoners

1040. (1) No prisoner who is in hospital shall be transferred except for the benefit of his health.

(2) When the Medical Officer is of opinion that the transfer of a sick prisoner to another prison is likely to lead to his recovery, or materially to prolong his life, he shall forward a brief statement of the case to the Superintendent, mentioning the prison to which a transfer is desirable. The Superintendent shall submit the case to the Inspector General for orders. If the prisoner's transfer is ordered, a medical sheet shall be prepared by the Medical Officer, in order that it may be sent with the prisoner.

(3) The Superintendent shall, on the requisition in writing of the Medical Officer, supply extra diet, clothing and bedding to prisoners about to be transferred. Medicines with instructions for their use shall, if necessary, be supplied to the officer in charge of the escort.

Transfer pending appeal

1041. As an ordinary rule, prisoners other than prisoners sentenced to imprisonment for life shall not be transfered untill the expiry of the period allowed for appeals, or untill the result of their appeal is known.

Prisoners convicted in the same case

1042. Prisoners convicted in the same case may be traneferred to different prisons if, in the opinion of the Superintendent, such transfers are absolutely essential in the interests of discipline and maintenance of order in the prison.

Transfer of habitual prisoners

1043. The Superintendent shall report for the orders of the Inspector General any case in which he considers the transfer of a habitual prisoner from the prison desirable on the ground that the prisoner has been previously confined therein, or is otherwise familiar with the locality and surroundings but habitual prisoners shall not, as a matter of course be transferred on these grounds.

Transfer of prisoners prior to release

1044. (a) Every Habitual prisoner, P. R. prisoner, prisoner ordered to pay a fine or to notify residence subsequent to release, or to undergo imprisonment in default of furnishing security to keep the peace or be of good behaviour, prisoner certified to be a mental defective, female and juvenile prisoner, shall, one clear week before the date of the expiry of his substantive sentence, if confined in a prison other than the prison nearest to his home be transferred to the prison nearest his home for purpose of release. The prisoners so transferred shall be confined in the outer quarantine block of the receiving prison and released therefrom. The release list referred to in rule 990 shall, however, be sent by the Superintendent of the transferring jail to the Superintendent of Police of the district in which the prisoner will be released one month prior to his transfer to the prison nearest his home. This rule is subject to the condition that the prison to which it is proposed to transfer the prisoner is on or near the route which he would ordinarily take to his home and contains accommodation for his reception. The provisions of this rule may be relaxed in the case of prisoners willing to receive help from the local Discharged Prisoners' Aid Society on release, and habitual and P.R. prisoners who are lepers.

(b) When a Police Registered Transfer prisoner is to be released from the prison before the anticipated date either by payment of fine, furnishing security or an appeal, he shall be released from the prison and handed over to the local police for shadowing to his distination.

Transfer of ex-military and other prisoners convicted by civil courts of criminal jurisdiction on reciprocal basis

1045. Every prisoner, ex-military or other convicted and imprisoned, by a civil court of criminal jurisdiction in a State other than the State of his origin may be transferred to a prison in the State of his origin, if he is sentenced to more than three months' imprisonment. In the case of any such prisoner to be transferred to a prison in this State, the Superintendent of Police of the concerned district, of this State to which the prisoner is said to be belonging, shall declare that the said prisoner is a native of that district and that the reltives of the prisoner are residing in that district at the addresses furnished by the prisoner.

In the case of any such prisoner to be transferred to another State, the Superintendent of the concerned prison in this State shall send immediately after the appeal, if any of the

prisoner, is disposed of, or on expiry of the appeal time to the Inspector General, the nominal roll and written declaration of the prisoner in triplicate, which shall contain the detailed and correct address of the prisoner and that of his relative in the State of his origin, and the declaration to the effect that if he is transferred to a prison in the State of his origin he will not demand a retransfer to any prison in this State. The Inspector General, after ascertaining from the Inspector General of the State of origin of the prisoner, the name of the prison in that State to which the prisoner has to be transferred; will issue orders for the transfer of the prisoner to such prison.

NOTE.— (i) This rule shall not apply to prisoners of States administered by the Central Government.

(ii) Due regard should be paid to the wishes of a prisoner before transferring him to his home State, unless there are adequate reasons against it, for instance his being out of mind or obstreperious or an aged parent requiring his transfer, so that he may be able to see him during his 'last days' etc.

(iii) The transferring State should bear the cost of transfer of the prisoner and the cost of maintenance of the prisoner should be borne by the State of his origin from the date he is received in the prison in the State of origin.

(iv) Gratuity earned by the prisoner in the prison upto the date of transfer may be sent along with the prisoner to the prison in the State of origin of the prisoner to which he has been transferred.

Transfer of prisoners convicted by courts martial overseas or in India on reciprocal basis

1046. Every ex-military prisoner convicted by a court Martial overseas or in India and confined in the prison of a State other than the State of his origin, may be transferred to a prison in the State of his origin, if he is sentenced to more than three months' imprisonment. In the case of such prisoner to be transferred to another State, the Superintendent of the concerned prison in this State shall immediately on admission of such prisoner, shall submit the nominal roll and written declaration of the prisoner in triplicate to the Inspector General who will; write to the Inspector General of the receiving State, and issue orders, transferring such prisoner to a prison in the receiving State; after the nativity of such prisoner being established in the receiving State; according to the area to which the prisoner belongs as indicated in the following statement.

STATEMENT

Name of the State.	Area or district to which the prisoner belongs.	Name of the prison to which the prisoner has to be sent.
(1)	(2)	(3)

NOTE:— (i) This rule shall not apply ex-military prisoners convicted by courts martial of States administered by the Central Government.

(ii) Due regard should be paid to the wishes of the ex-military prisoner convicted by court martial, before transferring him to his home of State, unless there are adequate reasons against it, for instance his being of mind or obstreperous or an aged parent requiring his transfer, so that he may be able to see him during his 'last days' etc.

(iii) The cost of maintenance of the ex-military prisoner convicted by court martial shall be borne by the State of his origin from the date he is received in the prison of that State on transfer, and the cost of transfer shall be borne by the Central Government from the Defence Service Estimates.

Transfer of P.R.T. prisoners to their States of origin before release

1046. (A) Any prisoner, who is a police registered criminal and not a native of the State in which he is under-going the imprisonment may be removed by order of the Inspector General of the State in which he is undergoing the imprisonment, either to the prison of the district to which he belongs or to the prison nearest to his native place, at any time not exceeding two months prior to his release. Notice shall in each case be given to the Inspector General of the State to which such prisoner is to be removed.

NOTE:— (i) If a State Government appoints any prison or prisons as receiving depots for P.R.T. prisoners removed from other States, orders issued under this rule shall in each case direct that the prisoner be removed to such prison.

(ii) Transfer of P.R.T. prisoner 2 months before release shall be effected without regard to their wishes.

(iii) The transfer earlier than 2 months before release of a P.R.T. prisoner sentenced to more than 3 months may also be effected if there are adequate reasons requiring his transfer or if the prisoner wishes such transfer, and after ascertaining from the Inspector

General of the State of his origin, the name of the prison to which the prisoner has to be transferred, as laid down in rule 1045.

(iv) The maintenance charges of P.R.T. prisoner shall be borne by the State of his origin from the date of receiving the Prisoner in the concerne [illegible] of that State and the cost of transfer shall be borne by the transferring State.

Transfer during epidemics

1047. Prisoners shall not be transferred while cholera or any other epidemic disease is present in either the transferring or receiving prison, and transfer along a route where cholera is prevalent should be avoided when possible.

Grounds of re-transfer to be stated

1048. When a prisoner has been transferred for any special reason by the Inspector General, the Superintendent shall, when proposing his re-transfer, bring to notice the special reason for which the original transfer was made.

Police escort to prisoners

1049. The duty of escorting prisoners rests with the police. Superintendents shall endeavour to reduce the calls upon the police as far as possible by transferring prisoners in batches. As a general rule, prisoners shall not be despatched a so as to reach the prison of destination on any of the recognised holidays for prisoners mentioned in rule 442 (1). If the Superintendent of the transferring prison wishes the Superintendent of the receiving prison to admit a prisoner on such a holiday, the Superintendent of the former prison shall forward a special written request to the Superintendent of the latter prison. The Superintendent of the receiving prison shall admit a prisoner received on such a holiday even though no special request has been forward by the Superintendent of the transferring prison but shall, in such an event, bring the irregularity to the notice of the Inspector-General.

Application for escort

1050. When prisoners are to be transferred, the Superintendent shall apply to the Superintendent of police for the requisite guard, intimating the number of prisoners and the date and hour of their intended despatch.

Provision of female warder

1051. When a female prisoner is transferred, a female warder shall accompany her. The presence of a female warder does not affect the responsibility of the police for the safe custody of prisoners in transit.

Intimation of prisoners transferred to be given

1052. The Superintendent shall furnish the officer in charge of the escort with a memorandum showing the number of prisoners despatched, their state of health, the route they are to take, and the date of despatch. He shall also advise the Superintendent of the prison to which the prisoners are to be despatched of the number to be transferred, the date of departure and probable date of

arrival. This information must be sent so as to arrive before the prisoners, and, if necessary should be telegraphed.

Procedure prior to transfer

1053. Every prisoner shall, before being transferred be produced before the Superintendent, who shall verify all entries regarding him in the manner provided by rule 977 and shall certify on the back of the warrant the number and date of the order directing the transfer and the date of the transfer.

Disposal of prisoners property

1054. On the transfer of a prisoner his property shall be dealt with as required by rule 479, The Jailor of the despatching prison shall then cause a list to be made in triplicate, in Form 47 of the property as entered in the Convict Register, and take the receipt of the officer in charge of the escort for the property in the counter-foil. The duplicate and triplicate form, the former signed by the Jailor of the Despatching prison together with the proprety, shall be made over to the officer in charge of the escort for conveyance to the receiving prison, where the duplicate list shall be retained and filed. The triplicate shall be signed by the jailor of the receiving prison and handed over to the officer incharge of the escort.

Documents to accompany prisoners

1055. (I) The following documents relating to each prisoner transferred shall be given to the officer in charge of the escort to be delivered to the Superintendent of the receiving prison:—

(1) His original warrant or warrants duly endorsed.

(2) A copy of the committing court's judgement (if available), the order of any appellate court and any order of Government on petition made by the prisoner.

(3) A nominal roll.

(4) His History Ticket.

(5) His Remission sheet (if he is under the remission system).

(6) His medical case, if he is transferred on medical grounds.

(7) Duplicate and triplicate lists of all private property belonging to the prisoner.

(8) A list of clothing, bedding and other Government property sent with him.

(II) On the back of every warrant in which a fine forms part of the sentence, shall be endorsed whether the fine or any portion of it has been paid, and what remission has been granted on account of such payment.

1056. Every prisoner shall be searched in the presence of the Jailor before despatch. Prisoner to be searched before despatch

1057. (1) Every prisoner, during transit, shall be allowed to wear his private clothing and shall be provided with prison bedding, eating and drinking vessels and dietary. Whenever the private clothing of a prisoner has been destroyed or sold, he shall, on transfer, be provided with clothing as supplied on release under rule 482. Supply of food and clothing on journey

(2) When the journey to be made is short, a sufficient supply of rations shall be given to the Police Officer in charge, for distribution at a suitable time. In other cases, the warder or police officer in charge shall be furnished with funds sufficient to purchase the prescribed dietary.

1058. Prisoners in transit shall not be admitted into Central Prison or District Jails. Not to be admitted enroute to Central Prisons and District Jails

1059. During the transit, female and juvenile prisoners shall be separated from adult prisoners. Custody of females and juvelines

1060. Male prisoners shall be searched by the officer in charge of the escort daily during transit. Search during transit

1061. (1) Prisoners under transfer shall before starting be given articles of diet requisite for the journey. In transfers involving a break of journey with temporary incarceration in the prison of the halting station of the prisoners so transferred, the articles of diet requisite for the journey shall be supplied for the first portion of the journey by the prison from which the transfers are made and for the subsequent portion by the prison of the halting station. Money for road expenses shall, be given, if necessary to the officer in charge of the escort, who shall arrange for the dietary of the prisoners and of the payment of causal expenses enroute, and on his return furnish written account of the expenditure. Should his advance through unforeseen circumstances run short, he shall apply to the Superintendent of the nearest prison for money. The Superintendent of the prison applied to, shall advance funds upto a reasonable amount. Prisoners shall ordinarily be transferred by rail where facilities for travel by rail exist. The fares of prisoners and of the warder (if any) in charge shall be included in the railway warrants, prepared by the Police Department. The accommodation to be Transfer by rail or steamer

provided shall be of the lowest class in the case of 'C' class prisoners and second class, in the case of 'A' and 'B' Class Prisoners.

NOTE:— 'A' class prisoners, if escorted singly shall be permitted to travel if they so desire in any class of accommodation higher than that which is permitted to them at their own expense which shall include any extra cost on account of the escort accompanying them.

(2) When prisoners are to be transferred by rail, timely notice shall be given to the Police of the intended date and hour of despatch with a view to suitable arrangements being made with the railway authorites for their safe custody in transit, and for the provision of the necessary accommodation.

(3) Subsistence allowance shall be paid to the prisoners at the following rates:—

'A' and 'B' Class prisoners at the rate of Rs. 3/- per diem 'C' class prisoners at the rate of Rs. 2/- per diem.

Transfer by road

1062. (1) Whenever convicts are transferred by road, the line of route and place of halt for each day shall be laid down before-hand by the Superintendent in communication with the Police authorities and, if necessary, with the District Magistrate.

(2) All able-bodied prisoners transferred by road shall be required to walk. Carts shall not be provided except for the sick, aged or infirm, or in special cases, in which, for purposes of security or separation from other prisoners, the Superintendent considers such conveyance necessary. No prisoner shall ordinarily be compelled to march more than 24 Kms. In 24 hours where the railway and the bus facilities are not available.

(3) When women prisoners are taken from one prison to another on transfer, they shall be provided with conveyance where the distance to be traversed by them exceeds 1.6 K.M. Conveyance may also be provided for shorter distances in cases in which, for reasons of health, or custom, or other valid reason, failure to make such provision would cause undue hardship to them.

NOTE:— Prisoners escorted by the police between two places which are over 16 K.Ms. apart and are wholly or partilly connected by motor bus service may be conveyed by motor bus, provided that the number of prisoners so escorted at a time is small and can be controlled easily, and provided that their presence in the motor bus dose not cause inconvenience or annoyance to members of the public using it. Actual conveyance charges in the case of such prisoners may be paid.

Procedure if prisoner falls sick

1063. When a prisoner becomes so ill in transit as to be unable to continue his journey, he shall be taken to the nearest hospital or lock-up for treatment by a Medical Officer and a report of the circumstances shall be made to the Superintendent of the despatching prison and of the prison to which the prisoner was being tansferred.

Procedure if prisoner escapes

1064. In case escape occurs enroute, intimation shall at once be given by the officer in charge of the escort to the authorities of the nearest police station, to enable them to take steps for the recapture of the prisoner. The Superintendent of the prison to which the prisoner was about to be taken and of the transferring prison shall also be informed of the escape and the latter shall take the prescribed measures for the prisoner's capture. On recapture, the prisoner will be sent to the prison where he was originally being transferred.

Admission of transferred prisoners

1065. On arrival at the receiving prison, the usual procedure for the admission of prisoners shall be observed. The Superintendent shall satisfy himself that the correct number of prisoners has been received and that they have been properly dieted and cared for enroute.

Verification of lists accompanying prisoners

1066. When the Superintendent of receiving prison has satisfied himself that the prisoner's documents and property have been correctly received, he shall countersign the memorandum referred to in rule 1052 and the triplicate copy of the list of property referred to in rule 1054 and shall return them together with any clothing at Government cost under rule 1057 (1) and other Government issued property belonging to the transferring prison.

Return of clothing etc.

1067. If no warder accompanied the prisoner, the clothing, etc., shall be returned by rail, parcel or otherwise, provided that it shall be unnecessary to return the clothing of a prisoner transferred singly.

Procedure if prisoner dies in transit

1068. When a prisoner dies in transit from one prison to another, the officer in charge of the escort shall at once report the circumstances to the nearest Magistrate who shall enquire into the case and submit his report direct to the Inspector General and shall arrange for the disposal of the body. The Superintendent of the prison to which the prisoner was being transferred shall inform the deceased prisoner's relelatives of his death.

1069. The Superintendent of the prison from which a prisoner has been transferred shall immediately communicate to the Superintendent of the receiving prison by registered post any

notice which may be received regarding the annulment or modification of sentence on appeal.

Any warrant received from a court after correction or for any additional sentence, after the transfer of a prisoner, should also be sent by registered post to the Superintendent of the prison to which the prisoner has been transferred.

CHAPTER LXII

METHOD OF PROCURING RATIONS

1070. Supply of provisions in prisons shall be made either by departmental purchase or by a contract system as the Inspector General may order. The method of departmental purchase will be followed only where there is urgent need to procure rations pending procurement of the same through a contract.

1071. (1) Endeavours shall be made to grow in the prison grounds, articles of food and fuol so as to reduce the cost of maintenance of prisoners.

(2) If the supply of provisions is arranged departmentally, the Superintendent shall be responsible for making purchases at such times of the year, when rates are most favourable for purchase and for safely storing sufficient food stuffs to last during period when prices are high.

1072. If the supply of provisions is to be carried out by contract, tenders shall be called for in Form No.100, at such times and for such periods as the Inspector General may order. Tenderers shall be required to deposit earnest money at the rate of 2% (Calculated on the value of the supplies at the previous year's rates for larger purchases and at 1% subject to a minimum of Rs.50/-for smaller ones) in any Government treasury and the challan attached to the tender. Cash shall also be accepted towards earnest money. All the tenders shall be forwarded by the Superintendent with his recommendation to the Inspector General. The decision of the Inspector General shall be final. The successful tenderers shall be required to execute agreements as prescribed in tne Form 100. Earnest money shall be returned to unsuccessful tenderer immediately after the orders of the Inspector General are received and to the successful tenderer as soon as he has executed the argeement and furnished security.

NOTE:— (1) Co-operative Societies or Stores may also undertake contracts like other tenderers. But no concessions shall be given to them, provided that, other things being equal, preference shall be given to them while approving the rates.

(2) In accepting the tender the financial status of the individuals and firms tendering shall be taken into consideration in addition to all other relevant factors.

(3) The Inspector General may by general or special order dispense with cash deposits as earnest money in the case of firms of established repute.

1073. (1) The contractor shall be required to deposit a sum of money equal to 10 percent of the total value of the contract as security for its due fulfilment.

(2) The securty amount shall be deposited in Post Office Savings Bank upto the limit prescribed in the rules for the guidance of depositors in the Post Office Saving Banks. If the amount exceeds the limit, it may be invested either in deposit receipts of recognised banks approved by Government or in Government Promisory Notes. The contractors shall be required to purchase and deliver the Government paper themselves or else contractor's written consent to the purchase of Government paper should be obtained. If the contractor is unwilling to take the risk of loss due to fluctuation in the value of Government paper, the security deposit should be paid into the Treasury as a revenue deposit.

(3) In the case of large contracts and approved contractors the securiy deposit may be limited, at the discretion of the Inspector General to Rs. 2,000/- unless 5 percent of the total value of the contracts exceeds that sum in which case the deposit shall be 5 percent.

(4) The instructions in rules 141 to 149 shall apply to contractors' deposits.

(5) A register showing the amount of security deposited by each contractor shall be maintained in Form No. 46.

(6) The Inspector General may when he thinks it desirable exempt a firm of established repute from the obligation to furnish security in respect of all contracts or a particular contract or class of contractors made with his department.

1074. The Superintendent shall keep sealed in his office "approved samples" of all commodities required for the prison.

1075. The Superintendent shall fix the approximate monthly requirements of the prison and issue notices in the Form No. 100 calling for tenders for the supply of ration and miscellaneous articles as per approved samples, for a period of one complete year, commencing from the 1st day of the month of April in a given Calender year and ending on the 31st day of the month of March in the following year.

1076. The Superintendent, shall, in consultation with the Inspector General, fix the exact date and time for the opening of tenders in the prison office and give reasonable notice there of to all the tenderes.

1077. The Superintendent shall open the tenders, read out quotations of the various tenderers and prepare a statement of the rates quoted in the tenders thus opened.

1078. The Superintendent shall, within six days of the opening of the tenders, ascertain the current market rates in writing, from the Tahsildar or Marketing Officer, as the case may be, in respect of all the required provisions of the quality required in prison and submit, in original, to the Inspector General with his remarks, the tenders, the comparative statement prepared and the current market rates furnished by the Tahsilder or Marketing Officer, as the case may be.

1079. The Inspector General shall, on receipt of the above papers from the Superintendent, examine the whole position and decide which tender should be accepted and return the papers to the Superintendent with his sanctioning endorsement for further action.

CHAPTER LXIII

FOREIGN PRISONERS

Definition of the term foreign prisoner

1080. The term foreign prisoner in this chapter shall include any prisoner who is not a national of India.

Submission of nominal roll on admission

1081. All foreign prisoners should be sent to the District Jail, Secunderabad, and on their admission to the Jail the fact should be reported immediately to the Inspector General along with the nominal rolls, in duplicate.

Military prisoners sentenced by courts martial to imprisonment

1082. Whenever a sentence of imprisonment is passed by a court martial or a commanding officer on a military officer, not being a native of India, he may undergo his term of imprisonment in the above authorised prison. Provided that when the term of imprisonment exceeds six months, his case shall be referred to Government for considering his transfer to his State.

Death to be reported

1083. The death of every foreign prisoner shall be reported without delay to the Magistrate, who committed him and also to the Government and to the Inspector General. Notice shall also be given to the court martial concerned of the death of every military prisoner.

Consular functions

1084. With a view to facilitating the exercise of consular functions relating to nationals of the sending State:—

(a) The competent authorities (Superintendent of the jail through proper channel) shall, without undue delay, inform the competent consulate of the sanding State if, within its district a national of that State in committed to prison or to custody pending trail or is detained in any other manner. Any communications addressed to the consulate by the person in prison custody, or detention shall also be forwarded by the said authorities without undue delay.

(b) Consular officials shall have the right to visit a national of the sending State who is in prison custody or detention, for the purpose of conversing with him and arranging for his legal representation. They shall also have the right to visit any national of the sending State who is in prison custody or detention, in their district in pursuance of a judgment.

NOTE:— (1) The rights referred to above shall be exercised in conformity with the laws and regulations of the receiving State subject to the provision, however that the said laws and raulations must no nullify these rights.

(2) The right so conferred on the consular officer is merely the right of interview and not of private interview, and does not include the right to inspect the accommodation of a national of the sending State who is in prison custody or detention.

(c) The Ministry of External Affairs is the appropriate authority to exercise necessary discretion in permitting the consular officials to interview the nationals of their countries who or under arrest or detention in prison. In exceptional cases, however, where urgent action is necessary, the Chief Secretary to Government of Andhra Pradesh may allow the consul to interview the imprisoned national. In such cases also an intimation should be immediately sent to the Ministry of External Affairs, New Delhi.

CHAPTER LXIV

OPEN PRISONS

Location of an open prison and transport facilities

1085. (1) An open prison shall be established at a place which has good communications and a source of wholesome water supply within easy reach. Preference in selection of site shall be given to a locality where electric lines can be extended at a reasonable cost. The open prison shall neither be very close to an urban centre nor so isolated as to obstruct the educational, social and recreational contacts for the prisoners or to cause excessive inconvenience to the staff. A distance of more than 25 to 30 Kms. from the nearest town will not be conducive to the proper operation of an open prison.

(2) Every open prison should have its own motor transport for the use of staff and prisoners and for carrying supplies, and interviewers where public transport is not available from the nearest railway or bus station.

Capacity of open prison

1086. Ordinarily the optimum capacity of an person open prison should not exceed 1,500. An open prison should have independent units of not more than 200 prisoners each, so that they may be handled individually and group influence may be effective.

Accommodation, water supply and lighting

1087. (1) For permanent open prisons, either cottage or barrack type of accommodation shall be provided. Each cottage shall provide accommodation for 20 prisoners and barrack for 50 prisoners. Bath rooms and flush latrines shall be provided at the rate of one each for every eight prisoners.

(2) For temporary open prisons, barracks with verandahs for 50 to 100 prisoners each on tubular structures with tin sheets may be provided as they can easily be dismantled and re-assembled at another place. A cheap floor may be provided to maintain cleanliness.

(3) A multipurpose common hall shall also be provided.

(4) There shall be protected water supply to the open prison. Wherever possible tube or other wells shall be bored and provided with a pumping plant and an over head tank. Pipe line shall be laid and taps and showers provided in bath rooms. Wherever necessary arrangements shall be made for chlorination of drinking water.

(5) Electric lighting shall be provided in all open prisons. If necessary, a generator may be installed.

Special qualifications and training of staff

1088. (1) Trained personnel who possess the qualities of leadership, integrity and humanity shall be selected for the open prisons. When trained staff is not available, arrangements shall be made for proper orientation for running an open prison before they take up their duties. The newly posted staff shall be allowed to observe the working of the programmes, of an open prison for a fortnight before they actually take up their new duties. The custodial staff shall also be given similar orientation and training for their specialised duties in open prison.

(2) Staff meetings shall be held as frequently as possible to discuss programmes and policies in open prisons.

Selection of prisoners for open prisons

1089. There shall be no direct committal of prisoners to the open prisons. Prisoners from closed prisons shall be selected for transfer to open prisons. The following shall be the qualifications for the prisoners to be selected for transfer to an open prison:—

(i) Casual and star class prisoners.

(ii) Residents of Andhra Pradesh.

(iii) Good physical and mental health.

(iv) Age shall be between 21 to 55 years without any history of disease which may be aggravated in open conditions.

(v) Good conduct and emotional stability.

(vi) Good family ties.

(vii) Should have undergone some period of imprisonment in a closed prison and should not have ordinarily more than 5 years to serve or to become eligible for premature release under the Advisory Board Scheme.

(viii) Those who have availed of Home Leave or furlough without coming to adverse notice may be given preference.

(ix) Should be willing to work in open prisons.

(x) Should not be political agitators, superior class prisoners, previous returnees from open prisons, escapees, notorious or dangerous prisoners, or those convicted of offences showing depravity of mind.

(xi) Should not be a habitual prisoner and should not have any other cases pending against him.

Selection and transfer

1090. (1) The initial selection of prisoners for open prisons shall be done by the Selection Committee consisting of the Deputy Inspector General, and the Superintendent, Medical Officer, Jailor and Welfare Officer concerned of the closed prison.

(2) A list of prisoners selected by the local Selection Committee shall be submitted with nominal rolls and other particulars to the Inspector General for approval. The prisoners approved shall be transferred to a closed prison nearest to the open prison, where the Superintendent of the open prison may interview the prisoners, select them finally and give them necessary orientation for life in the open prison.

(3) Jail guard may preferably be provided for escorting prisoners from the said nearest closed prison to the open prison, at the rate of one warder for 10 prisoners. When this is not possible the prisoners may be escorted by police but wihthout handcuffing or fettering them so as to give them self confidence and sense of trust.

Medical care and personal hygiene

1091. (1) A well equipped dispensary and Medical staff shall be provided in each open prison as in the case of closed prisons. The relevant provisions of chapters XXXIII to XXXVI are applicable to open prisons.

(2) The following articles shall be supplied to the prisoners in Open Prisons free of cost to enable them to maintain personal hygiene:—

(i) Lifebuoy soaps:— At the rate of one per head once in a fortnight for bathing.

(ii) Coconut oil:— At the rate of 8 grams per head per week for application to hair.

(iii) Groundnut oil:— At the rate of 28 grams per head per fortnight for application to body.

(iv) Soda ash:— At the rate of 50 grams per head once in a fortnight.

Diet of prisoners in open prisons

1092. The prisoners in open prisons shall be issued diet as prescribed in chapter No. XXIII pertaining to dietary.

Clothing and bedding

1093. In addition to the clothing and bedding prescribed for 'C' Class convicts in Chapter No. XXIV the prisoners in open prison shall be issued one set of apparel as a working suit.

Offences and punishments

1094. (1) Any of the following acts on the part of a prisoner will constitute an offence:—

(i) Going out of the demarcated area of the prison without authority or permission.

(ii) Omitting or refusing to take due care of all prison property entrusted to him.

(iii) Injuring, destroying or misappropriating the materials and impliments entrusted to him for work.

(iv) Disobeying any lawful order of an officer of the prison or omitting or refusing to perform duties in the prescribed manner.

(v) Showing disregard and negligence in work.

(vi) Any other act which denotes the derogatory behaviour of the prisoner, which is not desirable in an open prison.

(2) The following punishments alone shall be inflicted for the offences committed by prisoners in the open prisons:—

(i) Warning.

(ii) Forfeiture of wages or fine for offences in connection with work.

(iii) Forfeiture of remission.

(iv) Stoppage of facilities for a short period (not exeeding one month).

(v) Return to closed prison.

(3) A prisoner will be returned to closed prison (i) on medical grounds, (ii) at his own request, (iii) as a measure of punishment for derogatory conduct and behaviour. He shall lose no remission if returned on medical grounds. He shall forfeit 50% of the remission earned in open prison (except the State Government remission) if he is returned at his request. If he is returned as a measure of punishment it shall involve forfeiture of remission up to 100 days under the orders of the Superintendent and if the Superintendent considers forfeiture of more remission than 100 days is necessary, the approval of the Inspector General shall be necessary.

After care

1095. The cases of all prisoners who would be in need of help and assistance after release, may be referred to the Discharged Prisoners' Aid Society, Hyderabad or its local branch, if any, or to any such voluntary agency well in advance to their dates of release, duly furnishing information about their needs and plans for the future with a view to enable the said society to decide the assistance, if any, required in each case. The Welfare Officer of the open prison shall deal with all such cases of prisoners and maintain necessary records.

CHAPTER LXV

CANTEEN FOR PRISONERS

1096. There shall be a canteen on self supporting basis in every Central Jail and District Jail with capacity of not less than 200. Canteens in Central Prisons and District Jails

1097. The following may be served in every such canteen. Items to be served and stocked for supply, in canteens

Tea, coffee, milk or other beverages.

(2) The following may be stocked in all such canteens.

(a) Soap, oil, combs, tooth-paste, powder, tooth brush.

(b) Stationery articles like pencil and exercise books.

(c) Non-perishable eatables like biscuits, Chocolates, dry fruits, nuts, sealed Jams and sealed Pickels.

(d) Perishables like all fruits at the request of the prisoners and at the discretion of the Superintendent, and such other articles as the Inspector General may permit from time to time.

1098. No prisoner other than those working in the canteen shall have access to the canteen. Access to canteen of prisoners

1099. The hours for working of the canteen shall be fixed by the Superintendent. The prisoners are required to avail the canteen facilities only during those timings. Working hours of canteen

1100. The canteen facilities shall be available to all the prisoners except those debarred on disciplinary grounds. Prisoners to whom canteen facilities shall be available

1101. Prisoners are permitted to pucrhase any of the articles referred to above either from their Prisoners Private Cash or from the wages earned. Purchase of canteen articles by prisoners

1102. The monetary limits for the purchase of canteen materials from the Prisoners Private Cash shall ordinarilly be Rs·50 Rs.30, and Rs.20, in respect of 'A' class, 'B' class and 'C' class prisoners respectively, in any one month, in suitable instalments. Monetary limit of purchases

Maintenance of canteen accounts and supervision

1103. One of the prison personnel shall be in charge of canteen accounts, etc., nominated by the Superintendent and he shall be paid a remuneration not exceeding Rs.20/- per month depending on the work and the outturn of a canteen. The canteen shall be under the direct supervision of the Jailor.

Canteen how to be started

1104. In the initial stages canteen shall be financed by the Government on request and money thus advanced should be cleared in suitable monthly instalments.

Maintenance charges to be met from the percentage of profit

1105. The canteen shall transact business at a profit of 6¼% levying on purchase price of the article. Expenditure that is due to the maintenance of the canteen shall be met from the canteen profits.

Records of canteen

1106. (1) The following records shall be maintained in the proformac prescribed by the Inspector General:—

(i) Requisition forms for prisoners' requests.

(ii) Stock Registers containing a provision for valuation of articles basing on 6¼ percent profit and arriving at sale price.

(iii) Stock Book of cooked eatables.

(iv) Sales journal exhibiting details of articles sold.

(v) Cash Book showing receipt and expenditure.

(vi) Profit and loss statements to be submitted to Head Office every month.

(2) The profit and loss statement shall exhibit the expenditure, if any, incurred by the Superintendent for the welfare activities of the prisoners, from the accrued profits of the canteen. Such expenditure shall not exceed Rs.100/-

(3) Expenditure over and Rs.100/- if required to be incurred from the canteen profits, for the welfare activities of the prisoners, shall be incurred only aftar prior sanction of the Inspector General.

Handling of cash relating to canteen

1107. Prisons where canteens are functioning shall be authorised to open bank accounts in an authorised bank and the Superintendent shall be empowered to transact business on behalf of the canteen. He shall be permitted to retain with him any amount as fixed by the Inspector General depending on the prison canteen requirements, and the balance shall be deposited in the bank.

1108. The Jailor, under whose direct supervision the canteen operates, shall also audit the canteen accounts every month and the Superintendent shall also audit the accounts once in a quarter. Audit of canteen accounts by Jailor and Superintendent

1109. All the registers and accounts of the canteen are open to departemental audit. Audit of canteen accounts

CHAPTER LXVI

THE WELFARE OFFICER

Duties and responsibilities of the Welfare Officer

1110. The Welfare Officer shall plan and implement the following:

(a) The adjustment programmes of the newly admitted convict and make a social study through interviews with his family and such other services;

(b) He should act as the Secretary of the Classification and Welfare Programme Board set up with the Superintendent of the Prison/Jail as Chairman, the Jailor incharge of Factory, the Headmaster, the Jailor, the Doctor as the members;

(c) The programme of developing cordial relations between the inmates and his near and dearer;

(d) Programme of building liaison, between him and the authorities;

(e) Programme of general welfare activities in the Prison;

(f) Pre-release programme;

(g) Coordination of official and non-official agencies for the rehabilitation, aftercare and follow up of the released inmate; and

(h) Any other work pertaining to welfare of and rehabilitation of the prisoners assigned by the Superintendent of prisons/jails from time to time.

Records to be maintained by the welfare officer

1111. The Welfare Officer shall maintain the following records

(a) Statistical returns and periodicals etc;

(b) Case-sheets of welfare activities of prisoners;

(c) Daily diary or Report Book;

(d) Correspondence with Social Welfare agencies/ prisoners' families etc., for the welfare and rehabilitation of the inmates.