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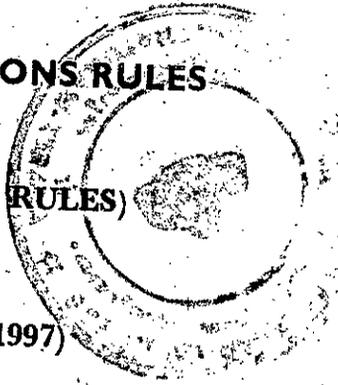
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THE KERALA PRISONS RULES

1958

(AMENDMENT RULES)

(As on 20-1-1997)



THE KERALA PRISONS RULES, 1958

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CHIEF SECRETARIAT (HOME-B) DEPARTMENT

NOTIFICATION

G. O. (MS.) No. 925.

Dated, Trivandrum, 26th July, 1958.

In exercise of the powers conferred by section 59 of the Travancore-Gochin Prisons Act 1950 (Act XVIII of 1950) and Section 59 of the Prisons Act 1894 (Central Act IX of 1894) and in supersession of the existing rules on the subject, the Government of Kerala hereby make the following rules, namely:—

THE KERALA PRISONS RULES, 1958

CHAPTER I

*THE CENTRAL PRISONS

1. *Title and Extent.*—(a) These Rules may be called the Kerala Prisons Rules 1958.

(b) These Rules shall extend to the whole of Kerala.

2. *Central Prison.*—There shall be three Central Prisons in Kerala, one at Trivandrum, one at Viyur in Trichur District and another at Cannanore.

‡2A. *District Jail.*—There shall be a District Jail at Kozhikode, having it upgraded the Special Sub Jail, Kozhikode.

‡“2B. *Open Prison Nettukaltheri.*—There shall be an Open Prison at Nettukaltheri”.

**2C. *Prison for Women.*—There shall be a Prison for women at Neyyattinkara.

3. *Classes of prisoners confined in the Central Prisons.*—(a) All prisoners convicted and sentenced to imprisonment for whatever terms by the Several Criminal Courts in the District of Trivandrum and all non-habitual prisoners sentenced to more than one month by the Criminal Courts in the Districts of Quilon, Kottayam and Alleppey shall ordinarily be confined in the Central Prison, Trivandrum.

In the Central Prison, Trivandrum shall also be confined all civil prisoners committed to that Jail by the Civil Courts in the Districts of Trivandrum, Quilon, Kottayam and Alleppey and prisoners committed by the Criminal

*See G.O. (Rt.) 2173/74.

†See G.O. MS. 190/69 Home, dated 16-6-1966.

‡G.O. Rt. No. 2727/77 H dated 31-12-1977.

**G.O. (MS) 71/95 Home dated 17-5-1995.

Courts in the Districts of Trivandrum, Kottayam, Quilon and Alleppey for detention in a Civil Prison and all female undertrial and remand prisoners in the District of Trivandrum.

(b) All non-habitual prisoners sentenced to imprisonment for periods of more than three months by the Criminal Courts in the Districts of Ernakulam, Trichur, Palghat, Kozhikode and Cannanore, all habitual prisoners convicted and sentenced to one month and less by the Criminal Courts in the Cannanore District and all prisoners sentenced to whatever term by the Criminal Courts in the Town of Cannanore shall ordinarily be confined in the Central Prison, Cannanore.

In the Central Prison, Cannanore shall also be confined all civil prisoners committed to that Jail by the Civil Courts in the Districts of Palghat, Kozhikode and Cannanore and prisoners committed to a Civil Jail by the Criminal Courts in the Districts of Palghat, Kozhikode and Cannanore.

(c) All habitual prisoners sentenced to imprisonment for more than one month by the several Criminal Courts in the State of Kerala. All habitual prisoners sentenced to imprisonment for whatever term by the Criminal Courts in the Towns of Trichur and Wadakkancherry and civil prisoners committed to that Jail by the civil Courts in the Trichur District and prisoners committed to that jail by the Criminal Courts in the Trichur District for detention in a Civil Prison shall be confined in the Central Prison, Viyyur.

(d) The following classes of prisoners shall also be confined in the Central Prisons:—

(i) prisoners sent by transfer under orders of the Inspector General of Prisons;

(ii) prisoners convicted by a Court martial and transferred by a competent authority;

(iii) prisoners transferred under section 3 of the Transfer of Prisoners Act, 1950 (Central Act XXIX of 1950);

(iv) security prisoners;

(v) such other prisoners by general or special order of Government or Courts to be detained; and

(vi) criminal lunatics detained for observation.

(e) All prisoners convicted and sentenced to imprisonment for periods ranging from above one to six months by the Criminal Courts in the District of Kozhikode and all non-habitual prisoners sentenced to more than one month and not exceeding six months by the criminal Courts in the District of Palghat and Trichur shall be confined in the District Jail, Kozhikode.

*3A. *Admission to Open Prison*—Well behaved 'C' Class male prisoners sentenced to imprisonment for three years and above, preference being given to those sentenced for longer periods may be selected from the closed prisons of the State and transferred to and confined in the Open Prison, if those sentenced to three years have served one year of the actual sentence and those sentenced to more than three years have served three years of actual sentence. The final selection of such prisoners shall be made by the Inspector General of Prisons. But no prisoners can claim such transfer as a matter of right:

Provided that no person convicted and sentenced to imprisonment for any of the full wing offences shall be selected for confinement in the Open Prison, namely:—

Offences

1. against the state;
2. relating to armed forces;
3. relating to counterfeiting of Currency, Coins etc;
4. against public tranquility;
5. relating to kidnapping, abduction, slavery and forced labour;
6. relating to rape;
7. relating to unnatural offence; or
8. relating to robbery, dacoity, cheating and house breaking.

**3B *Admission to Prison for Women*.—All 'C' class female prisoners sentenced to imprisonment for three months or more by Courts in the Districts of Thiruvananthapuram, Kollam, Pathanamthitta, Alleppey and Kottayam Districts shall be confined in the Prison for Women at Neyyattinkara. The female prisoners sentenced to imprisonment for one year or more including imprisonment for life by the Courts in other districts shall be transferred to the prison for women. In no case female prisoners sentenced to death shall be transferred to the Prison for Women.

CHAPTER II

INSPECTOR GENERAL OF PRISONS

4. *Control of expenditure*.—(1) Subject to the rules and orders of Government in the Finance Department and to the requirements of the Comptroller the expenditure of the jails department shall be controlled by the Inspector General of Prisons.

* G.O. Rt. No. 2727/77/H. dated 31-12-1977.
 * G.O. (MS) No. 71/95/Hom e. dated 17-5-1985.

(2) He shall annually submit to Government in the Finance and Administration Departments the prescribed budget of charges and receipts despatching the same on the dates and in the manner prescribed in the Travancore Financial and Account Code.

(3) At the commencement of each official year he shall distribute the total budget allotment among the several jails and other institutions under him.

5. *Power to sanction expenditure.*—(a) The Inspector General of Prisons is authorised to sanction all expenditure within the budget allotment.

(b) He may sanction the payment of a reward to any subordinate Jail Official up to a limit of Rs. 25 for any service or special merit.

*(bb) He shall be competent to sanction purchase of spectacles and dentures for the use of the prisoners at Government cost, on the recommendation of the medical officer of the Prison concerned and on the strength of the report from the Superintendent of the Prison, when the prisoner concerned has neither wages amount nor private cash to meet the cost thereof.

(c) * * * * *

(d) He is authorised to countersign all contingent bills of subordinate officers.

(e) He is authorised to countersign travelling allowance bills of all the subordinate officers.

(f) He is authorised to sanction petty purchases not exceeding Rs. 250.

(g) He may also sanction rewards to private persons effecting or assisting the recapture of an escaped prisoner as follows:—

If the sentence was one of death or life imprisonment Rs. 50, if the sentence was 2 years and upwards or confinement in security for the same period Rs. 20. If the prisoner was an undertrial a reward equal to what would be payable where the prisoner convicted of the offence charged and sentenced to the maximum penalty.

(h) He is authorised to sanction the purchase of books for the use of the department if the expenditure will be covered by provision in the budget.

*G.O. (MS) No. 85/77/Home dated 28-6-1977. Sub Rule (C) of Rule 5 deleted as per Government Notification No. 38173/B3/65-2/Home dated 24-12-1965.

(i) He is authorised to sanction to subscribe for dailies for prisoners at the rate of one daily for every fifty prisoners.

(j) He is authorised to sanction to write off, of accounts or petty losses due to breakage of articles the book value of which does not exceed Rs. 500 in each case subject to an annual limit of Rs. 5000.

(k) He is authorised to sanction the sale by auction or use in the Jails of the dead trees standing in the Jail compound, the auction sale being conducted after due publicity by notification in the Government Gazette.

(l) To sanction purchase of stores and raw materials required for the industries of the Jails up to Rs. 500 at a time observing Store Rules subject to budget provision and an annual limit of Rs. 3,000.

(m) To sanction purchase of seeds, seedlings and manures for the Jail Gardens upto an amount of *Rs. 25,000 at a time subject to budget provision purchase being made from agricultural farms if they are available there.

(n) To sanction purchase of livestock upto an amount of Rs. 500 at a time subject to budget provision and an annual limit of Rs. 3,000 purchase being arranged through the Animal Husbandry Department and to dispose of the useless animals in public auction after obtaining a certificate from the District Veterinary Officer concerned regarding the unserviceableness of the animals.

****6. Power to sanction contracts.**—“The Inspector-General of Prisons is authorised to sanction all contracts for provision and miscellaneous articles required for each Jail subject to budget provision and subject to the financial limits prescribed in the Stores Purchase Manual, as amended from time to time.”

He may also sanction the other contracts subject to ratification by the Government. Every contract for the supply of articles required for the Jails or which imposes a recurring liability on the Jails shall be drawn up in proper form. No contract or agreement can be considered valid unless executed by the Inspector-General of Prisons.

7. Power to sanction institution of civil suits.—The Inspector-General is authorised to sanction the institution of any Civil Suit for money due to the manufacturing department of the Jails, provided that he is satisfied that the claim is well founded and that the debtor is possessed of property against

*G.O. MS. No. 49/92/Home dated 29-2-1992.

**Rule 6 substituted as per G.O. (MS.) 425/67/Home dated 1st December 1967.

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 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.

8. *Inspection of Jails.*—(1) The Inspector-General of Prisons shall visit the Jails at least twice in every calendar year and on each such visit shall carry out a full inspection of the Jails in accordance with the questionnaire approved by Government. (*See* questionnaire in Appendix III).

(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 application or complaint as relate to Jail discipline.

(3) He shall inspect the yards, wards, cells, workshed and other enclosures, shall examine the gardens, 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 building 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 therein in token that he is satisfied that they are maintained in accordance with the 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 accoutrements and test the ability of the Superintendent, Jailer, Deputy Jailer, Assistant Jailers, Chief Warder and Head Warders to drill the guard.

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

(7) He shall examine whether sufficient labour has been available for prisoners sentenced to rigorous imprisonment, and if so whether adequate tasks have been exacted; and if not what the reasons are for the insufficiency of the labour available. 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 as he thinks fit for the remarks of the Superintendent. He shall also submit a copy of the same with the remarks of the Superintendent to Government. The orders of Government thereon shall be communicated to the Superintendent for guidance.

(8) The Inspector-General of Prisons shall submit to Government annually as soon after the 1st April as possible and not later than the 30th August of the same year or other date fixed by the Government a detailed report on the administration of Jails of the previous financial year together with such statistical and other statements, returns and information as Government may from time to time require. The report shall show the inspections made during the year by the Inspector-General of Prisons and shall state whether the orders of Government have been observed.

(9) The Inspector-General of Prisons shall be the channel of communication between the Government and officers of the Jails Department.

(10) The Inspector-General of Prisons is included in the list of Departmental Heads and authorities who exercise the powers of Heads of Departments (Vide Appendix I of the Travancore Financial and Account Code).

9. *Special report in certain cases.*—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 officer-in-charge.

10. (1) *Transfer of prisoners.*—The Inspector-General of Prisons shall have the power to order the transfer of any prisoner from one Jail to another Jail within the State and shall also have authority to order the removal of prisoners from the permanent buildings of any Jail into temporary accommodation during epidemics.

(2) *Report of important occurrences.*—Any outbreak of epidemic disease or unusual sickness, all serious breaches of Jail discipline, escapes, attempts to escape, re-captures, accidents, suicides, attempts at suicide or death from violent or un-natural causes shall be at once reported to Government by the Inspector-General of Prisons.

11. *Powers of appointment.*—It shall be competent to the Inspector-General of Prisons: (a) To make any appointment on the sanctioned establishment of non-gazetted officers, in any of the institutions under his administrative control, subject to the Public Service Commission Recruitment Rules and the Public Service Commission Consultation Regulations. All other appointments shall be made in accordance with rules and orders issued by Government from time to time laying down the qualifications for such appointments.

(b) To sanction promotions of all subordinates whom he is competent to appoint and to make initial appointments to such posts in vacancies of not more than one month's duration.

(c) To grant all kinds of leave other than study leave and special disability leave to all non-gazetted subordinates and gazetted officers under Jails Department below the rank of Superintendent of Central Jails and casual leave to all the gazetted officers.

(d) To permit all officers to whom he is empowered to grant leave and to return to duty before the expiry of any kind of leave granted to them.

(e) To sanction increments to all non-gazetted staff of the department.

(f) To appoint contingent female warders in emergent cases in the Sub-Jails for guarding female prisoners, for periods not exceeding three months.

(g) To countersign pension papers of the gazetted officers of the department and grant pension to all non-gazetted officers after being verified by the Comptroller, Kerala State.

(h) To sanction subsistence allowance to officers placed under suspension subject to the rules.

(i) To sanction temporary withdrawals from the provident fund deposits by subordinates of the Department up to a maximum of Rs. 1,000 in each case in normal cases, and Rs. 500 in special cases, subject to the other conditions and limitations under the Rules of the fund.

(j) To permit non-gazetted officers whom he is competent to appoint to accept employment while on leave.

(k) To retire officers who have completed 25 years of service.

(l) To sanction refunds of amounts remitted into treasuries by mistake.

(m) To dismiss, degrade, suspend, discharge or accept the resignation of any officer whom he is competent to appoint.

(n) To fine any officer belonging to the last grade service and warders first and second grade as per provisions in the Kerala Civil Service (Classification, Control and Appeal) Rules.

It shall be open to a subordinate punished by the Inspector-General of Prisons to appeal against the order of punishment within two months after the receipt by him of the copy of the order appealed against, subject to the provisions of the Kerala Civil Services (Classification, Control and Appeal) Rules.

Every appeal must be forwarded through the Inspector-General of Prisons who shall forward the same with his remarks and any necessary records.

The Inspector General of Prisons is competent to transfer, between the Jails under his control subordinates he is competent to appoint.

CHAPTER III

VISITORS

12. *Ex-officio visitors.*—The following officers shall be ex-officio visitors of Jails in their respective jurisdiction:—

- (1) The Sessions Judges of Trivandrum, Trichur and Cannanore.
- (2) The Collectors of Trivandrum, Trichur and Cannanore.
- (3) The District Magistrates (Judicial) of the Districts of Trivandrum, Trichur and Cannanore.
- (4) The District Educational Officer of the District in which the prison is situated.

The following officers shall be ex-officio visitors of all the Central Prisons:—

1. The Inspector-General of Police;
2. The Director of Health Services;
3. The Director of Industries;
4. The Director of Agriculture;
5. The Director of Public Instruction; and
6. The Chief Inspector of Factories.

13. *Appointment of non-official visitors.*—The Government may appoint and fix at such figure as they may think fit the number of persons to be non-official visitors in respect of each Jail. The visitors shall include—

- (a) All M.L.As. and M.Ps. of the District in which the Jail is situated;
- (b) Any responsible person of the locality;
- (c) One Doctor practising in the District;
- (d) One Lawyer practising in the District and "one senior Lawyer of standing at the Bar nominated by Sessions Judge of the District; and
- (e) One Woman Social Worker.

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:

Provided that Government may, if they so consider necessary cancel the appointment of any or all of the non-official members at any time during such term for good and sufficient reasons, or for their failure to visit the Jail concerned consecutively for three months. But in the case of cancellation of appointment of the senior lawyer the Sessions Judge of the District shall be consulted.

14. *Visits by visitors.*—(1) The official and non-official visitors of each Jail shall constitute a Board of which the Collector of the District shall be the Ex-Officio Chairman. It shall be the duty of the Chairman to arrange the roster for monthly visits to the Jails so as to give each visitor, official and non-official, his due turn, and to send out a notice by Post card intimating whose turn it is to visit the Jail in the coming fortnight. There shall not be a fixed day of the month for 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.

(2) Except in exceptional circumstances a visitor shall not visit the Jail after lock-up or on Sundays.

(3) A non-official visitor who is about to absent himself for a period of six months or more from the station shall report the circumstances to the authority who appointed him in order that a substitute may, if necessary, be appointed and in the event of his failure so to report he shall be regarded as having vacated office on the expiry of three months from the date of his departure.

(4) Nothing in these rules shall prevent visitors visiting the Jail on dates other than those fixed by the Chairman of the Board.

*15. *Powers and duties of visitors.*—It is the duty of a visitor to satisfy himself that the law and rules regulating the management of the Prison and prisoners are duly carried out in a Jail, to visit all parts of the Jail and to see all prisoners, and to hear and inquire into any complaint or representation that any prisoner may make to him. A visitor may call for and inspect any book or other record in the Jail provided that the Superintendent may decline to produce any book, paper or record for the inspection of any non-official visitor, if, for reasons to be recorded in writing, he considers their production undesirable.

The Board shall meet at the Jail inspect all buildings and prisoners hear any complaints and petitions that may be preferred, inspect the prisoners food and see that it is of good quality and properly cooked and examine the punishment book and satisfy themselves that it is up-to-date. A list of questions indicating some of the points to which the Board and visitors may direct their inquiries is printed in Appendix II. A copy of the list of questions shall be given to each visitor on appointment.

16. *Record to be made of inspection.*—(1) Every visitor shall, after he has completed his visit to the Jail, record in the visitors book prescribed by Section 12 of the Travancore-Cochin Prisons Act (XVIII of 1950) and Section 12 of the Central Act, 1894 the date and hour of his visit and may enter

* Note—It is not part of the duty of a visitor to examine the correctness of convictions and sentences that are being undergone by prisoners.

therein any remarks or suggestions he may wish to make. Entries in the visitors book shall be made in the visitor's 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.

*"16A. *Inspection by Senior Lawyer and Sessions Judge.*—(1) Notwithstanding the provisions contained in rule 16—

(a) The Senior Lawyer nominated under clause (d) of the rule 13 shall while making his monthly visit to jails, entertain grievances, if any, from the prisoners and report the matter to the Sessions Judge of the District.

(b) The Sessions Judge shall during his monthly visits to the jails entertain grievances if any, from the prisoners.

2. The Sessions Judge shall recommend to the High Court such action as is necessary to be taken by the Inspector General of Prisons or by the Government and the High Court may, after considering such recommendation communicate its views to the Government with a view to enable them to act upon".

(2) A visitor may record any remarks or suggestions he may desire to make and the Superintendent shall place a copy of such record with his remarks thereon before the Board of visitors and the Inspector-General of Prisons immediately. The Board shall consider them in detail and if found necessary they may forward the same to Government with their remarks. A copy of any order passed by the Government shall also be placed before the Board.

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

17. *Disposal of complaints to visitor by prisoners.*—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.

18. *Disposal of record made by visitor.*—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 Government or the Inspector-General shall be forwarded to the visitor through the Superintendent of the Jail.

19. *Admission to the Jail of others than the officers specified.*—With the exception of the Ministers, the Chief Engineer and the Executive Engineer of the District in connection with the duties of their Department, the official and non-official visitors and Jail officers, no person shall be allowed to enter the Jail unless accompanied by the Inspector-General of Prisons or the Superintendent or furnished with the written permission of the Chief Secretary to Government, the Inspector-General of Prisons or the Superintendent.

20. *Admission of Police Officers to the Jail.*—In order to give the Police the opportunity of recognizing habitual convicts, they shall be permitted to visit the Jail both at the weekly inspection parade and at other times, if desired, provided that such visits shall not be allowed to interfere with the labour or routine of the Jail.

21. *Grant of pass to the Police to visit the Jail.*—The Superintendent shall grant a written pass permitting a fixed number of police to enter the Jail at the hours stated. This pass shall not be given up at the gate, but shall be retained by the Police for the period specified therein.

22. *Interrogation of prisoners by the Police.*—The Police shall be permitted to ask any prisoner any question directly bearing on his identity or previous history, but shall not be allowed to hold any further communication than is necessary for purpose of such identification. Every such question shall be put in the presence of a responsible Jail Officer not below the rank of an Assistant Jailer and no prisoner shall be liable to punishment for refusing or omitting to answer. Except as provided in this Rule, no Police Officer shall be permitted to examine or make enquiries of any prisoner without the written order of the District Magistrate (Judicial) or District Superintendent of Police.

23. *Escort to accompany visitors.*—The Superintendent shall arrange that every visitor to the Jail shall be attended by some responsible Jail Officer, as well as by an escort of from 2 to 4 warders. The escort and the officer accompanying a visitor shall withdraw out of hearing but not out of sight, if required to do so by the visitor, when he is questioning a prisoner.

CHAPTER IV

THE SUPERINTENDENT

24. *Appointment of Jail Superintendent.*—(1) The Superintendents of the Jails shall be officers specially appointed by name.

(2) During the absence of a Superintendent appointed under this rule, the powers and duties conferred on him by law shall be exercised and performed by the Jailer of the Jail. No such Superintendent shall quit the station or make over charge of his jail to any person or officer without having obtained the previous sanction of the Inspector-General of Prisons.

25. *Executive management of Jail by the Superintendent.*—The executive management of the Jail in all matters relating to internal economy, discipline, labour, expenditure, punishment and control generally shall be vested in the Superintendent subject to the orders of the Inspector-General of Prisons and the Rules sanctioned by Government.

26. *General duties of Superintendent.*—(1) The Superintendent shall make himself thoroughly acquainted with these Rules and with the Prisons Act 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 his charge.

(2) Every order of the Superintendent shall be subject to the revision of the Inspector-General of Prisons and Government.

27. *Daily visit of Jail.*—The Superintendent shall visit the Jail at least once in the forenoon and once in the afternoon of every working day and on Sundays and holidays also whenever special circumstances render it desirable that he should do so. 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 this journal. At least twice a month he shall visit the Jail at night and satisfy himself that the guarding is being properly performed and that everything is in order.

28. *Maintenance of Journal.*—(1) The Superintendent shall maintain on half-margin foolscap and in his own handwriting, a journal, in which he shall record as soon after the event as possible,—

(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 prisoner ordinarily exempted (Rule 568);

(c) the matters referred to in Rules 349 and 669;

(d) 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.

(2) The Journal shall be forwarded to the Inspector-General of Prisons on the first day of the month following that to which it relates or as soon after as possible and shall be returned after perusal by him, with such remarks as he may find necessary.

29. *Jail business to be transacted on Jail premises.*—The Superintendent shall, as a rule, transact all business connected with the Jail within its precincts. He shall not except in case of necessity, require the attendance of the Jailer or other subordinates beyond the Jail limits.

30. *Weekly inspection of prisoners.*—(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 behalf;

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

(c) that the provisions of the Remission Rules are understood by the prisoners;

(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 prisoners 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 to this rule shall debar a prisoner from making a complaint or application to the Superintendent at other times than 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.

31. *Control over receipts and expenditure.*—The Superintendent shall be responsible for the economical working of the 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 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 moneys, 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.

The Superintendent is authorised to incur expenditure on account of kerosene oil for daily use not exceeding 21.720 ml. a day and to keep always in stock one tin of kerosene oil and four dozen hurricane lamps.

*The Superintendent shall be competent to sanction purchase of spectacles and dentures for the use of the prisoners on the recommendation of the Medical Officer concerned, meeting the cost thereof from the amount of wages at credit of the prisoner concerned or from the Prisoner's cash property available in the Prison.

32. *Procedure regarding civil suits.*—No civil suit shall be instituted or defended by the Superintendent on behalf of Government without the previous sanction of the Inspector-General of Prisons. Upon the Superintendent receiving notice of suit, he shall immediately forward the notice with a full statement of the facts of the case, to the Inspector-General of Prisons.

33. *Maintenance of records.*—(1) The Superintendent shall be responsible for the correct maintenance of the records prescribed in Section 12 of the Prisons Act, 1950 (XVIII of 1950) or Central Act IX of 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.

34. *Submission of reports and returns.*—The Superintendent shall submit punctually to the Inspector-General of Prisons such yearly 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 he shall furnish the Inspector-General of Prisons with a report on the administration of the Jail in which all matters of importance or possessing a bearing on the Jail statistics of the year shall be noticed. He shall be generally responsible for the due carrying out of all rules hereinafter contained relating to account books and records of all kinds.

35. *Control of expenditure.*—(1) Subject to the rules and orders of Government in the financial department, and the directions of the Inspector-General of Prisons, the expenditure of the Jail shall be controlled by the Superintendent.

(2) He shall annually submit to the Inspector-General of Prisons the prescribed budget within the time limit prescribed therefor.

(3) The Superintendent may sanction expenditure subject to budget provision not exceeding Rs. 25 at a time.

36. *Report of important occurrences.*—Any outbreak of epidemic disease or unusual sickness, all serious breaches of Jail discipline, escapes, attempts to escape, re-captures, accidents, suicides, attempts at suicide or deaths from violent or unnatural causes shall be at once reported by the Superintendent to the Inspector-General of Prisons.

All communications from a Member of Parliament or of a State Legislature under arrest or detention or imprisonment, addressed to the Presiding Officer of either House of Parliament or of a State Legislature, Chairman of a Parliamentary Committee or of a Joint Committee of both Houses of Parliament or Chairman of a similar Committee of a State Legislature, as the case may be, shall immediately be forwarded by the Superintendent of the Jail to the State Government, through the Inspector-General of Prisons, so as to be dealt with by them in accordance with the rights and privileges of the prisoner as a Member of the House of Legislature as the case may be to which he belongs.

37. *Intimation of serious illness or death of a prisoner.*—When a prisoner die or is seriously ill, the Superintendent shall immediately intimate the fact of such death or illness to the relatives of such prisoner, either by wire or express message and the fact reported to the Inspector-General of Prisons.

38. *Superintendent to furnish copy to Inspector-General of communications sent to or received from Government.*—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 of Prisons direct. In the case of petitions for mercy from and on behalf of prisoners under sentence of death, it shall not be necessary to furnish the Inspector-General of Prisons with of copies such orders of Government as are also furnished direct to him by Government. Any specific action taken by the Superintendent on any order or communication received direct from Government shall at once be reported to the Inspector-General.

39. *Presence of inspections.*—The Superintendent shall accompany the Inspector-General during his inspection of the Jail and shall also accompany official visitors they request his presence during their visits.

40. *Superintendent's powers of appointment, suspension and punishment.*—(1) It shall be competent to the Superintendent to grant all kinds of leave except study leave and special disability leave to all non-gazetted subordinates employed under him and casual leave to all subordinates.

It shall be competent to the Superintendent to make appointment of all warders on the sanctioned establishment subject to the Public Service Commission Recruitment Rules and Public Service Commission Consultation Regulations.

All questions of pay, eligibility for leave and allowance shall be disposed of in accordance with the Service Regulations. When the Superintendent has any doubt as to the application of the Regulation, he shall refer the matter to the Finance Secretary to Government through the Inspector General of Prisons and comply with instructions issued by that officer.

(2) It shall be competent to the Superintendent to place any officer of the warder staff, under suspension where—

(a) an inquiry into his conduct is contemplated or is pending; or

(b) a complaint against him of any criminal offence is under investigation or trial.

The Superintendent should in such cases conduct an enquiry into the charges against the Warders and pass final orders expeditiously. The final order passed by the Superintendent shall state, firstly the charges against such officer, secondly the evidence in support of such charges, thirdly the finding on each charge and fourthly the previous punishments if any, imposed on the officer, and the latter is entitled to have on application a copy of it duly attested by the Superintendent.

(3) The Superintendent may fine any member of the warder staff below the rank of Headwarders in accordance with the provisions of the Kerala Civil Services (Classification, Control and Appeal) Rules.

(4) It shall be open to a subordinate punished by the Superintendent to appeal against the order of punishment to the Inspector General of Prisons within thirty days after the receipt by him of the copy of the order appealed against.

(5) Every appeal must be forwarded through the Superintendent who shall forward the same with his remarks and any necessary records.

(6) It shall be competent to the Superintendent to sanction temporary withdrawals from the provident fund deposits of subordinate officers up to a maximum Rs. 10,000* each in ordinary cases.

CHAPTER V

THE MEDICAL OFFICER

41. *Appointment of Medical Officers.*—A member of the Medical Department not below the rank of an Assistant Surgeon shall be Medical Officer of a Central Prison.

42. *Control of Medical Officer.*—The Medical Officer 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.

43. *Channel of communication.*—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.

44. *Daily visit to Jail.*—The Medical Officer shall visit the Jail and shall see the sick daily except on Sundays, and on those days also whenever necessary and shall, inspect every part of the Jail at least once a week and make an entry of his inspection in his journal and often in times of sickness. If he is prevented from doing so by sickness or any other cause, he shall record the fact and the cause of it in his journal. If any epidemic or unusual sickness prevails, or when the seriousness of the case requires it, he shall visit the Jail as many times daily as may be necessary.

45. *Duties generally stated.*—The duties of the Medical Officer generally stated shall be to attend to the health and cleanliness of the prisoners, the treatment of the sick the sanitation of the Jail, the supervision of the food, raw and cooked, the fortnightly, weighments, and all other matters connected directly or indirectly with the health of the staff and the inmates of the Jails.

46. *Attendance of weekly inspection.*—(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 or any falling off in condition, or of skin disease. He shall also examine the prisoner's 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 prisoner's weighments satisfy himself that the weight test is being properly applied and see that the prisoners' losing weight in any material degrees are separately paraded.

*G.O. (P) 356/94/Fin. dated 6-12-1994.

47. *Attendance on Jail Officers.*—(1) The Medical Officer shall attend all subordinate Jail Officials and their families if they seek his advice whether in the hospital or in his quarters and give them free treatment. He shall bring to the notice of the Superintendent any fact 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.

(2) The Medical Officers 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 the physical capacity and state of health.

48. *Maintenance of Journal.*—(1) The Medical Officer shall keep a journal in Form No. 3 in which he shall record every visit paid to the Jail, the hour at which he entered and left the Jail daily, the portions of the Jail or classes of prisoners visited, the number of sick in hospital and any matter which he considers should be brought to the notice of the Superintendent, especially,—

(a) any defects in the food, clothing or bedding of prisoners or in the cleanliness sanitation, water supply or other arrangements of the Jail which the Medical Officer considers likely to be injuries to health, together with suggestions for the remedy of such defects in addition to his report on weekly inspection on sanitation;

(b) any occurrence of importance connected with the hospitals administration, any marked increase in the number of inpatients or outpatients and the apparent causes of the same; and

(c) any recommendations regarding individual prisoners.

(2) This journal shall be sent daily or more often if necessary, to the Superintendent for the immediate issue of such orders as he may see fit to pass.

49. *Submission of Returns.*—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.

*50. *Maintenance of Registers.*—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 inspection of the Inspector General of Prisons every register and record connected with the Medical Department of the Jail shall be produced before him.

Note:— For other rules to the Medical Officer's duties see the following viz., Examination of prisoner on admission etc., rules 232 and 233 Examination Article of Food Rules 348 and 349. Examination of prisoners with reference to Labour Rule 394. General duties in regard to hospital management rule 600 to 632. General duties in regard sanitation rules 662 to 683.

*51. *Non-practice allowance and special pay to Medical Officers.*—**The Medical Officer employed in a Central Prison shall be given a non-practice allowance of Rs. 200 per mensem and a special pay of Rs. 60 p.m. considering the dangerous and arduous nature of his duties.

52. *Residential quarters of the Medical Officer.*—The Medical Officer shall reside in the rent free quarters provided by Government for the purpose.

53. *Term of appointment.*—Subject to the discretion of the Director of Health Services and the exigencies of public service, the Medical Officer appointed to the Jail shall continue to be in charge of his office for a period of three years, exclusive of any long leave that he may avail himself of.

54. *Duties further defined.*—It shall be the duty of the Medical Officer—

(a) to examine all newly admitted prisoners and to record in the admission registers and history tickets the particulars as regards health, labour and the like;

(b) to attend to all prisoners who complain or appear to be ill and have them removed to hospital for examination as each case may require;

(c) to inspect the convalescent gang and any prisoner kept under observation every morning.

(d) to be responsible that order, cleanliness and discipline are maintained in the hospital and its enclosure and that the compounder and attendants perform their duties properly;

(e) to bring to the notice of the Superintendent any female whom he may suspect to be pregnant;

(f) to bring promptly to the notice of the Superintendent any case of suspected cholera or other contagious or infectious disease that may appear amongst the staff or the inmates of the Jail;

(g) 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 send samples for analysis;

*Rule 51—Substituted as per G.O. MS. 94/63 Home dated 15-2-1963.

**Amount enhanced vide G.O. (P) 480/89/Fin. dated 1-11-1989.

(h) to inspect at least once a week the surroundings of the Jail and especially the place and the manner in which filth and the like are trenched or otherwise disposed of, and

(i) to attend to the ventilation, with due regard to the season of the hospital, sleeping wards and work shops; and to satisfy himself that the prisoners are not unnecessarily exposed to drought or to rain.

55. *Local allowance to the Compounder.*—The Compounder on duty in the Jail Hospital shall be given a local allowance of Rs. 25* per mensem.

56. *Residential Quarters of the Compounder.*—The Compounder shall reside in the quarters provided by Government for the purpose.

57. *Term of Service of the Compounder.*—Subject to the discretion of the Director of Health Services and exigencies of public service the Compounder appointed to the Central Prison shall continue to be in charge of his office for a period of two years exclusive of any long leave that he may avail himself of.

58. *Duties of the Compounder.*—The Compounder shall obey the lawful orders of the Medical Officer in all matters connected with the medical work of the Jail and of the Superintendent and Jailer in other matters.

(2) His duties shall be to help the Medical Officer in the maintenance of the health of the staff and prisoners by compounding and distributing medicines, 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.

59. *The District Medical Officer to visit the Jail.*—“The District Medical Officer of the District in which a Central Prison is situated shall visit that Jail at least twice a month usually at the time when the weekly inspection parades of prisoners are conducted by the Superintendent, see every prisoner and hear and enquire into any complaint of sickness.

†60. *Conveyance allowance to the District Medical Officer.*—The District Medical Officer, shall be given a conveyance allowance of Rs. 10 per visit subject to sum of Rs. 40 per mensem for his visits to the Central Jails mentioned in rule 59”.

61. *Psychiatric service.*—Prisoners requiring Psychiatric Examination and Treatment shall be given the services of the Psychiatrists.

*GO (P) 480/89/Fin. dated 1-11-1989

†Rule 50 amended as per G. O. (MS) 215/61/Home dated 17-4-1961.

62. *Visit of Psychiatrist.*—The Psychiatrist shall visit the Jail at least once a month and examine and treat the prisoners who require such examination and treatment.

63. *Who is the Psychiatrist for each Jail.*—The Psychiatrist of the Mental Hospital, Trivandrum shall be the Psychiatrist of the Central Prison, Trivandrum and the Psychiatrist of the Mental Hospital, Kozhikode shall be the Psychiatrist of the Central Prison, Cannanore. Till a Psychiatrist is appointed at or near Trichur the Psychiatrist of the Mental Hospital, Kozhikode shall function as the Psychiatrist of the Central Prison, Viyur also.

64. *Allowance to the Psychiatrist.*—The Psychiatrist shall be paid a monthly allowance of Rs. 30 for his visit to each Central Prison.

CHAPTER VI

SUBORDINATE OFFICERS GENERALLY

65. *Division of staff into two parts.*—The subordinate establishment of the Jails Department exclusive of the Medical Branch is divided into two parts, the upper subordinate and the Warder Establishments.

66. *Constitution of the upper subordinate establishment.*—The upper subordinate establishment shall consist of the Jailer, Deputy Jailer and Assistant dailers.

*67. *Qualification for appointment to upper subordinate Establishment.*—Person whether an officer of the Department or not shall be eligible for appointment to the Grade of Jailer Deputy Jailer, or Assistant Jailer unless he possesses the general educational qualification prescribed by Government from time to time. A person appointed to any of the above post should also pass the Jail Officers Test within the period of his probation unless he has already passed the test. This amendment shall be deemed to have come into force with effect from the 11th December 1959.

68. *Liability to serve in any Jail.*—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.

69. *Training in drill and musketry.*—(1) Every Subordinate Executive Officer shall undergo a thorough training in squad and company drill and the use of arms and members of the upper subordinate establishment shall be able to drill the guard and give instruction in musketry.

*Rule 67 Substituted as per G. O. (Ms) No. 153/72/Home dated 10-10-1972.

(2) Ball practice shall be held once in alternate months and blank firing shall be practised once in three months. The results of ball practice shall be recorded in the Practice Register.

70. *Confidential personal sheet.*—The Superintendent shall maintain for every subordinate above the rank of Head Warder a confidential personal sheet in which the entries shall be made in his own hand, half yearly; the entries shall deal with the officer's physique, character, activity, knowledge of drill, if required power of command, work generally and fitness for promotion. A copy of the Superintendent's remarks on the Jailer, Deputy Jailer, Assistant Jailers and Technical subordinates shall be submitted confidentially not later than the 15th February and 15th July to the Inspector General of Prisons.

71. *Supply of vegetable from Jail garden to subordinate establishment.*—With the permission of the Superintendent, the Jailer, Deputy Jailer, Assistant Jailers and other Jail subordinates may be allowed a reasonable supply of vegetables for their own consumption from the Jail garden free of charges provided that no such permission shall be given unless the entire supply of vegetables required for jail use is being obtained from the Jail garden.

72. *Knowledge of rules.*—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.

73. *Duties towards Superior Officers.*—Every subordinate officer shall yield prompt and strict obedience to all orders of the superior officers and shall treat all superior officers at all times with respect.

74. *Not to be absent without permission.*—No subordinate officer shall be absent during the hours fixed for his attendance without the permission of the Superintendent or Jailer. Any subordinate officer disabled from the performance of duty by illness shall give or send immediate notice to the Jailer who shall make such arrangements as may be necessary for the performance of the duty of the disabled officer.

75. *Dress and Personal appearances.*—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.

76. *No Officer to smoke or drink in the Jail.*—No subordinate officer shall smoke, and drink while on duty or without authority introduce liquor, tobacco or any other prohibited articles into the Jail.

77. *Officer to receive visitors.*—No subordinate officer shall receive any private visitor within the Jail, except with the sanction of the Superintendent.

78. *Conditions as to residence.*—(1) Every subordinate officer of a Jail for whom residential rent free quarters are provided shall reside therein.

(2) When free quarters are not provided, the subordinate shall reside in such quarters as may be approved by the Superintendent.

(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.

79. *Prohibition against quarrelling.*—All quarrelling between Jail officers is strictly prohibited; and disagreement between subordinates relative to their duties shall be referred to the Jailer or the Superintendent. A complaint by one officer against an equal or superior shall be made to the Superintendent. Frivolous or false complaints will be severely punished.

80. *Officers to prevent escapes and introduction of prohibited articles.*—Every Jail Officer shall;

1. Exert the utmost vigilance to prevent escape;
2. Prevent to the best of his power the introduction into the Jail, and the giving to any prisoner of any prohibited articles; and
3. Prevent any communication between prisoners and outsiders except as permitted by Rules.

Under Section 44 of the Travancore-Cochin Prisons Act, 1950 (XVIII of 1950) and 43 of the Prisons Act (Central Act IX of 1894) any Jail Officer may arrest any person committing in his presence any offence specified in Sections 43 and 42 respectively of the said Acts and refusing to give his name and address.

81. *Prohibition against visiting prisoners.*—Except as elsewhere provided, no subordinate officer shall enter a ward or cell at night unless accompanied by another authorised 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 jail of an epidemic disease.

82. *Responsibility of Warder for charge of gang.*—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 Head Warder whose duty it is to conduct such relief.

83. *Duties of Officer in charge of gang.*—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 unauthorised communications with each other or with any unauthorised person or the procuring of prohibited articles.

84. *Care of keys.*—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 authorised 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.

85. *Care of Government property.*—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 then 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.

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

86. *Officers to instruct their successors.*—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.

87. *Prisoners to be treated with good temper.*—The aim of handling of prisoners, is correction for rehabilitation. All Jail Officer shall treat prisoners with good temper, humanity and strict impartiality, and shall listen patiently and without irritability to any complaint or grievance, while at the same time maintaining strict discipline and enforcing observance of the Rules and Regulations. It is important that every complaint made by a prisoner should be heard with attention, in order that grievances may be redressed and that no cause for discontent may be allowed to remain.

88. *Prohibition against punishing or abusing prisoners.*—No Jail Officer shall in any circumstances, punish any prisoner except under the Superintendent's order or threaten any prisoner with punishment or use violent, 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 or numbers.

89. *Prisoner not to be struck.*—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.

90. *Immediate report of misconduct to be made.*—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.

91. *Familiarity with prisoners forbidden.*—No Jail Officer shall unnecessarily converse with a prisoner or treat him with familiarity or allow any familiarity between a prisoner and any other officer in the Jail nor shall he discuss matters of discipline, or jail duties or arrangements with or in the hearing of prisoners.

92. *Officers not to have dealings with prisoners or their friends.*—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 friends or relatives of any prisoner or have any unauthorised communication with any prisoner or with any persons whatever as to matters concerning the Jail.

93. *Officer to receive prisoners' property.*—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.

*93A. The Superintendent shall send to the Chief Probation Superintendent quarterly lists of inmates to be released three months in advance, requesting to arrange for the after care of the inmates on their release. The Chief Probation Superintendent after getting pre-release enquiry reports from the concerned Probation Officers shall arrange for the after care of the inmates whenever released."

94. *Intercourse with discharged prisoners forbidden.*—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.

95. *Officers not to be interested in Jail contract.*—No Jail Officer shall directly or indirectly be concerned in any contract or agreement for the supply of any article for the use of the Jail nor receive, directly or indirectly, any fee, 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.

96. *Officers not to engage in trade.*—No Jail Officer shall either directly or indirectly engage in any trade, business or employment other than his legitimate jail duties.

97. *Keeping of farm stock or cattle.*—No Jail Officer below the rank of Chief Warder shall be permitted to keep cattle or other farm stock within the Jail premises.

98. *Superintendent to decide when prosecution should be instituted.*—The Superintendent shall decide whether or not a prosecution shall be instituted in respect of any offence punishable under Section 55 of the Travancore-Cochin Prisons Act (XVIII of 1950) and section 54 of the Prisons Act, 1894 (Central Act IX of 1894). Whenever a prosecution is determined on, the Officer concerned shall be suspended from duty.

99. *Offences to be dealt with judicially.*—For the following offences, a prosecution shall be instituted unless the Inspector-General of Prisons otherwise order, in which case the offender shall be punished departmentally:

1. Wilfully or negligently permitting an escape;
2. committing any offence punishable under section 43 of the Travancore-Cochin Prisons Act XVIII of 1950 or 42 of the Prisons Act IX of 1894 (Central Act IX of 1894);
3. immoral conduct with regard to any prisoner;
4. any offence punishable under Chapter IX of the Indian Penal Code.

100. *Acquitted Officers to be reinstated.*—A Jail Officer acquitted of a charge by a Criminal Court shall be reinstated in the service unless the Inspector General of Prisons for reasons to be recorded in writing, otherwise directs.

101. *Offences ordinarily punishable by dismissal.*—The following offences shall be punished by dismissal unless the previous character of the offender and the circumstances of the case render a milder punishment sufficient:

1. appearing on duty in a state of intoxication;
2. striking a prisoner;
3. sleeping on duty;
4. entering or permitting any person to enter the female enclosure without proper authority;
5. committing or conniving at irregularities in the supply or distribution of food;

6. being concerned, directly or indirectly, in a jail contract or receiving a present from a contractor;
7. having dealings with any prisoner or prisoner's friend;
8. insubordination towards any superior officer;
9. any other breach of Prison Rules.

102. *Procedure prior to inflicting punishment.*—(1) In every case where it is proposed to inflict on a member of the service any punishment in the form of censure, fine, withholding of increments or promotion including stoppage at efficiency bar, recovery from pay of the whole or any part of any pecuniary loss caused to Government by negligence or breach of orders and reduction of pension, he shall be given a reasonable opportunity of making any representation that he may desire to make and such representation if any, shall be taken into consideration before the orders imposing the penalty is passed:

Provided that the requirement of this sub-rule may, for sufficient reasons, to be recorded in writing, be waived when there is genuine difficulty in observing them and they can be waived without injustice to the person concerned.

(2) In every case where it is proposed to inflict on a member of the service any punishments in the form of reduction to a lower rank in the seniority list or to a lower post or time-scale or to a lower stage in the times scale, compulsory retirement, removal from the service and dismissal from the service the grounds on which it is proposed to take action shall be reduced to the form of a definite charge or charges, which shall be communicated to the person charged together with a statement of the allegations on which each charge is based and of any other circumstances, which it is proposed to take into consideration in passing orders on the case. He shall be required, within a reasonable time to put in a written statement of his defence and to state whether he desires an oral enquiry or only to be heard in person. If he so desires or if the authority concerned so directs an enquiry shall be held.

103. *Record of punishments inflicted.*—Every punishment inflicted on a Jail Officer shall be recorded in the Jail Officers' misconduct book, and in the Jail Officers' appointment and history book. Admonition is not a punishment but any formal warning shall be recorded.

104. *Officer to quit the Jail on termination of appointment.*—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.

105. *Caution to officers under suspension.*—(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 any inquiry into his conduct, and if he fails to do so, the inquiry may be held in his absence.

106. *Re-employment of dismissed officers.*—No subordinate officer once dismissed or discharged from or who has resigned his appointment in the department, shall be employed again in the jail without the sanction of the Inspector-General of Prisons to whom all the circumstances shall be reported.

107. *Prohibition against employment of convicted person.*—No person who has been convicted and punished with imprisonment shall be employed in the Jail without the special sanction of the Inspector-General of Prisons.

CHAPTER VII

UNIFORM OF JAIL OFFICERS

108. *Uniform of I.G. and Superintendent.*—(1) The Uniform of the Inspector-General of Prisons shall be—

(a) CEREMONIAL:

1. Tunic—Khaki serge, military pattern, turn down collar with Silver Asoka Lion, on the lappets.
2. Breeches or trousers—Khaki serge
3. Shirt—khaki.
4. Collar—khaki fastened with plain gold tie pin.
5. Tie—dark blue silk.
6. Shoes—brown parade.
7. Forage cap—*(“Police Pattern”) embroidered peak one silver Asoka Lion in floral wreaths and letters “K.J.” on either side and ‘S’ between.
8. Belt—Sambrown regulation pattern with silver mountings.
9. Sword—Infantry Officer’s pattern with silver hilt.
10. Whistle—metropolitan with khaki silk cord.
11. Shoulder Badges—K.S.J. with two stars and Asoka Lion in silver.
12. Buttons—Silver with State emblem at the centre and “Kerala Jails” inscribed around.
13. Socks
14. Scabbard—brown leather with silver mountings.

* G. O. (Rt.) No. 2259/77/H. dated 27-10-1977.

*(b) WORKING DRESS:

Khaki shirt with soft collar and dark blue tie fastened with plain gold tie pin, two breast pocket with flap and button, shoulder straps with badges, khaki shirts, khaki woollen stockings, brown boots or shoes, sambrown belt, whistle with cord, forage cap. Bush coats can also be used in place of shirt.

(2) *The Uniform of the Superintendent shall be—*

(a) CEREMONIAL:

1. Tunic—Khaki serge, military pattern, turn down collar with silver stars on the lappets.
2. Breeches or trousers—khaki serge.
3. Shirt—khaki
4. Collar—khaki fastened with plain gold tie pin.
5. Tie—dark blue silk.
6. Shoes—brown parade.
7. Forage cap—“(police pattern)” embroidered peak silver Asoka Lion in floral wreaths and letters “K.J.” on either side and “S” between.
8. Belt—sambrown regulation pattern with silver mountings.
9. Sword—Infantry Officer’s pattern with silver hilt.
10. Whistle—metropolitan with khaki silk cord.
11. Shoulder badges K.S. J. with one Asoka Lion.
12. Buttons—silver with State emblem of the centre and “Kerala Jails” inscribed around.
13. Socks.
14. Scabbard—brown leather with silver mountings.

(b) WORKING DRESS:

Khaki Shirts with soft collar and dark blue tie fastened with plain gold tie pin, two breast pocket with flap and button, shoulder straps with badges, khaki shorts or trousers, khaki woollen stockings, brown boots or shoes, sambrown belt, whistle with cord forage cap. Bush coats can also be used in place of shirt.

109. *Uniform to be worn on duty.*—All Jail Officers shall, when on duty always appear in the uniform, prescribed for and supplied to them by Government.

* *Note:*—Bush coats may also be used for working dress in place of shirts.

110. *Uniform of Jailer.*—The Uniform of the Jailer shall be—

(a) CEREMONIAL:

1. Tunic—Khaki drill military pattern, turn down collar.
2. Trousers—Khaki drill.
3. Shirt—Khaki, collar khaki fastened with plain gold tie pin.
4. Tie—Dark blue silk.
5. Shoes—Brown parade.
6. Belt—Sambrown with brass mountings (I sling only)
7. Whistle—Metropolitan with khaki silk cord.
8. Shoulder badge—K.S.J. with two silver stars.
9. Forage cap—“(police pattern)” and silver embroidered Asoka Lion in front and letters K.S.J.
10. Buttons—Silver with State emblem at the centre and “Kerala Jails” inscribed around.
11. Socks.

* (b) WORKING DRESS:

1. Forage cap “(police pattern)”
2. Khaki trousers or shorts.
3. Khaki shirt, open neck, half arm with pockets and shoulder scraps.
4. Brown Shoes.
5. Sambrown belt without frog.
6. Metropolitan whistle with khaki silk cord and K.S.J. shoulder badge (as in ceremonial dress)
7. Badges as per ceremonial wear.

111. *Uniform of Deputy Jailers and Assistant Jailers.*—Deputy Jailers and Assistant Jailers shall wear uniform similar to the Jailer with the following exceptions:—

DEPUTY JAILERS:

Tunic—Closed double collar, shoulder badge K.S.J. with one star
Sambrown belt with brass fittings (without frog).

ASSISTANT JAILERS:

Tunic—Close double collar, shoulder badge K.S.J. with silver State emblem with wreaths.

Sambrown Belt with brass fittings (without frog)

*Bush coats may also be used working dress in place of shirt.

112. *Uniform of Chief Warder.*—The Uniform of the Chief Warder shall be as follows:—

1. Tunic—Khaki drill, military pattern without side pockets.
2. Trousers—Khaki drill, shorts for ordinary wear.
3. Boots—Black.
4. Putties—Khaki woollen.
5. Turban—Brown, with gold lace 1.3 cm. broad or Pith hat.
6. Belt—Brown leather waist belt waist hook to be worn to support the belt.
7. Shoulder Badge—K.S.J. in gilt and one gilt five points star on the shoulder straps.

113. *Uniform of Head Warders.*—Head Warders shall wear khaki shirt with open front having brass buttons 7.6 cm. apart down front, 2 breast pocket with brass buttons and pointed laps. The shirt shall be made loose enough at the back to allow of free movement. **“They shall wear silk cloth waist belt (red colour) with buckles having the words”*. *“Kerala State Jails Department inscribed on them and black leather Boots”*.

†114. *Uniform of Warders.*—Warders shall wear a khaki open collar shirt having 3 brass buttons and 2 press buttons apart down the front, two breast pockets with brass buttons and pointed laps shoulder straps of khaki to be fastened with small buttons and to have the Jail badge. The blouse will be made loose enough at the back to allow of free movement. They will wear khaki shorts. The putties shall be khaki woollen. They will wear felt hat with blue ribbon around and Asoka State Emblem (brass) in front. They will wear a brown leather waist belt.

115. *Warders to carry whistle.*—Every Head Warder and Warder shall carry a brass whistle with chain and be provided with water proof cap with hood and sandals.

**116. Female Warders shall wear white Sarees with Green Border and White Blouse. They shall wear Badges of brass or white metal fixed on the left side of their breast. They shall also be provided with sandals”.

117. *Chief and Head Warder to be provided with cane and Warders with batons or lathies.*—(1) Chief Warder and Head Warders shall be provided with a cane of approved quality and size and the Warders with wooden baton or male bamboo not more than 76.2 cm. long not weighing more than 622 gr.

*G.O. (MS) 156/79 dated 19-11-1977.

†1st Sentence of rule 114 substituted as per G. O. (P) 170/67/Home dated 1-9-1967.

**Substituted as per [G. O. (MS) No. 154/75/Home dated 27-12-1975].

(2) A register of articles of uniform shall be maintained by the Chief Warder in Form No. 22.

118. *Supply of Extra Suits.*—The Chief Warder, Head Warders and Warders will be required if the Superintendent considers it necessary to supply themselves with extra suit of uniform at their own cost. Warders shall be required to supply themselves with banians or jerseys at their own expenses and always to wear them under their uniform.

*118A. Every Warder attending night duty in Jails shall be provided with one grass mat of superior quality at Government cost to take rest at the time when he is relieved of his duties during the night. But the number of mats so supplied shall be limited to the number of Warders on night duty at each shift. The mats supplied will be treated as Jail property and may be replaced after a year or when worn out whichever is later.

119. *Responsibility for uniform supplied by Government.*—Officers supplied with uniform at Government cost are prohibited from selling the same and any unauthorised attempt to dispose of it will render the offender liable to prosecution. All suits and turbans shall be clearly and permanently stamped with the date of issue and this date shall be renewed when necessary. At every kit inspection Warders and Head Warders shall produce the water proof caps. 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.

120. *Arms to be carried on duty.*—Every member of the Warder establishment shall, when on duty inside the Jail carry a baton or a male bamboo lathi not more than 76.2 cm. long.

121. *Articles of uniform.*—The following articles of uniform are to be provided at Government cost:—

A. INSPECTOR GENERAL OF PRISONS:

1. One complete set of the ceremonial uniform	On appointment and till worn out
2. Khaki suit (working dress)	2 every year
3. Blue tie	1 every year
4. Khaki woollen stockings	2 every year
5. Brown Boots or shoes	2 pairs every year
6. Forage Cap	1 every two years
7. Belt	1 every 5 years
8. Whistle and badges and 12 Buttons	Till worn out.
9. Whistle cord	1 every 2 years
10. Water-proof coat	1 every 5 years
11. Pig sticker topee	1 every year
12. Woollen socks	1 pair every year
13. Bush coat	1 every year in lieu of a shirt

*Rule 118A inserted as per G.O. (MS) 265/59 Home dated 5-8-1975.

B. SUPERINTENDENT:

1. One complete set of the ceremonial uniform	On appointment and till worn out.
2. Khaki suit (working dress)	2 every year
3. Blue tie	1 every year
4. Khaki Woollen stockings	2 every year
5. Brown boots or shoes	2 pairs every year
6. Forage cap	1 every year
7. Belt	1 every 5 years
8. Whistle and badges and 12 Buttons	Till worn out.
9. Whistle cord	1 every 2 years
10. Water-proof coat	1 every 5 years
11. Woollen socks	1 pair every year
12. Bush coat	1 every year in lieu of a shirt.

C. JAILER, DEPUTY JAILER AND ASSISTANT JAILER:

1. One complete set of the ceremonial uniform	On appointment and till worn out.
2. Khaki drill shorts or trousers	12 every year
3. Khaki shirt (working dress)	12 every year
4. Forage cap (police pattern)	1 every year
5. Brown shoes	2 pairs every year.
6. Socks	1 pair every year.
7. Stockings	2 pairs every year
8. Badges button and whistle	Till worn out
9. Belt	Till worn out
10. Rain Coat	1 every 5 years
11. Bush coat	1 every year in lieu of 1 shirt

D. CHIEF WARDER:

1. Jacket	2 every year
2. Trousers or shorts	2 every year
3. Boots	2 pairs every year
4. Socks	1 pair every year
5. Putties	1 pair every year.

- | | |
|---------------------|--------------------|
| 6. Belt | Till worn out. |
| 7. Turban or hat | 1 every year. |
| 8. Whistle | Till worn out. |
| 9. Button and badge | Till worn out. |
| 10. Rain coat | 1 every 5 years. |
| 11. Cane | Till worn out. |
| 12. Metal polish | 2 tins every year. |
| 13. Leather polish | 2 tins every year. |

E. HEAD WARDERS:

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|---|----------------------|
| 1. Khaki Shirt | 2 every year. |
| 2. Khaki shorts | 2 every year. |
| 3. Half putties | 2 pairs every year*. |
| 4. Boots | 1 pair every year. |
| 4 (a). Hose Top* | 2 pairs every year. |
| 4 (b). Socks** | 2 pairs every year. |
| <p>“5. Silk cloth waist belt red colour with buckles (white metals) having the words “Kerala State Jail Department” inscribed on them. The cloth portion to be renewed every year and the buckles to be renewed only when it is worn out”</p> | |
| 6. Buttons, whistle, chain, badge and cane. | do. |

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|--------------------|----------------------|
| 7. Chevrons | 1 set every 2 years |
| 8. Rain coat | 1 set every 5 years. |
| 9. Felt Hat | 1 every year |
| 10. Metal polish | 2 tins every year. |
| 11. Leather polish | 2 tins every year. |

F. WARDERS:

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|-----------------------|---------------|
| 1. Open collar shirts | 2 every year. |
| 2. Khaki shorts | 2 every year. |

*G. O. (MS) 42/76 dated 30th March, 1976 of Home (B) Department.

**Amended with effect from 1-4-1976 as per G. O. (MS) 42/76/Home dated 30-3-1976.

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| 3. Half patties | 2 pairs every year* |
| 4. Boots (Ammunition) | 1 pair every year. |
| 4 (a). Hose Top* | 2 pairs every year. |
| 4 (b). Socks** | do. |
| 5. Felt hat | 1 every year. |
| 6. Belt, whistle, chain, button,
badges and numbers | Till worn out. |
| 7. Chevrons | 1 set every year. |
| 8. Baton or lathi | Till worn out. |
| 9. Rain coat | 1 every 5 years. |
| 10. Metal polish | 2 tins every year. |
| 11. Leather polish | 2 tins every year. |

G. FEMALE WARDERS:

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|--|---------------------|
| 1. White cloth of good quality for
8 blouses. | 7 mtrs. per year. |
| 2. White sarees with 6 c.m. green
border. | 4 Nos. per year. |
| 3. White cloth for under garments. | 8 mtrs. per year. |
| 4. Brass or white metal badge with
letters (K.S.J.) | Till worn out. |
| 5. Sandals. | 2 pairs every year. |

122. *Surrender of uniform.*—Every article of uniform supplied to a Jail Officer at Government cost should be immediately delivered up when he or she ceases to belong to the Jail establishment or has been, suspended. If such articles have in the opinion of the authorities been improperly used or damaged the cost of the article shall be made good from the pay or allowance due to the officer.

123. *Surrender of uniform of Jail Officer quitting station on leave.*—A Jail Officer who quits the station on leave for more than one month shall surrender the articles of uniform before he enters on such leave.

124. *Jail Officers to be smartly dressed.*—The Superintendent shall always see that the Jail Officers are smartly dressed and that their uniform is kept clean and properly put on.

*Amended with effect from 1-4-1976 as per G. O. (MS) No. 43/76 Home dated 30th March 1976.

**G. O. (MS) No. 30/77 dated 14-3-1977 Inserted as per G. O. (MS) No. 154/75 Home dated 27-12-1985.

125. *Uniform to be looked upon as badge of service.*—The Superintendent will impress upon the staff that they should look upon their uniform as the badge of their service and not as a penal dress to be thrown aside the moment the duty is over.

CHAPTER VIII

SECURITY DEPOSITS

126. *Security of executive Officers and Clerks.*—Every Jailer, Deputy Jailer, Assistant Jailer or Clerk who is appointed either permanently or on probation or to act for a period of more than 6 months shall furnish security in the following amounts:—

	Rs.
Jailer—Permanent, probationary or acting	300
Deputy Jailers—Permanent, probationary or acting	300
Assistant Jailers and Clerks—Probationary or acting	100
The Assistant Jailer or Clerk working as Accountant and Cashier—Permanent, probationary or acting	500
Assistant Jailer or Clerk working as Store-keeper in Jail Manufactory—Permanent, probationary or acting	500

127. *Security of Technical Officers.*—The manufactory and agricultural employes mentioned below shall be required to furnish the following amounts as security deposits:—

	Rs.
1. Weaving Instructor, Central Prison, Trivandrum	200
2. Industrial Instructor, Central Prison, Viyur	200
3. Weaving Foreman, Cannanore Central Prison	200
4. Boot Foreman, Central Prison, Trivandrum	100
5. Carpentry Instructor	100
6. Tailoring Instructor	100
7. Blacksmithy Instructor	100
8. Agricultural Demonstrator	100

128. *Superintendents' responsibility in other cases.*—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.

*129. *Method of depositing security.*—Ordinarily Government servants who are required to furnish security should deposit the whole amount of security within one month after the date of appointment and no salary is to be passed to a Government servant until he has furnished the prescribed security. In the case of securities of Rs. 500 or less, however, they may be allowed at the discretion of the head of the department, the option of binding themselves by two responsible sureties for the whole amount and agreeing to deposit the same by monthly deductions at a fixed rate not exceeding a moiety of their pay, provided, however that such monthly deductions shall not extend over a period exceeding two years. As an alternative, the following procedure may be adopted:—

(i) The officer may give a fidelity bond of an insurance company approved by Government for the full amount of the required security guaranteeing Government against losses through dishonesty, negligence or disregard of rules.

(ii) Deduction will then be made at the rate of 10 per cent of the officer's pay and the fidelity bond will be cancelled only after the full amount of the security bond has been deposited in cash.

130. *Record of deductions from salary.*—The deductions made under the last preceding rule shall be recorded in a special column of the acquittance roll.

131. *Investments of deposits.*—An Officer required to furnish security shall invest the amount of such security in the nearest Government Savings Bank pledging the amount to the Superintendent as required by the provisions of the Travancore Financial and Account Code.

132. *Post Office Five Year Cash Certificates.*—Post Office five year cash certificates may be accepted at their present, 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.

*Note:—1. Fidelity bonds with approved firms may be accepted in lieu of personal sureties and not in lieu of cash or Government securities subject to the form of the bond in individual cases being accepted by heads of departments in consultation with the Law Officers when necessary.

2. Officers accepting fidelity bonds as security should take care to see that they are kept alive.

133. *Deposits receipt of Banks.*—Deposit receipt 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.

134. *Custody of Promissory Notes.*—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.

Custody of pass books and bonds.—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 agreement or bonds.

135. *Annual count and check of securities by Superintendents.*—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 annual 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.

136. *Execution of Security Bond.*—Officers furnishing security shall execute security bond as required by the rules of the Financial and Account Code for the time being in force.

137. *Submission of Statement regarding Security.*—The Superintendent shall maintain a register of security deposited by each officer in Account Form No. 188 and shall submit to the Inspector General an extract of it in Form No. 188 not later than the 20th April in each year.

CHAPTER IX

THE JAILER

138. *General duties of Jailer.*—The Jailer 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 the subordinate staff.

139. *Maintenance of discipline.*—The Jailer's first 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, or on permission from the Superintendent.

140. *Jailer to be present in absence of Deputy Jailer.*—The Jailer and Deputy Jailer shall not be absent from the Jail at the same time during the day. The hours for meals should be so arranged that either the one or the other is present at the Jail.

141. *Daily inspection.*—The Jailer shall visit every part of the Jail daily and shall see every prisoner at least once in every 24 hours.

142. *Attention of person of prisoners.*—The Jailer shall see that prisoners are clean in their person and clothes, that they have the authorised amount of clothing and bedding and no more, and that those who are liable to be fettered are securely fettered.

143. *Search of prisoners.*—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.

144. *Labour of prisoners.*—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.

145. *Supply of food.*—He shall supervise the cultivation of the garden and be responsible for the adequacy of the supply of vegetables. He shall likewise supervise the jail farm and all the other outside operations. He is, jointly with the Medical Officer, responsible for the proper preparation and distribution of the food.

146. *Supervision of guard.*—He shall supervise the working of the Warder Guard. At least once a week, at uncertain times, he shall visit the jail after 9 p.m., and satisfy himself that the standing guard is present, the sentries posted and on the alert, and that the rounds are being properly maintained.

147. *Enforcement of terms of warrants.*—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.

148. *Checks of warrants and property.*—The Jailer shall, once a year usually in December, go through all the warrants and valuable property in his possession, compare them with the 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 of Prisoners by the 15th January next.

149. *Supervision of Jail Office.*—Though the Jailer's main duties relate to the direct control of prisoners and staff, he shall also exercise general supervision of the Jail Office.

150. *Maintenance of report book.*—(1) The Jailer shall keep a report book 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 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;
- (d) how far he has omitted any of the duties required by these Rules and the reason thereof;
- (f) the absence of any subordinate officer from the duty and requests for leave of absence;
- (g) request for sanction of unusual expenditure;
- (h) request 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) Each day's report shall be dated and a consecutive serial number running through the calendar year shall be given to the subjects dealt with.

151. *Superintendent to peruse report book.*—The Jailers 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 in initials with the date.

152. *Execution of Medical Officer's Orders.*—The Jailer shall carry out forthwith emergent written orders of the Medical Officer regarding the sick in hospital or regarding sanitary arrangements entering all such orders and the action taken thereon in his report book for the information of the Superintendent.

*153. *Holiday to the Jailer.*—The Jailer may be allowed a weekly holiday on every Sunday.

CHAPTER X

THE DEPUTY JAILER

154. *General duties of Deputy Jailer.*—The Deputy Jailer is the Jailer's immediate subordinate and assistant, whose duty it is to take his place whenever he is absent and to undertake whatever portions of the Jailer's duties are delegated to him under proper authority and shall make an entry of the performance of his duties in his report book which he shall maintain in form similar to that of the Jailer (Form No.4) and shall submit it daily to the Superintendent.

155. *Deputy Jailer to officiate for Jailer.*—On every alternate Sunday, and on other occasions when the Jailer through illness or other cause is absent the Deputy Jailer shall officiate for him keeping the report book for the day and performing all other prescribed duties. On every occasion on which the Deputy Jailer officiates for the Jailer he shall possess all the powers and responsibilities of that officer.

156. *Inspection of guard.*—The Deputy Jailer shall visit the guard at night at least once week, in the manner provided in Rule 146.

157. *Duties in detail.*—The following duties appertain to the Deputy Jailer:—

- (a) The admission and search of newly received prisoners, the removal of private clothing and issue of Jail clothing and bedding; the correct marking of neck tickets and the placing of such prisoners in quarantine;
- (b) The custody of prisoners' private clothing;
- (c) The custody of the Jail clothing store, the issue of fresh clothing and maintenance of the clothing registers;
- (d) The examination, weighing, and storing of all grain and other rations purchased;
- (e) The supervision of the cleaning of grain, vegetables and other articles of diet;

* Amended as per G. O. Ms. 59/70/Home, dated 5-3-1970.

- (f) The weighment and issue of rations;
- (g) The maintenance of the ration accounts and ration registers in the prescribed forms;
- (h) The Supervision of punishment diets.

158. *Delegation to Deputy Jailer of Jailer's duties.*—In addition to the duties specified in Rule 157, the Superintendent may, by an order to be recorded in the Jail order book allot to the Deputy Jailer any specified portions of the Jailer's duties other than those referred to in Rules 138, 139, 140, 141, 147 and 150. If for instance the Deputy Jailer is better fitted than the Jailer for the Supervision of the garden or farm (Rules 689 to 703) that duty may be entrusted to him.

159. *Joint responsibility with Jailer.*—The Deputy Jailer shall share the Jailer's responsibility for the carrying out of Rule (138) add for the maintenance of discipline (Rule 139). He shall not be absent from his quarters at night without the written permission of the Superintendent.

160. *Deputy Jailer to check valuable property in his possession once a year.*—The Deputy Jailer shall once a year usually in January 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 of Prisons by the 15th February.

*160A. The Deputy Jailer may be allowed a weekly holiday on any one of the week days each week as fixed by the Superintendent.

CHAPTER XI

ASSISTANT JAILERS

161. *Appointment of Assistant Jailer.*—There shall be such number and grade of Assistant Jailers appointed to each of the Central Prisons as the Government may, from time to time direct.

162. *Duties of Assistant Jailers.*—The Superintendent shall, by order to be recorded in the Jail order book lay down what Officer shall undertake the work of the Head Clerk, the Remission Clerk etc.

163. *Relation of Assistant Jailers to Jailer.*—The Assistant Jailers shall be executive assistants and shall occupy the same relation to the Jailer as the Deputy Jailer does.

* Rule 160A inserted as pdr G. O. Ms. 9/70/Hom e dated 5-2-1970.

164. *Executive work and drill.*—Every Assistant Jailer shall be liable to be required to undertake executive functions and shall learn the drill.

165. *Senior most Assistant Jailer when to function as Deputy Jailer.*—If there is no Deputy Jailer in a Jail the senior most Assistant Jailer shall function as Deputy Jailer.

CHAPTER XII

THE WARDER ESTABLISHMENT

166. *Classification of Warders.*—There shall be two classes of Warders, viz., Male Warders and Female Warders.

167. *Government to fix permanent strength.*—The permanent strength of the warder establishment in each Jail shall be determined from time to time by the Government in accordance with ordinary requirements.

168. *Power to sanction temporary addition.*—The Inspector General of Prisons may sanction the entertainment 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 Government and that no such establishment shall be sanctioned in any case in which previous reference to Government can without risk or inconvenience be made.

169. *When Inspector-General may sanction temporary establishment.*—The Inspector General may without reference to Government, sanction the temporary entertainment of additional establishment in the following special cases where the ordinary Jail establishment is insufficient to supply the necessary guards.

(1) A staff not exceeding one Head Warder and three Warders to guard a prisoner under sentence of death provided that when there is more than one such prisoner in the Jail at the same time one extra Head Warder shall suffice for all;

(2) A staff of one more Warder, as may be necessary, to guard any lunatic, Civil or Criminal, or other persons required to be kept under observation or specially guarded,

(3) A staff not exceeding one Head Warder and three warders in all to guard a prisoner or prisoners removed to segregation sheds outside the Jail.

170. (1) *When Superintendent may sanction temporary establishment.*—Where the Superintendent considers that it is necessary for any reason to entertain any number of warders in excess of the sanctioned scale and the matters so urgent and unavoidable that the previous sanction of the Inspector General of Prisons cannot be obtained, he may subject to immediate reference to the Inspector General of Prisons entertain such a number of temporary ordinary grade warders as may be necessary.

(2) The Superintendent may subject to ratification by the Inspector General of Prisons, appoint in emergent cases, female warders, on daily wages at such rate as the Government may from time to time specify in this behalf.

171. *Division of warder establishment.*—The Male Warder establishment is divided into three classes namely Chief Warder, Head Warders and Warders

172. *Physical qualification of Warders.*—The minimum height for Warders shall be 1.651 metres and the minimum girth of chest 0.813 m. with an expansion of 5.1 cm. but men of better physique should, if possible, be obtained.

173. *Duties of the Chief Warder.*—(1) The Chief Warder Subject to the general control of the Jailer, is the head of the Warder establishment and responsible for its work and for the due carrying out of all Rules relating to it and to the guarding of the Jail.

(2) He shall assist the Jailer 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 Jailer (Form No. 4) and shall submit it daily to the Superintendent. He shall keep the attendance duty and other rosters and registers of the Warder establishment. He shall perform such other duties as the Superintendent may by order to be recorded in the Jail order book assign to him.

174. *His responsibilities, to the charge of arms etc.*—The Chief Warder shall have charge of the whole of the arms, ammunition, uniform and equipment of every description of the Warder establishment and of the accounts relating thereto. He shall supervise the drill and practice in musketry of the men, the attendance of the standing guard, the mounting of sentries, relief, etc. He shall be responsible for the smartness and cleanliness of the Warders and for their being at all times properly dressed. He shall also perform the duties provided in clause (2) of Rule 236.

175. *Assignment of duty to Warders.*—Every Warder shall have a particular duty assigned to him by the Superintendent, Jailer or Chief Warder such as the charge of a particular ward or set of wards, or a particular workshop or set of workshops or of a particular gang of prisons inside or outside the Jail.

Note.—In this and the following rules warden includes Head Warden.

176. *Summary of duties of Warden*.—It is the duty of all Warders,—

(a) to see that all convicts sentenced to labour in their charges are steadily at work, and to report to higher authority all cases of idleness, short work, or breaches of Jail Rules;

(b) to prevent all unnecessary talking, laughing, singing, playing, quarrelling and other unseemly behaviour and to report the offender;

(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 communications with prisoners;

(f) to see that there is no dirt or litter 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 bath 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 Jailer any signs of sickness or any prisoner complaining of sickness;

(i) to prevent any breaking up of the gang of the 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, to report any prisoner urinating in or otherwise befouling any drain or any part of the Jail not set apart for the purpose;

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

(k) to prepare the prisoner for morning and evening muster by the Jailer, 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 part the cooks of food, and that no food is secreted by the prisoners, to report the cooks whenever they neglect their work.

177. *Duty of warders on relief.*—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 in charge 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 or number of prisoners made over to him is correct.

178. *Duty of warders in charge of work shed.*—Warders in charge of work sheds shall see that all tools and property kept in them are carefully put away or stored on cessation of labour that no ropes, bamboos, ladders or other thing likely to facilitate escape, are left about.

179. *Duty to disclose relations with prisoners.*—If any warder has relation or connections among the prisoners, or has had any pecuniary dealings are close acquaintance with any of them, it is his duty to inform the Superintendent or Jailor of the fact.

180. *Award of good conduct stripes and rewards.*—Head Warders and Warders will be eligible for good conduct stripes and rewards under the following conditions viz.—

(a) Good conduct stripes will be granted either for conspicuously good service in particular cases for uninterrupted good conduct;

(b) The first category will include cases, in which escapes are prevented by special intelligences or alertness, or in which Jail offences of a serious nature are detected. Not more than one such stripe shall be awarded for each such service and the award shall be made by the inspector-General of Prisons.

(c) Uninterrupted good conduct will entitle a Warder or a Head Warder to good conduct stripes on the following scales:—

For two years of uninterrupted good conduct 1 stripe

For every two further years of uninterrupted good conduct 1 stripe

Provided that not more than three stripes shall be worn. The stripes will be of red or white cloth and will be worn, on the left upper arm.

(d) Good conduct allowances,—

To a warder or head warder who has earned three good conduct stripes under the last preceding clause, a good conduct allowance of one rupee per mensem shall be granted with the sanction of the Inspector-General of Prisons which should be duly obtained, and he shall with the like sanction receive an additional allowance of Rs. 10 (ten)* per mensem when six stripes have been secured.

** (e) Interruptions of good conduct are of two classes, namely, first the accumulation of two black marks or punishment by fine more than once within twelve months, second, withholding of increments or promotion or recovery from pay or reduction to a lower rank. Each interruption of good conduct of the first class shall involve the loss of one stripe viz., the one last earned, while each interruption of good conduct of the second class shall involve loss of two stripes, viz., those last earned. If the officer possesses less than three stripes, all stripes will be lost. The loss of good conduct stripes under this clause will not debar an officer from future award of good conduct stripes under the conditions laid down in clauses (a) to (c);

(f) As soon as the number of good conduct stripes is reduced below six and three respectively, the second and first good conduct allowance, respectively shall be withdrawn.

(g) Good conduct allowance shall be treated as personal allowances not counting for pension and will be passed for periods of duty or of absence on privilege leave, but not for other periods of leave.

(h) The grant and withdrawal of good conduct stripes and rewards all be recorded in the Jail Officers service book.

* G. O. (MS) 36/91 Home dated 27-2-1991.

** Rule 110(e) Amended as per G.O. (MS) 175/68/Home dated 31-5-1968.

CHAPTER XIII

THE GATE-KEEPER

†181. *A Gate-keeper to be on duty.*—(1) In every Jail, a literate Head Warder shall be constantly 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, etc., by either the Chief Warder or another Head Warder. The Gate-keeper will be under the general control of the Jailer.

(2) *Record of reliefs.*—At every relief of a Gate-keeper, a note of the hour of such relief shall be recorded in Register No. 26 and signed by both the relieved and relieving officers.

182. *Persons allowed to enter and leave the Jail.*—(1) The gate-keeper shall admit or pass out of the Jail as the case may be:—

(a) The Ministers, all official and Non-official visitors, Police Officers and Officers of the Public Works Department on duty;

(b) Officers of the Jail going on, or coming off duty inside; and

(c) Prisoners duly authorised to enter and leave.

(2) With the exception of the persons mentioned in sub-rule(1) no person shall be permitted to enter or leave the Jail, unless under a written order from or when accompanied by the Superintendent, Inspector-General of Prisons, Minister or Chief Secretary to Government.

(3) A list of the official and non-official visitors entitled to admission shall be posted between the gates.

‡183. *Power to search such persons.*—(1) All Official and Non-official visitors and casual visitors admitted with or under the order of the Superintendent, respectable merchants, pleaders and the superior subordinates of other Departments visiting the Jail on business or on duty and Jail Officers of the rank of Head Warder and above; shall ordinarily be exempt from being searched:

Note— 1. A printed copy of these Rules shall be posted in the main gate way of the Jail close to the gate-keepers desk.

‡2. For the purpose of these Rules in the officer in charge of the night guard is to be considered a gate-keeper during the absence of that officer at night.

‡3. This rule must be worked with circumspection so as not to offend the feelings of officers and others.

(2) Should the gate-keeper have reason to suspect that any person, ordinarily exempted from search is introducing or removing prohibited articles, he shall detail such person between the gates and send notice to the Jailer who shall himself, if he thinks necessary conduct the search.

(3) Female shall only be searched by a female warder in private and without the presence of any male officer.

(4) The Jailer 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 results, in his report book.

(5) The search of all officers, of the rank of Head Warder and above shall be conducted by the Jailer 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.

184. *General duties of gate-keeper.*—(1) In addition to the duty prescribed for gate-keeper in Section 21 of the Travancore-Cochin Prisons Act XVIII of 1950, or in Section 21 of the Central Act IX of 1894 the gate-keeper shall maintain such registers and enter therein such particulars as the Inspector General of Prisons 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.

185. *Record of persons and things entering and leaving jail.*—(1) The gate-keeper shall keep a record in the prescribed register of the name of every person and a sufficient description of every article of whatever kind, that pass into or out of the jail, with 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 pass as his authority for action.

186. *Particulars or record.*—(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 books namely:—

(a) a register of all prisoners, with the names of the officers in charge of them, and

(b) a register of all other persons.

(2) "Sufficient description of every article" means the name, number or weight, as the case may be and such other particulars as may be necessary of all goods, tools, stores or other articles passed into or out of the Jail.

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

187. *Convict officer to assist Gate-keeper.*—A convict officer, able to read and write, may with the sanction of the Superintendent recorded on his history ticket, be employed to assist the gate-keeper. He should not be allowed to make any entries in the gate books.

188. *Gate-keeper responsible for condition of main gate.*—The gate-keeper shall be responsible,—

(a) for the cleanliness and tidiness of the passage between the gates and the security of all the 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 correctness of the keys entrusted to his charge.

189. *Working of double gate system.*—Where double gates are provided 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 doorway.

190. *Method of passing prisoners into or out of Jail.*—(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 register 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 Jailer.

(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 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 in charge of a guard of the proper strength duly authorised for this purpose.

191. *Gate register to be submitted to Jailer.*—The gate-keeper shall submit the gate register daily to the Jailer, for examination and initial and once a fortnight to the Superintendent.

192. *Powers to detain persons committing offence.*—Pending the making of a report to the Jailer, the gate-keeper may detain or cause to be detained in custody any person who may, in his presence, sight or hearing, commit any criminal or prison offence at or in the vicinity of the Jail gate.

193. *Delivery of keys at lock-up.*—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 266. Duplicate keys of the lock used on the outer gate or wicket shall be given by the Jailer to the visiting officers for the night, and the duplicate keys of the lock used on the inner gate or wicket to the warder detailed to sleep between the gates.

194. *Keys to be kept in bunch.*—The keys of the main gate and wickets of the 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.

195. *Bright light at night.*—A light shall be kept burning brightly in the passage between the gates throughout and night.

196. *Articles to be kept between gates.*—In the passage between the main gates shall ordinarily be kept:

- (1) a clock
- (2) a weighing machine

- (3) Spare handcuffs in a secure place
- (4) a desk with lock and key for the gate-keeper's books and writing materials
- (5) a wall almirah or box for keys
- (6) apparatus for extinguishing fire, and
- (7) Notice boards.

CHAPTER XIV

CLASSIFICATION AND SEPARATION OF PRISONERS

197. *Convicts to be separated.*—All convicts shall, as far as the requirement of labour and cell accommodation of the Jail will allow, be kept separate from each other both by day and night.

*198. *Occupation of vacant cells.*—Whenever all the cells are not occupied by prisoners undergoing separate, cellular or solitary 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 desperate 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 377 of the Indian Penal Code;
- (e) by prisoners of the habitual class; and
- (f) by other prisoners.

199. *Procedure when separation by day is not feasible.*—A convict 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.

**Note*:—Separation under this Rule is distinct from solitary and separate confinement, and as it is a disciplinary measure only and not a punishment, it is to have irksome conditions attached to it other than such as are necessary to secure the ends in view.

200. *Division of convicts into habituals and others.*—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 four divisions or classes, A, B and C and Special Class**. The definition of prisoners falling within classes A and B and the treatment to be accorded to them are laid down in Chapter XLV.

201. *Definition of habitual criminals.*—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 facts of the present case, show that he is by habit a robber, house breaker, daceit, 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 123 (read with Section 109 or Section 110) of the Code of Criminal Procedure;

(iv) any person convicted of any of the offence specifieds 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 dacoit, on of thieves or a dealer in slaves or in stolen property;

(v) any person of a Criminal tribe subject to the discretion of the Government.

Explanation.—For the purpose of the definition the word “conviction” shall include an order made under Section 118, read with Section 110 of the Code of Criminal Procedure.

*202. *Classification of convicts as habitual criminals.*—(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 (Judicial) or in the absence of an

** G. O. (MS) 172/69/Home dated 31st May 1969.

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

order by the convicting court or District Magistrate and pending the result of 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 110 read with Section 99E or 99F of the Code of Criminal Procedure shall not be classed as a habitual criminal and may revise such directions.

(3) Convicting Courts or 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 alterations is made on the basis of facts which were not before such court or authority.

(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 of Prisons may transfer to the 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 a character and to exercise or to be likely to exercise such 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.

203. *Duty of Superintendent in regard to classification.*—(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 the Jailer shall, on receipt of a prisoner, endeavour to ascertain from Jail subordinates and long convicts term, as well as from Jail records whether he has more convictions than are recorded against him in the warrant.

(2) In cases to which there is room for doubt whether a prisoner should be classed as habitual or not, the Superintendent may refer the case for the orders 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 Inspector-General of Police.

204. *Separation of habituals.*—When not confined in habitual jail, 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.

205. *Employment of habitual convicts.*—The employment of habitual convicts as convict officers in jails other than the Habitual Central Prison is prohibited except under the written permission of the Inspector-General of Prisons.

206. *Transfer of Prisoners.*—When a prisoner is transferred from one jail to another jail, a copy of the entries under the head "Character in the Prison" shall accompany him.

207. *Distinction between a habitual and a reconvicted convict.*—The Superintendent should carefully observe the distinction between habitual convict and a reconvicted convict. All habitual convicts, except such as may be so classed because they are members of a criminal tribe, are reconvicted convicts, but not all reconvicted convicts are habituals. For the purpose of jail classification etc., regard must be had only to those who are habituals.

*208. *Superintendent to discover and report previous convictions of undertrials.*—If it shall come to the notice of the Superintendent from the jail records or otherwise that an undertrial prisoner or a convict committed to his jail has previously undergone a sentence of imprisonment he shall, if he has reason to believe that the local police are unaware of the fact immediately inform the District Superintendent of Police.

Note:—For the special rules relating to the several classes of prisoners see infra, viz.,

Civil prisoners	Chapter XLII
Undertrial prisoners	Chapter XLIII
Female prisoners	Chapter XLIX
Youthful prisoners	Chapter L

*G.O.(MS) No. 132/86/Home dt. 21-6-1986.

209. *Classification of casual offenders.*—(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 of Prisons) 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 depravity of mind.

(2) The mere fact that a casual prisoner has been previously convicted once or offender 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 as 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 358 (6).

CHAPTER XV

ADMISSION OF PRISONERS

210. *Proper warrant to accompany prisoner.*—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 Jailer or Deputy Jailer shall examine the warrant and by questioning the prisoner as to the name and other particulars shall satisfy himself that he is the person referred to in the warrant.

"210A. *Admission or release of members of Parliament etc.*—When a member of the Lok Sabha/Rajya Sabha/Legislative Assembly is admitted to a jail on committal by any judicial or Executive Authority to keep him in custody the Superintendent of the jail shall immediately intimate that fact together with all relevant and available information on the arrest/detention/conviction to the Speaker/Chairman of the house to which such member belongs, by telegram. So also whenever such a member is released from the jail on bail pending an appeal or otherwise, the Superintendent of the jail shall immediately intimate the details to the Speaker/Chairman of the concerned house by telegram. The telegram shall be followed by letter in the following form.

FORM OF INTIMATION

To

The Honourable Speaker/Chairman, Lok Sabha/Rajya Sabha/Legislative Assembly.

Sub:—

Ref:—

Sir,

I have the honour to inform you that Sri/Smt.....
member of the.....(here enter the
 name of the house) who was convicted remanded ordered to be detained for
(here enter the authority who issue
 orders) for.....(reasons for detention/conviction
 remand) has been admitted/released on expiry of sentence/on bail pending
 appeal.....in/from this prison on the.....
 (date).

Yours faithfully,

Superintendent.

211. *Procedure if warrant is irregular.*—As soon as possible after a prisoner's admission his warrant shall be examined by the Superintendent 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 a clerical mistake, it may be returned for correction to the issuing court. In this case a copy shall be retained till the original is returned in other cases the Superintendent shall make a reference to the Government through the Inspector-General of Prisons. Every reference under this Rule shall be accompanied by a copy of the warrant referred to.

Illustration 1.—A warrant misstating the prisoner's name or omitting the number of months or years of imprisonment awarded 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 of Prisons.

*212. *Warrant to contain particulars of fine.*—(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 acknowledgement sent to the Court concerned.

**212 (A). *Imprisoned for life to be treated as rigorous.*—In every case in which a sentence of imprisonment for life is passed the offender shall be dealt with in the same manner as if sentenced rigorous imprisonment.

213. *Method of calculating sentence.*—(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 the purpose, taken to consist of 30 days.

Note:—*The Courts are responsible that the information required by clause 2 is sent to the Jail without undue delay.

*G.O. (Ms) No. 28/78/H. dated 30-2-1978.

**G.O. (Ms) 4691/61/Home dated 29-9-1961.

214. *Commencement of and breaks imprisonment how reckoned.*—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 of 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 he 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 last day of January and not on the 1st day of February.

Illustration 2.—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 last day of January.

Illustration 3.—A prisoner sentenced on the first January to one day's imprisonment should be released on 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.

215. *Imprisonment in default of giving security plus a substantive sentence.*—

(1) When a person in respect of whom an order requiring security is made under Section 106 or 118 of the Code of Criminal Procedure 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 120 of the Code of Criminal Procedure. 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 a 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, of the Code of Criminal Procedure 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 123, of the Code of Criminal Procedure 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 remainder 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 123, of the Code of Criminal Procedure 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.

*216. *Date of release when two or more sentences run consecutively.*—(1) The sentence of all prisoners sentenced to imprisonment for life or to more than 20 years imprisonment in the aggregate, or to imprisonment, for terms exceeding in the aggregate 20 years shall, for the administrative purpose of calculation of the normal date of release be deemed to be sentence of imprisonment for 20 years.

(2) When a prisoner is sentenced to two or more periods of imprisonment to be served consecutively, the date of release shall be calculated as though the sum of the terms was awarded in one sentence.

Illustration.—A prisoner is sentenced on the 21st November 1948 to two substantive terms of imprisonment of one year each, should be released on the 20th and not the 19th November, 1950.

Illustration 2.—A prisoner is sentenced on the 1st January to two months imprisonment, and a fine of Rs. 20 or in default to one month's alternative imprisonment. If the fine is not paid, he should be released on 31st March but if the fine is paid on 28th February.

217. *Effect of annulling the first of two sentence.*—When a prisoner is undergoing more than one sentence and the first sentence is annulled on appeals 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.

**Note.*—In the case of those who are sentenced to transportation for life prior to the passing of the Central Act XXVI of 1955 the sentence for the purpose of these rules shall be deemed to be sentence of imprisonment for twenty years.

218. *Calculation of date of release in certain cases.*—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 recommitted to Jail to serve out his sentence, or who escaped and is subsequently recaptured. 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.

219. *Counting of time spent in another State for trial etc.*—If a prisoner undergoing imprisonment in the Jail is transferred to another State in India for purposes of trial in cases in that State and is afterwards retransferred to the State, the number of days between, the date of transfer and the date of re-transfer shall be counted as sentence undergone in the case of which he was undergoing the sentence prior to his transfer.

220. *Date of release of prisoner sentenced for escape.*—If a prisoner receives a sentence for escape the date of release shall be re-calculated in accordance with Section 396 of the Code of Criminal Procedure and entered in the release register in place of the original date of release.

221. *Date of release from imprisonment in default of payment of fine.*—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 prisoners' warrant and ticket and in the register so as to correspond both with payment and with non-payment of the fine.

222. *Date of release when fine is partially paid.*—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 proportionately 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 be 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 6 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 thus paid, if he afterwards pays another Rs. 100 the date will be changed to 31st August and on his paying the whole to 30th June.

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. Elementary orientation to be given to the prisoners during the quarantine period.

232. *Medical examination of prisoners from Sub Jails etc. before admission.*—When prisoners arrive from Sub-Jails, Lunatic Asylum, T.B. Hospital or Leper Asylum, they shall be carefully examined before they are admitted into the Jail and shall be kept under observation by the Medical Officer for 24 hours after admission (special attention being paid to their cleanliness), provided they are accompanied by a certificate from the Medical Officer of such other Jail to the effect that they are in a good state of health and that there is no epidemic prevalent in the Jail. If found unhealthy they shall be kept strictly apart from other prisoners in the Jail during a period of 3 days and if any, epidemic disorder be prevalent among them, they shall not be allowed to enter the Jail, but be camped at a convenient distance from it and there detained until reported healthy.

233. *Medical examination before prisoners are transferred.*—Before any prisoner is transferred from any Sub-jail, Lunatic Asylum, T.B. Hospital, or Leper Colony, he shall be carefully examined by the Medical Officer or the particular institution, who shall certify in the subjoined form whether or not he is fit for the journey.

I hereby certify that I have examined the convict named in the margin and that in my opinion he is in a fit/unfit state of health to proceed on a journey to.....clothing is also sufficient/insufficient.

(Signed)

Date:

Designation

234. *Transfer of Prisoners during epidemics.*—When any epidemic disease has attacked gangs of prisoners during transfer, they shall not be taken into the Jail until the expiry of 14 days from the date of disappearance of the last case of disease.

235. *Provisions and contents of History Tickets.*—(1) Every convict shall be provided with—

(a) a History Ticket in Form No. 31 in which all occurrences of importance in his jail life shall be recorded at the time.

(b) a medical sheet in Form No. 32 for registering in like manner all important events in his health history; and

(c) a weighment chart in Form No. 33 in which all fortnightly weighments shall be noted.

(2) As soon as possible, but within one week, after a prisoners' admission he shall be brought before the Medical Officer for the entries to be made in the convict register and then for verification by the Superintendent of the other entries already made in that register. The Superintendent 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 similarly be copied from the punishment book. Remission shall be entered and the progressive totals noted monthly or periodically as the case may be against each award. Other entries such as receipts of intimation of payment of fine, judicial solitary confinement undergone, diet on which placed, fact of verification under sub-rule (2) promotions in class or grade, issues of clothing, nature of labour, ordinary changes therein, extramural employment, suspension of sentence, letter-writing and interviews, attendance in courts, service of Civil Court Processes, imposition and removal of letters, escape and recapture, transfer, death, release or other mode of disposal, parole leave etc, shall be made as occasion requires by the Remission Clerk from the registers and other records and the Superintendent's initials obtained. As far as possible the Superintendent shall make all important entries in his own hand.

(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 Medical Officer 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 Officers' Observations, recommendations or directions regarding individual prisoners in the Medical Officers' journal shall be copied into the sheet by the Medical Officer. Directions by the Medical Officer 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 Officers' initials obtained. As far as possible, the Medical Officer shall make all important entries in his own hand. 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.

*235A. *Age of prisoners for official purposes.*—The age of the prisoners committed to Jail should be normally determined by the age given in their committal warrants, or judgements. In cases where no age is furnished in the committal warrant, Judgement of the age furnished therein is evidently not correct or it is a mistake in the opinion of the Medical Officer of the Jail, the correct age of the prisoner should be determined by the Jail Medical Officer after a physiological and if necessary a radiological examination of the prisoner. The age so fixed will then be deemed as the correct age of the prisoner for all official purposes, and entered in the relevant records.

236. *Custody of History Ticket and Weighment Charts.*—(1) 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.

(2) The Medical Sheets and the weighment charts shall be kept in the custody of the Chief Warder and shall be produced if necessary for weighment parades. 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.

237. *Registering and serial number of prisoners.*—The name of every convicted prisoner shall be entered in the Convict Register, each entry being numbered serially from 1 to 10,000 and the name of every undertrial prisoner shall be entered in the undertrial register, the entries being similarly numbered. The name of each Civil Prisoner shall be entered in the Register of Civil Prisoners, the entries in which will be numbered serially from 1 to 1,000.

238. *Use of Register Number.*—The register number thus given shall be the means of identifying the prisoner. The articles of clothing and bedding of each prisoner sentenced to rigorous imprisonment shall be marked with his number, and in all official communications the number shall precede the name e.g., convict No. 1736 Muthuswamy. 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.

239. *Record of date of release, etc.*—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 Remission 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 Jailer and Superintendent after examination and comparison with the body of the warrant and with the entries in the Convict Register. In cases where imprisonment is awarded in default of payment 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.

240. *Superintendent to check entries.*—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.

241. *Arrangements and custody of warrants.*—Prisoner's 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 outside with the month and year. They shall be kept in a locked drawer or almirah of which the Jailer shall keep the key. Copies of judgements, orders of Appellate Courts and Orders of Government disposing of prisoner's 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.

242. *Medical Officer to examine and weigh prisoners on admission.*—The weighing 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 officer 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 prisoner and shall himself record in the appropriate admission register his weight, age, and state of health. Male prisoners shall be weighed without clothes or fetters. The weight of the clothes of female must be ascertained and deducted. The Medical Officer shall also supervise the entry of the prisoner's descriptive marks. Medical Examination of prisoners shall be made with due regard to decency and with reasonable privacy.

243. *And to certify appropriate class of labour.*—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 of Prisons.

244. *Tickets to be worn by convicts.*—(1) Every convicted prisoner shall, wear a metal 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.

(b) In the case of male prisoners sentenced to simple imprisonment the tickets shall be attached to the waist cord.

(c) In the case of female prisoners, the tickets shall be suspended to the neck by a string.

(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, thus—

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Raman,
379,104, I. P.C.
24-7-1949.
23-4-1950.

(b) No other particulars, such as stars denoting health or the life shall be entered thereon, and nothing shall be entered on the back of the ticket. For convictions under sentence for life date of release shall be taken, as 20 years from the date of sentence. In the case of a convict having a term of alternative imprisonment, the alternative date of release should also be shown.

245. *Rules regarding the cutting of hair—Exceptions.*—(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 purpose of health and cleanliness, unless he desires that it should be cut shorter. Hindus shall be allowed to retain the kudumi dzuttu or top knot, the size of which shall be 15.2 cm. long and 7.6 cm. in diameter as nearly as possible. The beard and mustaches of all such prisoners shall be either shaved or clipped closely, the beard Muhammadans being left, 2.5cm. in length. In this rule, "final confirmation of the sentence" means the decision of an appeal under Chapter XXXI of the Code of Criminal Procedure.

(2) All prisoners to whom the above proceedings would be justly punitive or degrading shall, at the discretion of the

Superintendent, be exempted from them. During the month immediately preceding release, the hair shall be allowed to remain uncut and unshaven.

246. *Prisoners to be instructed in Jail Rules.*—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 in the Vernacular language shall be hung up in each criminal ward.

CHAPTER XVI

GENERAL DISCIPLINE AND DAILY ROUTINE

247. *Unlocking wards at day-break.*—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 hereunder.

248. *Jailer to be present.*—The Jailer or Deputy Jailer 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 senior officer on duty.

249. *Treatment of bedding.*—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 put in its proper place. The Superintendent and the Medical Officer shall occasionally examine the bedding to see if it is properly aired.

250. *Cleansing of wards and cells.*—Directly the wards and cell are vacated, the night vessels shall be removed and the sweepers shall then thoroughly sweep and clean, every part, all cobwebs, dust and dirt of every description being carefully removed from the roofing corners, and elsewhere. The yard shall also be swept.

251. *Wards and cells to be ventilated and locked.*—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 reopen the cells and wards in the afternoon.

252. *Counting of prisoners.*—As the prisoners leave the ward and cells, they, shall, after depositing their bedding in the manner directed in Rule 249, 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 Jailer.

253. *Latrine and bathing parade.*—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. Teeth sticks or charred paddy husk or other materials in use in ordinary Indian households shall be provided for prisoners for the purpose of cleansing their teeth.

Note.—(i) All “G” class male prisoners shall be given for bathing purposes 28 gram of soapnut per head per week, or when soapnut is not available the same quantity of illuppai cake. For the supply of soapnut powder to female convicts, see Rule 822.

(ii) Oil and soaps (both washing and toilet) supplied by relative or friends or prisoners may be given to prisoners. Prisoners can also make purchase of the articles from the Jail Canteen.

254. *Early meal and formation of gangs.*—(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 numbers of the prisoners in each extramural gang and gang working in workshops outside the Jail and the names of the officers in charge shall be recorded in the Gate-book and the signature of the officer or officers in charge of each gang taken in the book. For gangs working inside the Jail and in workshops inside the jail it will be sufficient if the number of men in a gang is noted in the rough distribution statement maintained by the Jailer or Chief Warder and the acknowledgement 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, and shall be in charge of a warder whose signature or left thumb impression shall be taken in acknowledgement of his responsibility.

(3) It shall be the duty of the 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.

255. *March to work, Jailer to distribute tasks.*—The gangs shall then be marched to their work, the prisoners being ranked in fours and required to keep steps. The distribution of labour will be made by the Jailer in accordance with any general or special Rules laid down by the Superintendent.

But he 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.

256. *Procedure in cases of illness.*—If a prisoner in a gang working outside is injured or taken ill he shall be sent back to the Jail in charge of a convict officer, or if necessary, the whole gang may be marched back to the Jail with the sick prisoner.

257. *Mid-day meal.*—At 11.45 O'clock the gang shall be sounded and the gangs marched back to the yards when the prisoners shall be given an opportunity of using the latrine and at 12.15 the mid-day meal shall be issued. A bell shall be rung as the signal for the distribution of the meal and of the evening meals.

258. *Resumption of work in afternoon.*—After the meal, the prisoners shall be given an opportunity of using the latrine and the gangs shall then be reformed and marched back to their work which shall continue till 4.30 p.m. In the height of the hot weather an interval of 2 hours for rest should generally be allowed at some time after the mid-day meal, and at all seasons a similar rest should be allowed to weakly and infirm prisoners.

259. *Procedure on cessation of work.*—Upon cessation of work, the convicts having been taken back to their yards, the prisoners shall proceed first to the latrine and then to the bathing place where they shall be required to bathe, and it shall be the duty of the night watchman in charge to see that each man bathes daily unless excused by order of the Superintendent or the Medical Officer.

260. *Evening meal and lock-up.*—When the day's work is completed and a bath taken the evening meal shall be distributed and a further opportunity given to visit the latrine. The prisoners shall then be locked up, the hours being from 5.30 to 6 p.m. in the cold weather and from 6 to 6.30 p.m. in the warmer months. In the case of well-behaved prisoners the lock-up is to be conducted between 6.30 and 7 p.m.

261. *Men to work together to sleep together.*—As a general rule, and subject to the rules as to classification in Chapter XIV, men who work together should as far as possible sleep in the same block so as to facilitate the formation of gangs, prevent inter-communication among prisoners, etc. Prisoners concerned in the same case should not be confined in the same yard, or employed in the same gang.

262. *Searching of prisoners when leaving or entering the Jail.*—Every prisoner shall be searched each time that he leaves or enters the Jail. All prisoners shall be counted and searched on return to the yards from labour.

263. *Strict discipline to be enforced.*—Every detail of the daily routine shall be carried out systematically the prisoner 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.

264. *Conduct of gangs.*—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 in charge shall see that they are properly arranged and (if necessary) equipped with tools, and shall then give the orders "Sise and March". 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 march with regularity.

265. *Search before lock-up.*—Every convict shall be thoroughly 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.

266. *Disposal of keys.*—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, or at the tower as may be most convenient.

The key-box shall be kept locked, its key being retained either by the gate keeper or day duty Head Warder as the case may be.

267. *Custody of the keys at night.*—After lock-up, the keys of the wards and cells shall be collected, and shall be counted in the presence of the Jailer by the night guard officer. They shall then be placed in the box provided for this purpose which shall be fixture in the guard room. The box shall be locked up and the key of it and those of the main gates and several compartments of the Jail be made over to the night guard officer.

268. *Wards to be opened during night only in the presence of an officer.*—If a prisoner requires medical attention during the night, or if for any other reason it becomes necessary to open a ward or cell, the Jailer or Deputy Jailer or Head Warder shall be sent for, and except in cases of emergency, such as fire or attempt to commit suicide no ward or cell shall be opened except in the presence of one of these officers.

269. *Letting out cooks to prepare early meals.*—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 key of which shall be entrusted to the guard officer, who may unlock this ward at the prescribed hour.

270. *Lighting of wards and cells at night.*—A light which should, as far as possible, be out of the reach of the prisoners, shall be kept burning in every sleeping ward 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.

271. *Latrine accommodation in wards and cells.*—Every ward and cell which has no latrine attached to it shall be provided with separate receptacles for nightsoil and urine, placed on an impervious surface. The night soil receptacle shall be partly filled with dry earth, 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 receptacles shall be partly filled with water.

272. *Use of night latrine to be discouraged.*—As prisoners are afforded sufficient opportunities 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.

273. *Visits to latrine out of hours.*—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 Jailer, who shall send him to hospital for observation.

*274. *Matters affecting caste or religion.*—(1) No undue interference with the religion or caste prejudices of prisoners shall be permitted. Every prisoner shall be allowed to perform his devotions in a quiet and orderly manner during the hours of rest and when locked up for the night or at such other hours as the Superintendent may think fit.

(2) Every prisoner who expresses a desire to keep a religious fast, and in the opinion of the Medical Officer is in a fit state of health, may be permitted to do so. As far as practicable, the convenience of such prisoners shall be met with in regard to the disposal of the food and the hours of its distribution.

(3) Prisoners observing religious fasts provided in each religion shall be supplied with pooja and other articles required on the closing day of the pooja at a cost not exceeding the cost of dietary articles not issued to them during their days of fast.

*Note:—The Superintendent may also receive cash from religious or charitable bodies or individuals for expenditure on the purposes mentioned above when these bodies or individuals find it inconvenient to present fruits and sweet meats.

(4) If offered by any religious or charitable body or individual the Superintendent may, at his discretion, receive and distribute to well behaved 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.

275. *Use of books by prisoners.*—(1) Each Jail may be supplied with books in English or in the Vernacular of the District which have been approved by the Superintendent. The Jailer shall have charge of these books and shall allow the use of them to prisoners, subject to such Rules as the Superintendent may prescribe. Any book introduced otherwise than in accordance with this Rule shall be destroyed.

(2) Well conducted literate "C" Class Prisoners may be allowed to read individually and in rotation such newspapers and weeklies as are selected by the Superintendent with the approval of the Government. The Superintendent may obtain a reasonable number of copies of each paper and weeklies at the cost of Government, ordinarily at the rate of one paper and one weekly for every 25 prisoners or fraction thereof.

(3) Books, Newspapers and periodicals supplied to prisoners by their friends or relatives, which are not objectionable, may be given to well conducted prisoners.

276. *Lights for reading.*—(a) Light for reading shall be allowed till 9.30 p.m. to the educated prisoners as are considered by the Superintendent to be fit to receive the concession.

(b) *Note Books and Pencils.*—Well behaved prisoners shall be supplied with note books and pencils at their own cost for taking down the summary of notes of what they read from books and newspapers. The pages of the note books shall be numbered and certified before issue to the prisoners.

(c) *Out-door and in-door games.*—All well behaved prisoners shall be allowed to participate in out-door and in-door games.

(d) *Anniversaries.*—Anniversaries shall be celebrated in each Jail and annual conference of prison officers and prison medical officers shall be held so that common problems can be discussed and decisions taken.

(e) Printed information books which contain informations on the duties and privileges shall be supplied to all Prisoners. Such books shall be taken back on release and re-issued to new admissions.

(f) Books in vernacular showing the duties and responsibilities of the warder staff shall be supplied to them free of cost for their guidance. Only one book shall be supplied to one warder during the whole period of his service.

277. *Recreation rooms.*—A compartment in each barrack shall, if possible, be set apart 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 9 p.m.

*278. *Religious instruction and moral lectures.*—(1) Religious and moral lecturers to all convicts in jail shall be allowed only on condition that no proselytising is carried on under the cloak of religious and moral instruction and that lecturers confine their attention to prisoners of their own faith.

(2) The selection of lecturers shall be made by the Inspector General of Prisons.

(3) Superintendent must endeavour to secure the services of honorary lecturers and in their absence the senior members of the jail staff, preferably the teachers, should be deputed to lecture weekly to the prisoners.

(4) Any lecturer, who for any reason, finds himself unable to attend the jail 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 Jail, in order that a suitable substitute may be appointed in his place, if necessary. Any lecturer who shall have absented himself from the Jail 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.

(5) The Inspector General may remove from the list, the name of any lecturer without assigning any reason.

279. *Change of religion in prison.*—(1) 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 express a wish to see such a minister, in which case the matter shall be reported to the Inspector General of Prisons for orders.

(2) 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.

280. *Education.*—(1) Educational facilities shall be provided for such convicted prisoners as are capable of being benefited by them.

* *Note*—A conveyance allowance of Rs 10 may be given from the Jail contingencies to each lecturer for each visit of the Jail for the purposes of religious and moral lectures, provided that no allowance will be paid for visits exceeding once in a week.

(2) There shall be a duly equipped elementary school in the Jail as well as qualified teacher who shall be a member of the Prison Staff.

(3) Ordinary education shall not be carried beyond the elementary stage, nor given to prisoners above the age of 30 years. No prisoner whose term of imprisonment is less than two years after allowing for prospective remission, shall be admitted to the school unless he has been to school before and has read in the second standard or first standard respectively.

(4) Attendance at school shall not be made compulsory after the age of 30 years but any prisoner who has been at School and desires to continue to attend after reaching this age may be allowed to do so.

(5) Prisoners who desire education beyond the elementary stage shall be given the necessary books and any available assistance in the School.

(6) 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.

(7) The hours devoted to education shall be so arranged as not to interfere with Jail labour.

(8) The District Education Officer of the District in which the Jail is situated shall inspect the Prison School under the rules in force in the Education Department, and he shall advise as to the scope of the teaching to be given and the qualifications required of the teachers.

(9) He shall furnish periodical reports on the results of his inspections to the Superintendent who shall forward them with any remarks that may be necessary to the Inspector General of Prisons.

(10) The Superintendent shall test the progress of the convicts and the efficiency of the teaching once a quarter and pupil who show insufficient industry and progress shall be removed. If he considers the teacher or teachers at fault, he shall take disciplinary action.

(11) A certificate of conduct in Jail and proficiency in any craft learnt or practised in Jail shall be given to every prisoner on release in Form No. 80 to assist him in finding suitable employment. If a prisoner has some trade on which he has not been engaged in Jail, the Superintendent can accept no responsibility and should give no certificate in regard to it.

(12) A prisoner who has completed a course of study in a School or College for a public examination before his admission to the Jail may be permitted to appear for that public examination and for this purpose he shall

be released on leave for a such period as may be necessary to enable him to appear for the examination, after execution of the bonds specified in rule 459; provided that the Government may exempt any prisoner from furnishing a surety bond if they are satisfied that the prisoner is unable to furnish such bond and order his release on execution of personal recognisance bond.

*280A.—*Release a person undergoing a sentence of imprisonment for the purpose of study.*—A prisoner who is desirous of continuing the study in a College so as to complete a degree course may be released by Government for such period as may be necessary for the purpose, by suspending the sentence under sub-section (6) of section 432 of the Code of Criminal Procedure. Such release shall be governed by the rules, if any, issued by the Government in the behalf.

281. *Washing of clothes.*—Every prisoner shall be required to wash his clothing atleast once a week, and at such other times as the Superintendent may direct. A laundry is to be started in each jail worked by prisoners and the clothing and bedding of all prisoners and the uniform of officers shall be washed therein.

**282. *Fortnightly Weighment.*—Care shall be taken that the fortnightly weighments recorded under section 35(2) of the Travancore-Cochin Prisons Act or under section 35(2) of the Central Act as the case may be 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.

283. *Record of weighments.*—(1) The initial weighment on admission to Jail and final weighment before release shall be recorded in the Convict Register and these as well as all the intermediate fortnightly weighments shall be recorded on the prisoners' weighment chart.

(2) Before recording prisoners' weighments it shall be ascertained that the scales or weighing machine is accurate.

284. *Treatment of prisoners losing weight.*—(1) All prisoners who have more than 1 Kg. 360 grams since the last fortnightly weighment, or more than 3 Kg. 175 grams since admission to Jail shall be paraded with their weighment charts for inspection of the Superintendent and the Medical Officer at the general parade next following the day on which the weighments were made.

*G. O. (Ms) No. 11/76 Home dated 30-1-1976.

***Note*—Owing to the suspension labour on Sundays, these days will be found most convenient for taking weigh means, and when the number of prisoners is large half the jail 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

(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.

*285. *Check by Medical Officer.*—The Medical Officer shall as soon as 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 record briefly in his journal the circumstances that he has done so, with any remarks he may consider necessary.

286. *Hunger strikes.*—(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, that it is a major offence and that they are liable to any jail punishment and also to prosecution under which they may be sentenced up to one year's imprisonment.

(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 the proceedings should be held within the Jail and should be begun and completed with as little delay as possible.

CHAPTER XVII

OFFENCES AND PUNISHMENTS

287. *Acts declared to be prison offence under section 46 of the Travancore-Cochin Prisons Act XVIII of 1950 and 45 of the Central Act IX of 1894.*—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 Jail, and to have committed a prison offence within the meaning of Section 46 of the Travancore-Cochin Prisons Act XVIII of 1950 and Section 45 of the Prisons Act, 1894 (Central Act IX of 1894):—

1. Talking during working hours, or talking loudly, laughing or singing at any time after having been ordered by an officer of the prison to desist.
2. Quarrelling with any other prisoners.
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 Jail or visitor.

**Note.*—The body weight varies to a certain extent from time to time under normal conditions so small difference of weight up to a couple of pounds would not necessarily indicate that the weighments were carelessly done.

7. Holding any communication (in writing, by word of 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 Jail.

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 Jail when called on to do so.

10. Doing any act or using any language calculated to wound or offend the feeling and prejudices of a fellow prisoner.

11. Doing any act calculated to create any unnecessary alarm in the minds of prisoners or officers of the Jail.

12. Leaving without permission of an officer of the Jail the gang to which he is attached or the part of the Jail in which he is confined.

13. Leaving without permission of an officer of the Jail 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 Jail.

16. Visiting the latrines or bathing platforms except at stated hours or without permission of an officer of the Jail or resorting unnecessary to the night latrine or omitting or refusing to employ dry earth in the manner directed by the Prisons Act, for the time being in force.

17. Refusing to eat the food prescribed by the prison 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 Jail food from 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 into food or drink anything likely to render it unpalatable or unwholesome.

22. Omitting or refusing to wear the clothing given to him or ~~ex~~ changing 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 or 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 clothing blankets, bedding, fetters rick tickets, iron cups or platters, clean, or disobeying any order as to the arrangement or disposition of such articles.

26. Tampering in any way with prison locks, lamps or lights or other property with which he has no concern.

27. Stealing the Jail clothing or any part of the Jail kit of any other prisoners.

28. Committing a nuisance in any part of the Jail.

29. Spitting on or otherwise soiling any floor, door, wall or other part of the Jail buildings or any article in the Jail.

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 Jail 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 Jail property or implements.

35. Manufacturing any article without the knowledge or permission of an officer of the Jail.

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 Jail.

42. Omitting or refusing to help any officer of the Jail in case of an attempt to escape or of an attack upon such officer or upon another prisoner.

43. Disobeying any lawful order of an officer of the Jail or omitting or refusing to perform duties in the manner prescribed.

288. *What are prohibited articles.*—The following shall be deemed to be prohibited articles within the meaning of Section 43 and Section 46, clause (12) of the Travancore-Cochin Prison Act XVIII of 1950 and Section 42 and 45, clause (12) of the Central Act IX of 1894 viz., poisons, alcohol in any form, tobacco or the implements for smoking, snuff, opium, ganja or other hemp drug, betel, arecanut, food, clothing, money, jewellery, knives or other weapons, tools for working wood, metals or leather, explosives, matches, books or writing materials, letters, postage stamps, playing cards or any other articles received, possessed or transferred otherwise than by due authority.

289. *Reference to Magistrates in certain cases.*—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:—

(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 Sections 304-A, 309, 325 and 326 of the Indian Penal Code.

(4) Any offence triable exclusively by the Court of Sessions.

290. *Power of Superintendent in other cases.*—It shall be in the discretion of the Superintendent to determine with respect to any other act which constitute both a prison offence and 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.

291. *Loss of privileges under remission system.*—For a prison offence, any one of the following punishments involving loss of privileges admissible under the remission system may be awarded:—

- (a) Forfeiture of the remission earned.
- (b) Temporary forfeiture of class, grade or prison privileges.
- (c) Temporary or permanent reduction from a higher to a lower class or grade.
- (d) Temporary or permanent exclusion from the remissions system, provided that no order directing the forfeiture of remission in excess of 12 days, or the exclusion of a prisoner from the remission system for a period exceeding three months shall take effect without the previous sanction of the Inspector-General of Prisons.

292. *Description of handcuffs.*—Handcuffs imposed by way of punishment for prison offence shall be iron bar handcuffs weighing with lock not more than 907 gm. each or swivel with spring catch handcuffs weighing not more than 567 gm. each or chain handcuffs weighing not more than 454 gm. each.

293. *Handcuffs may be imposed.*—(a) On the wrist in front by day or night for a period of not more than twelve hours at a time with intervals of not less than twelve hours between each period, and for not more than four consecutive days or nights.

(b) On the wrist behind by day only for a period of not more than six hours in any day of twenty-four hours, and for not more than four consecutive days.

(c) By attaching the handcuffs affixed on the prisoner's wrists to a staple in front of the prisoner by day for not more than seven consecutive days and for not more than nine hours on each day, with an interval of at least one hour after the handcuffs have been so attached for not less than three or more than five hours:

Provided that such staple shall not be higher than the prisoner's shoulder nor lower than his waist and that no prisoner shall be attached by handcuffs to a staple except in the presence of other prisoners. A prisoner while undergoing punishment in handcuffs, shall be under complete shelter from the Sun.

*294. *Scale of Penal Diet.*—Penal diet shall consist of the following restricted diet, viz:—

(a) A and B class prisoners:—680 gm. bread per diem with water or 454 gm. rice, with 14 gm. salt per diem with water.

(b) C class prisoners on rice diet 454 gm. rice with 14 gm. salt per diem with water.

*Note.—226 gm. flour and 7 gm. salt shall be made into a thick kanji for the morning meal and the balance into an unleavened cake for the evening meal. [S. R. O. No. 26067—M. S. 255 67 Home dated 16-8-1937].

295. *Imposition of penal diet.*—A prisoner undergoing penal diet shall be confined in a cell. No task of labour shall be enforced on any day on which a prisoner is on penal diet but he may be supplied with work to occupy him. The effect of penal diet on a prisoner's health shall be carefully watched, both by the Superintendent and the Medical Officer, and if the health of the 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.

296. *Imposition of solitary or separate confinement.*—(1) Over the door of each cell in which a prisoner is undergoing solitary or separate confinement shall be placed a ticket signed by the Jailer in Form No. 34 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 solitary or separate confinement shall be thoroughly searched and any articles 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 solitary or separate confinement.

(3) Prisoners in solitary 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 solitary 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.

297. *Classification of punishment: Minor.*—The punishment enumerated in Section 47 of the Travancore Cochin Prisons Act, XVIII of 1950 and Section 46 of the Prisons Act, 1894 (Central Act IX of 1894,) shall be classified into minor and major punishments. The following punishments shall be considered minor punishments:—

1. Formal warning;
2. Change of labour to some more irksome or severe form;
3. Forfeiture of remission earned, not exceeding three days;
4. Forfeiture of class, grade or prison privileges for a period not exceeding 3 months;
5. Temporary reduction from a higher to a lower class or grade;

6. Penal diet;
7. Cellular confinement for not more than seven days;
8. Separate confinement for not more than 14 days;
9. Imposition of handcuffs otherwise than by handcuffing a prisoner behind or to a staple.

*298. *Major*.—The following punishments shall be considered major punishments:—

- (1) Hard labour in the case of prisoners not sentenced to rigorous imprisonment;
- (2) (a) Forfeiture of remission earned, exceeding three but not exceeding 9 days;
- (b) Forfeiture of remission earned, in excess of 9 days;
- (c) Forfeiture of class, grade or prison privileges for a period exceeding three months;
- (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) Permanent reduction from higher to a lower class or grade;
- (3) Cellular confinement for a period exceeding 7 days;
- (4) Separate confinement for a period exceeding 14 days;
- (5) Handcuffing behind or to a staple;
- (6) Penal diet for more than 48 hours;
- (7) Any combination of minor punishment admissible under Section, 48 of the Travancore-Cochin Prisons Act, and 47 of the Prison Act, 1894 (Central Act IX of 1894).

*Note—The major punishments 2 (b) and 2 (c) and any combination of the major punishments 2 (b), 2(c) and 2(e) shall not be awarded by the Superintendent without previous sanction of the Inspector-General of Prisons.

CHAPTER XVIII
THE REMISSION SYSTEM

*299. *Definitions in these rules.*—(a) “Prisoner” includes a person committed to prison in default of furnishing security to keep the peace or be of good behaviour.

(b) “Sentence” means a sentence as finally fixed 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.

(c) The sentence of all prisoners sentenced to imprisonment for life or to more than twenty years imprisonment in the aggregate or to imprisonment for terms exceeding in the aggregate twenty years shall for the purpose of these rules, be deemed to be sentence of imprisonment for twenty years.

300. *Exclusion of certain sentences.*—No ordinary remission shall be earned 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 prisoners’s sentence or total of 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, 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.

301. *Forfeiture of remission.*—If a prisoner is convicted of an offence, committed after admission to Jail under Sections 147, 148, 152, 224, 225-B, 302, 303, 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 Jail on a warder or other officer or having been released under rule 542 breaks his bond given in Form No. 61-B the remission of whatever kind earned by him under these rules up to the date of the said conviction or his temporary

**Note*—In the case of those who are sentenced to transportation for life prior to the passing of the Central Act XXVI of 1955, the sentence for the purpose of these rules shall be deemed to be sentence of imprisonment for 20 years.

release may, with the permission of the Inspector-General of Prisons be cancelled. A prisoner temporarily released under rule 542 who breaks his bond and is again admitted to Jail after recapture shall earn no remission under these rules for such period as the Inspector-General of Prisons may order:

*"Provided that no special remissions granted for donating blood under rule 312A or a remission granted in lieu of wages under rule 364A of these rules shall be cancelled under this rule".

302. *Readmission of excluded prisoner.*—The Superintendent may, with the previous sanction of the Inspector-General, re-admit to the remission system any prisoner who has been removed therefrom under rules framed under Section 59, clause (3) of the Travancore-Cochin Prisons Act, 1950 or the Prisons Act, 1894 (Central Act IX of 1894). Such a prisoner shall earn remission under these rules from the commencement of the month following such readmission.

303. *Scale of ordinary remission.*—Ordinary remission shall be awarded on the following scales:—

(a) Two days per month for thoroughly good conduct and scrupulous attention to all prison regulations.

(b) Two days per month for industry and the due performance of the daily task imposed. 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 or on invalid gang shall be granted remission under clause (a) of the rules on the scale earned by him during the previous month of 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 clause (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 also that if he is in hospital or on invalid gang no remission in Jail no remission under clause (b) shall be awarded for the period of absence:

Provided also that if he is in hospital or on invalid gang no remission under clause (b) of the Rules shall be granted unless the Medical Officer certifies that the prisoners' 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.

*304. *Scale applicable to convict officers.*—In lieu of the remission allowed under Rule 303, convict warders shall receive eight days' ordinary remission per month, convict overseers six days per month and convict night watchmen five days per month.

**305. *Date from which remission calculated.*—Remission under Rule 303 shall be calculated from the first day of the calendar month next following the date of the prisoner's sentence; any prisoner who after having been released on bail or because his sentence has been temporarily suspended is afterwards re-admitted to Jail, shall be brought under the remission system on the first day of the calendar month next following his re-admission, but shall be credited on his return to Jail with any remission which he may have earned previous to his release on bail or the suspension of his sentence. Remission under Rule 304 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.

306. *Additional remission to prison servants.*—Prisoners employed on prison services such as cooks and sweepers who work on Sundays and holidays may be awarded two days ordinary remission per quarter in addition to any other remission earned under these rules.

307. *Award of remission for good conduct.*—Any prisoner eligible for remission under these Rules who for a Period of one year reckoned from the first day of the quarter following the date of his sentence or the date on which was last punished for a prison offence has committed no prison offence whatsoever shall be awarded fifteen days ordinary remission, in addition to any other remission earned under these rules.

308. *Who may award ordinary remission.*—Ordinary remission shall be awarded by the Superintendent or subject to his control and supervision and to the provisions of Rules 309 by the Jailer. Deputy Jailer or any other officer specially empowered in that behalf by him.

309. *Procedure on award.*—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.

*Note—As regards the remission to be granted to convict nursing orderlies see Rule 618

**Note—If the appointment of a prisoner as convict officer is on the first day of the calendar month, remission under 304 shall be calculated from the date of appointment convict officer.

If a prisoner has not been punished during the month otherwise than by a formal warning, he shall be awarded the full ordinary remission for that month under Rule 303, or if he is a convict officer under Rule 304.

If a prisoner has been punished during the month otherwise than 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 303 or if the convict is a convict officer, under Rule 304. All remission recorded on the prisoner's history ticket shall be entered quarterly on the remission sheet (or card) or if remission sheets (or cards) are not maintained in a general remission register.

310. *Record of award.*—The award of ordinary remission to prisoners sentenced to one year and above shall be made as nearly as possible on the 1st January, 1st April, 1st July and 1st October, and the amount shall be intimated to the prisoner and recorded on his history ticket. Remission granted to a prisoner under Rule 307, shall be recorded on his history ticket as soon as possible after it is awarded.

The award of ordinary remission to prisoners sentenced to less than one year shall be made as nearly as possible, on the first of the month following and the amount shall be intimated to the prisoner and recorded on his history ticket.

311. *Exclusion of last calendar month.*—No prisoner shall receive ordinary remission for the calendar month in which he is released. If by the award of remission for a particular month, the date of release would fall in that month, full remission due for that month shall not ordinarily be given, but a portion of the remission shall be given so that the release may fall on the 1st day of the following month.

312. *Qualification for special remission.*—Special remission not exceeding 60 days in a year may be given to any prisoner 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 of fire or similar emergency.
- (6) Economy in wearing clothes.
- (7) Undergoing sterilisation operation.

312A. *Special remission for blood donation.*—Special remission for 15 day shall be granted to a prisoner donating blood on every such occasion. *Provided that such remission shall not be allowed to prisoners other than long term prisoner undergoing imprisonment for more than three years.

313. *Who may award special remission.*—Special remission under rule 312 may be awarded:—

- (a) by the Superintendent to an amount not exceeding thirty days in one year;
- (b) by the Inspector General or the Government to an amount not exceeding sixty days in one year;

Explanation.—For the purpose of this rule years shall be reckoned from the date of sentence, and any fraction of a year shall be reckoned as a complete year;

(c) a prisoner transferred to this State under the reciprocal arrangements will earn ordinarily remission as laid down in these rules, but any special remission of sentence not provided for in these rules or remission of sentence for ordering the premature release of a prisoner will have to be sanctioned by the Government of the State where the prisoner is convicted, and in the case of conviction for offences against any law relating to a matter to which the executive power of the Union extends, by the Central Government.

314. *Record of special remission.*—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 reasons for every award of special remission shall be briefly recorded.

315. *Maximum remission awardable.*—The total remission awarded to a prisoner under all these rules shall not without the special sanction of Government, exceed one third part of his sentence. †Provided that the special remission awarded under rule 312-A shall not be reckoned in the maximum limit of one-third part of the sentence.

316. *Method of calculating date of release.*—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.

* G O (MS) 17/82/Home dated 4-2-1982

† Ammended as per G.O-MS 27/74 Home dated 15-2-1974

317. *Release of prisoner.*—When a prisoner has earned such remission as entitles him to release the Superintendent shall release him. Provided that in the case of a life convict the Superintendent shall before such release report the case to Government consideration with reference Section 401 of the Code of Criminal Procedure 1898 and obtain orders of Government for his release. (G.O.MS.64/Home dated 3-2-1971)

318. *Endorsement of remission on warrant.*—When a prisoner is released under Rule 317 the total amount of remission earned by him shall be endorsed on his warrant and the endorsement shall be signed by the Superintendent.

319. *Procedure on Transfer.*—When a prisoner is transferred to the Lunatic or Leper Asylum, or T.B. Hospital the total amount of remission earned by him up to the end of the preceding quarter shall be endorsed on his warrant and entered on his history ticket, these entries being signed by the Superintendent.

The receiving Lunatic, Leper Asylums or T.B. Hospital shall be responsible that the above information is duly obtained. Each Lunatic Asylum or Leper Asylum or T.B. Hospital at which a prisoner serves as portion of his sentence shall be held responsible for the correct calculation of the remission earned in that asylum or Hospital.

320. *Preservation of remission sheets or cards.*—Remission sheets (or cards) shall be retained in the office of a jail for a period of one year after the unconditional release of the prisoner to whom they relate, or for a period of one year after his death. When prisoner is transferred to another jail, 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.

CHAPTER XIX

GRADING OF CONVICTS AND CONVICT OFFICERS

*321. *General discipline.*—The following rules relating to the grading of convicts and to their employment as convict officer of jails are laid down for the encouragement of good conduct and industry in jails. They apply to all male and female convicts coming under the remission system. As convict officers are employed for the convenience of jail administration

*Note:—Prisoners placed in A or B class shall not be employed as convict officers

such employment can never be claimed as 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.

322. *Employment of convict officers.*—(1) The maximum number of convict officers in a jail shall in no case exceed 10 per cent of the daily average population thereof.

(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 jail 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 carries 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) Except in the case of a non-habitual prisoner/first offender of means and status who has been sentenced to imprisonment for a serious crime against the person committed in a passion and who but for this lapse is a respectable member of society, and who is likely through his position of responsibility over habituals not to be contaminated no non-habitual prisoner/first offender shall be employed as a convict officer in-charge of habitual prisoners.

(5) Habitual prisoners may be employed as convict officers only in jails set apart for habitual prisoners and shall not be employed as convict overseer or convict warden without the special sanction of the Inspector General of Prisons. Such convict officers shall be eligible for the same privileges as other convict officers.

(6) Paid warders only shall be in charge of habitual prisoner gangs and workshops.

323. *Three classes of convicts.*—(1) Convicts who come under the remission rules shall be classified as follows:

Third class.—Those who have commenced to earn remission.

Second class.—Those who have earned 25 days remission. He shall if well conducted, receive 6 naye paise per mensem.

First class.—Those who have earned 40 days remission. They shall if well conducted, receive 12 naye paise per mensem.

(2) No convict shall, without the consent of the Inspector General of Prisons be promoted to the rank of a convict officer till he has earned at least 50 days' remission.

*324. *Gratuity to ordinary convicts.*—(1) Convicts who come under the remission rules and who have earned 60 days remission, if unable to work due to ill-health shall, if well conducted, be granted gratuity at the rate of 6 naye paise per-mensem.

(2) No convict shall, without the consent of the Inspector General, promoted to the rank of a convict officer till he has earned at least 60 days remission.

†325. *Remission in lieu of gratuity when sentenced for two years and less.*—Convicts sentenced to term of imprisonment of two years and below and entitled to the benefit of gratuity under Rule 323 (1) shall, in lieu of the amount of gratuity earned by them, be granted remission in days, calculated at the rate of 12 naye paise per day. The remission so granted shall be in addition to the remission earned by them under Chapter XVIII.

†326. *Remission in lieu of gratuity when sentenced for periods above two years.*—Convict sentenced to imprisonment above two years and entitled to the benefit of gratuity under Rule 323 (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 12 naye 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 323 (1). The option once expressed 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 print.

*Note—Special remission granted on important occasions like the Independence Day, Republic Day, etc, shall not be counted for the purpose of calculating earned by a convict

Note—As regards the gratuity to be granted to convict nursing orderlies See rule 618.

Note—For the purpose of Rules 325 and 326 amount less than 6 naye paise shall be ignored and 6 naye paise and above taken as 12 naye paise while computing the gratuity.

327. *Lapse of gratuity.*—If a convict dies before his release the gratuity earned by him shall lapse to the Government.

328. *Three grades of convict officers.*—There shall be three grades of convict officers viz., (1) Convict night watchmen, (2) Convict overseers, and (3) Convict warders.

329. *Appointment; privileges and duties of convict night watchmen.*—Convict night watchmen shall be selected from among first class convicts eligible for promotion. They shall be allowed a gratuity at the rate of 50 naye paise per mensem, in addition to any wages earned by them under the wage rules. They shall wear a brass badge on the right arm, whether under the remission system or not, they shall be exempt from wearing the neck ticket but shall not be exempt from tasked labour. 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 Officer, any matter requiring attention e.g., that the light in the ward has gone out, that any prisoner is ill or has left his bed or is misbehaving himself in any way.

330. *Appointment and privileges of convict overseers.*—Convict overseers shall be selected from among convict night watchmen or first class convicts eligible for promotion. They shall wear a brass badge on the right arm. They shall be allowed a gratuity at the rate of 75 naye paise per mensem in addition to any wage earned under the wage rules. They may be exempted from tasked labour, if the Superintendent so directs.

331. *Duties of convict overseers.*—The duties of a convict overseer shall be:—

(1) To take a watch nightly inside the ward in the manner prescribed for convict night watchmen.

(2) To maintain order and discipline in his ward, squad, and workshop.

(3) To supervise the labour of his squad, see that each prisoner does his allotted task, does not waste or steal materials, spoil his work, or injure his tools or machinery and to take care that all tools are properly used and carefully returned into store.

(4) To pay attention to cleanliness of the persons and clothes of the prisoners and see that they bathe at such hours as may be ordered.

(5) To report any signs of sickness among prisoners.

(6) To escort prisoners about the jail when required.

(7) To report the possession of any forbidden article by any convict and to prevent all breaches of Jail rules.

(8) To maintain order and neatness in the workshops; and

(9) To bring all breaches of discipline, short work and misconduct among the prisoners, to the notice to the Jailer.

332. *Appointment of convict warders.*—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 one year as a convict officer.

(2) That they shall have completed one-half of their sentences of imprisonment (including remission).

(3) That they are of good conduct.

333. *Inspector General to fix number of convict warders in each Jail.*—The number of convict warders in any jail shall be fixed from time to time by the Inspector General in accordance with the requirements of the Jail, subject to the condition that the total number shall not exceed 3% of the Jail population without the sanction of Government.

334. *Grant of wages and gratuity to convict warders.*—Convict warders shall be given wages as provided in Rule No. 381. Besides, every convict who performs his duties to the satisfaction of the Superintendent shall be granted gratuity at the rate of Rupee one per mensem.

335. *Half the money earnings may be spent on eatables.*—(a) Any amount upto half the amount of monthly gratuity earned by a convict or convict officer may at his option be spent during the month in the purchase of articles from the prisoners' canteen.

(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 to under the Rules.

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. The total gratuity earned shall be paid to the prisoner on release in addition to any other money, he may be entitled to under the rules.

336. *Privileges of convict warders.*—Convict warders may be provided with quarters within the Jail entirely separated from those of other convicts. They may mess, be shaved, and if possible bathe apart from other convicts. Their washing shall be done by convict dhobies, and they shall be paraded separately. They shall be exempt from 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.

337. *Duties of convict warders.*—A convict warder shall perform such duties in the matter of guarding and the like as may, at any time be assigned to him during day and night. He shall report all infringements of the Jail Rules and take all lawful measures to prevent them and shall render all necessary assistance to the officials in authority over him.

338. *Equipment of convict warders.*—Every convict warder shall be provided with a brass number and shall wear it on a black slash, a whistle and chain.

339. *Appointment of un-qualified convicts as warders.*—If in the Jail a sufficient number of convicts eligible for employment as Convict Officers, is not available, convicts who are not fully eligible may be so employed, subject to the following conditions:—

(1) Each such case shall be submitted for the sanction of the Inspector General of Prisons;

(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 fully eligible shall receive the extra remission admissible to convict officers, and

(4) No convict 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.

340. *Ordinary diet scales.*—The following are the sanctioned diet scales and no reduction shall be made in them except in the case of prisoners, on punishment diet, when the diet will be in accordance with the scale given in Rule 294 A. A and B Class Prisoners—Non-vegetarian.

[Government notification No. MS. 255/67/Home dated 16th August 1967 of Home (B) Department.]

ORDINARY DIET SCALE

Articles

Male convict sentenced to labour

	Mon	Tues.	Wed.	Thurs.	Fri.	Sat.
Rice	566g	566g	566g	566g	566g	566g
Wheat in any form	454g	454g	454g	454g	454g	454g
Fresh Meat	..	..	170g	..	..	..
Fresh Fish	..	170g	..	..	170g	..
Potatoes	113g	113g	113g	113g	113g	113g
Dhall	57g	57g	57g	57g	57g	57g
Ghee	14g	14g	14g	14g	14g	14g
Vegetables	170g	170g	170g	170g	170g	170g
*Coconut oil/ Vegetable oil	12g	12g	12g	12g	12g	12g
Coconut	14g	14g	14g	14g	14g	14g
Salt	21g	21g	21g	21g	21g	21g
Sugar	42g	42g	42g	42g	42g	42g
Onions	28g	28g	28g	28g	28g	28g
Dry Tea	14g	14g	14g	14g	17g	14g
Curd	140ml	140ml	140ml	140ml	140ml	140ml
Curry Powder	7g	7g	7g	7g	7g	7g
Milk	280ml	280ml	280ml	280ml	280ml	280ml
Rice for those using wheat in the form of bread	113g	113g	113g	113g	113g	113g

* G.O.(Ms.)396/67/Home dated 9-11-1967

INSTRUCTIONS

1. The allowance of meal is to be exclusive of bone and that of fish exclusive of heads and fins.
2. The best brown bread is to be issued.

B—A&B class Prisoners —Vegetarians

"SCALE OF DIET PER HEAD PER DAY"

Articles	Male convicts sentenced to labour	Non-labouring male convicts fe- males and under- trial prisoners
Rice	.. 396g.	396g.
Wheat	.. 113g.	113g.
Dhall	.. 113g.	113g.
Tamarind	.. 28g.	28g.
Curry Powder	.. 21g.	21g.
Salt	.. 28g.	28g.
Onions	.. 28g.	28g.
Vegetables	.. 226g.	226g.
Potatoes with yam or colocasia	.. 113g.	113g.
Mustard	.. 7g.	7g.
Pepper	.. 7g.	7g.
Cummin seeds	.. 7g.	7g.
Asafoetida	.. 440mg.	440mg.
Garlic	.. 770mg.	770mg.
Oil	.. 28ml	28ml.
	.. 14g.	14g.
Coconut	.. 565ml.	565ml:
Butter milk or Curd	.. 280ml.	280ml.
Tea or Coffee	.. 14g.	14g.
Sugar	.. 28g.	28g.
Milk	.. 280ml.	280ml.
Ghee	.. 14g.	14g.
Papadams	.. 2Nos.	22Nos.

II. DISTRIBUTION OF DIET

The prisoners shall receive three meals daily, the food being distributed as follows:—

Labouring male convicts		Non-labouring male convicts, females and special under trial prisoners
Morning daily	Rice or Wheat Tea or Coffee	113g.
Mid-day do.	Rice or Wheat Two vegetable curries Ghee Pepper water Butter milk or curd	255g.
Evening do.	Rice or Wheat Two vegetable curries Ghee Pepper water Butter milk or curd	198g.

*The prisoners in open prison shall be given an additional quantity of 100 gms. of rice per head per day.

III. INGREDIENTS AND INSTRUCTIONS

(1) The morning meal shall be issued immediately after unlocking, 113 grams of rice may be issued in the form of cake or gruel. In case wheat is used an equal weight in the form of cake may be given.

(2) The sugar and milk are to be issued for the tea or coffee for the morning meal.

(3) The potatoes and yam or colocasia may be used in the curry or separately.

(4) Half the quantities of ghee and butter milk or curd are to be issued for the mid-day and evening meals.

(5) Mustard, pepper, cummin seeds, garlic together with a portion of curry powder are for the pepper water.

(6) The actual food supplied may vary with the cost of the standard scale at tender rates.

C—C class Prisoners I

SCALE OF DIET PER HEAD PER DAY

Morning daily	Wheat	115 gm.
Noon "	Rice	220 gm.
Evening "	Wheat	115 gm.
Vegetables (Sambar)	113 g. (large and small)	Sunday, Tuesday and Thursday,
Vegetables	312 g. (large)	Monday, Wednesday, Friday and Saturday.
Dried Tapioca	170 g.	(Sunday, Tuesday and Thursday).
Onions	14 g.	
Tamarind	7 g.	
Curry Powder	11 g.	
Coconut	42 g.	
Salt	42 g.	
Firewood	680 g.	
*Gurd(Thayre)	55 ml.	
†Coconut oil	12 gms.	
Mustard	259 mg.	
Green gram	85 g.	(Sunday, Tuesday, Thursday and Friday).
Do.	28 g.	(Monday, Wednesday and Saturday)
Dried fish	57 g.	(Monday, Wednesday)
Mutton	‡71 g.	(including bones) Saturday.
Potatoes	57 g.	
Dhall	14 g.	(Every sambar day).
Uluva	65 mg.	
Asafoetida	220 mg.	
Pepper	220 mg.	
Garlic	440 g.	
Cummin Seed	194 mg.	

N.R.—Green and red grams may be given on alternative days. For Vegetarians 57g. of green gram may be issued on fish and mutton days in lieu of fish or mutton.

* GO (MS) 22/78/Home dt. 12-3-1978

† GO (MS) 396/67/Home dt. 9-11-1967

‡ GO (MS) 36/84/Home dt. 27-7-1984

II DISTRIBUTION OF DIET

(1) 'C' Class prisoners shall receive three meals daily, the food being distributed as follows:—

* "Morning daily	Wheat	..	145 gram
Noon "	Rice	..	220 gram
Evening "	Wheat	..	145 gram"

(2) The morning meal shall be issued immediately after unlocking, the rice or wheat either boiled or as conjee.

(3) The mid-day meal shall be at 12.15 p.m.

(4) The Evening meal shall be given on completion of the day's work.

** (5) They shall also receive every morning a cup of Black Coffee/Balck Tea each, the scale of issue being.

(a) *Black Coffee:*

Coffee Powder	3 gm. per head
Sugar	9 gm. do.
Firewood	100 gm. do.

(b) *Black Tea:*

Tea dust	3 gm. per head
Sugar	9 gm. per head
Firewood	100 gm. per head.

Prisoners shall be given feast costing approximately Rs. 8.00 † extra per head per feast, on the following festival days every year:—

1. Vishu, 2. Onam, 3. Ramzan, 4. Bakrid, 5. Christmas
6. Easter, 7. Independence Day, 8. Republic Day, 9. Ganthi Jayanthi Day. ‡

The warders shall also be given the feast, costing at the same rate. The additional expenditure of this account will be debited to "28 Jails and Convict Settlements (a) Jails—Dieting Charges".

2. Open Prison Harvest Feast—Open Prison Prisoners shall be given a harvest feast at the close of every harvest of paddy limiting the expenditure to Rs. 20 (Twenty only) and Two Paras of Paddy [G. O. (Rt) 500/68/Home dated 27-3-1968] Harvest feast enhanced to 50kg. of Paddy and Rs. 3.00 per prisoner for each feast [G. O. (Rt) 3260/86/Home dated 27-11-1986].

* The prisoners in Open Prison, Nettukalthery shall be given an additional quantity of 100 grams of rice per head per day.

** G. O. (Ms.) No. 111/76/Home Dt. 30-8-1976.

† G. O. (Ms.) No. 115/93/Home Dt. 17-8-1993.

‡ Sl. No. 7, 8 and 9 included as per G. O. (Ms.) No. 115/93/Home Dt. 17-8-1993.

III. INGREDIENTS AND INSTRUCTIONS

(1) No rice less than six months old shall be issued. Cooked rice is about three and a half times the weight of uncooked rice.

(2) Dhall shall be free from husk and issued in the curry and not separately.

(3) The oil shall be tempered, and mixed with the curry in the presence of a responsible officer of the jail, who shall ascertain by weighing that the quantity is correct.

(4) Curry powder shall be prepared according to the following recipe:—

Chillies	9 g.
Goriander	4 g.
Turmeric	2 g.

It shall be prepared and issued to the cooks in the form of powder not in ingredients.

(5) If cheaper, an equal quantity of mango pickle may be substituted for tamarind.

Vide G. O. (MS) 266/95/Home Dt. 25-8-1995 Chillies, coriander and Turmeric enhanced to 9 gm 4gm and 2 gm respectively.

2. After rule 340, the following rule shall be inserted namely:—

G.O. (Ms.) 172/69/Home dated Trivandrum 31st May 1969.

"340 A. Diet Scale of Undertrial Special Class Prisoners and Convict Special Class Prisoners

1. *Scale of diet per head per day*

<i>Articles</i>	<i>Monday</i>	<i>Tuesday</i>	<i>Wednesday</i>	<i>Thursday</i>	<i>Friday</i>	<i>Saturday</i>	<i>Sunday</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
I. NON-VEGETARIANS							
Wheat (morning)	175 g.	175 g	175 g	175 g	175 g	175 g	175 g
Rice (noon)	350 g	350 g	350 g	350 g	350 g	350 g	350 g
Wheat (evening)	175 g	175 g	175 g	175 g	175 g	175 g	175 g
Fresh meat	..	..	113 g	..	..	..	113 g
Fresh fish	..	113 g	..	..	113 g	..	..
Potatoes	85 g	85 g	85 g	85 g	85 g	85 g	85 g
Dhall	57 g	57 g	57 g	57 g	57 g	57 g	57 g

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Vegetables	170 g						
Onions	28 g						
Gurry powder	7 g	7 g	7 g	7 g	7 g	7 g	7 g
Salt	21 g						
Coconut oil/Vegetable oil	14 ml						
Coconut	14 g						
Butter milk	140 ml						
Tea or coffee	14 g						
Sugar	28 g						
Milk	280 ml						

II. VEGETARIANS

Wheat (morning)	175 g	175 g	175 g	175 g	185 g	175 g	175 g
Rice (noon)	350 g	350g	350 g				
Wheat (evening)	175 g	175g					

Potatoes	113 g	113 g	131 g	113 g	113 g	113 g	113 g
Dhall	113 g						
Vegetables	226 g						
Onions	28 g						
Tamarind	28 g						
Curry Powder	21 g						
Salt	28 g	28 g	28 g	28g	28 g	28g	28 g
Mustard	7 g	7g	7 g	7 g	7 g	7g	7 g
Pepper	7 g	7 g	7 g	7 g	7 g	7 g	7 g
Cumin seed	7g	7 g	7 g	7 g	7 g	7 g	7 g
Asafoetida	440 mg						
Garlic	1g 770mg						
Coconut oil/vegetable oil	28ml						
Coconut	14 g	14 g	14 g	14 g	14g	14 g	14 g
Butter milk	565 ml						
Tea or Coffee	14 g						

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Sugar	28 g	28 g	28g	28g	28g	28g	28 g
Milk	280 ml	280ml	280 ml				
Ghec	14 g						
Pappadams	2 Nos.						

Notes :—Wheat shall not be substituted with Rice. But Rice can be substituted with wheat if the prisoner desires.

(6) The allowance of vegetables shall be calculated after stalks, skins and refuse have been separated, and only good succulent vegetable shall be used. Similarly the allowance of tamarind shall be issued free of husk and seed. The Vegetables shall be of three main groups:—

1. Root vegetables—yams (Kachil and chena) colocasia (chembu) tapioca and potatoes.
2. Leafy vegetables—like Amaranthus (Keera).
3. Other vegetables like lady's finger, brinjals, cucumber, etc.

At least 57g. of the vegetables supplied daily shall be leafy vegetables of some kind and not more than half the total vegetables shall be root vegetables.

(7) Every male prisoner shall be given 57g. of gingally oil or coconut oil for bath per week excepting the in-patients in the jail hospital. The female prisoners shall be given oil as prescribed in Rule 822.

(8) Warders on duty shall be given free-noon meal every day, the sale of diet being the scale of diet prescribed for a C class prisoner for his noon meal.

*Note:—** (1) in rule 340 for the words "Coconut Oil" where they occur the words "Coconut Oil or vegetable Oil" shall be substituted;

(2) in rule 340A, for the words "Coconut Oil" wherever they occur, the words "Coconut Oil or Vegetable Oil" shall be substituted.

341. *Food to be cooked at main kitchen.*—All food except that specially prepared for prisoners in hospital, A and B class prisoners and civil and State prisoners, shall be cooked at the main Kitchen:

Provided that the noon-meals of warders on duty shall be cooked outside the main kitchen preferably outside the main jail.

†342 (1) *Appointments of cooks.*—Civil and State Prisoners shall be allowed to cook for themselves. For all other prisoners convict cooks in the proportion of one cook to every 25 prisoners shall be appointed.

"(2) Two prisoners shall be detailed for cooking the noon-meals of warders on duty and these prisoners shall be over and above the percentage fixed in rule 390".

*G.O. (Ms) No. 40/76/Home dated 27th March 1976.

†Amended as per G.O. (MS) 198/69/Home dated 25-6-1969.

343. *Duties of cooks.*—(1) The work of preparing grain or curry powder 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 the several blocks by convicts from those blocks and distributed to the prisoners under the supervision of the block warder.

(3) Only those persons who have been certified to be free from carriers shall be employed as cooks.

344. *Cooking vessels etc.*—Iron or Aluminium pots shall be used for cooking. Trays made of metal with handles may be employed to carry on food.

345. *Protection of food from flies.*—All food shall be carefully protected from flies.

* 346. *Allowances of fuel.*—The maximum allowance of fuel for C Class Prisoners is 680g. per head per diem. For A and B class Prisoners a maximum of 2 Kg. 720g. per head per diem may be allowed. The consumption of fuel should if possible be kept below these maximum but thorough cooking of the food should not be sacrificed in order to secure a small saving of fuel.

(2) Besides the scale of firewood sanctioned in sub-rule (1) above an additional quantity of fuel not exceeding 400g. per head per diem is allowed in respect of the inpatient or out-patient in jail hospital for whom extra fuel has to be issued on account of hospital diet, hot water etc., on the recommendation of the medical officer.

** 347. *Eating and drinking vessels.*—Every prisoner shall be provided with a tin, aluminium or earthen eating vessel, spoon, curry vessel and Hindalium, tumbler for taking Coffee, Tea etc., for drinking purpose., Vessels should be of a uniform material and pattern.

348. *Daily inspection of food supplies.*—The Superintendent and the Medical Officer shall exercise the utmost vigilance in the supervision of the food supplies, and all articles issued for consumption shall be inspected daily by the Medical Officer. The inspecting officer shall especially see that the full ration of vegetables of food quality is issued and that any defect in quality is brought to the notice of the Superintendent.

*Government notification No. (Ms) 255/67/Home dated 16th August 1967.

* *GO (Ms) 130/86 Home dated 21-6-1986.

349. *Inspection of cooked food.*—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 the 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.

350. *Weighment of articles of food.*—All articles of food issued for consumption shall be weighed daily by the Deputy Jailer or Assistant Jailer 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, authorised weights and, measures of metric system shall always be used and a proper set of scales weights and measures shall be maintained and shall be frequently tested by the Superintendent.

351. *Disposal of complaint by prisoner.*—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 Jailer and the circumstance 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.

352. *Power to sanction change in dietary.*—No change in the prescribed dietary of the whole Jail shall be made without the sanction of Government but the diet of individual prisoners may be modified on the recommendation of the Medical Officer. Unless a prisoner is in hospital, any modification which is continued for more than a month shall be reported to the Inspector-General of Prisons.

353. *Control of hospital diet.*—The diet of a prisoner in hospital shall be entirely under the Medical Officers' control and he may order such extras as he considers necessary, but he should exercise such economy as is not in consistent with the well-being of the sick.

* 354. *Hospital diets.*—The ordinary hospital diet shall be as follows:—

A. A and B Class Prisoners (Non-vegetarian)

ARTICLES COMPRISING THE DIFFERENT HEADS OF DIET FOR A DAY

<i>Spoon</i>	<i>Milk</i>	<i>Half</i>	<i>Mixed</i>	<i>Full</i>
Sago:57g.	Bread:340g.	‡Chicken: 227 g. or Mutton: 283g.	Coffee: 35 g. ‡Hoppers: No.6	Meat either beef or Mutton: 340 g.
Tea:14g.	Rice: 85g. including	Bread: 453 g.	Mutton for curry: 227g.	Bread: 453 g.
Sugar:63g.	28g. for Kanjji water or Suji 113g. in lieu of rice	Potatoes:227 g.		Potatoes: 340 g. Tea: 14g. Sugar 42 g.
Milk:170ml. Ricc: 57g.	Milk: 1l and 870ml. for tea	Tea: 14g. Sugar:42g. Milk: 170ml.	Rice:227 g. Curry powder: 14g.	Milk:170ml. Butter:28 g. Onions:28 g. Barley: 14g.
Salt: 4g. for Kanjee water	Butter: 71g. Sugar: 71g. including 21g. for tea. Tea:57g. Salt: 4g.	Butter: 28g. Onions: 28g. Barley: 14g. Flour: 14g. Salt: 11g. The mutton may be roasted or grilled in such cases the requisite quantity of ghec may be used and the barley, onions and flour excluded.	Sugar: 42g. Milk: 170ml. Butter: 170g. Bread: 227 g. Country vegetables 113g. Salt: 28g. Tamarind: 14g.	Salt: 11g. <i>N.B.</i> —In this diet the meat may be roasted or grilled. In such cases the diet to be marked "full varied" and 28g. extra of butter or ghee may be allowed and the onions, barley and flour excluded.

* Rule 354 substituted as per Govt. Notification No. 255/67/Home dated 16th August 1967.

‡ At the discretion of the Medical officer.

‡ Hoppers to weight 57g. each when cooked.

2. DISTRIBUTION OF DIET

Break-fast

<i>Spoon</i>	<i>Milk</i>	<i>Half</i>	<i>Mixed</i>	<i>Full</i>
Tea 565ml.	Tea 565ml.	Tea 565ml.	Coffee 565ml.	Tea 555 ml.
Sugar 21 g.	Milk 565ml.	Bread 170g.	Hoppers No.6	Bread 170g.
Milk 85ml.	Bread 113g.	Butter 14g.	Butter 14g.	Butter 14 g.
	Sugar 7g.			

Dinner

<i>Spoon</i>	<i>Milk</i>	<i>Half</i>	<i>Mixed</i>	<i>Full</i>
Sago in jelly 57g.	Rice 57 g.	} Mutton in In Broth 565ml rice or meat milk roasted or fried 283g. Bread 113g. Potatoes 227g.	} Rice 227g. Mutton for curry 227g. Vegetable 28g. Bread 57g.	} Broth or Soup 565ml. or Meat roasted 340g. Bread 113 g. Potatoes 340 g;
Sugar 21g.	Milk 565ml.			
Milk 85 ml.	Bread 113g.			
	Sugar 21g.			
	or Suji, 113g. in lieu of rice			

Supper

Tea 565ml.	Tea 565 ml.	Tea 565ml.	Coffee 565 ml.	Tea 565 ml.
Sugar 2g.	Bread 170g.	Bread 170g.	Bread 170g.	Bread 170g.
Milk 225ml.	Butter 14g.	Butter 14g.	Butter 14g.	Butter 14g.

N.B.—The weight of the meat for the various diet shall be ordinarily issued exclusive of bone. An addition at the rate of 25 per cent shall be made when meat is issued with bone, Wines, Spirits and eggs may be prescribed in addition to any of the diets as the Medical Officer may deem necessary. Other extra will only be usually allowed on spoon and milk diets.

II. Class A and B Prisoners (Vegetarians)

<i>Spoon</i>	<i>Milk</i>	<i>Mixed</i>	<i>Ordinary</i>
Sago 57 g.	Bread 340g.	Coffee 35 g.	
Coffee 35 g.	Rice 85g.	Dhall 113 g.	
Sugar 64g.	(including 28g.	Rice 340 g.	
Milk 255 ml.	of kanji water or	Curry	
Rice 57g.	Suji 113g. in	powder 14 g.	} Ordinary vegetarian jail diet.
for Kanji	lieu of rice)	Sugar 42 g.	
Water	Milk: 11 & 305ml.	Milk 170 ml.	
Salt 14 g.	for coffee	Butter 28g.	
	Butter 71g.	Bread 113g.	
	Sugar 64g.	Country	
	including 21g.	vegetables 170g.	
	for Coffee	Salt 28g.	
	Coffee 35g.	Tamarind 7g.	
	Salt 4g.	Gingelly oil 14ml.	
		Butter Milk 280ml.	
		Pepper water 280ml.	

2. DISTRIBUTION OF DIET

Breakfast

<i>Spoon</i>	<i>Milk</i>	<i>Mixed</i>	<i>Ordinary</i>
Coffee 565 ml. Sugar 21 g. Milk 85 ml.	Coffee 565 ml. Milk 565 ml. Bread 113 g. Sugar 14 g.	Coffee 565 ml. Bread 113 g. Butter 28 g.	Ordinary veget- arian jail diet.

Dinner

Sago in jelly 57 g. Sugar 7 g. Milk 85 ml.	Rice 57 g. Milk 565 ml. Bread 114 g. Sugar 21 g. or Suji in lieu of rice 113 g.	} IN rice Milk	Rice 170 g. Dhall 85 g. Country vegetables 85 g. Butter Milk 280 ml. do.
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Supper

Coffee 565 ml. Sugar 14 g. Milk 85 ml.	Coffee 565 ml. Bread 113 g. Butter 14 g.	Coffee 565 ml. Rice 170 g. Pepper water 280 ml. Country vegetables 85 g. do.
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III. Class 'C' Prisoners

1. ARTICLES COMPRISING THE DIFFERENT HEAD OF DIETS FOR A DAY

<i>Spoon</i>	<i>Milk</i>	<i>Low</i>	<i>Ordinary</i>
Sago 113 g. Sugar 57 g. Rice 57 g. Salt 4 g. Milk 565 ml.	Bread 340 g. or rice Milk 11 & 135 ml. Sugar 57 g. for kanji rice 57 g. Salt 4 g.	Mutton in broth 170 g. Bread 340 g. Butter or Ghee 28 g. Onion 28 g. Barley 57 g. Flour 14 g. Salt 28 g.	Mutton for curry 227 g. *Rice 227 g. Curry power 4 g. Country vegetables 113 g. **Hoppers No. 6 Bread 227 g. Butter or Ghee 28 g.

Rice:—Ordinary Jail diet substituting rice for dry grain.

*Or rice 458 gm. Omitting Bread.

** Hoppers to weigh 57g. each

2. DISTRIBUTION OF DIETS

Milk early morning Meal

<i>Spoon</i>	<i>Milk</i>	<i>Low</i>	<i>Ordinary</i>	<i>Rice</i>
Sago 28 g. Sugar 14g.	Bread or rice 113g. Sugar 28 g. Milk 285 ml.	Bread 113g. Butter or ghee 14 g.	Hoppers No. 6 Butter or ghee 14 g.	Rice 140 g.

Mid-day Meal

Sago 57 g. Sugar 28 g. Milk 565 ml.	Bread or rice 170 g. Milk 565 ml. Sugar 28 g.	Mutton in broth 140 g. Bread 114 g.	Mutton for curry 227 g. Vegetable 113 g. Rice 227 g.	Rice 283 g. and half article of dietary ^s
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Evening

Sago 28 g. Sugar 14 g.	Milk 285 ml.	Bread 227 g. Butter or Ghee 14 g.	Bread 227 g. Butter or Ghee 14 g.	do.
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The weight of the meat in the above diet shall be exclusive of bones.

In case in which the Medical Officer considers it necessary 14 g. tea 42 g. coffee per diem may be ordered with any of the above diets, when given with the low or ordinary diets, 42 g. sugar and 170 ml. milk will also be allowed.

355. *Diet scale for State prisoners.*—Every State prisoner confined in Jail shall receive dietary in accordance with orders of Government passed relating to him.

CHAPTER XXI

CLOTHING AND BEDDING

356. *Convicts to wear Jail clothing.*—Every convict under sentence of rigorous imprisonment shall be required to wear Jail clothing as prescribed in these rules and shall be supplied with Jail bedding, any prisoner of any other class shall be supplied with clothing and bedding if he require it.

357. *Material of prisoners' clothing.*—All prisoners shall be provide with clothing of white cotton material.

358. *Clothing of Indian "C" class male convicts.*—(1) The clothing of male C class convicts other than Convict Overseers, Convict Warders, convicts sentenced to simple imprisonment and undertrials to whom it may

be necessary to issue clothing from the Jail stock shall consist of a * half sleeve open bush shirt, a mundoo, and an undercloth. These articles shall constitute a suit. No pocket shall be allowed. The dimensions of a mundoo shall be 1.83 m. \times 1.07 m.

(2) The clothing of a "C" class female convict shall consist of 2 single cloths 4.57 m. and 1.83 m. in length and 1.14 m. in width sari and a bodice (ravikai) provided that Mohamedan and Christian women shall be given the option of wearing in lieu of a cloth, a petticoat (pavadai) and an upper cloth (dhavani) of the style usually worn by women of those classes, 3.66 m. of material being allowed for each article.

(3) Male habitual convicts shall be required to wear shirt with a round black mark about the size of a rupee and female habitual convicts a blue or black border 2.5 cm. wide on both edges of their clothes.

(4) Male convicts under sentence for life shall be required to wear shirt with a red round mark of the size of a rupee and females of the same class a red border 2.5 cm. wide on both edges of their clothes.

(5) Every convict shall be furnished with two cotton towels 1.22 m by 0.61 m. on admission.

(6) The clothing of "Star Class" prisoners should be distinguished by means of a red star knitted on the shirt in the centre in front.

359. *Period clothing should last.*—Every C class male convict shall be provided with two suits and every C class female convict with two cloths of 4.57 m. and 1.83 m. and two ravikais. A shirt shall not ordinarily be issued more often than once in nine months and a new mundoo more often than once in four months. For females a new cloth or a petti-coat or upper cloth should ordinarily last for six months. A new towel may if necessary, be furnished to each convict not oftener than once in three months.

360. *Clothing to be marked on issue.*—The date of issue, and the convict's number shall be marked on all clothing and bedding in use.

361. *Clothing of Convict Warders.*—Every Convict Warder shall be supplied with the following uniform in addition to the cloths allowed to a "C" class convict:—

- (i) Two white tunics and 2 long trousers made of better quality drill than those ordinarily supplied to convicts.
- (ii) One rain coat.
- (iii) One pair of sandals.
- (iv) A white turban with blue fringe 8 cm. in length.
- (v) One whistle with chain.

Every Convict Warder shall wear his number on the fringe of his turban. Items (i), (iii) and (iv) to be supplied annually and items (ii) and (v) when worn out.

362. *Clothing and bedding of A and B class male convicts.*—The following scale of clothing and bedding shall be allowed annually to A and B class male convicts.

(1) Accustomed to European mode of dressing

Coats, cotton	2
Trousers, cotton	2
Pair of braces	1
Shirts, cotton	2
Flannel banians	2
Sleeping drawers	2
Towels (face)	2
Comb	1
Pillow cases	2
Straw mat	1
Mattress	1
Cumbly blanket	1
Night shirts, cotton	2
Pairs of socks	2
Shoes, pairs	2
Handkerchiefs	2
Sun-hat (pith)	1
Towels (bath)	2
Langoties	2
Pillows	2
Bedsheets	2
Mattress covers	2

(2) To other A and B class male convicts viz.

Dhothi, cotton	4
Shirts, cotton	4
Banians, cotton	4
Sandals, pairs	2
Towels (face)	2
Langoties or underwear	4
Comb	1
Pillows	2
Pillow cases	4
Straw mat	1
Mattress	1
Woollen blanket	1
Bedsheets	2
Mattress covers	2

363. *Clothing of A and B class female convicts.*—The following scale of clothing shall be allowed annually (a) to female convicts of the A and B class who adopt the European mode of dressing viz.

Bodies or jackets, cotton	2
Petticoats, cotton	2
Banians, flannel	2
Garters pair	1
Napkins	4
Towels	2
Sun-hat	1
Chemises, cotton	2
Night gowns, cotton	2
Stocking, pairs	2
Handkerchiefs	2
Shoes, pairs	2
Comb	1

(b) to others, viz.

* "Sarecs	4
Underskirt	4
Under garment 2 metres Jail cloths	..
Towels	2
Bodies	4
Handkerchiefs	2
Comb	1
Sandals pairs	2
Blouses	4"

- (1) The scale of bedding shall be the same as that for male prisoners. The flannel banian shall be issued only during the winter months. A sufficient supply of soap and changes of linen and towels shall be allowed at such intervals as the Superintendent may direct.
- (2) In the case of female prisoners who do not adopt European mode of dressing the I.G. of Prisons may sanction any variation in the kind of the bedding and clothing required in individual cases, provided that the expenditure involved by such a change does not exceed the cost that would otherwise be incurred if the articles laid down in the scale are supplied.
- (3) Pending orders on the re-classification of European and Anglo-Indian prisoners placed by the Magistrate in Class "C" such prisoners shall be treated like other prisoners of the "C" class in respect of the supply of clothing and bedding. They may, however be supplied with one pair of socks, one pair of shoes and one sun-hat.

European or Anglo Indian prisoners who are finally placed in the "C" class may be supplied with sun-hat, socks and shoes in accordance with the following scale:—

Sun-hat 1 annually.

Socks and shoes 1 pair each to be renewed when necessary but not oftener than once in six months.

- (4) The provisions of sub-rules (3) and (4) of rule 358 shall apply to the clothing prescribed for "B" class female convicts.
- (5) A piece of blue cloth, 6.5 cm. square, shall be stitched in front of the cap or sun-hat issued to male habitual prisoners of the "B" class.

*363- A. *Clothing and bedding for special class undertrial Prisoners and Special class Convict Prisoners.*—Every special class undertrial prisoner can have his own clothing and bedding. But those who are unable to provide their own cloths and bedding shall be supplied with them at Government cost and the nature of the clothing shall be at the discretion of the Superintendent of the Jail. Every prisoner shall also be provided with one mattress, one grass mat of suitable length and one pillow (with cover).

364. *Clothing of convicts attending Court.*—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 Jail under the provisions of Chapter XXIII of Prison Rules 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.

365. *Clothing of convicts when undertrial.*—Convicts sent in custody to the High Court or to a Sessions Court shall wear ordinary private clothing; their neck tickets shall also be removed. For this purpose the private clothing of convicts retained in Jail under the provisions of Chapter XXIII of the Prison 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.

366. *Grant of remission for economy in wearing of clothing.*—No grant of special remission for economy in the wearing of clothing under Rules 312 and 313 shall be made to the same convict oftener than once in six months. If a convict has kept his clothing in good order for this period he should then receive both remission and a new suit, the old suit being withdrawn.

367. *Supply of extra clothing for works.*—Men employed on work which specially soil their clothing—e.g., cooking and scavenging, may in addition to the ordinary scale of clothing be supplied with an old suit for wear during working hours; cooks may be allowed an apron of coarse canvas or gunny.

368. *Instruction regarding the wearing of clothing.*—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 cloths.

369. *Issue of water proof hoods.*—Water proof hoods of an approved pattern may at the discretion of the Superintendent, be issued to prisoners on extramural labour.

370. *Issue of extra clothing to invalids.*—Extra clothing and bedding shall be issued to the sick, aged or infirm on the recommendation of the Medical Officer.

371. *Supply of bedding to Indian prisoners.*—The bedding of C class prisoners shall consist of two cotton jamkaks and a coir mat or jute mat. The mat shall be 2.44 m. in length and 76 cm. in breadth, so that one end may be rolled up to form a pillow. These should last for three years. Where pials with a head-rest exists, the length of the mat need not exceed 1.83 m. No prisoner shall be allowed to wear his jamkal while at work. (The prisoners of the Cannanore Central Jail be supplied with one jamkal and one woollen blanket in place of a jamkal in view of the climate condition of the place).

372. *Charge of clothing store.*—The Deputy Jailer shall be in charge 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 having all clothing washed thoroughly before being placed in stock.

373. *Repair and inspection of clothing and bedding.*—A fixed day weekly 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.

374. *Disposal of unserviceable clothing.*—Unserviceable clothing should be struck off the Clothing Register (Form No. 19) under the initial of the Superintendent, and utilised for the cleaning of lamps, carbines or machinery. No Jail clothing shall be sold until it has been torn or cut into small pieces.

375. *Disposal of clothing of discharged prisoners.*—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 for reissue.

376. *Submission of clothing indents.*—No clothing or bedding shall be issued from the manufacturing department of the Jail except upon an indent passed by the Superintendent and sanctioned by the Inspector General of Prisons. No clothing or bedding shall be purchased in the local market except in very special circumstances and then only with the sanction of the Government.

CHAPTER XXII

CONVICT LABOUR AND JAIL INDUSTRIES

377. *Classes of labour and scale of tasks.*—All Jail labour shall be divided into three main classes, hard, medium and light. The scale of tasks arranged according to these classes, shall be as printed in Appendix I.

378. *Amount of wages for tasked labour.*—Prisoners employed on tasked labour shall be to wages at the rate specified in Annexure I.

ANNEXURE I

STATEMENT—A

The rates of wages for the period from 6-8-1969 to 13-11-1977 for tasked labour in Central Jails

Sl. No.	Categories of Labour	Rate of Wages	
		* Ordinary	@ Extra
(1)	(2)	(3)	(4)
1.	Weaving	20 Paise	40 Paise
2.	Coir making	20 "	40 "
3.	Khadi Spinning	20 "	40 "
4.	Tailoring	20 "	40 "
5.	Book Binding	20 "	40 "
6.	Carpentry skilled	30 "	40 "
7.	Carpentry Unskilled	20 "	40 "

* For completing a day's task.

@ For a day's extra task.

16/3274/95/MC.

Prisoners working in Jail Press

	<i>For a day's task</i>	<i>For a day's Extra task</i>
1. Composing	20 Paise	40 Paise
2. Printing	20 "	40 "
3. Binding	20 "	40 "
4. Stereo and Roller Casting	20 "	40 "
5. Handmade boards	20 "	40 "

STATEMENT—B

Showing rates of wages for the period from 14-11-1977 to 30-5-1980 for tasked labour on Central Prisons

<i>Sl. No. Categories of Labour</i>	<i>Rates of Wages</i>	
	<i>* Ordinary</i>	<i>@ Extra</i>
1. Weaving	35 Paise	50 Paise
2. Coir making	35 "	50 "
3. Khadi Spinning	35 "	50 "
4. Tailoring	35 "	50 "
5. Book Binding	35 "	50 "
6. Carpentry skilled	45 "	60 "
7. Carpentry unskilled	35 "	40 "
8. Sawing Wood	50 "	70 "

* For completing a day's task.

@ For a day's extra task.

STATEMENT—C

Showing rates of wages for the period from 31-5-1980 to 9-11-1987
for tasked labour in Central Prisons

Sl. No.	Categories of Labour	Rates	
		* Ordinary	* Extra
1.	Weaving	70 Paise	1.00 Rupee
2.	Coir making	70 "	1.00 "
3.	Khadi Spinning	70 "	1.00 "
4.	Tailoring	70 "	1.00 "
5.	Book Binding	70 "	1.00 "
6.	Carpentry skilled	90 "	1.00 "
7.	Carpentry unskilled	70 "	0.80 "
8.	Sawing of Wood	1.00 Rupee	1.40 "

STATEMENT—D

Rates of wages for the period from 10-11-1987 to 24-11-1994
for tasked Labour

Sl. No.	Item of works	Ordinary task		Extra task	
		Rs.	Ps.	Rs.	Ps.
1.	Weaving	1.40		2.00	
2.	Coir making	1.40		2.00	
3.	Khadi Spinning	1.40		2.00	
4.	Tailoring	1.40		2.00	
5.	Book Binding	1.40		2.00	
6.	Carpentry skilled	1.80		2.40	
7.	Carpentry unskilled	1.40		1.60	
8.	Sawing of Wood	2.00		2.80	
	For completing a day's task	1.40		..	
	For a day's extra task	..		2.00	

* For completing a day's task.

@ For a day's extra task.

STATEMENT—E

Rates of wages for tasked labour with effect from 25-11-1994

Sl. No.	Categories of Labour	Rates	
		Ordinary task Rs.	Extra task Rs.
1.	Weaving	2.10	3.00
2.	Coir making	2.10	3.00
3.	Khadi Spinning	2.10	3.00
4.	Tailoring	2.10	3.00
5.	Book binding	2.10	3.00
6.	Carpentry skilled	2.70	3.60
7.	Carpentry unskilled	2.10	2.40
8.	Sawing of wood	3.00	4.20
	For completing a day's task	2.10	..
	For a day's extra task	..	3.00

379. *Amount of wages for untasked labour.*—Prisoners employed on untasked labour shall be entitled to wages at the rates specified in Annexure II

ANNEXURE II

STATEMENT—A

Showing the rates of wages for the period from 6-8-1969 to 13-11-1977 for untasked labour in Central Jails

Sl.No.	Categories of Labour	Rates of wages
(1)	(2)	(3)
1.	Scavenging work where there is no flush out latrines	35 paise per head per day
2.	For cleaning of Flushout latrine	20 paise per head per day
3.	Culinary	30 paise for Class I 20 paise for Class II
4.	Gardening	20 paise for Class I 12 paise for Class II
5.	Maintenance of building construction of building, road making, Nursing orderly and such other work for which no task be fixed.	20 paise for Class I 12 paise for Class II 35 paise for skilled
6.	Sweeping and carrying water.	20 paise for Class I 12 paise for Class II

(1)	(2)	(3)
7.	Paddy pounding	35 paise for skilled 20 paise for Class-I 12 paise for Class-II
8.	Barber	25 paise for Class-I 12 paise for Class-II
9.	Convict Nursing orderly	20 paise
10.	Orderly in Jail Canteen	20 paise
11.	Pounding of wheat	15 paise
12.	Skilled masonry work	25 paise for skilled 20 paise for Class-I 12 paise for Class-II
13.	Carrying of laterite stones	35 paise for skilled 20 paise for Class-I 12 paise for Class-II
14.	Cement plastering	12 paise
15.	Carpenter prisoners employed in maintenance and repair gang	35 paise for skilled 20 paise for Class-I
16.	Sizing	35 paise for skilled 20 paise for Class-I
17.	Dyeing	35 paise for skilled 20 paise for Class-I
18.	Drifting	35 paise for skilled 20 paise for Class-I
19.	Beaming	35 paise for skilled 20 paise for Class-I
20.	Store attender	35 paise for skilled 20 paise for Class-I
21.	Manufacturing and repairing looms, windows, doors, ceiling, roofings and caving	35 paise for skilled 20 paise for Class-I
22.	All works in smithy	35 paise for skilled 20 paise for Class-I
23.	Cattle keeping including milking	35 paise for skilled 20 paise for Class-I
24.	Bailing (Class-I only)	35 paise for skilled
25.	Warp jointing	35 paise for skilled 20 paise for Class-I
26.	Expert workmanship in cutting and sizing of cloths in tailoring (Class-I only)	35 paise
27.	Laundry work	25 paise for skilled 20 paise for Class-I
28.	Ironing	25 paise for skilled 20 paise for Class-I
29.	Polishing and sandpapering	20 paise for Class-I 12 paise for Class-II

(1)	(2)	(3)
30.	Pirn distribution	12 paise
31.	Orderlies	20 paise
32.	Oil crushing	20 paise for Class-I 12 paise for Class-II
33.	Handmade paper industry	12 paise
34.	Bee Keeping (Class-II)	20 paise for Class-I
35.	Book binding	12 paise for Class-II
36.	Cleaning and colouring of leather twisting cord preparing gum etc, (Class I & II)	"
37.	Tailoring where task is not fixed	25 paise
38.	Selection of leather cutting and insole, half sole, cut sole and for distributing cord, nails, wax etc. (Class-I and II)	20 paise for skilled 20 paise for Class-I
39.	Stiching leather (on sewing machine) according to requirements (Class-I)	35 paise
40.	Muttay loading, counting, drying, threshed coir fibre and building and weighing coir fibre	20 paise for Class-I 12 paise for Class-II
41.	Skilled works (workshop)	35 paise
42.	Sweepers	20 paise for Class-I 12 paise for Class-II
43.	Gardening	20 paise

STATEMENT—B

**Showing rates of wages for the period from 14-11-1977 to 30-5-1980
for untasked labour**

Sl.No.	Category of Labour	Rates per day		
		Skilled Ps.	Class-I Ps.	Class-II Ps.
(1)	(2)	(3)	(4)	(5)
1.	Scavenging work where there is no flushout latrines	60	..	..
2.	Cleaning of flushout latrines	35	..	..
3.	Culinary (cooking work)	..	45	35

(1)	(2)	(3)	(4)	(5)
4.	Gardening	..	35	25
5.	Maintenance of building, Constructions of building, road making, nursing orderly and such other work for which no task be fixed	50	35	25
6.	Sweeping and carrying water	50	35	25
7.	Paddy pounding	..	35	25
8.	Barber	..	35	25
9.	Orderly in Jail canteen	35	..	..
10.	Pounding wheat	30	..	..
11.	Skilled Masonary work	50	35	25
12.	Cement & Plastering	50	35	25
13.	Carrying of laterite stones	50	35	25
14.	Carpenter prisoners employed on maintenance and repair gang	50	35	..
15.	Sizing	50	35	..
16.	Dyeing	50	35	..
17.	Drifting	50	35	..
18.	Beaming	50	35	..
19.	Store Attender	50	35	..
20.	Manufacturing and repairing looms, windows, doors, ceiling, roofing and carving	50	35	..
21.	All work in smithy	50	35	..
22.	Cattle keeping including milking	50	35	..
23.	Bailing	..	50	..
24.	Warp grinding	50	35	..
25.	Expert workmanship in cutting and sizing of dhothis in tailoring	..	50	..
26.	Laundry work	50	35	..
27.	Ironing	50	35	..
28.	Polishing and sand papering	..	35	25
29.	Pirns distribution	25	..	..
30.	Orderlies	35	..	..
31.	Oil Crushing	..	35	25
32.	Hand made paper industry	..	35	25
33.	Bee Keeping	..	..	25
34.	Book binding	..	35	25
35.	Cleaning and colouring of leather twisting, cord preparing gum etc.	..	35	25
36.	Tailoring where task is not fixed	..	35	25
37.	Selection of leather cutting and insole, half sole, cut sole and for distributing cord, nail, wax etc.	..	50	35

(1)	(2)	(3)	(4)	(5)
38.	Stitching leather (on sewing machine) according to requirements	..	..	50
39.	Muttay loading, counting drying threshed coir fibre and bundling and weighing coir fibre	..	35	25
40.	Convict warders per head per day duty per head for night duty	40	..	50
41.	Members in the Prison Welfare Committee	..	40	..

They are not classified in any of the task and wages schedule.

STATEMENT—B (1)

Showing rates of wages for untasked labour

Sl.No.	Categories of Labour	Rates of wages	
		Class I	Class II
		Ps.	Ps.
1.	Skilled work (workshop)	50	..
2.	Sweepers	35	25
3.	Gardening	35	..

STATEMENT—B (2)

Printing Press

Sl.No.	Categories of Labour	Rate of wages	
		Ordinary	Extra
		Ps.	Ps.
1.	Composing	35	50
2.	Printing	35	50
3.	Binding	35	50
4.	Stereo and roller casting	35	50
5.	Hand made boards	35	50

STATEMENT—C

Showing rates of wages for the period from 31-5-1980 to 9-11-1987
untasked labour

Sl.No.	Category of Labour	Rates per head per day		
		Skilled	Class I	Class II
(1)	(2)	(3)	(4)	(5)
		Rs. Ps.	Rs. Ps.	Rs. Ps.
1.	Scavenging work where there is no flushout latrines	1.00	..	..
2.	Cleaning of flushout latrines	0.70	..	..
3.	Culinary (cooking work)	..	0.90	0.70
4.	Gardening	..	0.70	0.50
5.	Maintenance of building road making, nursing orderly and such other works for which no task be fixed.	1.00	0.70	0.50
6.	Sweeping and Carrying water	1.00	0.70	0.50
7.	Paddy pounding	..	0.70	0.50
8.	Barber service	..	0.70	0.50
9.	Orderly in Jail Canteen	0.70	..	..
10.	Pounding of wheat	0.60	..	..
11.	Skilled Masonry work	1.00	0.70	0.50
12.	Cement Plastering	1.00	0.70	0.50
13.	Carrying of Laterite stones	1.00	0.70	0.50
14.	Carpenter Prisoners employed in maintenance and repair gang	1.00	0.70	..
15.	Sizing	1.00	0.70	..
16.	Dyeing	1.00	0.70	..
17.	Drifting	1.00	0.70	..
18.	Beaming	1.00	0.70	..
19.	Store Attender	1.00	0.70	..
20.	Manufacturing and repairing looms, window, doors, ceiling, roofing and curving	1.00	0.70	..
21.	All work in smithy	1.00	0.70	..
22.	Cattle keeping including milking	1.00	0.70	..
23.	Bailing	..	1.00	..
24.	Warp grinding	1.00	0.70	..
25.	Expert workmanship in cutting and sizing of dhoties in tailoring	..	1.00	..

(1)	(2)	(3)	(4)	(5)
26.	Laundry work	1.00	0.70	..
27.	Ironing	1.00	0.70	..
28.	Polishing and sand papering	..	0.70	0.50
29.	Pins distribution	0.50	..	..
30.	Orderlies	0.70	..	..
31.	Oil crushing	..	0.70	0.50
32.	Hand made paper industry	..	0.70	0.50
33.	Cleaning and colouring of leather, twisting cord, preparing gum etc.	..	0.70	0.50
34.	Bee Keeping	..	..	0.50
35.	Book binding	..	0.70	0.50
36.	Tailoring where task is not fixed	..	0.70	0.50
37.	Selection of leather cutting of insole, half sole, cutsole and for distributing cord, nail wax etc.	..	1.00	0.70
38.	Stitching of leather (on Sewing machine) according to requirements	..	..	1.00
39.	Muttay loading, counting drying threshed coir fibre and bundling and weighing coir fibre.	..	0.70	0.50
40.	Convict warders on day duty and for night duty.	..	0.80	1.00
41.	Members in the Prison Welfare Committee	..	0.80	..

They are not classified in any of the task and wages schedule.

STATEMENT—G (1)

Sl.No.	Categories of Labour	Rates per head	
		Class I	Class II
1.	Skilled work (Workshop)	1.00	..
2.	Sweepers	0.70	0.50
3.	Gardening	0.70	..

STATEMENT—G (2)

Printing Press

Sl.No.	Category of Labour	Rates	
		Ordinary	Extra
		Rs. Ps.	Rs. Ps.
1.	Composing	0.70	1.00
2.	Printing	0.70	1.00
3.	Binding	0.70	1.00
4.	Stereo and roller casting	0.70	1.00
5.	Hand made boards	0.70	1.00

The minimum and maximum rates of wages of the prisoners will be fixed as 50 Ps. and Rs. 1.60 respectively.

STATEMENT—D

Showing rates of wages for the period from 10-11-1987-24-11-1994 for untasked labour

Sl.No.	Item of work	Enhanced rates of wages		
		Skilled	Class I	Class II
		(3)	(4)	(5)
(1)	(2)	Rs. Ps.	Rs. Ps.	Rs. Ps.
1.	Scavenging work (where no flushout latrines)	2.00	..	..
2.	Cleaning of flushout latrines	1.40	..	..
3.	Culinary (Kitchen)	..	1.80	1.40
4.	Gardening	..	1.40	1.00
5.	Maintenance of Building, road making, nursing orderlies and such other work in which no task is fixed	2.00	1.40	1.00
6.	Sweeping and Carrying water	2.00	1.40	1.00
7.	Paddy Pounding	..	1.40	1.00
8.	Barber service	..	1.40	1.00
9.	Orderly in Jail Canteen	1.40	..	..

(1)	(2)	(3)	(4)	(5)
10.	Pounding of wheat	1.20	..	..
11.	Skilled Masonry work	2.00	1.40	1.00
12.	Cement plastering	2.00	1.40	1.00
13.	Quarrying of Laterite stone	2.00	1.40	1.00
14.	Carpenter Prisoners in maintenance and repair gang	2.00	1.40	..
15.	Sizing	2.00	1.40	..
16.	Dyeing	2.00	1.40	..
17.	Drifting	2.00	1.40	..
18.	Beaming	2.00	1.40	..
19.	Store attender	2.00	1.40	..
20.	Manufacturing and repairing looms ceiling, roofing and carving etc.	2.00	1.40	..
21.	All work in smithy	2.00	1.40	..
22.	Cattle keeping including milking	2.00	1.40	..
23.	Bailing	..	2.00	..
24.	Warp grinding	2.00	1.40	..
25.	Expert workmanship in cutting and sizing dhoties in tailoring	..	2.00	..
26.	Laundry work	2.00	1.40	..
27.	Ironing	2.00	1.40	..
28.	Polishing and sand papering	..	1.40	1.00
29.	Pirns distribution	1.00	..	..
30.	Orderlies	1.40	..	..
31.	Oil crushing	..	1.40	1.00
32.	Hand made paper industry	..	1.40	1.00
33.	Bee keeping	..	..	1.00
34.	Book binding	..	1.40	1.00
35.	Cleaning and colouring of leather twisting cord preparing gum etc.	..	1.40	1.00
36.	Tailoring where task is not fixed	..	1.40	1.00
37.	Selection of leather cutting of insole, half sole cut sole and distributing cord nail, wax etc.	..	2.00	1.40
38.	Stitching of leather (on sewing machine) according to requirements	..	..	2.00
39.	Muttay loading, counting drying threshed coir fibre and handling and weighing of coir fibre.	..	1.40	1.00
40.	Convict warders on day duty	..	1.60	..
41.	Convict warders on night duty	..	2.00	..
42.	Members in the Prison Welfare Committee	..	1.60	..

(1)	(2)	(3)	(4)	(5)
43.	Skilled work (workshop)	..	2.00	..
44.	Sweepers	..	1.40	1.00
45.	Gardening	..	1.40	..

STATEMENT—D (1)

Labour in the Printing Press

Sl.No.	Category of Labour	Enhanced rate			
		Ordinary		Extra	
		Rs.	Ps.	Rs.	Ps.
1.	Composing	1.40		2.00	
2.	Printing	1.40		2.00	
3.	Binding	1.40		2.00	
4.	Stereo roller casting	1.40		2.00	
5.	Hand made Boards	1.40		2.00	

STATEMENT—E

Rates of wages of untasked labour with effect from 25-11-1994

Sl. No.	Item of work	Skilled	Class I	Class II
(1)	(2)	(3)	(4)	(5)
		Rs. Ps.	Rs. Ps.	Rs. Ps.
1.	Scavenging work (where no flushout latrines)	3.00	..	..
2.	Cleaning of flushout latrines	2.10	..	..
3.	Culinary (Kitchen)	..	2.70	2.10
4.	Maintenance of building, road making, nursing orderlies and such other work for which no task is fixed	3.00	2.10	1.50
5.	Sweeping and carrying water	3.00	2.10	1.50
6.	Gardening	..	2.10	1.50
7.	Paddy pounding	..	2.10	1.50
8.	Barber service	..	2.10	1.50
9.	Orderly in Jail Canteen	2.10	..	..
10.	Pounding of wheat	1.80	..	..

(1)	(2)	(3)	(4)	(5)
11.	Skilled masonry work	3.00	2.10	1.50
12.	Cement Plastering	3.00	2.10	1.50
13.	Quarrying of laterite stone	3.00	2.10	1.50
14.	Carpenter prisoners in maintenance and repair gang	3.00	2.10	..
15.	Sizing	3.00	2.10	..
16.	Dyeing	3.00	2.10	..
17.	Drifting	3.00	2.10	..
18.	Beaming	3.00	2.10	..
19.	Store Attender	3.00	2.10	..
20.	Manufacturing and repairing looms, ceiling, roofing and carving	3.00	2.10	..
21.	All work in smithy	3.00	2.10	..
22.	Cattle keeping including milking	3.00	2.10	..
23.	Bailing	..	3.00	..
24.	Warp grinding	3.00	2.10	..
25.	Expert workmanship in cutting and sizing dhothis in tailoring	..	3.00	..
26.	Laundry work	3.00	2.10	..
27.	Ironing	3.00	2.10	..
28.	Polishing and sand papering	..	2.10	1.50
29.	Pirns distribution	1.50	..	..
30.	Orderlies	2.10	..	..
31.	Oil crushing	..	2.10	1.50
32.	Handmade paper industry	..	2.10	1.50
33.	Bee keeping	..	..	1.50
34.	Book binding	..	2.10	1.50
35.	Cleaning and colouring of leather twisting cord, preparing gum etc.	..	2.10	1.50
36.	Tailoring where task is not fixed	..	2.10	1.50
37.	Selection of leather cutting of insole, halfsole, cutsole and distributing cord, nail, wax etc.	..	3.00	2.10
38.	Stiching of leather (on sewing machine) according to requirement	..	..	3.00
39.	Muttay loading, counting, drying threshed coir fibre and bundling and weighing of coir fibre	..	2.10	1.50
40.	Convict warders on day duty	..	2.40	..
41.	Convict warders on night duty	..	3.00	..
42.	Members in the Prison Welfare Committee	..	2.40	..
43.	Skilled work (workshop)	3.00	..	..
44.	Sweepers	2.10	1.50	..
45.	Gardening	2.10	..	..

STATEMENT—E (1)

Labour in the Printing Press

Sl.No.	Category of Labour	Rates	
		Ordinary task	Extra task
		Rs. Ps.	Rs. Ps.
1.	Composing	2.10	3.00
2.	Printing	2.10	3.00
3.	Binding	2.10	3.00
4.	Stereo and roller casting	2.10	3.00
5.	Hand made Boards	2.10	3.00

380. *Wages for work on sundays.*—Prisoners employed on Sundays shall be entitled to wages at the following rates:—

- (a) For full day's work (8 hrs.) *.. Rs. 3.00 per head per Sunday
- (b) For half a day's work (4 hours) .. Rs. 3.00 per head per Sunday on Sundays on tasked labour

381. *Wages for convict warders.*—Convict warders employed on prison administrative services shall earn a wage Rs. 2.40 per head per day for duty during the day time and Rs. 3.00 per head per day for duty during night.

Note.—Convict Night Watchmen and Overseers when they are in special circumstances employed on prison administrative services shall earn wages at the same rate as convict warders.

**381A. *Amount of wages for prisoners in Open Prison.*—Wages for prisoners in Open Prison shall be at the following rates:—

- (a) For a day task .. Rupees 6 per head
- (b) For every extra task .. Rupees 4.25 per head

382. *Hours of work.*—For the purposes of calculating wages the working hours a day shall be fixed as 8 hrs.

383. *How to fix the task.*—The schedule of task for each kind of labour shall be as in Appendix I.

*G.O. (Ms) No. 367/94/Home dated 12-12-1994 and wages in Open Prison enhanced.

**Vide G.O. (Ms) No. 75/95/Home dated 29-5-1995

384. *How to utilise the wages earned.*—One third of the wages earned by a prisoner may be used for the personal needs in Jail, one-third for his family and the remaining one-third shall be given to him on release. "In cases of extreme hardship experienced by the family of a prisoner in a Central Prison or an Open Prison the Superintendent of the Prison may, on the written request of the prisoner, accord sanction for sending money to his family from out of the one third portion of the earned wages set apart to be paid to him on release". *If any prisoner has no dependent on him he may utilise half the amount of his earnings by wages for his personal needs and the balance shall be given to him on release.

The amount utilised by a prisoner for his personal use in Jail shall not be given in the form of cash but shall be given in the form of coupons for making purchases from the Jail Canteen. †The purchase from canteen for a month will be limited Rs. 60 for each prisoner which is inclusive of all the amount of Prisoners cash property, wages and gratuity earned or any other funds. Nothing in these rules shall apply to civil Prisoners.

‡ 384A. *Remission in lieu of wages.*—If a prisoner wishes to have remission of sentence in lieu of wages, he may purchase the remission at the rate 50³ NP. per day subject to the condition that not more than 30 days special remission by the Superintendent of the Jail and 60 days by the Inspector-General of Prisons shall be so granted to any one convict in a year.

385. *Acknowledgements to be obtained.*—Signature or thumb impression shall be obtained from every prisoner in the respective registers every time the earnings in Jail are credited at the end of every week and acknowledgement should also be obtained for every disbursement.

386. *Gratuity for prisoners unable to work.*—Prisoners unable to labour due to ill-health shall earn gratuity as provided in the rules.

387. *Disposal of special variety article manufactured.*—Special variety articles manufactured by prisoners using their special talents shall be sold and percentage of the profit ordinarily not exceeding 25% shall be given to them.

388. *Providing of labour.*—Sufficient labour shall be provided in each jail employing all convicts who can labour.

389. *Who may grant the wages.*—The Superintendent of a Jail shall be the authority to grant wages as provided in the foregoing rules.

* G.O.(Ms.) No.122/78/H. dated 15-12-1978.

† G.O. (Ms.) 130/86/Home dated 21-6-1986 and G.O. (Ms.) 171/92/Home dated 7-10-1992.

‡ Note:—The total remission granted by the Inspector General of Prisons and the Superintendent together under this rule shall not exceed 60 days in a year.

3 G.O. (Ms.) 166/92/ Home dated 29-9-1992.

390. *Not to be employed on prison services.*—The Superintendent shall see that prisoners employed on untasked labour for prison service shall be the absolute minimum No. required for the purpose.

The following shall be the percentage of prisoners to be employed as cook, scavengers, sweepers, cleaners and convict warders.

Cooks	4%	of the Jail population
Scavengers when no flush-out latrines	*3%	do.
Cleaners of flush-out latrines	1%	do.
Sweepers	2%	do.
Convict warders	3%	do.

During the prevalence of epidemics or for other emergencies the Superintendent shall appoint more cooks and scavengers temporarily in excess of the percentage stated above. The cooks and scavengers appointed for the Jail hospital shall be in addition to the percentage fixed.

391. *Who may check the task.*—The assessing of task done every week shall be done by a responsible officer not below the rank of the Assistant Jailer in charge of wages section the task assessed should be entered both in the task board as well as in a register maintained for that purpose by the Officer who assessing the task. The register to be checked and initialled by the Jailer at every week-end and by the Superintendent at the end of every month. The prisoner should be made known weekly the tasks he has done and the amount of wages he would get. Separate task board to be maintained for each prisoner.

392. *Extra work restriction.*—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.

393. *Debit of Expenditure.*—The expenditure on account of wages to prisoners on task or untasked labour pertaining to the manufactory shall be met from the provision under "256 (C)—Jail Manufactures" and the other from "256 (B) Other charges—Contingencies."

394. *Superintendent to determine in the employment.*—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 with due regard to his aptitude and usefulness when released.

* Inserted as 3% by G. O. (Ms.) 315/61/ Home. dated 10th June 1961.

(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 on their history tickets. 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.

395. *Allowance for social status.*—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.

396. *Avoiding frequent change of work.*—Frequent change of work except on medical grounds, shall be avoided.

397. *Labour not to be exacted on certain days.*—(1) No prisoner other than Jewish 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 Jail, or to meet any call of emergency on any of the days declared by Government as public holidays.

(2) No Jewish prisoner shall be required to labour on Saturdays, Jewish New Year (2 days), the day of Atonement the first and last days of the Feast Tabernacles (two days each) the feast of the Passover (four days) and the feast of the Pentecost (two days) provided he elects to labour on Sundays and other holidays.

(3) 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 Jail shall be locked into wards or cells.

(4) The Superintendent may, with the previous sanction of Government, exempt all, or any particular class of prisoners from labour on any or days other than those specified in sub-rules (1) and (2) of this Rule.

398. *Restriction on employment on public works.*—No convict will be employed on public works other than Jail buildings without the special sanction of Government.

399. *Employment of convicts with free labourers.*—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.

400. *Employment of convicts on dangerous work.*—When convicts are employed in blasting, wellsinking, 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 sides shall be sloped or cut in steps.

*400A. *Compensation to prisoner's who meet with occupational injuries death etc.*—When a prisoner while employed in a Prison job or task, having taken all reasonable precautions meets with an accident resulting in death, serious injury, physical or mental, the Superintendent shall as soon as possible submit a detailed report add a certificate from a Medical Officer not below the rank of a Civil Surgeon to the Inspector General of Prisons with recommendation for payment of suitable compensation to the prisoner or to his dependents as the case may be. The amount of compensation to be paid shall be decided by the Government in accordance with the rates provided the Workmen's Compensation Act, 1923.

401. *Restriction on extramural employment of prisoners.*—No convict shall at any time be employed on any labour outside the Jail, or be permitted to pass out of the Jail for the purpose of being so employed, except under the written orders of the Superintendent. 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 performed on the Jail premises and for Jail services, is prohibited.

402. *Female convicts not to work outside female enclosure.*—No female convict shall, under any pretext, be employed outside the female enclosure of any Jail.

403. *Tasks for female juveniles and convicts attending school.*—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 needlework 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 adultmale convicts. In estimating the task 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, clause (1) of the Travancore-Cochin Prisons Act, 1950 or the Prisons Act, 1894 (Central Act IX of 1894).

404. *Allotment of labour in cases not provided for.*—(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 a 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 with 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 initials of the officer responsible for making the entry.

*405. *Time to be given to acquire skill.*—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 Jailer.

406. *New industry to receive Inspector-General's sanction.*—No new industry shall be started in any Jail without the previous sanction of the Inspector-General.

407. *Disposal of manufactures.*—The first object to which jail industries shall be devoted is the supply of jail 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 Jail, provided that they can be supplied by the Jail of the same quality and at the same price as they can be obtained in the open market. It is only when these sources of employment are exhausted that Jail industries should be devoted to producing articles for general sale, and if any Jail industry is proved seriously to injure any local trade, it should be discontinued in favour of some other kind of employment.

In selecting industries for adoption in jail care shall be taken to choose those suitable for following outside the Jail by those employed on their release.

408. *Advice on technical matters.*—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 jails on technical matters of equipment and management of industries.

* The time taken to acquire skill of my 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. As a rule a small task to begin with should be increased at intervals of a week or fortnight according to circumstances

409. *Purchase from Jail obligatory on consuming departments.*—The purchases from Jails of textiles of all kinds, certain articles, of furniture, sandals and miscellaneous articles of stationery shall be obligatory on consuming departments of Government.

410. *Specifications of articles to be standardised.*—Specification 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.

411. *Committee to decide difference of opinion as to standard.*—In all cases of difference of opinion as to whether an article is up to the required standard, a committee shall be convened consisting of a representative of the consuming department one of the Jail Department and a refer with technical knowledge of the manufacture of the article in question the opinion of the expert officer of the Department of Industries shall be final.

412. *Uniform of Government Department Officers.*—Departments of Government which require articles of uniform to be made up for their officers shall give jails the first refusal of contracts for making them up from materials supplied.

413. If uniforms of Government Departments undertaken by Jail all work to be done. If the Jail Department undertakes the making up of uniform 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 Jails and private contractors.

414. *Penalty clause in the event of failure to complete supplies within stipulated time.*—The consuming departments of Government shall be empowered by means of penalty clauses introduced into the agreement with the Jail Department, to get their supplies elsewhere at latter's risk in the event of failure to complete supplies under contract within the stipulated time, and to debit against the Jail Department the excess of the market rates over the Jail rates. The enforcement shall, however be subject to the specific orders of Government being obtained in each case of default.

415. *Standing price list to be compiled.*—The Inspector-General shall cause standing price lists of all jail 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.

416. *Instruction of requirements by consuming departments.*—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 jails for definite terms of years.

417. *Reports of Heads of Departments as to the character of supply.*—Reports from heads of departments as to the satisfactory character or otherwise of supplies made by the Jail Department shall be obtained by the Inspector-General and submitted to Government along with the Annual Jail Administration Report.

418. *Selection of Industries.*—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, Jail 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 Jail are objectionable and in each Jail one large industry should, if possible, be developed, and every effort made to provide the best available instruction in up-to-date methods of labour so as to enable the prisoner to command a living wage on release.

419. *Jail labour to supply Jail needs.*—Every advantage shall be taken of convict labour in executing repairs or new works and no article for Jail use which the prisoners can manufacture shall be purchased in the local market.

420. *Performance of menial offices.*—All menial offices in the Jail shall as far as possible, be performed by convicts.

421. *Sweepers and water carriers for official quarters.*—(1) A small number of convict sweepers and water carriers which shall in no case exceed 26 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 the Superintendent the Medical Officer and the subordinate Jail officials residing in Jail premises.

The duties performed by this gang shall be restricted to—

- * (i) Sweeping the compound;
- (ii) Removal of filth;
- ** (iii) Supply of water

(2) No water-carrier shall be permitted to enter the house of any subordinate official, 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.

* This shall not include gardening in any form.

** This shall not include cooking, boiling of water or any other domestic services beyond the mere delivery of water.

(3) The Superintendent shall be responsible that the number of convicts employed under clause (1) of this Rule is fixed at the minimum number requisite and that the employment of the gang is restricted to such definite house of duty as are absolutely necessary for the performance of the work.

(4) If the privileges accorded under this rule are being abused, the Superintendent shall withdraw them altogether.

(5) Except as permitted by this Rule, no prisoner shall, at any time, be employed by any officer of the Jail or other person on private work of any kind, except such as may be carried on in the ordinary course of any Jail industry with the knowledge and permission of the Superintendent and subject to the payment of the full charge for such work.

422. *Employment of prisoners as clerks, typists etc.*—In most deserving cases and with the previous sanction of the Inspector-General of Prisons, prisoners shall be appointed clerks, typists etc., in the jail office.

CHAPTER XXIII

PRISONER'S PROPERTY

423. *Disposal of property and money.*—The property and 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 tobacco, snuff, opium, ganga or any other drug or liquor, shall be destroyed.

(b) permissible articles may be sold and the proceeds shall be entered in the proper column of the convict register as well as in the Property Register.

(c) if the clothing of a prisoner is so damaged or filthy as not to be worthkeeping or fit for sale, 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 order of the Medical Officer, be destroyed.

(e) the clothing of every prisoner sentenced to a substantive term of rigorous imprisonment of three years or more shall, if not liable to be destroyed under the preceding provisions be sold on confirmation of the sentence or expiry of the time allowed for appeal, and the proceeds shall be entered in the proper column of the Convict Register as well as in the Property Register.

(f) in 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.

(g) metal vessels and the 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 Jailer in the presence of the Superintendent and the prisoner.

(h) every bundle, and packet shall be labelled with the number and name of the prisoner to whom it belongs together with date of release, and shall be arranged according to number. Bundles of clothing and bulky articles shall be kept in a place appropriate for the purpose under the Deputy Jailer's charge. Packets of valuables shall be locked up, the key being in the Jailer's charge.

(i) only such property shall be kept as can be conveniently stored. If livestock or cumbersome articles, such as charpoys, etc., are brought or sent to the Jail for a prisoner, they shall be handed over to the prisoners, friends if he so desires, otherwise they may be sold and the proceeds shall be entered in the proper column of the Convict Register as well as in the Property Register.

424. *Disposal of money.*—Cash property found on the person of prisoners at the time of their admission to Jail should be remitted into the Treasury to be credited to a personal deposit account opened in the name of the Superintendent of the Jail concerned in accordance with item 8 of note 1 under Article 344, Madras Financial and Account Code, Volume I and Article 78 (c) of Travancore Financial and Account Code, Volume I. Repayments which it is not found convenient to make from the personal deposit account should be made from the permanent advance of the jail 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. But the Jailer may retain an amount not exceeding Rs. 300 for immediate disbursement.

*425. *Record of prisoner's property.*—An entry shall be made in the proper column of the Admission Register, describing the property delivered with or found on a prisoner on admission, or that may be afterwards received 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 423 the amount of the proceeds shall be entered to the prisoner's credit in the Register, the actual money being dealt with under Rule 424.

*Gratuity and wages paid to convicts for labour need not be entered in the Convict Register. Such earnings should be shown in the Personal Ledger prescribed for the purpose.

426. *List of property to be read over to prisoner.*—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. Those 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 Jailer shall also initial the entry in token of having received the property into his charge.

427. *Disposal on transfer on release of prisoner.*—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 494 and, if it includes valuables, the Superintendent shall have it securely scaled 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.

428. *Property may be made over to friend of prisoner.*—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 other 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.

429. *Use of private cash.*—Civil prisoners shall be allowed to draw on the money to their credit in the custody of the Jailer for purposes approved by the Superintendent.

430. *Provision of clothing on release.*—Whenever the private clothing of a prisoner has been destroyed or sold he shall on release, be provided with a cheap cloth (not convict cloth) or in the case of A and B class prisoners who are accustomed to European mode of dress, with a coat, a pair of trousers braces, shirt, collar, pair of boots, hat and necktie. 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 required it, shall be supplied with suitable clothing free of charge.

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 write letters to his relatives, friends or legal advisers, once or twice, or often 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 finding security under Chapter VIII of the Code of Criminal Procedure to enable him to arrange for the payment of the fine or the furnishing of security.

*436. *Subsequent interviews and letters.*—In addition to the privileges referred to above, every prisoner shall be allowed to have an interview with his friends or relatives once a week and to write and receive †three letters each a month during the term of his imprisonment provided that the exercise of this privilege shall be contingent on good conduct and may be withdrawn or postponed by the Superintendent for bad conduct. The number of persons who may interview a prisoner at one time should ordinarily be limited to three.

437. *Superintendent's discretion to grant privileges at shorter intervals.*—The Superintendent may, at his discretion, grant interviews or allow the despatch or receipt of letters at shorter intervals than provided in Rule 436 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 substance of the communication.

438. *Superintendent's permission for interviews required.*—(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.

*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 vice versa.

† Amended as per G. O. Ms. 103/71/Home. dated, 2-7-1971.

439. *Additional privilege.*—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 Jail to another. This shall be in addition to the letters allowed to them.

440. *Time for interview.*—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 pasted outside the Jail.

441. *Place of interviews.*—Every interview shall take place in a special part of the jail 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 and interview to take place in any part of the Jail.

442. *Interview to take place in the presence of Jail Officer.*—Every interview with a prisoner shall take place in the presence of a Jail 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. A female warder shall be present at interview of female prisoners.

443. *Termination of interview.*—Any interview may be terminated at any moment if the officer present considers that sufficient cause exists. In every such cases the reasons for terminating the interviews shall be reported at once for the orders of the senior officer present in the Jail.

444. *Duration of interview.*—The time allowed for an interview shall not ordinarily exceed half an hour, but may be extended by the Superintendent at his discretion.

445. *Search before and after interview.*—Every convicted prisoner and every unconvicted criminal prisoner shall be carefully searched before and after an interview.

446. *When Superintendent may refuse interview.*—The 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 but in every such case, he shall record his reasons for such refusal in his Journal.

447. *Withholding of letters and their disposal.*—No letter shall be delivered to or sent by a convict prisoner until 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.

(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 437 shall be withheld 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.

448. *Convict may keep letters if allowed.*—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.

449. *Supply of writing materials and other facilities.*—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 post 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 purpose of check and to prevent secret correspondence.

450. *Exclusion from privileges.*—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 Jail 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.

*451. *Facilities to be granted to unconvicted criminal prisoners and civil prisoners in the matter of interviews and letters.*—(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 Jail Official. A similar concession shall be allowed by the Superintendent in the case of an interview with any near relative of the unconvicted prisoner.

*Note.—For interviews and Communication with A and B class and Security Prisoners vide separate chapters Provided for these classes.

(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 bona fide legal adviser of the prisoner with whom he seeks an interview and that he has legitimate business with him.

(4) Any bona fide 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.

(5) Civil prisoners may see their friends, relations and legal advisers at such times and under such restrictions as the Superintendent may appoint and the presence of a Jail Officer shall not be necessary. No visitor shall be allowed to take within the Civil Jail any sweetmeats or other eatables without the express permission of the Superintendent.

*451A. *Foreign nationals—Communication with or visit to.*—With a view to facilitating the exercise of consular functions relating to nationals of a foreign country:

†(a) (i) The Superintendent shall without any delay inform the State Government through the Inspector General of Prisons, the arrest of Foreign National with a brief description of the offence. The State Government shall on receipt of such information inform the Ministry of External Affairs, Government of India of the detention of Foreign Nationals other than those of United Kingdom and the Colonies involved in major crimes including forger^y of passports' visas.

(ii) In the case of arrest of citizen of United Kingdom and the Colonies, the State Government shall send such information direct to the High Commissioner for United Kingdom or the Deputy High Commissioner for United Kingdom.

(iii) Reports about the arrest of Foreigners who are Government Servants regardless of the nature of the crime committed by them shall be given to the concerned Foreign Mission by the Ministry of External Affairs.

(iv) The incoming and outgoing letters of the detained Foreign Nationals shall be censored by the Jail authorities if found necessary and the act of censoring the outgoing letters shall be intimated to the State Government for transmission to the External Affairs Ministry.

(b) Consular officials shall have the right to visit a national or their country who is in prison, custody or detention for the purpose of

* Inserted as per GO. Ms. No. 495/64/ Home dated 25-11-1964.

† Substituted as per G.o Ms. 176/67/ Home dated 5-6-1967.

conversing with him and arranging for his legal representations. They shall also have the right to visit any national of their country who is in prison, custody or detention in this State in pursuance of a judgement:

Provided that the rights referred to in sub-rules (a) and (b) above shall be exercised in conformity with the laws and regulations in force in the State subject to the condition, however, that the said laws and regulations shall not nullify these rights.

Note:—The right conferred on the Consular Officer under this sub-rule 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 Foreign country who is in prison, custody or detention.

CHAPTER XXVI

LEAVE

452A. *Kind of Leave*—Leave shall be of two kinds—Emergency and Ordinary.

*452B. *Eligibility for leave*—Well behaved prisoners sentenced to imprisonment for one year and above and who have undergone but actually the sentence or two years whichever is less are eligible for ordinary leave. Any well behaved convicted prisoner is eligible for emergency leave. A prisoner once released on leave of any kind will not be eligible for a subsequent release on leave until the completion of six months of actual imprisonment to be counted from the date of his last return from leave provided that this will not apply to the grant of leave to a prisoner in an emergency due to the death or serious illness of any near relative specified in rule 455. Whenever recommends a prisoner is to be released in parole such petition to Government should accompany the reports of Superintendent of Police and Probation Officer vide GO. 32342/SC 3/92/Home dt. 6-5-1992.

“Note”—In reckoning the eligibility for leave, the period spent by a Prisoner under Judicial custody can be counted as period of sentence undergone for the purpose of granting the leave under this rule”.

(Vide G. O. (Ms. No. 172/92/Home dated 7th October, 1992.)

**452BB. Notwithstanding anything contained in this Chapter Government may, grant emergency leave to any prisoner exempting him from all or any of the provisions relating to the granting of leave subject to the following conditions, namely:—

- (i) The Secretary, Home Department shall be the authority competent to sanction leave under this rule;

* GO. (Rt) No. 1528/74. dated. 4-9-1976.

** GO (Ms) 121/93/Home dt. 7-9-1993.

- (ii) Leave under this rule shall be granted only in very exceptional circumstances, such as death or serious illness of father, mother son, daughter, wife, husband, brother or sister, marriage of son or daughter and partial or complete loss of residential building due to natural calamities. Each case shall be considered on merits with reference to the report of the Sub Inspector of Police concerned and the recommendation of the Superintendent of the jail as provided in clause (iv) and the Certificate mentioned in rule 457. The petition for leave shall be submitted through the Superintendent of the Jail where the prisoner is confined.
- (iii) Leave under this rule shall be sanctioned only for a maximum period of 15 days. Any extension of this period subject to a maximum of 45 days in the aggregate, shall be ordered only by the Minister in charge of Home Department.
- (iv) Every petition for leave shall be accompanied with a report from the Sub-Inspector of Police concerned on the repercussions on the law and order situation if the prisoner is released on leave, particularly his own safety as well as that of others, the possibility, if any, of the prisoner absconding, instances of previous misconduct on his part when on leave earlier and on such other relevant points. The Superintendent of the Jail shall give his specific recommendation with due reference to the conduct of the prisoner in prison his previous history in relation to leave, the possibility of his absconding and also the aggregate number of days of leave he has already enjoyed.
- (v) Before a prisoner is released on leave, he shall execute a bond with two sureties for Rs. 10,000 each undertaking to return to the prison on the expiry of leave.
- (vi) A person convicted in respect of any offence relating to narcotic drugs or psychotropic substances or any law relating to smuggling or violation of foreign exchange regulations or national security shall not be eligible for leave.
- (vii) A person who fails to return to the prison after leave on the due date shall not be eligible for sanction of leave for a period of one year from the date of return from such unauthorised absence, unless Government are satisfied that such failure was due to reasons beyond his control and the period of overstay is regularised as leave.
- (vii) A person who has absconded while on leave earlier shall not be eligible for sanction of leave under any circumstances".

*453. *Maximum Period.*—Emergency leave shall be granted upto maximum of fifteen days and ordinary leave upto a maximum of 30 days at a time. (G.O. Ms No. 197/92/Home dated 21-11-1992.)

Note 1:—In computing the period of emergency/ordinary leave, the period for the to and fro journeys from the Prisons to the Prisoner's homes shall be excluded as specified below:

If the distance from the prison to the Prisoner's home is—

- | | |
|--|---|
| (i) Sixteen Kilometers or below | Nil |
| (ii) above sixteen kilometres but does not exceed one hundred kilometres | Half day each for to and fro journey. |
| (iii) above 100 kilometres but does not exceed 200 kilometers | One day each for to and fro journeys. |
| (iv) above 200 kilometres | One day each for every 200 kilometres or portion thereof for to and fro journey subject to a maximum of 3 days. |

Note 2:—If the journey time expires after 5.00 p. m. on any day, the prisoner shall return to the jail before 8.00 am. on the next day.

454. *Who may award.*—The Superintendent of the Jail shall be competent to grant emergency leave upto a period of 7 days, the Inspector General of Prisons upto a period of 10 days and the Government upto a period of 15 days at a time. Ordinary leave shall be granted by the Superintendent of Prisons upto a period of 10 days and by the Inspector General of Prisons upto a period of 30 days at a time.

†† 455. *Grounds for the grant of leave*—(i) Death or Serious illness of a near relative such as father, mother, son, daughter, wife, husband, brother, sister and uncle in the case of Marumakkathayam families shall be reasons for emergency leave.

(ii) Marriage of sons and daughters and any extraordinary reasons recommended by the Probation Officer as necessitating the grant of leave, shall be the grounds for granting ordinary leave.

* G.O. (Ms) No. 1 1/93/Home dated 7-9-1993.

Note:—1 and 2 added vide GO. (Ms) 84/81/Home dated 1-6-1991.

†† Where there is no Probation Officer the recommendation may be made by the local Tahsildar or Panchayath Officer.

16/3274/95/MC.

456 *Petitions*.—Petitions for emergency leave shall be addressed to the Superintendent of the Jail where the prisoner, to whom leave is to be granted, is confined. Petitions for ordinary leave shall be addressed to the Inspector General of Prisons:

457. *Who may present*.—The petitions shall be presented by the prisoner or by a relative of the prisoner. No stamp is to be affixed on the petition. Each petition for emergency leave shall be accompanied by a Certificate of correctness of the ground stated in the petition for the grant of the leave from the local Tahsildar, Magistrate or the Senior Government Medical Officer and for ordinary leave each petition shall be accompanied by a Certificate of correctness of the grounds for the grant of leave from the local Tahsildar or Magistrate and a statement of the names of two sureties with a certificate from a Tahsildar regarding the solvency of the sureties. The amount of security shall be fixed by the authority competent to sanction the leave:

“Provided that well behaved prisoners whose sentence is 3 years and above and those sentenced to rigorous imprisonment for life and have undergone one-fourth of the actual sentence or more (excluding remission of sentence) need execute before the Superintendent of the Prison only the personal recognisance bond in Form No. 144, referred to in sub-rule (5) of rule 466A and a similar bond by a relative or a friend:

Provided further that well behaved prisoners of open Prison whose sentence is 3 years and above, and those sentenced to rigorous imprisonment for life need execute before the Superintendent of the Prison only the personal recognisance bond in Form No. 144, referred to in sub-rule (5) of rule 466A”. (GO. Ms. 197/92/Home dated 21-11-1992.

*457A *Appeal*.—There shall be an appeal—

- (i) to the Inspector General of Prisons against an order of the Superintendent refusing leave; and
- (ii) to the Government against an order of the Inspector General of Prisons refusing grant of emergency or ordinary leave.

458. *Exemptions from furnishing security*.—Exemptions from furnishing the security shall be granted by the Government in very exceptional and rare cases when the prisoner is unable to furnish the security and the reason for the grant of leave is death or serious illness of a near relative, provided the Superintendent of the Jail certifies that the prisoner is of a very good character and he has the full confidence that he would wholly abide by the conditions on which he is released on leave. The Superintendent of Central Prison concerned shall order release on leave on the personal security of prisoners in very emergent cases such as unexpected death of their relatives:

459. *Execution of bonds.*—A surety bond and a personal recognisance in Form Nos. 143 and 144 shall be executed before release. In cases where exemptions are granted from furnishing sureties the prisoner shall be released on his own recognisance bond. The surety bond shall be executed before a Tahsildar who may send the same to the Superintendent of the Jail duly attested and affixing his office seal. The personal recognisance bond shall be executed before the Superintendent of the Jail "The execution of a fresh bond shall not be insisted on extension of leave after the release of the prisoners on the basis of the surety bond already executed."

460. *Decision on petitions.*—Petitions for the grant of leave shall be decided on the merits of each case and the authority competent to grant the leave shall have power to reject any application without assigning any reason.

461. *Treatment of the period of leave.*—The period of leave shall be taken as period of sentence undergone provided the conditions of leave are not violated. If any or all of the conditions are violated the period spent on leave shall be taken as on bail.

462. *Travelling expenses.*—The to and fro travelling expenses of a prisoner released on leave who is unable to meet his expenses and who has no money to his credit in the prison on any account shall be met by the Government. For the purpose of this rule any money earned by way of gratuity or wages in the jail shall be taken as money to his credit.

463. *Pending cases.*—No prisoner who has a case pending trial shall be granted leave and sentence for the purpose of these rules shall be taken as sentence as finally fixed on appeal, revision or otherwise and includes an aggregate of more sentence than one and an imprisonment in default of furnishing security or payment of fine.

464. *Supervision.*—The local Sub Inspector of Police shall keep a close watch over the prisoner during the period of his leave. The Superintendent of the Jail shall intimate the local Sub Inspector of Police when a prisoner is released on leave.

465. *Power to recall.*—The Superintendent can recall a prisoner as soon as he receives a report that he misbehaves. For this purpose the Superintendent shall address the police who shall take immediate action in the matter and produce the prisoner.

466. *Time for release.*—Release on leave shall be effected and day after sun rise and before lock-up. The rule preventing the release of prisoners on Sundays and other holidays does not apply to the release on leave.

CHAPTER XXVIA

HOME LEAVE

*466A. *Grant of home leave*—(1) Well behaved prisoners in the open prison who have ** undergone a term of actual sentence for one year in that prison shall be eligible for home leave on the strength of a report from the Probation officers concerned on the family environments of the prisoner.

(2) The maximum period of home leave that may be granted at a time is fifteen days and a prisoner once released on home leave shall not be eligible for a subsequent release on the same leave until the completion of twelve months of actual imprisonment to be counted from the date of his last return from home leave.

‡ *Note*,—In computing the period of home leave, emergency leave or ordinary leave the period for the to and fro journeys from the prison to the prisoners home shall be excluded as specified below:—

If the distance from the prison to the prisoner's home is—

- (i) Sixteen kilometres or below: Nil
- (ii) Above sixteen kilometres but does not exceed one hundred kilometres: Half day each for to and fro journeys.
- (iii) Above 100 kilometres but does not exceed 200 kilometres: One day each for to and fro journeys.
- (iv) Above 200 kilometres : One day each for every 200 kilometres or portion thereof for to and fro journeys subject to a maximum of 3 days.

Note:—If the journey time express after 5 p.m. on any day, the prisoner shall return to the Jail before 8 a.m. on the next day”.

@ (3) Home leave shall be granted by the Inspector General of Prisons. Bus fare or 2nd class Train fare to and fro journey will be paid to the prisoners released on home leave.

(4) Application for home leave shall be addressed to the Inspector General of Prisons by the prisoners through the Superintendent of the Prisons or by the relatives of such prisoners direct.

(5) In the case of release on home leave a personal recognisance bond in Form No. 144 prescribed under these rules shall be executed by the prisoner and a similar one by a relative or friend before release. These bonds shall be executed before the Superintendent of the open prison.

(6) § Bus fare, Second class Train fare for to and fro journeys shall be paid to the prisoners released on Home leave.

* Issued in G.O. (Rt.) No. 1491/77/Home dated 6-7-1977

** G.O. (Ms.) No. 32/82/Home dated 2-3-1982

‡ G.O. (Ms.) No. 132/86/Home dated 21-6-1986

@ G.O. (Ms.) No. 197/92/Home dated 21-11-1992

§ G.O. (Ms.) No. 84/81/Home dated 1-6-1991.

CHAPTER XXVII

APPEALS BY PRISONERS

467. *Superintendent to forward petitions of appeals.*—An appellant or revision petitioner who is in Jail may present his petition of appeal or revision and the documents accompanying it to the Superintendent, who shall thereupon forward them to the proper appellate or revisional courts. The cost of transmission shall be borne by the Jail. Every petition of appeal and revision shall be countersigned by the Superintendent.

*467A. If a prisoner who is in Jail desires to prefer an application for a writ of Habeas Corpus, he shall present such application and the documents accompanying it to the Superintendent of the Jail who shall countersign and forward it forthwith to the Registrar of the High Court of Kerala. The cost of transmission shall be borne by the Jail.

**468. *Application for copy of judgement.*—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 or Judgment to be appealed against (Form No. 36). If before the receipt of the copy of the order or 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.

469. *Prisoners to be assisted in appealing.*—The Superintendent shall give prisoners every facility for preferring their appeals or revision petitions. If a prisoner desires to appeal or prefers a revision petition and declares that he has no friends or agents who can make an appeal or revision for him, he shall, if he can write be provided with writing materials and allowed to write his own petition of appeal or revision. If he cannot write, a prisoner or Jail Officer shall write the petition of appeal or revision at his dictation. The Superintendent shall not be obliged to give assistance in the preparation of appeals or revision petition 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 or revision 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.

* Added by G.O. (Ms.) No. 101/66/Home dated 11th March 1996.

**Note:—The Sessions Judges shall send to the Superintendent of the Jail to which any prisoner convicted by them is committed a copy of their Judgement as early as practicable.

*470. *Exclusion of time taken in obtaining copy of judgment.*—(1) The date on which a prisoner express 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, 1908.

(2) The period allowed under the Indian Limitation Act (Act IX of 1908) for appeal to the different courts are as follows:—

<i>Description of appeal</i>	<i>Period of Limitation</i>	<i>Time from which period begins to run</i>
1 Under the code of Criminal Procedure 1898, from a sentence of death passed by court of Session	Seven days	The date of the sentence
2 Under the Code of Criminal Procedure 1898 to any Court other than a High court	Thirty days	The date of the sentence or order appealed from
3 Under the same Code to a High Court except in cases provided for by 1	Sixty days	do.

(3) In order to enable Appellate Courts to calculate the period of limitation prescribed for criminal appeals by the Limitation Act, 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. Act, IX of 1908, was..... days”.

471. *Delay to be noted.*—If any delay has occurred in preparing the appeal or revision petition after the receipt of the copy of judgment a note of such delay should also be made on the appeal or revision petition.

472. *Communication of Appellate Order.*—On receipt of an order disposing of an appeal or revision petition, the purport thereof, shall be communicated to the prisoner concerned in the presence of the Superintendent, who shall

* *Note:*—This rule deals only with appeals under the Code of Criminal procedure. If any special or local law provides any other period for the appeal the special or local laws will prevail.

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 or revision petition such orders shall be forwarded without delay to the Superintendent of the Leper and Lunatic Asylums and the Tuberculosis Hospital in which the prisoner is confined.

473. *Record of Appellate Order.*—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.

CHAPTER XXVIII

*PETITIONS TO GOVERNMENT FROM CONVICTS

474. *Facilities for preparing petition.*—(1) Every convict shall be provided with writing materials and be given proper facilities to enable him to petition Government 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 an officer of the Jail, or by another prisoner at the convicts, own dictation, and if by an officer of the Jail without suggestion on the part of the writer, or additions to what the prisoner himself desires to state. Convict sentenced in the same case may adopt a joint petition.

475. *Authentication and submission of petition.*—(1) Every petition for clemency drawn up by a Jail Officer or by another convicts shall be read over to end if acknowledged correct, signed or marked by the prisoner concerned in the presence of the Superintendent or Jailer, who shall certify accordingly.

(2) Every petition whether prepared within or without the Jail shall after countersignature by the Superintendent be forwarded with such other papers as may be necessary to the Inspector-General of Prisons for transmission to Government.

(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.

* Note:—This Chapter does not apply to petitions for clemency from condemned prisoners which are dealt with under rules 798 et seq.

*476. *Copy of judgement to accompany petition.*—Every petition shall be accompanied by a copy of the judgement passed in the case, and if an appeal has been lodged and decided, a copy of the judgement of the appellate Court shall also accompany it.

477. *When copy of warrant to accompany.*—Every petition from a military prisoner convicted and sentenced by a Court Martial shall be accompanied by the copy of the warrant on which the prisoner was committed to the Jail.

478. *Correspondence rules to be observed.*—(1) Every petition shall be submitted on foolscap paper, folded lengthwise and properly numbered and docketed.

(2) Every petition, whether by a single convict or by two or more convicts conjointly shall be submitted with a separate covering letter.

479. *Communication of orders on petition.*—The orders passed on every petition to Government shall be communicated to the convict concerned, in the presence of the Superintendent or Jailer 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.

480. *Second petition to be withheld.*—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 XXIX

THE ATTENDANCE OF PRISONERS BEFORE COURT

481. *Procedure to obtain Prisoners before Courts as witness.*—Any criminal court may, if it thinks that the evidence of any person confined in the Jail is material in any matter pending before it, or if a charge of an offence against such person is made, or pending make an order in the form subjoined direct to the Jailer, provided that if such a Criminal Court is inferior to the Court of a Magistrate of the First Class, the order shall be submitted to and countersigned by the District Magistrate to whose Court such Criminal Court is subordinate.

*Note:—Copies of judgements are supplied on application to the courts concerned free of charge.

FORM OF ORDER

To

The Jailer of the

You are hereby required to hand overnow a prisoner into the Police Officer producing this for safe and sure conduct (1) before the court of....at.....on theday ofnext byof the clock in the forenoon of the same day there to give evidence in a matter now pending before the said Court and after the saidhas then and there given his evidence before the said Court or the said court has dispensed with his further attendance cause him to be conveyed under safe and sure conduct back to the prison or (2) before the Court ofor before..... on theday ofnext byof the clock in the forenoon of the same day to answer a charge now pending before the said Court or of officer and after such charge has been disposed of, or the said Court or officer has dispensed with his further attendance cause him to be conveyed under safe and sure conduct back to the Prison (as the case may be).

The.....day of.....

A. B.

Countersigned

C. D.

Upon delivery of such an order, the Jailer, shall hand the prisoner over to the Police who shall cause him to be taken to the Court in which his attendance is required or to the officer investigating the offence of which he is charged so as to be present at the time specified in such order and cause him to be detained in custody, until he has been examined or until the Court or the officer authorises him to be taken back to the Prison.

482. *When Court and Jail in one station.*—Whenever the Court and the Jail are in the same station the prisoner shall be taken from the jail to the court and back daily until his attendance is dispensed with. On every day he attends the court he shall receive the full jail ration and shall be allowed to take his mid-day meal with him for consumption at any convenient hour.

483. *When in different station.*—Whenever a prisoner is sent for examination to or has to halt a night enroute at a station where there is a Jail he shall be confined therein. Where there is no Jail he shall be confined in the Police lock-up.

484. *Custody at night.*—If the escort is unable to reach a jail or police lock-up before sunset, the police shall make the necessary arrangements for the safe custody of the prisoner.

485. *Custody when confined in another Jail.*—If the prisoner is taken to a jail, the jail or police establishment guarding it shall be responsible for the custody of the prisoner. Whenever the escort desires to proceed, the prisoner shall be handed over for that purpose, provided that no prisoner escorted under these Rules shall be admitted into a Jail after sunset nor handed over to the escort before sunrise.

486. *Custody when confined in lock-up.*—(1) If the prisoner is taken to a police lock-up, in which there are no other prisoners, the police in charge of the lock-up shall permit the prisoner escorted under these rules to occupy a ward in the lock-up, the key of which shall be handed over to the escort and the prisoners shall be entirely under the charge of the escort as regards the safe custody, supply of food, etc. On the departure of the escort with its prisoner the key of the ward occupied shall be returned to the police in charge of the lock-up. In the event of any prisoner committing damage to a ward occupied by him the fact shall be reported to the officer in charge of the Jail whence he was brought, who shall defray the cost of repairing the damage.

(2) In the event of a police lock-up being occupied by other prisoner the prisoner shall be confined with them, the police in charge of the lock-up being then responsible for his safe custody. The duty of supplying the prisoner with food and of watching him cook and eat, shall rest with the police escorting him.

(3) Police escorts shall conform to the Rules in force at lock-ups regarding hours for cooking and meals e.g., when the custody of the prisoner devolves upon the Police in charge of the lock-up, the escort shall not demand that he be let out at unauthorised hours to cook his food etc.

487. *Method of travelling.*—A prisoner shall ordinary be moved about either by rail or by water, but when neither of these modes of conveyance is available he shall go on foot unless he is certified by the Medical Officer to be physically unfit to march, in which case the officer-in-charge of the Jail shall supply either a cart or any other vehicle according to circumstances. No prisoner shall be compelled to march on foot more than 24 km. in twenty-four hours. When travelling by rail, the accommodation to be 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. Prisoners whose confessions are to be recorded shall be taken to the Court from the Jail in a Police Van or Lorry when available escorted by warders as an exceptional case.

- Note.*— 1. Prisoners escorted by the Police between two places which are over 8 km. apart and are wholly or partially 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 does not cause inconvenience or annoyance to members of the public using it. Actual conveyance charges in the case of such prisoners may be paid.
2. Women prisoners escorted by the Police shall be provided with conveyance where the distance to be traversed by them exceeds 1.6 km. Conveyances 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.

488. *Fettering.*—No prisoner shall be fettered, unless he bears a bad or indifferent character in Jail, and the officer in charge of the Jail considers that there would be risk in sending him without fetters. If a prisoner is fettered, handcuffs shall not be used in addition unless specially required owing to the prisoner being a violent or dangerous character. Every fettered prisoner shall be relieved of his fetters when placed before a court either for trial or as a witness, except when fetters are deemed necessary to guard against violence or an attempt to escape.

489. *Hand-cuffing.*—A convicted prisoner shall not be hand cuffed unless there is a reasonable expectation, either from the heinous nature of the crimes with which he is charged or from his character or behaviour that such person will use violence or will attempt at escape or that an attempt will be made to rescue him. The same principle shall be followed in the case of undertrial prisoner.

490. *Strength of guard.*—(1) The minimum strength of the Police guard shall be for not more than four prisoners, two Constables, for five or six prisoners three Constables; for seven to ten prisoners, one Head Constable and four Constables.

A Woman Police Constable or a female warder shall wherever possible accompany a female prisoner instead of one of the Constables.

(2) When prisoners are of desperate character or are likely to attempt to escape or when the number to be escorted exceeds ten the strength of the guard shall be increased at the discretion of the officer in charge of the Police.

491. *Cost of prisoners journey.*—The cost of maintenance of the prisoner handed over to the police for production before a court till he reaches the court be met by the Jail from which he is sent *For this purpose an amount calculated at the rate not exceeding †Rs. 12.00 per diem in the case of a 'C' class Prisoner or an ordinary undertrial or Civil Prisoner and †Rs. 15.00 per diem in the case of an A.B. or a special class prisoner may be advanced to the escort. Advances required on account of the escort and the conveyance of the prisoner shall be made by the officer supplying the escort. The cost of maintenance of the prisoner when returning from court shall be advanced from the court. If a prisoner is admitted into any Jail, he shall be supplied with food by that Jail during the period he spends there.

492. *Certain prisoners not to be moved.*—No State prisoner or prisoner under sentence of death shall be removed from the Jail without the special sanction of Government except in the case of a prisoner under sentence of death whose presence is required by a Sessions or High Court for the purpose of taking additional evidence in the case.

493. *Superintendent to be the officer in charge of the Jail.*—For the purpose of these Rules the Superintendent shall be deemed to be the officer in charge of the Jail.

494. *Document to accompany prisoner.*—When a prisoner is sent from one jail to another under these Rules, his original warrant or warrants of commitment and nominal roll in Form No. 32 shall be sent with him.

495. *Police to provide escort.*—The escort of prisoners under Part IX of the Prisoners Act 1900 under Part V of the Travancore-Cochin Prisoners Act shall be undertaken by the police.

CHAPTER XXX

TRANSFERS

496. *Power of Inspector-General.*—The Inspector-General is authorised to sanction the transfer of prisoners from one Jail to another within the State.

*Substituted by G.O. Rt. 1856/75/Home dated 15-9-1991.

†G.O. Ms. 121/91/Home dated 25-9-1995.

497. *Transfer of sick prisoners.*—(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 Jail 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 Jail to which a transfer is desirable. The Superintendent shall submit the case to the Inspector-General for orders.

(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.

498. *Transfer pending appeal.*—As an ordinary rule, prisoners shall not be transferred until the expiry of the period allowed for appeal or until the result of their appeal is known.

499. *Prisoners convicted in the same case.*—Prisoners convicted in the same case may be transferred to different Jails if, in the opinion of the Superintendent, such transfers are absolutely essential in the interests of discipline and maintenance of order in the Jail.

500. *Transfer of habitual prisoners.*—The Superintendent of a Jail shall report for the orders of the Inspector-General the cases of all habitual prisoners admitted to that Jail who are to be transferred to the Jail where such prisoners, have to be confined.

501. *Reciprocal arrangement of transfer.*—Any prisoner sentenced by a Civil Court of Criminal Jurisdiction in a State of Indian Union other than his state of origin may be transferred to his state of origin if the period of imprisonment to be served out at the time of transfer is not less than three months. In the case of P.R.T. prisoners they may be transferred even if the period is less than three months at the time of transfer. The cost of transfer of such prisoners shall be met by the transferring state and the maintenance charges to be met by the receiving State from the date on which they are received.

All ex-military prisoners who have been convicted outside India and are repatriated to India for custody shall be transferred to the Jails of the State of their origin. The cost of their transfer from the port of landing in India to the State Jail will be borne by the Defence estimate. The State of origin of the prisoner should thereafter meet the maintenance charge of the prisoner.

All ex-military prisoners who are convicted by Courts-martial in India should be committed to the Jail of the State of the origin. If escort is not readily available the prisoner should be committed to the nearest Jail. The State Government of that Jail may then send prisoners to the Jails where they should have been committed by the Courts-martial.

The cost of the journey should initially to be borne, by the State Government in whose jurisdiction the prisoner is convicted by a Courts-martial in which State the ex-military prisoner arrives first from outside India and recovered later by raising a debit against the defence estimates, under the old main head "7-A-Transportation of the Defence Services Estimates."

502. *Transfer during epidemics.*—Prisoners shall not be transferred while cholera or any other epidemic disease is present in either the transferring or receiving jail and transfer along a route where cholera is prevalent should be avoided when possible unless the prisoner has been successfully inoculated and certified to be so by the Medical Officer.

503. *Grounds of retransfer to be stated.*—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.

504. *Escort of prisoners.*—The duty of escorting prisoners rests on the Police and in times of emergency, on warders.

505. *Application for escort.*—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.

506. *Provision of female warders.*—When a female prisoner is transferred, a woman constable or a female warder shall ordinarily accompany her. The presence of a female warder does not affect the responsibility of the police for the safe custody of prisoners in transit.

507. *Intimation of prisoners transferred to be given.*—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 Jail 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.

508. *Procedure prior to transfer.*—Every prisoner shall, before being transferred, be produced before the Superintendent who shall verify all entries regarding him in the manner provided by Rule 523 shall certify on the back of the warrant the number and date of the order directing the transfer and the date of transfer.

509. *Disposal of prisoner's property.*—On the transfer of a prisoner his property shall be dealt with as required by Rule 427. The Jailer of the despatching Jail shall then make a list, in triplicate, 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 counterfoil. The duplicate and triplicate forms, the former signed by the Jailer of the despatching Jail together with the property, shall be made over to the officer in charge of the escort for conveyance to the receiving Jail, where the duplicate list shall be retained and filed. The triplicate shall be signed by the Jailer and handed over to the officer-in-charge of the escort.

510. *Documents to accompany prisoners.*—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 Jail.

- (1) His original warrant or warrants duly endorsed.
- (2) A copy of the committing Court's judgment (if available the order of any Appellate Court and any order of Government on any petition made by the prisoner).
- (3) A nominal roll in Form No. 30.
- (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.

Every prisoner shall be searched in the presence of the Jailer before despatch.

511. *Supply of food and clothing on journey.*—(1) Every prisoner shall be allowed during transit the prescribed Jail clothing, bedding, eating and drinking vessels and Jail dietary.

(2) When the Journey to be made is short, a sufficient supply of rations shall be given to the warder in charge for distributing at a suitable time. When the prisoners are admitted into a Sub Jail enroute they shall be fed in the Sub Jail. In other cases, the warder in charge shall be furnished with funds sufficient to purchase the prescribed dietary.

512. *Custody of female and juveniles.*—During transit female and juvenile prisoners shall be separated from adult male prisoners.

513. *Search during transfer.*—Male prisoners shall be searched by the officer in charge of the escort daily during transit.

*514. *Transfer by rail or water.*—(1) Prisoners shall ordinarily be transferred by rail where facilities for travel by rail exist. The Superintendent or the Jailer shall issue railway warrants if available or pay the actual train fare of the prisoners and warders (if any). The accommodation to be 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.

(2) When prisoners are conveyed by water, actual fare shall be paid. When there are different classes of accommodation 'C' class prisoners shall be provided the lowest class of accommodation and 'A' and 'B' class prisoners, the highest or upper class as the case may be.

(3) When prisoners are to be transferred by rail, timely notice shall be given to the police on the intended date and hour of despatch to enable them to make suitable arrangements with the Railway authorities for their safe custody in transit and for the provision of necessary accommodation.

*515. *Transfer by road.*—(1) Whenever prisoners are required to be transferred by road, the line of route and place of halt for each day shall be laid down before hand by the Superintendent and notified to the Police. Escort shall issue bus warrant if available or pay cash to meet the cost of conveyance.

Under rule 514 and 515 (1) above, the warrant for the conveyance of the Escort shall be issued by the Police Department when Policemen are detained and by warders are provided for the escort.

(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 km. in 24 hours.

(3) When women prisoners are taken from one Jail to another on transfer, they shall be provided with conveyances where the distance to be traversed by them exceeds one mile. Conveyance may also be provided for shorter distance 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.

516. *Procedure if prisoner falls sick.*—If a prisoner becomes so ill on the prison clothing feters and other Government property belonging to the nearest hospital or lock-up; or any place where there is a public dispensary for treatment by the Medical Officer, and a report of the circumstances shall be made to the Superintendent of the despatching Jail and of the Jail to which the prisoner was travelling.

517. *Procedure if a prisoner escapes.*—If an escape occurs enroute, intimation shall at once be given by the officer in charge of the escort to the authorities of the neighbourhood in which the escape occurs to enable them to take steps for the recapture of the prisoner. The Superintendent of the Jail to which the convict was about to be taken and of the transferring Jail shall also be informed of the escape, and the latter shall take the prescribed measures for the prisoner's reapprehension.

518. *Admission of transferred prisoners.*—On the arrival at the receiving Jail, 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.

519. *Verification of accompanying prisoners.*—When the Superintendent of the receiving Jail has satisfied himself that the prisoners' documents and property have been correctly received, he shall countersign the memorandum referred to in Rule 507 and the triplicate copy of the list of property referred to in Rule 509 and shall return them together with the prison clothing, feters and other Government property belonging to the transferring Jail.

520. *Return of clothing etc.*—If no Warder accompanied the prisoners, 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.

CHAPTER XXXI

RELEASES

521. *Names of convicts due for release be read out at parade.*—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 Jailer 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 Jailer, and if necessary brought to the notice of the Superintendent.

*522. Provided that this rule shall not apply to prisoners sentenced to imprisonment for two days or more either substantively or in default of payment of fine and admitted to the Jail on a day immediately preceding a holiday or a series of holidays and whose release falls on the said holiday or any of the days in the series of holidays. Such prisoners shall be liberated on the next day of admission to the Jail. Provided that this rule shall not apply to prisoners sentenced to two days imprisonment either substantively or in default of payment of fine.

523. *Procedure prior to releasing convict.*—(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. The Convict shall then be produced before the Superintendent, together with his warrant, the convict register, his history ticket, the release register and release diary, 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 endorsements for release on the warrant, certifying to the execution of the sentence and the date of release (vide rule 529 infra) and shall affix his initials together with the date in the proper column of the convict register.

(3) The procedure laid down by Rule 427 shall then be carried out and the gratuity, batta, subsistence allowance, etc., to which the prisoner is entitled shall be paid to him in the presence of the Superintendent. (1)

(4) On receipt of the orders of Government directing the release of a prisoner under rule 539 the prisoner shall be placed before the medical officer for examination before effecting the actual release and the Medical Officer shall certify that the prisoners, state of health continues to be same as it was when his case was originally recommended to Government, justifying his release under rule 539. If the Medical Officer considers that the condition of the prisoner, on the day of receipt of the order of release, does not justify his release under Rule 539 as originally recommended, he shall issue a certificate to that effect to the Superintendent of the Jail who shall not release the prisoner but forward the certificate to the Inspector General for submission to Government.

524. *Time and method of release.*—Every convict to whom jail clothing has been issued shall 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. All prisoners shall be released at the Jail gate.

*525. *Compliance with orders for release of prisoners.*—All orders for release of prisoners received before 5 p.m. on any day irrespective of the fact whether it is a working day or a holiday shall be complied with on the same day itself and orders received after 5 p.m. shall be complied with on the following morning irrespective of the fact whether it be a working day or not. Superintendents shall accept payment of fine on any day at or before 5 p.m. irrespective of the fact whether it is a working day or not, but not after 5 p.m. on any day.

526. *Release of prisoners in Superintendent's absence.*—If an order for the unconditional release of a prisoner is received at the jail before 5 p.m. and in the absence of the Superintendent the prisoner shall be released by Jailor or other senior Jail Officer present who shall strictly carry out the procedure laid down in Rule 523, 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.

†527. *Grant of travelling expenses.*—(1) Every C class prisoner whose destination, after release is on or near a line of railway shall be supplied with a railway ticket or bus fare 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 Jail shall satisfy himself that the prisoner has secured employment at the place through competent agencies prior to his release or will beyond reasonable doubt secure suitable employment at such a place after release and provide 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 in railways. For road journeys they may be permitted to travel in Express bus, if it is available and if not in the ordinary bus. 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.

* Substituted as per G O (MS) 422/65/Home Dt. 29-10-65.

† Note 1. The term the Military Prisoner's is intended to include all military Prisoners who are not enlisted out of India,

2. For the purpose of clause(3) 24 KM by road shall be regarded as a full day's Journey.

(3) Every prisoner who has to proceed a distance of more than 8 km. road, or more than three hours journey by rail or other mode of conveyance, shall on release, be given subsistence allowance at the rate of Re. 1 in the case of A and B class prisoners and 75 Naye Paise in the case of prisoners falling under class C, if the journey will be completed next morning and Rs. 2, Rs. 1.25 respectively, per day otherwise.

(4) (a) Sick prisoners on release, if unable to travel on foot, shall be provided with a cart or such cart hire as may be necessary.

(b) Ordinary undertrials and special class undertrials if unable to meet their own travelling expenses, may be given travelling expenses as provided for "C" class prisoners in the case of ordinary undertrials and as provided for A and B class prisoners in the case of special class undertrials.

528. *After-care Association.*—(1) After-care Association has been established in Trivandrum and Branch Associations exist in the districts in which important jails are located.

(2) The Association is mainly non-official in character, but receives a large measure of official assistance and support and jail officers and district officials are expected to take an active part in advancing the aims and objects of the Association.

(3) The Welfare Officers appointed by the Association 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 deciding the assistance required, if any, in each case.

(4) The Superintendent shall give the Local Association sufficiently early of the impending release of prisoners selected for help and patronage and afford every facility to the Welfare Officer to interview prisoners for this purpose.

(5) A careful record should be maintained of all prisoners assisted by the Association and an analysis of the case assisted incorporated in the Superintendent's Annual Report.

529. *Return of warrant of Court.*—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 523 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

Failer.

Superintendent.

Dated

19

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 in India 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 in case of orders issued by the High Court.

- (2) In cases of release on bail, reversal or modification of the sentence, the warrant of commitment shall be returned to the original court through the Appellate Court, except in case of orders issued by the High Court.

530. *When prisoner is undergoing more than one sentence.*—When a convict has to undergo two or more sentences under different warrants each warrant shall except where an order under Section 476 of the Code of Criminal Procedure has been made against the convict be returned to the Court immediately on expiry of sentence to which it relates. The warrant of commitment on which an order under Section 476 of the Code of Criminal Procedure 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 476 of the Code of Criminal Procedure.

531. *When prisoner dies.*—The warrant of a prisoner who dies in jail shall be returned to the court within 36 hours of his death with an endorsement certifying to the date and cause of death.

* Appeal or expiry of Sentence.

532. *Return of warrant of commitment for trial.*—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 Jail this day before/during his trial by the court.

533. *Treatment of telegraphic orders of release.*—No action shall be taken on a telegram directing the release of a prisoner unless such telegram purports to have been sent by the Chief 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.

534. *Treatment of order of High Court.*—When an order of release is received direct from the High court by the Superintendent or Officer in charge of the Jail 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.

*535. *Intimation to Police of impending releases.*—(1) The Inspector General of Prisons shall, not later than 25th of each month, send to the I.G. of Police a consolidated list in Form No. 38, of the prisoners in the State Jails convicted for offences under Chapter XII and XVII of the Indian Penal Code and of the persons detained in prisons under Section 123 of the Code of Criminal Procedure for failure to give security on proceedings initiated under section 109 or section 110 of the said Code, who will be released during the following month. When necessary, a supplemental list containing the names of the prisoners admitted after the 25th of each month and who will be released during the following month shall be sent to the I.G. of Police. The name of the probable Railway Station of destination shall be given against the name of each convict who is expected to travel by train.

(2) In the Government order read above, the designation of the officers to whom the additional copies of the consolidated lists are to be supplied have been specified. In amplification of the above instructions, Government are pleased to order that as many additional copies of the consolidated list will also be supplied to the Superintendents of Police of each District as there are prisoners belonging to that District.

* Amended as per Government Notification No.1590/B3/Home dated 6th May 1963.

536. *Report to Police of convicts death.*—At the end of each month, the Superintendent shall forward to the Inspector-General of police a list in Form No. 40 of all convicts who died in the jail during the month. If a deceased convict belonged to any other State, his roll shall be sent to the Superintendent of Police, of District to which the prisoner belonged.

537. *Release of blind or decrepit prisoners.*—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 absolutely incapacitate a prisoner from all commission of further crime of the nature of that for which he is confirmed a report recommending the release of such prisoner may be submitted by the Superintendent to the Government through the Inspector-General of Prisons. 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 Jail, and of periods spent in hospital or on the convalescent gang, together with the 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 (Form No. 30) and by a report by the Medical Officer on the state of the prisoner's health.

538. *Release of sick prisoners.*—(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 certain; and (iii) that the prisoner will have a fair chance of recovery if released, he shall record a certificate in the following Form I, A B 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 will certainly die very shortly if he remains in confinement but that he will have a fair chance of recovery if he is released. 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 forthwith forward the certificate and statement if the case to the Inspector General of Prisons for transmission to Government together with the nominal roll of the prisoner showing the amount of remission earned and any remarks relevant to the case the Superintendent may desire to add.

*539. *Release of Prisoners in danger of death*—If the Medical Officer considers that any prisoner is in danger of death from sickness not due to infectious disease and that there is no hope of recovery within or without the Jail he shall record a certificate in the following form:—

(1) I, A B 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 the Jail.

(2) In order to be accepted by the 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.

(3) 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 forward the papers to the Inspector-General of Prisons 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 relatives shall accompany the documents.

(4) Great care should be exercised in recommending release of prisoners under this rule and the report to Government should contain full particulars showing that on humanitarian grounds the balance of advantage lies in allowing the prisoners 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.

(5) All release under this rule shall be counted as death in the statistical records of the jail.

540. *Release of prisoners convicted under security proceedings in danger of death.*—If a prisoner detained solely under a sentence of imprisonment in default of furnishing security to keep the peace of 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 (Judicial) who should exercise the discretion allowed to him by section 124 of the Code of Criminal Procedure under which he can release the prisoner without referring to Government.

* Note:—All reference under this rule should be treated as specially urgent at all stages by the Officer's concerned

541. *Conditions of release on grounds of health.*—In the absence of instructions to the contrary, every release from jail on medical grounds under rules 537 and 538 shall be subject to the condition that the prisoner agrees and subscribes to the conditions set forth in Form No. 61A. 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 his district and the copy signed in the latter language shall be delivered to him on his release, the English copy being retained in the jail. 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 jail situated in a district other than that in which he wishes to reside, will be handed over to the police of the district in which the jail is, for escort to the district where he proposes to reside. Where the prisoner undergoing special treatment in a civil hospital under rule 542 is released directly from such hospital without returning to jail custody, the conditions contained in Form 61A 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 Form 61A is signed shall forward the English copy to the Superintendent of the jail from which the prisoner was temporarily released.

542. *Conditional release for treatment outside hospital.*—If, in the opinion of the medical officer, a convicted prisoner required special treatment in a hospital outside the prison or in an asylum as defined in the Indian Lunacy Act, 1912, he shall certify to the necessity of transferring the prisoner to such hospital or asylum, record a full statement of the case and forward it to the Superintendent who shall send the prisoner to such hospital or asylum subject to the prisoner or any relative or friend of the prisoner executing a bond in Form No. 61B.

This form shall be in English and in the language of the district. The prisoner, or his relative or friend as the case may be, shall sign two copies of which one will be retained in the Jail and other delivered to the person concerned for production before the officer-in-charge of the hospital or asylum where the prisoner is to undergo treatment and again on his discharge from the hospital or asylum before the Superintendent of the Jail in which he was originally confined. Before removing the prisoner the Superintendent of the Jail shall make necessary arrangements to send him to the hospital or asylum for treatment. The prisoner shall be provided if necessary, with railway warrants for his journey to and fro subsistence allowance and cart hire or bus-fare. The railway warrant subsistence or any other allowances, for the return journey may be, sent to the officer-in-charge of the civil hospital or asylum to be delivered to the prisoner on discharge. At the time of removal from the jail, the prisoner should be provided with private clothing which will be withdrawn on his re-admission. If the medical officer considers the case so serious as to require an attendant, the Superintendent shall provide a proper attendant. Women prisoner shall be provided with women attendants.

In the case of prisoners of a dangerous type who are sent to district hospital or asylum for special treatment, a regular police guard shall be arranged. Such a prisoner shall be sent to the district hospital or asylum only after ascertaining from the authority concerned that separate accommodation is available. In an emergent case, necessitating the immediate removal of a sick prisoner to a district hospital or asylum in which delay in sending the prisoner to such an institution is in the opinion of the medical officer of the jail, likely to prove fatal, the prisoner shall be sent without delay to the District hospital or asylum and the authority concerned shall make the best possible arrangements irrespective of the fact that separate accommodation is or not available in the hospital or asylum.

CHAPTER XXXII

ADVISORY BOARD

543. *Advisory Board.*—There shall be a Standing Advisory Board to investigate and report on the sentences of prisoners confined in each *Central Prison, open prison and the Prison for women.

544. *Constitution of the Board.*—The Advisory Board shall consist of:—

- (1) The Inspector-General of Prisons (Chairman),
- (2) The District Collector of the District in which the Prison is situated.
- (3) The Local District and Sessions Judge,
- (4) 3 non-official members appointed by Government, and
- (5) The Local District Superintendent of Police as members.

The Superintendent of the concerned Prison, will be Secretary to the Board. The term of office of the non-official members will ordinarily be fixed at 2 years. The Board shall sit at least once in six months. The quorum of the meeting shall be three.

*Provided that Government may if they so desire, cancel the nomination of any or all the non-official members at any time during such term for good and sufficient reasons.

**545. *Functions of the Board.*—The Board shall consider the cases of all prisoners who satisfy the following conditions:—

(a) *In the case of lifers and long-terms (ie, those who are sentenced to 3 years and above)—*

(i) that the prisoner has undergone two-thirds of his sentence including remission and further;

(ii) that he has undergone not less than two and a half years including remission.

†“Provided that where a sentence of imprisonment for life is imposed on conviction of a person for an offence for which death is one of the punishments provided by law, or where a sentence of death imposed on a person has been commuted into one of imprisonment for life under section 433 of the Code of Criminal Procedure, 1973, such person should have served at least fourteen years of imprisonment”.

(b) *In the case of short-termers (i.e, those sentenced to less than 3 years)*

(i) that the prisoner has been sentenced to a minimum period of two years and further;

(ii) that he has undergone two-thirds of his sentence excluding remission.

* G.O. Rt. No. 2727/77/H dated 31-12-1977.

* Amended vide G.O. (MS) 227/68/Home dated 26-8-1968.

** *Note* :— In calculating the period served the Special remission granted on important occasions will not be counted except in cases where Government have specially ordered that such remissions will also be counted. The cases of all convicts who have also been sentenced for offences committed while in Jail if recommended by the Board for release shall be submitted to Government with a special recommendation of the Board for the orders of Government as to whether release should be granted or not.

Note :— The cases of recovered criminal lunatics should be dealt with by the Advisory Board like that of any other long term non-habitual prisoners, provided they are quite and will not be a danger either to themselves or to the community if released. Cases of preventive imprisonment under Chapter VIII of the Code of Criminal Procedure

need not be put before the Board.

* G.O. (MS) 70/93/Home dated 7-6-1993.

(c) *Under the Old Age Scheme—*

(i) that the prisoner is aged 65 or above in the case of a male prisoner and 55 or above in the case of a female prisoner and has undergone not less than 2½ years of his/her sentence including remission; and

(ii) that he/she is serving the sentence for his/her first and only conviction.

The Board should submit recommendations with a view to the release of as many of this class as can be released without injury to the community. The prescribed form of statement [Form of statement (Form No. 79)] and the following other papers connected with the recommendations are to be forwarded to Government within a week after the sitting of the Advisory Board—

1. Nominal rolls.
2. Copies of judgments.
3. Reports by police.
4. Proceedings of the Advisory Board.

545A. '14-Year Rule'.—The cases of * prisoners whose aggregate sentence is more than 20 years shall be committed together with the records specified under Rule 545 for special orders of Government as to their premature release or completion of 14 years of sentence including remission in each case.

**“Provided that where a sentence of imprisonment for life is imposed on conviction of a person for an offence for which death is one of the punishments provided by law, or where a sentence of death imposed on a person has been committed under section 433 of the Code of Criminal Procedure, 1973 such person shall not be considered for release from prison unless he has served at least fourteen years of imprisonment”.

546. *Records and information to be made available to the board.*—To enable the Advisory Board to judge the fitness of prisoners for release, it is necessary in every case that the judgment of the court, full and accurate details of the prisoner's previous history and his prison record should invariably be placed before them. This duty will devolve on the Secretary of the Board but the Police and the District Magistrates (Judicial) should render him every assistance

* Omitted vide G.O.(MS) 70/93/Home dated 7-6-1993.

** G.O. (MS)No. 70/93/Home dated 7-6-1993.

*Note:—Remission includes all kinds of Remission of sentences taken for consideration under Rule 545.

in collecting the information. The Board should also consult the After Care Association or the District Magistrate of the District to which the prisoner belongs on the arrangements which may be practicable for the supervision of the prisoner's after life. (The forms to be used in connection with the enquiries made and recommendations submitted will be found in Appendix III).

*547. One copy each of the Government Orders sanctioning the release of prisoners under the foregoing rules shall be sent to the District Magistrate concerned and to the Chief Probation Superintendent along with copy of the nominal rolls of the prisoners by the I. G. of Prisons. The Chief Probation Superintendent shall issue necessary orders appointing probation officers for the After Care of the prisoners ordered to be released by Government and shall communicate such orders to the Superintendent of the Central Prison and District Probation Officers concerned. The prisoners who are so released shall ordinarily pass a period of probation during which their fitness for final release can be tested. During this period the prisoner shall be under the supervision of a Probation Officer whose duty it shall be to see that the conditions of release are not violated and to give the prisoner any protection, assistance or advice he may need. The Superintendent of the Jail from which a prisoner is released conditionally shall see that a bond indicating the conditions of release and the unexpired portion of sentence on the date of such release is executed by the prisoner. **The period of such probation in all cases including that of lifers, shall be the unexpired portion of the sentence or 4 years whichever is less. The bond shall be in the following form.

BOND

Whereas I, Convict No.
 Name..... S/o
 have been ordered to be released by the Government of Kerala in G.O. No.
 dated..... before the date of expiry of my.....
 nominal period of imprisonment on condition of my executing a bond to observe
 the conditions specified hereinafter. I hereby bind myself as follows:—

1. That I will accept and fulfil the conditions specified below till the date of expiry of my normal period of imprisonment;
2. That I will present myself within fourteen days from the date of my release before the Probation Officer of the District to which I belong or if there, is more than one Probation Officer in the District before the Probation Officer who has jurisdiction over my place of residence or before any other officer appointed in the place of the Probation Officer of the District or the Probation Officer having jurisdiction as aforesaid and will produce copies of the order and the bond executed by me.

* Substituted by G.O. (P) 362/66/Home dated 1-10-1966.

** Amended vide G.O.(MS) 49/76/Home dated 7-4-1976.

3. That I will submit myself to the supervision of the said Probation Officer or other Officer till the date of expiry of my normal period of imprisonment;

4. That I will keep the said Probation Officer or other Officer advised of my place of residence and means of livelihood till the date of expiry of my normal period of imprisonment;

5. That I will not quit the said district of.....without the written permission of the Probation Officer or other Officer.

6. That I will not associate myself with bad characters or lead dissolute life;

7. That I will live honestly and peaceably and will endeavour to earn an honest livelihood.

8. That I will not commit any offence punishable by any law in force in the Indian Union; and

9. That I will carry out such lawful directions as may from time to time be given by the said probation Officer or other Officer for the due observance of the conditions hereinbefore mentioned.

10. In the case of breach of any of the above conditions on my part; I hereby bind myself to forfeit to the Government of Kerala the sum of Rs.(Rs.) only and to render myself liable to be rearrested to undergo the unexpired portion of sentence of imprisonment on the date of release i.e; (period).

11. I agree that the Government may recover any amounts due from me under this bond from my properties movable, and immovable as if such sums are arrears of land revenue, under the provisions of the Revenue Recovery Act for the time being in force or in such other manner as the Government, may deem fit.

Dated this the..... day of.....19.....

No..... Name.....

Certified that the foregoing conditions have been read over and explained to the prisoner and accepted by him in my presence.

Witness:

1.

2.

Central Prison.

Superintendent

Date.

*548. *Discharges.*—The prisoner who is released on the advice of the Board and who conducts himself satisfactorily during the probation period shall be deemed to be finally discharged with effect from the date of expiry of the period of supervision as noted in the bond. But in the event of his failure to observe any of the conditions under which he is released, within the period of surveillance, the District Probation Officer concerned, shall report the matter to the Regional Probation Officer, Inspector General of Prisons, the concerned Chief Judicial Magistrate and the Superintendent, Central Prison from which the prisoner was released prematurely. The Regional Probation Officer after satisfying himself that there is violation of conditions on the part of the said prisoner, shall send a report to the Inspector General of Prisons who will take up the matter with the Government. Government may issue appropriate orders revoking their earlier orders of conditional remittance of the unexpired portion of sentence which enabled his premature release under section 432 of the Criminal Procedure Code, so that the said prisoner can be arrested by any police officer without warrant and produce him before the Chief Judicial Magistrate concerned. The Chief Judicial Magistrate shall immediately call for the records from the concerned District Probation Officer and shall issue a warrant committing the said prisoner to jail to undergo the unexpired portion of the original sentence.

548A. Notwithstanding anything contained in rule 547 and 548, the Government may in cases where a prisoner prematurely released on the recommendation of the Advisory Board or otherwise gets employment outside the State, exempt him from the provision regarding probation subject to the condition that such exemption may be revoked by Government at any time in consideration of adverse reports from the Police or other official agencies in the place where the prisoners are employed.

CHAPTER XXXIII

GUARDING

549. *Armed Reserve Guard.*—The guarding of the main gate shall devolve on the Armed Reserve Police or the Reserve Warder Guard. The establishment for the purpose shall consist of a Head Constable and 9 Constables or a Reserve Head Warder and from six to sixteen Warders. The Reserve Guard shall obey all orders of the Superintendent of the Jail.

550. *Posting of Sentries by night.*—The sentries by night shall be the main gate sentry, the sentry at the central tower, and the sentries over the sleeping barracks. These latter shall patrol the outside wall of the barrack inside the yard. The posts of sentry over the sleeping barracks shall usually be allotted to Convict Warders.

* Substituted by G.O. (MS) 177/74/H dated 10-12-1976.

* G.O. (MS) 18/82/H dated 5-2-1982.

550A. There shall be sentries in the Watch Tower for watch duty round the clock. Four Warders shall be posted on duty at the Watch Tower on each day. They shall each be on sentry duty at the Watch Tower by turn for continuous spells of three hours each, with a rest for three hours in between. A separate duty book shall be maintained solely for the Watch Tower. All those posted on sentry duty at the tower shall sign that book at the time of taking over duty, and relief from duty on that day. The tower sentry book will be kept for inspection, in the Tower itself. The Tower sentry will be responsible for closing the trap door and fastening it from above, every time they take over charge of duty.

551. *Duties of sentry.*—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 password. No convict shall be permitted to approach within five yards of any sentry. It is the duty of the sentry to resist all attempts to break into or out of the jail 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.

552. *Relief and supervision of sentries.*—As a rule, sentries by day shall be relieved at the end of every four hours and by night at the end of every two hours. During the day the Head Warden on duty 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 Head Warders, or Senior Warders. Each patrolling officer shall be on actual duty during half the night, one man being on duty from 6 p.m. to mid-night and the other from mid-night to 6 a.m. Each patrolling officer shall record the hour of his visits by means of the tell-tale clock if tell-tale clock is provided or by such other means as the Superintendent may decide. He shall be provided with a lantern. He shall specially see that all convict overseers or night 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. Both the patrolling officers and all the warders on the night guard shall be present in the jail from lock up to unlocking.

553. *Night watch by convict Officers.*—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. 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 329 and shall be responsible that no irregularity goes on. If any prisoner leaves his sleeping place or behaves in an irregular or suspicious manner he shall at once inform the warder 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 patrolling officer passes the ward, he shall call out an assurance that all is well.

554. *Salutes.*—Guards and sentries are required to salute:—

The Inspector-General, Deputy Inspector-General, Official and Non Official visitors. The Superintendent and the Medical Officer

} by presenting arms.

All other gazetted officers of Government and the Jailer

} by sloping arms and placing the right hand smartly on the butt, figures extended.

The Deputy Jailers, Sub-Assistant Surgeons, Asst. Jailers, Clerks, Gate keepers and Chief Head Warder

} by standing to attention with ordered arms.

As a rule the guard shall not be turned out under arms for saluting purposes after 8 p.m.

555. *Duties of Warder Guard.*—To the warder establishment is entrusted the duty of carrying on the interior management and discipline of the Jail, the supervision of convicts during labour and at other times and the work of guarding.

556. *Classes of warder guards' day duties.*—The day duties of the warder establishment shall, as a rule be divided into two classes, permanent, i.e., lasting from unlocking to lockup and relievable i. e., lasting from unlocking until noon and again from noon till lock-up. It will generally be convenient to include the charge of workshops among the permanent posts, and that of extramural gangs among the relievable ones.

557. *Combination of night duty with day duty.*—Warders employed on permanent posts are on duty the full day and shall not, except on an emergency, be required to do night duty. Warders employed on relievable posts may be given night duty. Care shall be had that the night duty is taken in rotation.

558. *Duties assigned not to be frequently changed.*—Warders on permanent posts shall not as a rule be inter-changed frequently with those on relievable posts, but shall be selected on the ground of their special fitness for the duties assigned to them, eg., the supervision of some particular branch of industry

559. *Custody of arms.*—The Chief Warden 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 from outside the main gate.

560. *Custody of articles facilitating escape.*—The Jailer and all other officers shall be responsible that no ladders, planks, bamboos, ropes or other implements or materials of any kind likely to facilitate escape are left lying about. Every warden in charge of a workshop shall be responsible that all such articles are properly secured and put away when work ceases.

561. *Use of weapons against prisoners.*—(1) Any officer of the Prison may use a sword, bayonet, firearm or any other weapon against any prisoner—

(a) escaping or attempting to escape, provided that resort shall not be had to the use of any such weapon, unless such officer has reasonable ground to believe, that he cannot otherwise prevent the escape;

(b) engaged in any combined out-break or in any attempt to force or break open the outer gate or enclosure wall of the Prison and may continue to use such weapon so long as such combined out-break or attempt is being actually prosecuted;

(c) using violence to any officer of the Prison or other person, provided that there is reasonable 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.

(2) Before using firearms against a prisoner escaping or attempting to escape, the officer shall give a warning to the prisoner that he is about to fire on him.

(3) No officer of the Prison shall in the presence of his superior officer, use arms of any sort against a prisoner in the case of an out-break or attempt to escape except under the orders of such superior officer.

562. *Arms and ammunition Warden Escorts.*—All consignments of arms and ammunition consigned by rail to jails should be sent in sealed boxes and escorted by an armed guard of one Head Warden and one Warden. 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.

When the arms of the Jail Department are to be despatched to station outside the State for repairs, etc., they shall be entrusted to the Police Department. A Police party shall escort these arms along with the arms of the Police Department when it proceeds to the E. M. E. Workshops, Bangalore, or the Kirkee Arsenal and hand them over for repairs. When there are no arms of the Police Department to be escorted and a Police party has to be provided exclusively for escorting the arms of the Jail Department, the expenditure incurred in connection with the journey of the escort shall be borne by the Jail Department.

CHAPTER XXXIV

CONFINEMENT IN IRONS FOR SECURITY

563. *Imposition of fetters when permissible.*—(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 bell-chains while confined in any place without the walls of a Jail.

(3) Bell-chains shall be of secure, well-made links and shall ordinarily not weigh more than 748 g. to the metre. Each prisoner secured in this way shall be allowed not less than 61 cm. of chain.

564. *Record of imposition of fetters.*—If the Superintendent considers it necessary to impose fetters on any prisoner under the last preceding Rule, he shall record in the Fetter Register (Form No. 18) the number and the name of the prisoner, the date when fetters were imposed, the period for which they were imposed, and the reasons which led him consider the use of fetters necessary.

565. *Imposition of fetters on transfer.*—When prisoners are about to be transferred to other Jails or taken to court, fetters shall only be imposed upon such of them as have borne bad or indifferent character in Jail, and regarding whom the Superintendent is of opinion that there would be risk in transferring them without fetters.

566. *Imposition of hand-cuffs.*—Hand-cuffs 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.

567. *Prisoners exempted absolutely.*—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.

568. *Prisoners ordinarily exempted.*—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; or

(d) Convict under sentence of death.

569. *Removal of fetters.*—Fetters imposed for purposes of security shall be removed under the orders of the Superintendent whenever he is of opinion that this can be done with safety, or on the recommendation of the Medical Officer at any time on the ground that their continued imposition is injurious to health.

570. *Supply of leather or cloth Gaiters when fetters are used.*—All prisoners required to wear fetters shall be provided with pliable leather or cloth gaiters to prevent abrasion of the skin, and strip of leather to suspend the fetters from the waist.

571. *Examination of fetters.*—All fetters imposed on prisoners for safe custody shall be examined daily by a Head Warder and once a week by the Jailer, who shall notify the fact with the result of his examination in his report book.

Explanation.—The object of these Rules to prevent escapes and to restrict the too free movement of dangerous and violent prisoners and not as a punishment. The Superintendent is expected to use his powers with discretion and to remove any irons imposed for security as soon as he considers it can be done with safety. The choice of the class of fetters to be imposed (link or bar) must depend on the individual; and the particulars concerning their imposition and removal are to be recorded in the Fetter Register as well as on the History Ticket.

CHAPTER XXXV

ESCAPES

572. *Alarm to be given of escape.*—(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 the Jail 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 striking of the alarm gong. If the alarm gong is not originally sounded at the main gate, it shall be repeated there.

573. *Procedure thereupon.*—(1) On the alarm being sounded owing to an occurrence outside the Jail, the officer on duty 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 officer present may direct.

(2) The warder in charge of an outside gong from which a prisoner has escaped shall, after sounding the alarm, collect his remaining convicts and march them back to the main gate.

574. *Duty of Jailer.*—Upon a report of an escape being received, the Jailer 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.

575. *Duty of Superintendent.*—The Superintendent shall give prompt notice of the escape, accompanied by a descriptive roll of the escaped prisoner to the nearest police station, and to the District Magistrate. He shall also send immediate intimation by telegraph to the Police near the prisoner's house and if the prisoner belongs to a district other than that in which he is confined, to the Magistrate of the former district and to the Inspector General of Police.

576. *Report to Inspector General of Prisons.*—A report of the escape with full particulars shall be sent within twenty-four hours to the Inspector General of Prisons.

577. *Publication of escape.*—Notice of the escape of prisoners and of the rewards offered for their recapture shall be published in the Government Gazette, and if the Superintendent shall so direct, in any other way under the orders of Inspector General of Prisons.

578. *Power of Superintendent to sanction rewards with previous sanction of the Inspector General of Prisons.*—Rewards in accordance with the following scale may be disbursed by the Superintendent with the previous

sanction of the Inspector General of Prisons, to private persons effecting, or assisting in the recapture of an escaped prisoner:—

	Rs.
If the sentence was one of death or life imprisonment	50
If the sentence was one of two year's imprisonment and upwards, or confinement in default of security for the same period	20
If the sentence was one of less than two year's imprisonment	10
If the prisoner was an undertrial: A reward equal to what would be payable were the prisoner convicted of the offence charged and sentenced to the maximum penalty.	

Rewards disbursed under this Rule shall be reported to the Government by the Inspector General.

579. *Rewards to Private persons etc. to a limit of Rs. 200.*—Rewards to private persons and public servants for the capture of a prisoner who escapes from a Jail may be sanctioned up to a limit of Rs. 200 for each prisoner irrespective of the term or nature of his sentence, by the Government to whom recommendations shall be promptly submitted and who shall send to the Inspector General of Police information of any reward sanctioned to members of the Police Force. The amount of rewards disbursed shall be charged in the contingent bill of the month and shall be supported by the receipt of the person receiving the reward.

580. *Reward of prisoners preventing an escape.*—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 of Prisons with a view to a reward being conferred.

581. *Punishment of conduct facilitating an escape.*—Every Officer of the Jail through whose assistance connivance or neglect an escape takes place shall be prosecuted under Sections 222, 223 and 225-A of the Indian Penal Code, unless very extenuating circumstances are present or unless the Superintendent considers the evidence, insufficient to procure a conviction, when the case shall be submitted to the Inspector General of Prisons for orders.

582. *Procedure on recapture.*—(1) If the prisoner is recaptured, intimation of the fact shall be given to any officer who has been addressed under Rule 575.

(2) A recaptured prisoner may be received back into Jail on his original warrant.

583. *Recaptured prisoner to wear wrist-ring.*—Every convict who has escaped, or attempted to escape, shall wear a light iron ring securely riveted on the left wrist.

584. *Procedure regarding disposal of warrants of escaped prisoners.*—The warrant of a prisoner who escapes from jail shall be retained in the jail 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 committing court with an endorsement that the prisoner escaped from the jail ten years ago and has not been recaptured.

CHAPTER XXXVI

OUT-BREAKS

585. *Alarm to be sounded on out-break.*—The sentry on the central tower, where there is one, shall give alarm at the commencement of an out-break or disturbance by the discharge of his rifle in the air as well as by other means which he is provided. Upon this signal being given, or when news of an out-break or disturbance is otherwise received, the alarm shall be sounded by bugle and the bell or gong at or near the main gate shall be rung, when it shall be the duty of every jail official who is outside the jail to proceed at once to the guard-room and arm himself under the orders of the senior officer present. This officer shall despatch a messenger to the Superintendent and the jailer, if they are absent and to the lines if necessary to summon every available man.

586. *Procedure when alarm is sounded.*—Upon the alarm being given, the whole guard and all other officers available shall arm themselves with loaded rifles and fixed bayonets and fall in. 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 jail and proceed at the double to the scene of the disturbance. If the prisoners are threatening the main gate, it must be defended until the guard is strong enough to enter and drive the prisoners back.

587. *Duty of convicts on hearing alarm.*—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 jail. Prisoners should be warned that neglect of this Rule will render them liable to be treated as participating in the out-break and to be fired on.

*588. *Method of quelling disturbance.*—On reaching the scene of the disturbance, the guard shall proceed to quell it in such manner as the officer in command may decide, action being first directed to preventing any attempt, to escape to isolating the rioters from other convicts, and to rescuing any Jail Officer who may be in danger. If the disturbance is accompanied by violence to any Jail official or by a combined attempt to break out of the Jail, or of any yard or 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, and then if there appears to be no other way of quelling the disturbance he may open fire on the refractory prisoners, but shall stop firing as soon as they cease resistance or submit.

589. *Defence of main gate.*—The main gate sentry and the additional warders posted between gates shall defend the main gate, and shall fire upon any prisoner attempting to force the gates after first warning him that he will be fired upon unless he desists.

590. *Disturbance, within wards.*—If the disturbance occurs within wards, as at night, the available force shall enter the Jail under arms as directed in Rule 586 and shall proceed at the double to the yard gate whence a party armed with batons or lathies shall be detached to enter the ward and quell the disturbance, the remaining force remaining at the yard gate.

591. *Treatment of extramural gongs.*—Gongs which are outside the Jail 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.

592. *Alarm parade.*—It is of importance that if an out-break occurs, every man should know precisely what he has to do and with this object an alarm parade should be held once in two months or oftener in Jail, 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 will be held to be taking part in the disturbance and will be liable to be fired on. The Superintendent shall record in his journal the fact of alarm parade having been held and whether the rehearsal was satisfactory.

*In cases of out-break, the Reserve Police Guard of the Jail is to be under the order of the Superintendent of jail.

CHAPTER XXXVII

ACCIDENTS AND SUICIDES

*593. *Procedure when unnatural death occurs.*—Whenever a sudden or violent death or a death from suicide has taken place in the Jail, 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 these officers.

(2) Should it be uncertain that death has occurred measures shall be at once taken to restore animation, and for this purpose the body may be removed, immediately on its recovery, from the position in which it was found.

594. *Intimation to inquiring Magistrates and Police Officers.*—(1) On the occurrence of a sudden or violent death or a death from suicide or whenever there is any doubt or complaint or question concerning the cause of death of any prisoner, a report shall forth-with be sent to—

(a) the nearest Magistrate, empowered under Section 174 of the Code of Criminal Procedure to hold inquests,

(b) the officer in charge of the nearest Police Station who is required to make a preliminary investigation.

(2) The body of the deceased prisoner shall be kept for the inspection and orders the officer holding the inquest. No Jail Officer shall be a member of a Panchayat formed to express an opinion as to the cause of death of any prisoner.

595. *Report by Superintendent.*—In the case of every death from other than natural causes a post-mortem examination of the body shall be made by the Medical Officer and a full report on the whole circumstances of the death shall be made by the Superintendent without delay to the Inspector General of Prisons. With this report shall be submitted the reports made by the Police and Magistrates, the nominal roll, copies of judgments, the reports required by Section 15 of the Travancore-Cochin Prisons Act XVIII of 1950 and Central Prisons Act IX of 1894 and the deposition of witnesses.

**Note.*—In the case of a prisoner found suspended, and if there is reason to suppose that life is not extinct or the point is doubtful, the body shall be at once raised to relieve pressure, pending the cutting or untying of the rope and laid gently on the ground all measures should be taken to restore consciousness without waiting for assistance which however should be called without delay.

596. *Custody of articles facilitating suicide*.—Knives and tools used in worksheds and barber's or tailor's implements shall be counted over and locked 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 jail.

597. *Custody of poisons*.—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 drugs. All such drugs shall be kept under lock and key, and the key shall not be entrusted to a prisoner.

598. *Precaution against drawing*.—A strong rope and grappling iron shall be kept in the guard room of the Jail to be at hand in case of accident in connection with the wells.

599. *The prevention of fires*.—The following directions for the prevention and supersession of fires in the jail 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 Storekeeper shall go round the office and store-room, respectively before they are closed for the night and shall satisfy themselves that everything is safe.

(3) Fires shall only be used in the workshops in properly constructed fire places. and the senior officer who locks up the Jail shall satisfy himself before leaving, that those fires are extinguished.

(4) A supply of water shall be kept available in bathing trough or otherwise for the extinction of fire and supply of buckets shall be maintained.

(5) In the event of fire breaking out in the jail by day or night, the alarm shall be given in the manner, prescribed in Rule 585.

(6) The Superintendent shall draw up instructions adopted to the Jail showing precisely the respective duties of all members of the Jail establishment on alarm of fire being given and he shall occasionally practice the staff in the fire drill thus laid down.

CHAPTER XXX VII

MEDICAL ADMINISTRATION AND HOSPITAL MANAGEMENT

600. *Examination of prisoners complaining of illness*.—Every prisoner complaining of illness or appearing to be ill shall be sent to the Hospital for immediate examination by the Prison Medical Officer.

601. *Medical treatment of sick prisoners.*—(1) Every prisoner suffering from any active disease shall be brought under Medical treatment either as an out-patient or an in-patient, and his name shall be recorded in the appropriate register.

*(2) Prisoners may also be allowed Ayurvedic or Homoeopathic treatment in consultation with the Prison Medical Officer. A prisoner will not be allowed to have more than one system of treatment the same time. The medicines prescribed by the Ayurvedic or Homeopathic Physician shall be supplied from the Dispensary/Hospital from which such physicians are deputed for the examination of the prisoner.

(3) Government may appoint a Dental or Eye Specialist for the purpose of dental or ophthalmic examination of prisoners and may provide for such reasonable allowance Government may deem fit.

** (4) Every prisoners admitted in hospitals outside prison shall be paid dieting charges on the date as admission in the hospital at the following rates for each class namely:—

(i) "A" and "B" class prisoners and special class prisoners Rs. 6 (rupees six only).

(ii) "C" class prisoners ordinary undertrial prisoners and civil prisoners Rs. 5 (rupees five only).

602. *Detention of a prisoner for observation.*—A prisoner may be detained under observation in Hospital for 24 hours without being brought on the 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 Hospital Roll and their treatment in the prescription book.

603. *Prison Medical Officer to supervise treatment of outpatients.*—(1) The Prison Medical Officer shall daily inspect the out-patient's register and shall order the admission to hospital of any out-patients if necessary. At least once a week the Prison Medical Officer shall examine all out-patients.

(2) Only trifling ailments shall be treated outside the hospital and the Prison 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 outpatient.

*G.O. (MS) No. 101/78/H dated 14-11-1978.

**G.O. (MS) No. 169/88/Home dated 31-12-1988.

604. *Prison Medical Officer to treat sick in Hospital.*—The treatment of the sick in hospital is the personal duty of the Prison Medical Officer and shall not in any circumstances be delegated by him to any subordinate.

605. *His daily visit.*—The Prison 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.

606. *Record of sick in Hospital.*—The number of sick in hospital shall be daily recorded in the Hospital Roll of sick (Form No. 63). Their treatment shall be recorded in the prescription book (Form No. 64) and their dietary in the bed head ticket (Form No. 66).

607. *Maintenance of case book.*—(1) In addition to the records there shall be maintained in every hospital a case book in Form No. 65 in which shall be recorded the history of every case admitted in the hospital. 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 and the practice of keeping notes to be afterwards copied into the case book is prohibited.

(2) 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 Prison Medical Officer may record that daily entries are unnecessary.

608. *Control of hospital diets.*—The dietary of prisoners in hospital is entirely under the control of the Prison Medical Officer, who may either keep the prisoner on the ordinary Jail diet of his class or may place him on one of the regular hospital dietaries or may order any modification of the Jail hospital diet, or any extras he may think necessary.

609. *Prison Medical Officer may direct prisoner to be forcibly fed during hunger strike.*—It is the duty of the Jail authorities to do what they reasonably can to keep prisoners in their charge in health and to save them from death. Where, therefore, on account of hunger strike a prisoner is likely to cause his own death, the Prison 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. Forcibly feeding should not be attended with unnecessary violence. Until the stage at which forcible feeding is necessary is reached food approved by the Prison Medical Officer shall be regularly placed at the side of the hunger striker for his consumption and shall be renewed periodically.

610. *Indent for hospital diets.*—An indent in Form No. 67 showing the number of hospital diets of each class and extra required shall be sent not later than 9a.m. daily to the Ration Officer and care shall be taken that diets and extra 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.

611. *Preparation of hospital diets*—Hospital diets requiring special preparation shall be cooked in the Hospital kitchen, and the Prison 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.

612. *Precautions regarding milk*—Special care shall be taken with such articles as are liable to be adulterated or stolen, such as milk. Fresh milk shall be used, when it can be obtained, in preference to tinned milk, it should be frequently tested to ensure that it is pure, and should not be accepted if the specific gravity is below 1025.

613. *Supply of hospital clothing and bedding*—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 sufficiently often for purposes of cleanliness and that in infective cases all clothing and bedding thoroughly disinfected.

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 thicker pattern and shall sleep on the floor.

614. *Indent for clothing and bedding*.—Clothing and bedding required for hospital use shall be reported in good time by the Prison Medical Officer to the Superintendent in Form 71 who shall include them in the general indent of prison clothing submitted for the sanction of the Inspector General of Prisons.

615. *Indent for other articles*.—For articles other than diet, clothing shall reference library of standard works on medicine and surgery and a medical Journal regularly circulated from jail to Jail for the benefit of medical subordinates.

616. *Indent for other articles*.—For articles other than diet, clothing and bedding the Prison Medical Officer shall indent by letter or by entry in his journal.

617. *Local Purchases of medicines.*—In cases of exceptional illness and in order to meet extraordinary demands the Superintendents of Jails on the recommendations of the Prison Medical Officers of Jail are authorised to purchase medicines locally at *Rs. 300 at a time provided subject an annual limit of Rs. 1000. provided that such medicines are not supplied by the Medical Store and that the officer making the purchase has budget provisions to cover the cost.

The Rule applies to a Borstal School also.

618. *Appointment of attendants selection and training of nursing orderlies.*—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 Prison Medical Officer and trained as nursing orderlies. A brief syllabus for the training to be undergone has to be drawn up as a guide to the Prison Medical Officer, who, will be responsible for conducting the course of training. The number of convicts employed as nursing orderlies shall be, ordinarily, 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 every serious cases or for bed-ridden patients. Convict nursing orderlies who perform their duties satisfactorily, shall be awarded extra remission and wages at the rate prescribed in the wage rules.

619. *Appointment of hospital menials.*—The Superintendent shall detail a sufficient number of well conducted convicts to perform the menial duties of the hospital. Such convicts shall be under the orders of the Prison Medical Officer.

620. *Bed head ticket.*—Over every occupied bed shall be placed a bed-head ticket in Form No. 66 showing the required particulars, and a temperature chart.

621. *Bathing and labour of patients.*—Prisoners who are not too ill shall be required to bathe daily at such time as the Prison Medical Officer may direct, and may be given at their option some light employment but no fixed task should be exacted.

622. *Segregation of infectious cases.*—Every case or suspected case of infectious disease shall immediately be segregated, and the strictest isolation shall be maintained until the Prison Medical Officer considers it safe to discontinue the precaution. The Prison Medical Officer shall give written instructions as to the cleansing, disinfecting or destroying of any infected clothing or bedding, and shall satisfy himself that they are carried out.

623. *Disinfection of ward.*—A ward or cell in which a case of infectious disease has occurred or been treated, shall be immediately cleansed and disinfected in accordance with the latest hygienic principles and the Prison Medical Officer is personally responsible that the disinfection is through and perfectly effective.

624. *Hospital to be clean.*—The Hospital shall be kept scrupulously clean and well ventilated. The walls of the hospital shall be scraped and white-washed once in six months, and oftener if necessary. A suitable room for operation and a dark room for eye examination should be provided in the Jail Hospital.

625. *Procedure on death of a prisoner.*—(1) In the event of the death of any prisoner, the Prison 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 Prison Medical Officer is in any 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 post-mortem examination of the body of the deceased. In the event of several deaths resulting from any prevailing epidemic a post-mortem examination shall be made in one or more cases to be selected by the Prison 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 Jail while employed on duty at or within such Jail.

(3) The record required by section 15 of the Travancore-Cochin Prisons Act and Central Prisons Act, 1894, shall be made by the Prison Medical Officer in the case book.

626. *Treatment of malingerers.*—If the Prison 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.

627. *Treatment of prisoner discharged from hospital.*—Every prisoner on discharge from hospital shall be put to labour or placed on the "invalid gang" as the Prison Medical Officer may direct.

628. *Composition of invalid gang.*—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 temporarily unfit to perform hard or medium labour are; (3) men who, though not permanently incapacitated for labour, nor 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 or malaric scorbutic gums, those found to be steadily falling in weight, and those who are anaemic.

629. *Treatment of invalid gang.*—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. 61 and no prisoner shall be placed in or discharged from this gang without the permission of the Prison Medical Officer. They shall be examined at least once a week by the Prison Medical Officer.

630. *Special dieting of prisoners not in hospital.*—The Prison 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 involve increased expenditure and is continued for more than a month, shall be reported to the Inspector General of Prisons.

631. *Vaccination of prisoners on admission.*—Every prisoner admitted to Jail shall be vaccinated on admission or as soon afterwards as possible, unless:—

(1) he shows clear evidence of being protected against small-pox either by having suffered from the disease, or by previous vaccination, or

(2) he is undergoing a sentence which will detain him in Jail for a period not exceeding one month.

The Prison Medical Officer may, at his discretion, dispense with vaccination or revaccination in any case in which he may consider it undesirable or unnecessary.

632. *Vaccination register.*—A vaccination Register in Form No. 62 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.

633. *Precautions against out-break.*—When epidemic disease is present in the vicinity of the Jail, Communication between the staff and the infected locally shall be as far as possible prevented and special care shall be taken that arrangements to meet an out-break are complete.

634. *Provision of camping ground for each jail.*—Every Jail shall have a camping ground of sufficient extent to accommodate the usual total population with guards. If any change in the site becomes necessary, a special report regarding the matter shall at once be made to the Inspector-General.

635. *Selection of camping shed.*—The camping ground shall be selected so as to comply as far as possible with the following conditions; its exact accommodation shall be ascertained by measurements and in making the selection special attention shall be paid to its state during the rains:—

- (a) It should be easy of access and should not usually be more than five miles from the Jail;
- (b) It should not be on any main road or very near any town;
- (c) The ground should be high and well drained;
- (d) There should be a good supply of drinking water;
- (e) There should be no rank of vegetation, and thick tops of trees should be avoided.

636. *Camping ground to be ready.*—The camping ground should be ready for occupation at all times. As soon as a removal into camp becomes probable, the Superintendent and the Prison Medical Officer shall inspect the ground and satisfy themselves that it is in proper order.

637. *Removal to segregation sheds.*—Each Jail shall be provided with two permanent segregation sheds outside the Jail walls. On the occurrence of a case or suspected case of cholera or other infectious disease, the patient shall not be taken to Hospital, but shall be immediately removed to one of these sheds, while in the other sheds are orderlies, toties, etc., attending on the case shall be strictly isolated, and on no pretext allowed to enter the Jail or communicate with other prisoners until all risk of infection is over.

638. *Treatment of prisoners after contact with infection.*—All prisoners employed in cleansing a ward in which a case of suspected infectious disease has occurred or who have been in contact with the patient, shall be detained under medical observation in a separate building, in a manner that shall effectually prevent their mingling with other prisoners who have not been so employed special care being taken that they bathe, feed apart, and that their excreta are separately collected and disinfected before removal.

639. *Disposal of Jail Officers' clothing if infected.*—If there is any reason to think that the clothing of any Warder or other Jail Officer is likely to have been polluted by any cholera discharge it should be at once withdrawn from use and disinfected.

640. *Treatment of infected barracks.*—The barrack in which a case occurs shall be immediately vacated and the inmates kept together and not distributed among the other prisoners. The vacated barracks shall be thoroughly disinfected.

641. *Accommodation of patients.*—All overcrowding must be strictly avoided both in the Hospital and in every cell and ward, if the epidemic be severe it may be desirable to give up the Hospital to epidemic cases, removing all other cases to any temporary hospital that can be improvised in a ward or workshed, 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 and Jail diarrhoea have disappeared.

642. *Boiling of water.*—The drinking water shall on the recommendation of the Prison Medical Officer be thoroughly boiled. An issue of fire-wood at the rate of one lb. 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.

643. *Observation of healthy prisoners.*—The general condition of the prisoners shall be carefully watched, in order to detect incipient cases. During the night any man attacked by permonitive symptoms shall be immediately removed for treatment. Convict Officers shall be required to report at once any sign of sickness, and a prisoner visiting the latrine oftener than usual shall be placed under observation.

644. *Scrupulous care of latrines.*—Scrupulous attention shall be paid to the state of the latrines. Disinfecting agents such as perchloride of mercury lotions, shall be freely employed, and every precautions connected with "dry earth conservancy" is strictly enforced.

645. *Treatment of segregation hospital.*—The segregation hospital shall be kept scrupulously clean and the Prison Medical Officer shall be personally responsible that all sanitary arrangements in accordance with the modern teaching are strictly enforced.

646. *Disposal of dejecta.*—The dejecta shall be placed in a vessel with a close fitting cover, containing a sufficient quantity of crude carbolic acid, ferric chloride or mercuric chloride solution and shall be immediately removed and incinerated. The ashes remaining shall be buried.

647. *Attention to person of prisoners.*—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 Jail walls.

648. *Treatment of clothing and bedding.*—The clothing and bedding of the inmates of an infected ward shall be either immersed for thirty 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.

649. *Disposal of infected corpse.*—The body of person who died of an infectious disease shall be entirely wrapped in a sheet saturated with corrosive sublimate solution, 1 part to 1000 and buried with the least possible delay.

650. *Report of first occurrence.*—(1) The first occurrence of a case of Cholera shall be at once reported to the Inspector-General stating the circumstances of the case and the measures taken to arrest the progress of the disease.

(2) Every subsequent case up to the third shall likewise be reported to the Inspector-General and on the occurrence of the second case to 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 headquarters, the substance of this report shall be telegraphed.

651. *When disease should be deemed epidemic.*—If within one week after the occurrence of the first case of cholera, three or more cases occur, it should be concluded that the disease has assumed an epidemic form.

652. *Prompt removal to camp necessary.*—When Cholera has become epidemic, the immediate removal into camp of a part at least of the Jail 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 Prison 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.

653. *Use of tents.*—Tents for encampment are supplied to the more important jails. When the Superintendent has insufficient tents or none, he may apply by telegram for such tent as he may require to the nearest jail where tents are available. If tents cannot be procured without excessive delay or expense, temporary sheds should be erected.

654. *Sleeping arrangements in camp.*—When in camp, cots for the sick, and dry straw for other prisoners to sleep on should be provided.

55. *Precautions against fire.*—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. The measures to be taken of the occurrence of fire shall, be prearranged and all the staff drilled and instructed in them.

56. *Hospitals in camp.*—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 some distance from the camp.

57. *Conservancy in camp.*—Careful attention should be paid to the conservancy of the camp; and trenches should be dug to which prisoners and staff should be made to resort for the purpose of nature. Excreta shall be covered over with earth immediately.

58. *Transfer of camp to another site.*—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.

59. *Entry of camp prohibited.*—Only Jail 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 61 cm. deep and 46 cm. wide, the earth removed being banked on the outside.

60. *Rules generally applicable to epidemics.*—The above instructions relate especially to the treatment of cholera, but are also applicable to other outbreaks of epidemic disease 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 out-breaks of typhoid fever the changing of the water supply is of the first importance.

61. *Daily return during epidemic.*—Whenever epidemic sickness prevails in a jail, a daily return in Form No. 86 shall be furnished to the Inspector-General. In this return the Prison 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 Health Services.

IC H A P T E R X X X I X

S A N I T A T I O N

62. *Capacity of ward to be inscribed near door.*—Near the door of every ward shall be recorded the number cubic and superficial metre which it contains and the number of prisoners which it is capable of accommodating. No prisoner in excess of the accommodation thus fixed shall be confined in any ward.

663. *Minimum allowance of superficial and cubic area in wards.*—(1) Every prisoner in a ward shall be allowed not less than 3.72 sq. metre of ground space and 17 cubic metre of breathing space.

(2) The height of the walls of a ward shall not be less than 3.96 m. and in computing the cubic capacity, the height to be taken into account shall not exceed 4.27 m. from the floor.

*664. *Minimum dimensions of a cell.*—The dimensions of every cell built in future shall be 3.66 m. \times 2.44 m. and 3.96 high. It shall be ventilated by an iron grated door in front 9.68 m. \times 0.76 m. and by two windows 1.22 m. \times 0.61 m. one being placed above the door and the other on a level with it on the back wall. There shall also be a recess for night urinals.

665. *Accommodation in hospital.*—The minimum floor area and cubic space which shall be allowed for each patient in hospital is 5.02 sq. mt. and 22.64 cubic metre respectively.

666. *Responsibility for preventing overcrowding.*—The Superintendent and the Medical Officer shall be respectively responsible that no prisoners in excess of the authorised accommodation are confined in any ward or in hospital. The lock-up regist (Form No. 14) 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.

667. *Measures to relieve overcrowding.*—As soon as any number of prisoners in excess of the available accommodation is received in the Jail or hospital, the Superintendent shall submit an immediate report to the Inspector-General with a statement of the measures which he proposes to relieve the overcrowding and such temporary arrangements as he thinks best shall be at once adopted for this purpose.

668. *Location of prisoners in sheds or tents.*—Prisoners in excess of the accommodation shall not, except as a temporary measure, be placed in worksheds or varandhas, but shall be located in sheds or tents inside or outside the Jail.

669. *Ventilation of wards.*—The Superintendent and the Medical Officer shall pay special attention to the ventilation of the sleeping wards. In all cases care shall be taken that there is sufficient lateral, as well as roof ventilation. As the condition of the atmosphere breathed by prisoners can only be judged by visiting the sleeping wards several hours after the inmates have been locked-up, the Superintendent and the Medical Officer shall at all seasons and at uncertain intervals visit the jail at night to satisfy themselves

* *Note.*—For the purposes of these rules a cell means any compartments intended to accommodate a single prisoner only, while a ward means a compartment for the accommodation of more than one prisoner.

that the ventilating arrangements are adequate, and that the prisoners have not obstructed the means of ventilation with a view to warmth. The results of these visits shall be recorded in their respective journals.

670. *Walls to be colour-washed or white washed.*—The exterior of jail 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 3.05 m. from the ground, twice a year.

671. *Names of blocks to be shown.*—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

672. *Responsibility of all officers.*—It is the duty of all jail officers to pay special attention to conservancy, and official and non-official visitors are expected to satisfy themselves that it is properly carried out.

673. *Jail area to be kept clean.*—The Jail 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 Jail.

674. *Prohibition of cesspools and drains.*—Cesspools and drains for sewage are prohibited in or near the jail.

675. *Precautions against Malaria.*—All low, hollow ground and especially stagnant pools, near the Jail shall be filled up. The drainage of the ground round about the Jail shall be carefully attended to, and where necessary drainage cuts shall be made, with a view to prevent accumulation of water.

676. *Medical Officer to approve drainage.*—The Medical Officer shall bring to notice any defects in the drainage within or about the Jail and his note doing so will be considered proof of his being satisfied with it.

677. *Injurious conditions in neighbourhood.*—If anything that might injuriously affect the health of the Jail occurs or is about to occur in its neighbourhood, it shall be reported to the Inspector General. The location of cremation grounds, the construction of public latrines, sewage drains or the like near the Jail is objectionable, and measures should be taken to prevent them.

678. *Construction and use of latrines.*—(1) The dry earth system of conservancy shall ordinarily be adopted.

(2) Covered latrines on the dry earth system, with partitions dividing the seats, shall where practicable, be provided in each enclosure of the Jail. The floor when not of stone or cement shall be of rammed earth, on which three or four inches of loose soil shall be spread. This loose soil shall consist of single blocks of stone.

(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 scoopedful of it. No water shall be allowed inside a latrine, but water for personal ablution and place for washing shall be provided outside.

(4) Provision shall be made for a sufficient supply of dry 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 purpose.

679. *Cleansing of latrines.*—The latrine shall be thoroughly cleansed morning and evening and, if necessary, 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 Jail by means of an ejector and not through the main gate. Sweeping and cook house refuse shall be disposed of separately from night-soil.

*680. *Sanitation in wards and cells.*—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.

681. *Disposal of night-soil and urine.*—When sufficient land exists the night-soil shall be buried in trenches 46cm. deep 61 cm. 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 cm. 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 23Mts. deep 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 ploughed out before hand.

* *Note.*—For particulars as to the removal cleansing and replacing of receptacle See rules 250 and 271.

682. *Disposal of urine in garden.*—Urine when not trenched in the manner described in the preceding 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.

683. *Precautions against polluting water supply.*—Care shall be taken that night-soil and urine are not applied where they can be a danger to 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

684. *Selection of sources of water supply.*—The sources from which the drinking water is derived shall be carefully selected and protected from pollution. In selecting sources of supply of 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.

685. *Wells to be protected.*—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 split water and the well shall be lined to a sufficient depth to render to the tube impermeable.

686. *Wells to be periodically cleaned.*—Every well shall be cleaned out once a year and the date on which this is done shall be recorded.

687. *Depth of water to be tested.*—Once a week the depth of water in each drinking water well shall be tested and record of the results maintained.

688. *Filteration of water.*—Water intended for drinking may be filtered or not, according as the Inspector-General, on the advice of medical and sanitary authorities, may direct.

689. *Boiling of water.*—If it become 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 superintend the boiling.

690. *Distribution of water.*—The cleanly distribution of water is of paramount importance. Buckets used for drawing water for domestic purposes shall be used for no other purposes, and water vessels shall be replaced on becoming old or impure. Barrels, tanks and reservoirs shall be frequently

cleaned out, and the water drawn by means of a tap, and not ladled out at the top. Every water storage receptacle shall be covered in and the lid fastened down after is filled.

691. *Supply of water to prisoners.*—Suitable arrangements shall be made to supply every inmate of a ward and cell with a sufficient quantity of fresh drinking water in closed vessels.

692. *Analysis of water.*—(1) Samples of water in use shall ordinarily be sent to the Chemical Examiner for analysis, twice yearly.

(2) In the event of an out-break of epidemic in the Jail which there is reason to believe might 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, the Superintendent shall send samples for analysis immediately.

693. *Disinfection of wells.*—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 at intervals of three days with permanganate of potash.

IV. BURIAL OF THE DEAD

694. *Particulars of next of kin if prisoners.*—When a prisoner is admitted in the Jail, full particulars of his next of kins shall be recorded.

695. *Disposal of corpses.*—(1) The body of any prisoner who has (a) died in jail the cause of death not being disease of an infectious character, or

(b) been executed in Jail, 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;

*(c) Subject to the conditions mentioned in clauses (a) and (b) above, in case the next of kins of the prisoner express as his inability to meet the cost, on account of the transport of the dead body and make a written request to transport the dead body at Government cost, the Superintendent of the prison concerned may, in deserving cases, at his discretion, arrange for the transport of the dead body to the place of residence of the prisoner before his admission to the jail or to that of the applicant, as the case may be, at Government cost at the rate of †Rs. 3 per kilometre subject to a maximum of of Rs. 750 in each case.

*G. O. Ms. 231/86 H dated 28-10-1986.

† G. O. Ms 140/92 Home dated 24-7-1992.

(2) The body of an Indian prisoner not made over to friends or relatives under clause (1) shall be given such burial as is consistent with the religion to which he belongs.

(3) The body of a deceased European or Eurasian prisoner shall be enclosed in a plain wooden coffin and buried in the cemetery of the persuasion to which he belongs.

696. *Burial ground.*—(1) There shall be an enclosed burial ground attached to every Jail to be used only for the burial of prisoners.

(2) The sites selected for the burial ground shall not be in the immediate vicinity of any city, town or of the Jail 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 at least 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 economise 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 cemetery.

(4) No grave shall be less than 1.83 metre 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 one foot 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 XL

JAIL GARDENS AND FARM

697. *Garden to supply vegetables.*—The vegetables required for prisoners' consumption shall, as far as possible, be grown in the Jail garden, and the Jailer or the Deputy Jailer, or Assistant Jailer if he is in charge of the garden, shall be responsible that this is done.

698. *Cultivation of garden.*—The Jail 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.

699. *Charge of garden.*—All officer not below the rank of a Head Warder who understands gardening or an Agricultural Demonstrator specially appointed for the purpose should be in immediate charge of the garden.

700. *Water supply to garden.*—All available sources of water supply in Jail 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.

701. *Utilisation of all Jail lands.*—Those portions of the Jail lands which are not in use as a garden shall be utilised for the growth of grain grass, or fuel. No Jail land should be left unutilised unless it is incapable of being turned to any account.

702. *Dairy.*—A sufficient number of cows may be maintained to supply whatever milk is needed in the Jail, provided that it is economical to do so, and that sanitary requirements can be complied with.

*703. *Debit of expenditure.*—Expenditure on the garden and dairy farm shall be debited to garden charges. All supplies from the garden and dairy farm shall be debited to dietary and Hospital charges, respectively and credited under "Miscellaneous receipts".

*CHAPTER XLI

METHOD OF PROCURING RATION

704. *Ration required for Jail to be raised on Jail ground.*—As far as possible the rations required for prisoners shall be raised on Jail ground and prepared by Jail labour.

705. *Method of procuring ration from outside.*—(1) Rations may be brought either by the Auction System, by tenders in writing called for by public advertisement or otherwise.

(2) Whenever practicable and advantageous contracts should be placed only after tenders have been openly invited and in cases where the lowest tender is not accepted, reasons should be recorded.

(3) In selecting the tender to be accepted the financial status of the individuals and firms tendering must be taken into consideration in addition to all other relevant factors.

(4) Even in cases where a formal written contract is not made, no order for supplies etc; should be placed without at least a written agreement as to price.

(5) The contractor shall be required to deposit a sum of money equal to 5 per cent of the total value of the contract as security for its due fulfilment.

(6) The security amount shall be deposited in such manner as the Inspector-General of Prisons may direct.

**Note.*—All Jail Officers are liable, in view of Rules 26 and 72 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.

706. *Notice inviting tenders for dietary articles.*—In the month of February, notice will be published in the Government Gazette inviting tenders for the supply of articles of diet required for the Prison for the ensuing financial year.

707. *Recommendation of tenders.*—The tenders will be opened by the Inspector-General of Prisons or by any other officer authorised by him in this behalf on the day fixed in the notice and the tenders chosen will be recommended to Government for acceptance.

708. *Acceptance of tenders and execution of agreement therefor.*—Those whose tenders are accepted shall be notified of the acceptance and they shall within 10 days of the notice of acceptance of the tender make the required deposit and execute an agreement binding themselves to fulfil the terms of the contract.

709. *Procedure on contractor's default.*—In the event of the contractor failing to fulfil any part of the agreement and it becoming necessary to purchase the articles in the open market at the contractor's risk, his deposit may be forfeited.

710. *Resale of contract on his responsibility.*—It is further open to Inspector-General of Prisons to cancel the whole of the unfulfilled portion of the contract and hold the defaulter responsible for any losses which may arise from a resale of contract either by public auction or private arrangement at the discretion of the Inspector-General of Prisons. The defaulting contractor will not, however, be entitled to any profits arising from such resale.

CHAPTER XLII CIVIL PRISONERS

711. *Application of Rules for civil prisoners.*—No civil prisoner shall be required to labour against his will, and nothing in Chapter XXII applies to such prisoners. The provisions of Chapter XX and XXI do not refer to any civil prisoner who is able to supply his food, clothing and bedding and such of the provisions of Chapter XVI as are incompatible with exemption from labour and prison clothing are similarly inapplicable. With these exceptions, all the foregoing Rules apply to civil prisoners.

712. *Clothing to be clean.*—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 Jail or used until it is, in his opinion, clean.

713. *Scale of clothing supplied by Jail.*—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 the decree-holder shall within seven days after the receipt by him of a demand in writing served through the Court under whose warrant he is detained, pay the Superintendent the cost of clothing and bedding so supplied to the prisoner, and in default of such payment the prisoner may be released and the cost debited to contingencies "Clothing and Bedding of Prisoners".

714. *Disposal of clothing supplied by decree holder.*—The articles, of clothing and bedding supplied for the use of a civil prisoner, at the cost of the decree-holder shall be given to the prisoner on release.

715. *Bathing of civil prisoners.*—Civil prisoners shall be required to bathe at such times as the Superintendent may fix.

716. *Restrictions on supply of food from outside.*—The supply of food to civil prisoners from outside the Jail shall be subject to the following restrictions:—

1. It shall be admitted only between such hours as the Superintendent may prescribe;

2. It shall be examined by the Jailer, or such other Jail officer as the Superintendent may direct, before it is introduced into the Jail.

3. It shall be subject to such restrictions for the prevention of undue luxury as the Superintendent may impose;

4. Cooked food shall only be allowed in such cases as the Superintendent having regard to the former habits or special position of the prisoner may specially authorise;

5. 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.

717. *Supply of food on medical ground.*—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 Jail.

718. *Supply of food by Jail.*—If any civil prisoner is unable to provide his own food, he shall receive food in accordance with the scale laid down for criminal prisoners undergoing simple imprisonment and the cost of any food so supplied or of food supplied to a civil prisoner whose subsistence allowance has not been paid and who is detained over a Sunday or other holiday 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 cooking, eating and drinking vessels.

719. *Donations to civil prisoner.*—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 the specific conditions or directions imposed by the donors shall be observed, if not contrary to Jail rule; and that article liable to damage by keeping shall be distributed as soon as possible after receipt.

720. *Use of Books by Civil prisoners.*—Civil prisoners shall be allowed the use of books in the Jail Library and to provide at their own cost such books and news papers or to engage in such harmless indoor games or other means of occupation as the Superintendent considers unobjectionable.

721. *Release on grounds of illness.*—In accordance with Section 59 (3) of the Code of Civil Procedure a civil debtor may be released from jail;

(a) By 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 rearrested 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 Government or the court under the preceding rule, the Superintendent shall without delay forward direct to Government 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 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 or infectious disease be segregated inside the Jail and if the means of segregation within the Jail are not available or the disease is of a particularly infectious character he shall be provided with accommodation outside the Jail 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 the Superintendent may in anticipation of the sanction of the civil Court remove civil prisoners to outside hospital for treatment. Temporary establishments as indicated in sub-rule 3 may be provided for the safe custody of the prisoner, 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.

722. *Detention dependent on payment of subsistence allowance and cost of return journey home.*—No civil debtor shall be received into a jail 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 committal, has been made, and no civil debtor shall be determined when the time limited for any subsequent payment lapses without its being duly made.

723. *Release of civil prisoners transferred from which Jail to be effected.*—If for the sake of convenience a civil prisoner is after commitment to the Civil Jail transferred from that Jail to another, he should be released direct from the Jail 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 utilised and the balance if any met by Government. The escort of the civil debtor from the one jail to another should be carried out by the regular warder establishment.

724. *Scales of subsistence allowance.*—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. When no scales of monthly allowances have been fixed by Government such allowance shall be fixed by the Court subject to a minimum of Rs. 1.50 per diem.

On medical or other special grounds to be recorded in each case, the Court may order such increased allowance 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.

725. *Payment of first instalment.*—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 prisoner is committed to Jail. The payment shall be made to the proper officer of committing Court and will be transmitted to the Superintendent.

726. *Subsequent payment.*—Subsequent payments of the monthly subsistence allowance shall be paid to the Superintendent by the detaining creditor by monthly payments in advance before the first day of each month and each payments in advance before the first day of the ensuing month or for as many days less than a month as the Civil prisoner may have to be detained to complete the full period of his imprisonment. Payment by instalment shall not be permitted.

727. *Latest date for Payment.*—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 shall not be received until the next working day, except the money tendered as subsistence allowance when the Civil debtor is produced and received into the Jail on the last day of the month.

*728. A judgement debtor detained under section 58 of the code of civil procedure shall be immediately discharged from jail 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 not to release judgement debtors on an order of a court after lock-up on any day and provided that in the case of subsistence allowance paid by the detaining creditor becoming exhausted any day and not being renewed or the time of detention being fulfilled the debtor shall be released on the forenoon of the following day irrespective of the fact whether that day happens to be a working day or not.

729. *Disposal of subsistence allowance*—Each payment of subsistence allowance shall be entered in the Civil Prisoner's Register (Form No.9) together with the date of receipt. If the civil prisoner supplies his own food the amount of the subsistence allowance shall be made over to such persons outside the Jail as he may indicate in other cases the allowance shall be paid in daily instalments to the civil prisoner who will arrange with a Jail officer, deputed for the purpose, to purchase therewith such articles or raw rations etc, as he may require.

730. *Release on non-payment of allowance*.—In case of non-payment of the monthly subsistence allowance in the prescribed manner, the civil prisoner 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 prisoner's register by checking those entries with the entries relating to Civil Prisoner's 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 prisoner.

731. *Disposal of money on debtor's release*.—If on the discharge of a civil prisoner, any unexpended portion of the money sent by the committing court or deposited by the parties for the subsistence (including bedding or clothing charges if any of the civil prisoner, remains in the hands of the Superintendent, he shall remit it to the Committing Court.

732. *Duty of escorting civil debtors*.—The duty of escorting civil prisoner who are judgement debtors to or from any civil court belongs to the Nazaret establishment.

* Substituted by G O (Ms) 56/65/Home dated 8-2-1965

CHAPTER XLIII

UNDERTRIAL PRISONERS

733. *Treatment of approvers.*—When an undertrial prisoner has been admitted by the Court as an approver, he shall be kept separate at all times from and shall be prevented from communicating with, other prisoners concerned in the same case. When an approver is detained in custody under Section 230 of the Criminal Procedure Code pending the termination of the trial in which he is concerned by the court of the Session or High Court, the Jailer shall be responsible that the prisoner is not over detained.

734. *Classifications.*—Undertrial prisoners shall be of two classes viz; special and ordinary, according to the classification made by the Court subject to the approval of the District Magistrate. The former class are those who by social status, education and habit of life have been accustomed to a superior mode of living.

*734-A. (1) Notwithstanding anything contained in rule 734, the Government may under special circumstances and for political reasons classify an undertrial prisoner as an "undertrial special class prisoner".

(2) An undertrial special class prisoner shall, so far as the scale of diet is concerned be governed by rule 340-A and so far as clothing and bedding are concerned by rule 363-A:

Provided that he shall also be entitled to obtain food, tobacco and toilet articles as specified in rule 736 and other facilities mentioned in rules 738, 739 and 741 to 751.

735. *Providing of labour.*—All able bodies undertrial prisoners shall be provided with some items of unskilled labour like gardening, coir making, spinning, tape making, cover pasting etc. An undertrial prisoner shall be treated on a par with the other convicted prisoners in the matter of payment of remuneration for work done by them. Vide G.O. (MS) 88/85/Home dated 22-4-1985.

736. *Application of other Rules.*—The provision of Rule 711 apply to unconvicted criminal prisoners equally with civil prisoners except that the former are not exempt from handcuffs, or fetters.

*The diet for ordinary undertrial prisoners shall be in accordance with the scale prescribed for C Class non-labouring convicts. The special class and ordinary undertrial prisoners shall be allowed to purchase or receive from private sources, food clothing and bedding and other necessaries and to supplement at their own expense the jail supply of diet applicable to each class

* Substituted by G.O. (MS) 172/69/Home dated 30-5-1965.

Where undertrial prisoners are inadequately clad or are unable to obtain clothing from outside, suitable clothing other than prison dress shall be provided by the Jail. They may be allowed the use of tobacco in responsible 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 Jailer, and supplies from private sources shall be subject to the restrictions imposed by clauses 1 to 5 of Rule 716.

Undertrial prisoners may also be allowed to obtain oil for toilet purposes at their own cost subject to the condition that the concession is not abused and that the oil is received only at the particular hour prescribed by the Superintendent.

737. *Convict Officers not to guard undertrial prisoners.*—The rules relating to the guarding of prisoners by convict officers shall not apply to undertrial prisoners.

738. *Hair cutting.*—(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 recognise 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 Jail or when sent to Court for trial. They may also be permitted to wear shoes. When the Medical Officer deems it necessary on the ground of dirt on 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 have been more than a month in Jail, may, if he so desires it, have his hair or beard suitably cut. He may also be shaved provided it doesnot so alter his appearance as to make identification difficult.

739. *Use of books.*—They shall be allowed the use of such books as are in the Library. They shall also be allowed to provide, at their own cost, such books as the Superintendent may approve.

Undertrial prisoners shall further be permitted, if they desire, to purchase at their own cost newspapers, magazines and periodicals approved by the Superintendent. Books (other than those from Jail library), newspapers, magazines and periodicals shall, if considered necessary, be censored by the Superintendent before issue.

*In approving books, newspapers, magazines and periodicals under this rule, the Superintendent shall satisfy himself that the Prisoners receive only such books, newspapers, Magazines and periodicals as are not (a) prescribed by the Government or (b) considered by the Government as not permissible.

* Inserted by Notification No. 32/72\Home dated 14-3-1972.

740. *Other Privileges.*—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. Provided that the sub-rule (8) of rule 758 shall not apply to undertrial Prisoners of special class.

741. *General discipline.*—Undertrial prisoners shall not be subjected to more restraint than is necessary for their safe custody, the maintenance of discipline and the enforcement of Jail 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.

742. *Classification and segregation of undertrial prisoners.*—As far as possible, undertrial prisoners shall be confined each in a separate cell. The undertrial yard shall also be divided, if possible, into separate divisions, so that prisoners who have been in Jail before, shall be separated from those committed for the first time, adolescents from adult offenders, and special class from the ordinary class.

743. *Cleansing of apartments and bedding.*—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 those duties and other necessary purposes, convicts may be admitted to the undertrial yard in charge of a jail official who shall prevent any communication between the convicted and the undertrial prisoners.

744. *Production before Court.*—(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 provisions of the necessary escort. When possible a prisoner shall be conveyed to and from the Court in a special conveyance.

(3) A receipt in Form No. 92-A 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 preceding clauses of this rule, till he is returned to the Jail 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 prisoner has to be brought back to the Jail 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. 92-B substituted.

(6) When women undertrial prisoners are taken from Courts to Jails or vice versa, they shall be provided with conveyances where the distance to be traversed by them exceeds one mile. 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 hardships to them.

745. *Roll to accompany prisoners.*—When undertrial prisoners are sent to a Court for trial, 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 a prisoner is acquitted after trial by a Sessions Court, it is not necessary that formal warrant of release should be sent to the Superintendent. The expenditure incurred in the conveyance of such prisoners to and from the Courts, etc., is debitable to charges miscellaneous.

746. *Procedure when undertrial prisoners are unduly detained.*—Whenever undertrial prisoners are unduly detained in a Jail the Superintendent shall address to 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 prisoner 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.

747. *Food arrangement during trial.*—When an undertrial prisoner detained in a Jail 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.

748. *Release on bail.*—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.

749. *Superintendent to report if prisoner is seriously ill.*—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.

The Superintendent may transfer any such undertrial prisoner to a hospital outside the Jail 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.

750. *Visitors.*—(1) Prisoners undertrial shall be given all reasonable facilities for communicating with their legal advisors and so far as is consistent with the interest of justice such prisoners shall be allowed to see their duly qualified legal advisors at such time and place as the Superintendent may appoint, without the presence of any other person.

(2) An undertrial prisoner who is detained in default of bail shall be permitted to see his friends on any week day at any reasonable hour for the purpose of providing bail.

(3) Except as provided in the two preceding paragraphs undertrial prisoners shall not be permitted to see their friends oftener than once a week, except for some special reasons which should be recorded by the Superintendent in his journal.

751. *Facilities letter for writing.*—Paper and writing materials to a reasonable extent shall, if required, be supplied to any undertrial prisoner for the purpose of communicating with friends or of preparing a defence. Any bona fide confidential written communication prepared by instructions to his legal advisor (by which term is to be understood a legal practitioner) may be delivered personally to him or to his authorised clerk without being previously examined but no other written communication shall be sent out of the Jail without being previously inspected by the Superintendent.

CHAPTER XLIV

PRISONERS SENTENCED TO FINE

752. *Payment of fines to Jail.*—The Superintendent and Jailer are authorised to receive fines at the Jail 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 Jail 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.

The Superintendent or in his absence the officer-in-charge shall release a prisoner immediately on receiving payment of fine in full at the Jail or on an intimation to that effect received from the committing court, if the prisoner is not required to be detained in respect of any other sentence pending execution or case pending trial.

753. *Liability of prisoners to payment.*—An offender who has in default of payment of fine, is still liable to have the fine undergone the full term of imprisonment to which he was sentenced levied by distress and sale. The Superintendent should therefore accept the whole fine, if tendered even though a part of the alternative imprisonment has been undergone.

754. *Intimation of payment of fine.*—Every Court receiving payment of a fine in whole or in part will communicate the fact to the Superintendent of the Jail to which it committed the convict. Such communication shall be by letter, and action shall not be taken on telegram. If the convict has been transferred elsewhere the Superintendent shall forward such intimation to the Jail 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 realising the fine will give intimation to the Jail concerned.

755. *Prisoner to be informed.*—When payment or intimation of payment of fine in part or in whole is received, the prisoner concerned shall be informed.

CHAPTER XLV

CLASSES OF CONVICTED PRISONERS AND THEIR TREATMENT

*756. *Class A.*—Convicted prisoners shall be divided into A class, B class, Convict Special Class and C class:

Provided that a prisoner who is an M. P. or M. L. A. shall be eligible for Class "A" if he has not been convicted of any of the offences mentioned in item 3.

(i) Prisoners will be eligible for Class A, if—

1. They are non-habitual prisoners of good character.

†Provided that a prisoner who is a Member of Parliament or a member of the State Legislature shall be eligible for class 'A' if he has not been convicted of any of the offences mentioned in item 3, member of the State Legislature shall be eligible for class 'A' if he has not been convicted of any of the offences mentioned in item 3.

* G.O. Ms. 172/69/Home dated 31st May 1969 of Home (B) Department.

† G.O. Ms. No. 342/61/Home dated 23rd June 1961.

2. They by social status, education and habit of life have been accustomed to a superior mode of living, and

3. 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 explosive, 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 under these sub-clauses.

(ii) *Class B.*—Prisoners will be eligible for class 'B' who by social status, education or habit of life have been accustomed, to a superior mode of living. Habitual prisoners may at the discretion of the classifying authority be included under this class on grounds of character and antecedents.

(iii) *Class C.*—Class C will consist of prisoners who are not classified in classes A and B.

(2) Notwithstanding anything contained in sub-rule (i) any person convicted of an offence involving gross indecency or exhibiting gross depravity of character may not be placed in either class A or B.

757. *Classifying authority.*—The High Court, Session Judges, District Magistrate and Magistrates of the First Class through the District Magistrate should make the initial recommendation for classification in Class A or B to the Government by whom these recommendations should be confirmed or reviewed.

Prisoners recommended by Courts for classification in Class 'A' or 'B' shall be tentatively treated as belonging to the classes recommended till the orders of Government confirming or reviewing the recommendations are received.

*757A. (1) Notwithstanding anything contained in rule 756 or 757 the Government may under special circumstances and for political reasons classify any convicted prisoner as A class, B class or Convict Special Class Prisoner.

(2) A convict special class prisoner shall, so far as diet is concerned be governed by rule 340 A and so far as clothing and bedding are concerned be governed by rule 363 A. He shall also be entitled to the facilities mentioned in sub-rules (4) and (5) of 759 and rules, 760, 761 and 762 of the rules

758. *Treatment of 'A' Class Prisoners.*—(1) Separation from other prisoners—Prisoners of A Class shall be kept separate from classes B and C. Except when this is imposed as a Jail 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 rule 341 but shall be allowed additional food at their own expense brought in from outside the Jail and subject to medical advice. The food so imported should be of a simple character and the concessions 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 Jail.

(3) *Clothing.*—They shall be allowed to wear their own clothing, but this concession should not cover the wearing of political symbols. Clothing supplied at Government expense shall be the Jail clothing issued to B Class prisoners.

(4) *Bedding.*—Prisoners shall be allowed to use their own bed and bedding subject to medical advice and having regard to the accommodation available. Bedding supplied at Government expense shall be that prescribed for B Class prisoners.

(5) *Facilities for reading books and newspapers.*—Literate prisoners may be allowed to read books or periodicals in the Jail Library. Suitable books and magazines may be permitted at the cost of the prisoners subject to the approval of the Jail Superintendent. Newspapers may be allowed in special circumstances and with the approval of the Government. Newspapers and magazines shall be censored by the Superintendent before they are delivered to prisoners.

*In approving books, newspapers, magazines and periodicals under this rule, the Superintendent shall satisfy himself that the prisoners receive only such books, newspapers, magazines and periodicals as are not (a) prescribed by the Government or (b) considered by the Government as not permissible.

* (6) *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 Jail administration and discipline, to other prisoners or to politics.

Interviews shall be permitted once a week. The conversation should be limited to private and domestic matters and the discussion of political questions shall not be allowed. 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.

(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 prisoners.

(8) *Furniture.*—Articles of furniture of the following description shall be supplied to prisoners free of cost.

1 cot

1 table

1 chair

1 commode with pan and chamber pot.

(9) *Private cooking and eating vessels.*—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 Jail.

(10) *Handcuffing or fetters.*—Prisoners shall not be handcuffed or fettered except when, if this were not done, there would be danger of the prisoner's escape or an attack being made on the Jail staff.

(11) In other respects prisoner's of this class should be treated in the same way as ordinary prisoners subject to the Prison Rules.

* *Note:*—A letter with reply may be substituted for an interview, with the permission of the Superintendent or vice versa.

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759. *Treatment of 'B' class prisoners.*—(1) Accommodation—Separate cellular accommodation shall be provided for B class prisoners apart from A 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.

(2) *Diet.*—They shall be given the diet prescribed for this class under Rule 340.

(3) *Clothing and Bedding.*—They shall be given the clothing and bedding prescribed under Rules 362 and 363.

* (4) *Letters and interviews.*—Prisoners shall be allowed to write and receive one letter a fort night, but on urgent occasions, e.g. 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 Jail administration and discipline to other prisoners or to politics.

Interviews shall be permitted once a week. The conversation shall be limited to private and domestic matters and the discussion of political questions shall not be allowed. 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 due to any act or omission on the part of the prisoner.

(5) The provisions of clauses (5), (7), (10) and (11) of Rule 758 are also applicable to this class of prisoners.

760. *Duties and privileges of A and B class prisoners.*—A and B class prisoners shall keep their cells, utensils, clothing and bedding, clean neatly arranged. They shall also be required to take their food in their own cells. The sweeping or washing down of their cells shall be done by the Jail, sanitary or sweeping gangs.

All male A and B class prisoners shall be allowed the use of looking glass, one in each cell and one or two in each ward.

"A" class prisoners shall be allowed to use mosquito nets purchased at their cost. "B" class prisoners may also be allowed to use their own nets subject to medical advice provided that accommodation is available for keeping costs.

* *Notes*—A letter with reply may be substituted for an interview, with the permission of the superintendent or vice versa

761. *A and B class prisoners to be allowed to exercise in open air.*—Every prisoner placed in class A or B who is required to work in his cell shall be allowed such exercise daily in the open air as the Medical Officer considers necessary.

762. *Copy of rules to be placed in each cell.*—A copy of the rules relating to A and B class prisoners shall be placed in each cell.

CHAPTER XLVI

PRISONERS SENTENCED TO SIMPLE IMPRISONMENT

*763. *Application of remission and labour rules.*—None of the Rules in Chapter XVIII, XIX and XXII 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 XVIII).

764. *Disciplinary restrictions.*—(1) Simple imprisonment prisoners shall clean their own wards and wash their own clothes and shall keep their clothing and bedding neatly arranged and folded. 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 Jail assigned to them, and shall not wander about the Jail, nor enter the labour yards or workshops.

765. *Exercise.*—Simple imprisonment prisoners not doing any labour 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.

766. *Hair cutting and clothing.*—Simple imprisonment prisoners shall be permitted to retain their hair as worn on admission and it shall not be cut closer than is necessary for the purpose of health and cleanliness. They shall be allowed to wear their own clothing which if insufficient may be supplemented by Jail clothing.

767. *Application of other rules.*—In other respects, the Rules herein contained apply to prisoners of this class, but they should as far as possible, be kept separate from other convicted prisoners.

*Note:—See rule 340 for the scale of diet applicable to these prisoners.

CHAPTER XLVII

PRISONERS SENTENCED TO SOLITARY CONFINEMENT

768. *Method of executing sentence.*—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 period 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.

769. *Calculation of term.*—A sentence of imprisonment for a year and a day, of which three months shall be undergone in solitary confinement, though legal under Section 73 of the Indian Penal Code, cannot be executed under Section 74 of the said Code, 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 the solitary confinement need not be postponed until the expiry of appeal time.

770. *When two sentences are imposed.*—When a prisoner is sentenced 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.

771. *Restriction on similar Jail punishment.*—A period of separate confinement awarded as a Jail punishment under the Prisons Act shall not be carried out in continuation of a period of a solitary confinement forming part of the judicial sentence.

772. *Prisoner to be medically examined.*—No prisoner shall be placed in solitary confinement as a judicial punishment until the Medical Officer has certified in Form No. 37 that he is fit to undergo it.

773. *Search of prisoner and cells.*—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.

774. *Ticket outside cell door.*—Outside the cell door of every prisoner undergoing solitary confinement shall be suspended a ticket in Form No. 34 showing the particulars mentioned in the form.

775. *Exercise.*—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.

776. *Arising of bedding.*—The bedding of prisoners in solitary confinement shall be taken out of the cell during the day, and exposed to Sun and air for as long a period as the weather permits.

777. *Occupant to clean cell.*—The occupant of each cell shall be required to keep it scrupulously clean.

778. *Precautions for prisoner's safety.*—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 Medical Officer on duty, who shall visit the cell without delay and examine the prisoner. If necessary, the Jailer may cause the man to be removed to the Hospital, reporting his action to the Superintendent in his report for the day.

779. *Record of confinement.*—On each occasion on which a prisoner undergoes solitary confinement as a judicial punishment, the Jailer 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 Jailer and the Superintendent shall initial the entries.

CHAPTER XLVIII

PRISONERS SENTENCED TO DEATH

780. *Search of prisoner.*—When a prisoner sentenced to death is searched under Section 30 of the TG Prisons Act or Central Act 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 convicts clothing.

781. *Confinement in a condemned cell.*—The prisoner shall then be removed to one of the condemned cells. The Jailer 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 granted door, it shall be kept open.

782. *Provision of guard.*—When the prisoner is placed in the condemned cell, a special guard of three warders shall be deputed to watch him continuously day and night.

783. *Source of guard.*—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. The duty of guarding a condemned prisoner shall be entrusted to permanent Warders, the extra temporary men being placed on less responsible duties.

784. *Restriction on communication with prisoners.*—The special guard shall allow no one to approach the cell or communicate with the Prisoner except the Superintendent, the Medical Officer, the Jailer or a visitor of the Jail the convict servants who attend on the prisoner and such other persons as may be authorised in writing by the Superintendent.

785. *Precautions against suicide.*—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 handcuffs, if any are imposed, shall be kept by the Jailer. The key of the cell door shall be kept by a Head Warder by day and the patrolling officer by night so that they may be able to enter the cell without delay in cases of attempt at suicide. The key of a lock used on a condemned cell shall not be capable of opening any other lock in the Jail.

786. *Supervision of guard.*—The Head Warder on duty during the day and the patrolling officer during the night shall visit the sentries posted over the condemned cells frequently, at uncertain hours. They shall at once report to the Jailer, for communication to the Superintendent, any irregularity or suspicious conduct on the part of the prisoner.

787. *Guard over several condemned prisoners.*—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 three cells. For any number of cells in excess of three an extra guard of three warders shall be provided even though the cells are continuous.

788. *Daily search of prisoner.*—Every morning and evening the Jailer shall carefully search the prisoner with his own hands examine his cell, his handcuffs and irons if any are imposed and shall satisfy himself 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.

789. *Diet.*—(1) Prisoners under sentence of death shall be allowed the diet prescribed for prisoners sentenced to simple imprisonment. No extra diet shall be given 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 Jailer or Deputy Jailer.

790. *Exercise.*—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.

791. *Application of rules to females.*—The preceding rules are applicable to female criminals under sentence of death except that—

- (a) no female shall be fettered, and handcuffs 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 Matron Superintendent or the Assistant Matron Superintendent or where there is no Matron-Superintendent, or Assistant Matron Superintendent by a female warder, and that of guarding by female warders.

792. *Admission of visitors.*—Condemned prisoners who can read shall be provided at their request with a supply of such books as are in the Jail library. Subject to the control of the Superintendent, they shall also be allowed to 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 prisoner at the expense of Government. Condemned prisoners on request shall be given tobacco in the form of cigars, cigarettes 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 Jail finds no objection to their supply from the point of view of health. All reasonable 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 Jail 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.

*793. *Intimation to the prisoner of the judgement of the Appellate Court.*—On receipt of a copy of the High Court's Judgement it should be communicated to the prisoner without delay. In the case of an order of the High Court

*Note:—If the sentence of death has been passed on more than one person in the same case and if an appeal to the Supreme Court on an application or special leave to appeal to the Supreme Court is lodged by or on behalf of only one or more, but not all of them, the warrant for execution of the sentence shall be postponed in the case of all such persons and not only in the case of the person or persons by whom or on whose behalf the appeal or the application is lodged.

confirming or imposing a sentence of death, the warrant for executing that sentence shall not be issued by the Sessions Judge to the Superintendent of the Jail until after the dismissal of the appeal to the Supreme Court or of the application for special leave to appeal to the Supreme Court or, in case no such appeal has been lodged, until after the expiry of the period allowed for an appeal to the Supreme Court or for lodging of an application for special leave to appeal to the Supreme Court:

Provided that if a petition for mercy has been submitted to the Governor and the President by or on behalf of the convict, the warrant for execution of the sentence shall further be postponed pending the orders on that petition.

*794. *Where convict petitions the Supreme Court for special leave to appeal.*—Immediately on receipt of the High Court's order confirming the death sentence of the prisoner, the Jail Superintendent shall inform the convict concerned that if he wishes 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 the Supreme Court Rules 1950.

†795. *Intimation to the prisoner of the decision of the Supreme Court.*—On receipt of the 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

*Note:— (i) As per order XXI, rule 2 of the Supreme Court Rules (third edition 1954), in a case involving a sentence of death, the petition or special leave to appeal shall be lodged in the Supreme Court within thirty days from the date of refusal of a certificate by the High Court or within thirty days from the date of the judgement final order or sentence sought to be appealed from, provided the Supreme Court may or sufficient cause shown extend the time.

(ii) In a case involving a sentence to death, the application or a certificate by the High Court preferring an appeal to the Supreme Court shall be lodged in their High Court within thirty days from the date of the judgement, final order or sentence sought to be appealed from.

Note:— In case where no appeal to the Supreme Court or no application or 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 or an appeal to the Supreme Court or lodging an application or 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 Jail Superintendent to inform the convict concerned that if he desires to submit a petition or money he should do so in writing within seven days of the date of such intimation.

of the convict, in case the convict concerned has made no previous petition for mercy, the Jail Superintendent shall forthwith inform him (the convict) that if he desires to submit a petition for mercy it should be submitted in writing within seven days of the date of such intimation.

796. *Where no petition to Government.*—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 the Sessions Judge concerned and the execution shall take place on the date fixed by the court of Sessions.

797. *Submission of petition for mercy to Government.*—If the convict submits a petition within the period of seven days prescribed by Rule 795 it should be addressed to the Governor and the President of India. The Superintendent of the Jail shall forthwith despatch it to the Secretary to the Government in the Department concerned, 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. If no reply is received within 15 days from the date of despatch of the petition the Superintendent shall telegraph to the Secretary to the Government drawing attention to the fact, but he shall in no case carry out the execution before the receipt of the Government's reply.

798. *Petition for mercy submitted after the prescribed period.*—If the convict submits a petition after the period prescribed by rule the Superintendent of the Jail shall at once forward it to the 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 received by the Superintendent later than noon on the day preceding that fixed for the execution, he shall at once forward it to the 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. The petitions are to be in a specially marked cover.

799. *Exceptional circumstances to be reported.*—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 instructions notwithstanding, to report the circumstances by telegraph to the Government and ask for its orders and to defer execution till they are received.

800. *Acknowledgement of telegrams communicating orders on mercy petitions.*—The Superintendent shall at once repeat back to the Secretary to Government in the Department concerned all telegrams communicating orders to him regarding petitions for mercy, by way of acknowledgement of their receipt.

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801. *Execution to be stayed if prisoner found insane.*—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. 30.

After observation (i) if the prisoner is certified to be not insane by the Medical Officer of the Jail, 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 No. 3 has been signed by the Medical Officer, submit together with a medical history sheet to the Government for orders.

The execution of the prisoner should, in all cases, be stayed pending orders of Government.

802. *Where female prisoner found pregnant.*—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 382 of the Code of Criminal Procedure.

803. *Officers alleges pregnancy.*—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 forwarded to the Sessions Judge, a copy being kept for record.

804. *Orders of Government to be taken.*—When the execution of a female has been suspended under either of the two last preceding rules, it shall not afterwards be carried out without the orders of Government, for which the Superintendent shall apply through the Inspector-General.

805. *Prisoner's attendance as witness.*—When the evidence of a convict under sentence of death is required, the Court shall take it at the jail and shall not require the convict's attendance in Court. But if the presence of the convict is required by a Sessions or High Court for the purpose of taking additional evidence under Section 428 of the Code of Criminal Procedure the prisoner's attendance may be required.

806. *Place of execution.*—Execution shall take place within the premises of the jail, unless otherwise ordered in the warrant. They shall usually be carried out in a special enclosure attached to the Jail.

807. *Attendance of spectators.*—(1) The Superintendent may admit any adult male relative or relatives of the prisoner and any other respectable male adults upto a maximum of twelve to witness the execution.

(2) The Superintendent may refuse such admission to any applicant or may exclude all applicants at his discretion. No prisoner shall be allowed to attend or witness an execution.

808. *Preparation of mechanical appliances.*—(1) A cotton rope, 2.5 cm. in diameter shall be used for execution purposes and at least three such ropes, in serviceable condition, shall be maintained in the Jail.

(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 rope to be used shall be tested a day before the date fixed for an execution and 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. The 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.

809. *Scale of drop.*—The following scale of drop shall be adopted for a prisoner:

Weighing under	44 Kg.	1.98 m.
For a prisoner weighing under	57 Kg.	1.83 m.
Do. do.	70 Kg.	1.68 m.
Do. do.	70 Kg. and over	1.52 m.

810. *Hour of execution—Presence of Officers.*—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.

811. *Security of prisoner.*—The condemned prisoner's wrist 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.

812. *Reading of warrant and identification.*—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 Jailer or other Jail Officer. The Superintendent and Jailer shall identify the prisoner by a reference to the Jail registers as the individual named in the warrant.

813. *Limbs to be secured.*—The prisoner's arms shall then be pinioned behind his back and his ankles shall be strapped together.

814. *Examination of body.*—The body shall hang for one 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.

815. *Disposal of body.*—The body of an executed prisoner may be made over to the friends or relatives of the deceased if claimed by them, unless there are special reasons to the contrary in any particular case.

816. *Certificate of execution.*—When the sentence has been executed, the Superintendent shall return the warrant to the court from which it was issued with an endorsement in the following form over his signature certifying the manner in which the sentence has been carried out:—

I hereby certify that the sentence of death passed on.....by the court of Sessions and confirmed by the High Court has been duly executed and that the said.....was accordingly hanged by the neck until he was read at.....on the....19.....

I further certify that the body of the said.....remained hanging one hour, and that the Medical Officer in attendance certified to the complete extinction of life prior to its removal, and that no accident or other misadventure occurred during the execution.

817. *Money rewards.*—Money rewards, at the rate of Rs. 2 per condemned prisoner shall be made for the service of a warder assisting at executions.

CHAPTER XLIX

FEMALE PRISONERS

818. *Classification and segregation of female prisoners.*—Female prisoners shall as far as possible, be classified and separated, not only the unconvicted from convicted but also adolescent from older prisoners habituals from non-habituals and prostitutes and procuresses from respectable women.

819. *Restriction of females to female enclosure.*—(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.

(2) Every female prisoner authorised to leave the female enclosure under clause (1) shall ordinarily be accompanied by female warder from the time she leaves the enclosure till she returns to it or quits the Jail premises.

820. *Exclusion of males.*—(1) No adult male shall enter or be permitted to enter the female ward of the Jail by day unless he has a legitimate duty to attend to there, and is accompanied by female warder while he remains therein and no adult male shall enter it at all by night except in an emergency, and he shall then make a distinct report of his visit 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 Jailer with a view to its being recorded in his report book.

(2) Warders acting as escorts to visitors and officials shall remain outside the enclosure.

821. *Locks of female enclosures.*—The locks of the enclosure and compartments where females are confined shall be different from those in use in other parts of the Jail, so that the keys of the latter may not open the former.

822. *Treatment of hair.*—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 then 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 14 ml. of gingelly oil or coconut oil daily for dressing the hair and 14g. 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.

823. *Females not be fettered.*—Female prisoners shall be liable to be handcuffed as a means of restraint under the same conditions as male prisoners but no female prisoners, shall in any circumstances be fettered.

824. *Application of Rules.*—Except in so far as they are inconsistent with the rules in the Chapter, all the rules herein apply to female prisoners.

825. *Menial duties.*—The menial duties connected with the female yard shall be carried out by female prisoners and all refuse etc, shall be placed at stated hours outside the yard to be removed by male convicts.

826. *Release of female prisoners.*—Before a female prisoner is released, timely notice shall be sent to her relations of friends to enable them to attend at the Jail and receive her. If no relative or friend appears on the day of release, she may be sent home in charge of a female warder, should the Superintendent consider this course desirable.

827. *Released women prisoners to be provided with conveyances.*—Women prisoners who are released from Jails shall be provided with conveyances where the distance to be traversed by them exceeds 1.6 km. 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.

828. *Prisoner's Children.*—(1) A child upto five years of age shall be admitted to Jail with its mother if it cannot be placed with relations or otherwise properly provided for. Children born in jail 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 Jail.

(2) No child shall be admitted into or retained in jail if it has attained the age of five years. On a child becoming disqualified for further retention, notice shall be given to the District Magistrate with a view to his making arrangements to place the child with its relatives. If possible, during the imprisonment of the mother. Should the Magistrate be unable to discover any relative willing to take charge of it, he shall select trustworthy persons to undertake such charge, and shall see that the child is properly taken care of, a moderate sum not exceeding Rs. five per month being allowed by the Superintendent of the Jail for the maintenance of the child till it completes 8 years of age.

* (3) Children in Jail shall be allowed such diet and clothing as the Medical Officer may order for them.

**Note*—R. 340 for dietary of female prisoners.

R. 358 and 363 for clothing of female prisoners.

R. 842-804 for treatment of pregnant female prisoners sentenced to death.

CHAPTER L

YOUTHFUL PRISONERS

829. *Segregation of youthful prisoners.*—(1) So long as a male prisoner under the age of twenty-one is detained in any jail, measure shall be taken to enforce the requirements of Section 27(2) of the T. G. Prisons Act and Section 27(2) of Central Prisons Act, 1894 both by day and by night so as to prevent any communication between him and any prisoner of another class.

(2) If there is only one such prisoner in the Jail and it is considered in advisable to keep him in solitude, the Superintendent should apply for his transfer to a Jail where prisoners of the same class are confined.

830. *Diet and discipline*—Every youthful prisoner shall.—

(a) if he has attained the age of puberty, receive the diet provided for convicts sentenced to simple imprisonment.

(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;

(d) if his sentence exceeds three months be instructed in reading writing and arithmetic in the vernacular for not less than one hour each day; and

(e) 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 T. G. Prisons Act and Section 35(1) of the Central Prisons Act, 1894.

831. *Application of rules to youthful prisoners.*—Except where they are inconsistent with the foregoing provisions all rules herein apply to youthful prisoners.

832. *Punishment under Act.*—A youthful prisoner refusing or neglecting to learn the lessons or to perform the task prescribed shall be held to have committed an offence under Section 46 of the T. G. Prisons Act or Section 45 of the Central Prisons Act 1894 though Section 47 of the T. G. Prisons Act or section 46 of the Central Prisons Act, 1894 applies to such offenders, reduction of diet should be avoided in their cases.

833. *Transfer to certified school.*—The Superintendent of the Prison in which a youthful offender is confined in execution of a sentence of imprisonment shall report it to the *I. G. of Prisons for such action as he may deem necessary for the transfer of the youthful offender to the Certified School or the Borstal School as the case may be.

834. *Notice of releases.*—Timely notice of the date of release of every youthful prisoner shall be sent to his parents relatives or friends, to enable them to attend at the Jail to receive him.

CHAPTER LI

LUNATICS

835. *Classification of Lunatics.*—(1) Lunatics in Jail may be divided into five classes, viz:—

(i) Persons supposed to be lunatics and detained under observation under the provisions of Section 16 of the Indian Lunacy Act IV of 1912.

(ii) Prisoners who have become insane after their conviction and admission to Jail.

(iii) Prisoners incapable of making their defence owing to unsoundness of mind, and detained under Section 464 and 466 of the Code of Criminal Procedure and pending transfer to the Mental Hospital.

(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 471 of the Code of Criminal Procedure either permanently or pending transfer to the Mental Hospital.

(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.

836. *Medical history of civil lunatics to be sent to Jail.*—Whenever a supposed civil lunatic is sent by a court to the jail for observation the court shall send with him a medical history sheet in the prescribed form omitting the supplementary headings and in this sheet all the available information regarding the lunatic shall be given.

*Substituted by G. O. (MS) 449/Home dated 9-7-1960.

837. *Maximum period of detention of a lunatic.*—The maximum period for which any person alleged to be a lunatic can be detained for observation by order of a Magistrate, under Section 16 of the Indian Lunacy Act IV of 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 detention 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 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 order being passed for his release on transfer to the mental hospital. If no such order is received within a week the Superintendent shall report the matter to the Inspector-General. Civil lunatics shall be entirely excluded from all statistical returns relating to the Jail and the cost of dieting such lunatics and of any extra guards entertained on their account shall be received from the court under whose warrant they are received.

838. *Lunatics of class (II) report of Insane convicts case and removal pending orders.*—If any convict becomes insane after admission to Jail 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 under *Section 30 of the Prisoners Act, 1900 (Central Act 3 of 1900) or under Section 9 of the Travancore-Cochin Prisoner's Act, 1950 (Act 17 of 1950) as the case may be. 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 III of Schedule I of the Indian Lunacy Act has been signed by the Medical Officer.

839. *Documents accompanying report.*—The report referred to in Rule 838 shall be accompanied by a nominal roll of the prisoner (Form No. 30) certificate in Form III of Schedule I of the Indian Lunacy Act and a Medical History Sheet in Form No. 32.

* Substituted by G.O. (MS) 41/73/Home dated 5-3-1973.

839. *Documents accompanying report.*—The report referred to in Rule subject to confirmation by the High Court who becomes insane in Jail. In such cases action should be taken under Section 40 of the Travancore-Cochin Prisons Act or Section 39A of the Central Prisons Act, 1894 (Central Act IX of 1894) to effect the transfer of the Prisoner to the Mental Hospital and if this course is not possible the prisoner will continue to be detained in Jail.

*840. *Transfer of Lunatics to Mental Hospital.*—(a) At the time of transferring the lunatics to the mental hospital the Superintendent of the Jail shall forward the medical case of the lunatic which shall include the medical history sheet in the form prescribed below and a medical certificate in Form 3 of Schedule I of the Indian Lunacy Act, 1912 (Central Act 4 of 1912). All other records in respect of the Lunatics shall be retained in the jail from where he is transferred, for taking timely follow up action in working out the date of release of the prisoner.

(b) The Superintendent of the Jail shall call for half yearly report on the health conditions of such criminal lunatics to reach his office on the 5th January and 5th July of every year from the Superintendents of Mental Hospital where such lunatics are confined for treatment and submit a separate consolidated report to the Inspector General of Prisons every half year by the 15th January and 15th July respectively. The records of such criminal lunatics shall be kept alive in the jail, as in the case of other convicted prisoners.

FORM

1. Name of patient in full and caste or race:
2. Name of patient's father:
3. Sex and Age of the patient:
4. Identification marks:
5. Married or single or widow:
6. Condition of life and previous occupation, if any:
7. Religion:
8. Place of birth and recent place of abode:
9. Whether homeless or living with relatives or friends (with address of nearest relatives)
10. Previous history and habits:
11. State of bodily health:
12. Whether any member of patient's family has been or is affected with insanity or not:
13. Whether the attack is the first attack of insanity or not:
14. Age (if known) at the time of first attack:
15. Duration of nature of any previous attacks:
16. Duration of existing attack

17. Symptom exhibited:
18. Supposed cause of insanity:
19. Supposed existing cause of present attack:
20. Whether subject to epilepsy:
21. Whether suicidal:
22. Whether dangerous to others:
23. Whether civil or criminal lunatics and date of admission to asylum:
24. If criminal the offence with charge:
25. Type of insanity:
26. Is the lunatic capable of
 - (a) Taking care of himself:
 - (b) Bearing of livelihood:
27. If release on security recommended:
28. If so, what amount should be demanded and what are the social position, character, relationship to lunatic of the sureties:

Medical Officer.

841. *Prisoners confined under certain provisions of the C. P. C. how dealt with.*—Prisoners confined under Section 466 and 471 of the Code of Criminal Procedure shall be dealt with in accordance with the orders which Government or the Court, as the case may be, may pass on their case.

842. *Medical certificate under Lunacy Act to be sent to mental Hospital.*—When any prisoner confined under Section 466 and 471 of the Code of Criminal Procedure is transferred to a Mental Hospital under orders of Government or of a Court, the Medical Officers Certificate in Form III of Schedule I to the Indian Lunacy Act shall be sent with him in addition to the other documents prescribed by the said Act and the rules thereunder. Provided that in the case of persons judicially acquired or the ground of insanity but not insane when sent to the Mental Hospital no certificate in Form A shall be necessary.

843. *Certificate under Section 473 Criminal Procedure Code.*—When a prisoner confined in a Jail under Section 466 of the Code of Criminal Procedure is certified to be capable of making his defence, the certificate made under Section 473 shall be sent, together with a medical history of the case, which should include information as to his conduct while in Jail, to the Court before which he is to be tried in view to the Court appointing a time for trial,

844. *Half-yearly return.*—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. II half-yearly returns, Appendix III), on the lunatic prisoners confined in his Jail Under Section 466 and 471 of the Code of Criminal Procedure. 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 lunatic remain in confinement on the above dates a *nil* return shall be submitted.

845. *Lunatics of class V.—Documents to accompany lunatic.*—The Superintendent, Mental Hospital in anticipation of the orders of Government transfer a recovered criminal lunatic to the Central Prison from where he is sent undergo the unexpired portion of his sentence. When a recovered criminal lunatic is so transferred from the Mental Hospital to a Jail the Superintendent of the Mental Hospital will forward to the Superintendent of the Jail a copy of the recovered lunatic's medical history sheet, together with a statement showing the manner in which he has been employed in the Mental Hospital upto the time of his transfer.

846. *Retransfer to Mental Hospital on relapse.*—When a criminal lunatic so transferred to a Jail has a relapse of insanity he shall be immediately retransferred to the Mental Hospital in anticipation of the orders of the Government. With him shall be sent, in addition to the certificate in Form III [of Schedule I to the Indian Lunacy Act, 1912, an abstract of his history ticket while in Jail. The Superintendent of the Jail shall immediately apply to the Inspector-General of Prisons for the Government's confirmation of his action.

847. *Employment of criminal lunatic.*—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.

*848. *Special precautions in confining lunatic.*—(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) A head warder or patrolling officer for the time being on duty if within easy call 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.

*Note:—Three men are sufficient to supply a continuous 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 head warder or other senior officer on duty in whose presence each change of sentry shall be made.

(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 sun set to sun rise he shall carry a lighted lantern in the absence of proper light in the rooms.

(6) As far as circumstances will allow, all insane persons and those under observation for insanity shall be kept in continuous 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.

849. *Precautions on transfer.*—No lunatic shall be transferred to the mental hospital until the Medical Officer of the Jail has examined him and has certified in Form No. 37 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.

850. *Clothing on transfer.*—The Medical Officer shall see that the lunatic is provided before he is despatched, with sufficient clothing, special attention being paid on the covering of the chest and abdomen, and that in the cold months of the year, the lunatic is also provided with a comby.

851. *Food.*—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 instructions as to what to purchase.

852. *Procedure in case of illness.*—The escort shall be distinctly instructed if the lunatic falls ill or refuses food *en route*, he shall be taken to the nearest hospital for treatment.

853. *Female to accompany Female lunatic.*—Every female lunatic, when sent to the mental hospital shall be accompanied by a female warder attendant or relative in addition to the usual escort.

854. *Property of lunatic.*—Where a prisoner is sent to a mental hospital all property in the Jail belonging to him shall be sent with him and a receipt for the same obtained.

CHAPTER LII

LEPERS

855. *Submission of case to Inspector General.*—Upon any convict suffering from leprosy being admitted into any Central Prison a nominal roll regarding him shall be submitted to the Inspector General of Prisons together with a brief medical case, which shall state among other things whether the disease is in an advanced stage or not, and whether Medical Officer recommends his removal to the Criminal Leper Ward. The medical case should be in the form subjoined.

FORM

Medical case of convict No. suffering from leprosy in the Central Prison at.

Type of disease

Duration of disease
 Family history
 Symptoms affecting
 Face
 Neck
 Trunk
 Upper extremities
 Lower extremities
 Circulation
 Digestion.
 Respiration and voice
 Nervous System
 Urinary excretion
 Complicating eruptions

General remarks

Whether disease is in an advanced form or not.
 Whether removal to the Criminal Leper Ward is recommended or not.
 Treatment followed in Jail.

Medical Officer.

856. *Order of transfer.*—If the disease is in an advanced stage or if for other reasons it seems advisable the Inspector General shall order the transfer of the convict from the Central Prison to the Criminal Leper Ward, provided that no such transfer shall be made unless accommodation is available in the ward.

857. *Segregation of the leper convict not thus transferred.*—When a Leper convict received into Jail is not transferred to the Criminal Leper Ward, or until he is so transferred he shall be segregated from all other convicts, a cell, ward or temporary shed being set apart for this purpose.

858. *Medical Officer to be Ex-Officio Superintendent of the Wards under the Prisons Act.*—The Criminal Leper Ward and the Criminal Lunatic ward having been constituted places of confinement Under Section 541 of the Code of Criminal Procedure the Medical Officer in charge of the Leper Asylum and of the Lunatic Asylum shall be Ex-Officio Superintendent of the wards and all Rules passed under the Prisons Act, so far as possible, shall apply therein.

859. *Other Preventions.*—Any cell or other building occupied by a leper prisoner shall be thoroughly disinfected, the walls scraped and white washed and the floor if earth renewed before it is used for any other purpose. Clothing and bedding that has been used by a leper shall never be re-issued but shall be destroyed.

860. *Certain documents to accompany the leper convict.*—When a Leper Convict is transferred to the Criminal Leper Ward the following document shall be sent with the convict transferred.

- (1) The prisoner's original warrant or warrants duly endorsed.
- (2) The copy of the convicting Court's judgement (if available), the order of any Appellate Court and any order of Government on any petition made by the prisoner.
- (3) The prisoner's History Ticket.
- (4) The prisoner's remission sheet (if he is under Remission System.)
- (5) List of all private property belonging to the prisoner.
- (6)* A list of clothing, bedding and other Government property sent with the prisoner.
- (7) The prisoner's medical history.

CHAPTER LIII

T. B. PATIENTS

861. *Submission of case to the Inspector-General of Prisons.*—Upon any convict suffering from T. B. being admitted to any Central Prison or any convict found attacked by T. B. after admission to the Central Prison a normal roll regarding him shall be submitted to the Inspector-General of prisons together with a brief medical case which shall state among other things whether the disease is in an advanced stage or not and whether the Medical Officer recommends his removal to the T. B. Hospital. The medical case should be in the form subjoined.

FORM

Medical case of convict No.....suffering from Tuberculosis in the Central Prison (Central Jail) at.....

Types of disease

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General remarks.

Whether disease is in an advanced form or not.
Whether removal to the T. B. Sanatorium or T. B. Hospital recommended or not,
Treatment followed in Jail.

Medical Officer.

862. *Order of transfer.*—The Inspector-General shall order the transfer of the convict from the Central Prison to the T. B. Hospital.

863. *Transfer in urgent cases.*—If the disease is in an advanced stage and the Superintendent of the Central Prison considers the transfer of the patient immediately to the T. B. Hospital he may do so and afterwards get the ratification from the Inspector-General of Prisons.

864. *Medical Officer to be Ex-Officio Superintendent.*—The Medical Officer in charge of the T. B. Hospital shall be ex-officio Superintendent of the Criminal Wards attached to the T. B. Hospital and all rules passed under the Prisons Act so far as possible shall apply therein.

865. *Documents to accompany the T. B. Convict.*—When a T. B. Convict is transferred to the Criminal T. B. Ward the following documents shall be sent with the convict transferred.

1. The Prisoner's original warrant or warrants duly endorsed.
2. The copy of the convicting court's judgements (if available) the order of any appellate Court and any order of Government on any petition made by the prisoner.
3. The Prisoner's History Ticket.
4. The Prisoner's Remission Sheet (if he is under remission system).
5. List of all Private property belonging to the prisoner.
6. A list of clothing, bedding and other Government properties sent with the prisoner.
7. The Prisoner's Medical History.

866. *Segregation of the T. B. convict not thus transferred.*—When a T. B. convict in a Central Prison is not transferred to Criminal T. B. ward or until he is so transferred he shall be segregated from all other convicts, a cell, ward or temporary shed being set apart for this purpose.

867. *Other preventions.*—Any cell or other building occupied by a T. B. Prisoner shall be thoroughly disinfected the walls scraped and white washed and the floor if of earth renewed before it is used for any other purpose. Clothing and bedding used by a T. B. patient shall never be reissued but shall be destroyed.

CHAPTER LIV

CORRESPONDENCE AND RECORDS

868. *System of filing order.*—Every reference made regarding a convict whether for disposal by the Inspector-General or submission to Government shall be accompanied by a nominal rolls of the Convict (Form No. 30).

869. *Prohibition of erasures.*—Erasures in Jail 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 the stamp are prohibited.

870. *Initials to be dated.*—In every case in which the Superintendent, Jailer, or other Jail 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.

871. *Maintenance of accounts.*—Every Officer shall maintain an up-to-date list of all accounts, registers and files in his custody and assign to each file 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 register of currents received and current despatched and other registers and account books shall be subject to periodical check by the Superintendent.

CHAPTER LVI

THE MANUFACTURING DEPARTMENT

872. The Manufacturing Department shall be distinct from the general department of the Jail, and separate registers shall be maintained and separate returns submitted. A first grade Assistant Jailer shall be in charge of this department under the control and supervision of the Jailer. The Assistant Jailer shall also function as the store-keeper.

873. The amounts realised by the sale of manufactured articles shall be handed over daily to the Jailer or Cashier as the case may be who shall remit the amounts thus received to the Treasury once a week or oftener if necessary. All charges on accounts of the Manufacturing Department shall be entered in the General Accounts.

874. Large payments which cannot be met from the permanent advance shall be met by funds drawn on advance bills and the vouchers shall be submitted to the Comptroller furnishing copies to the Inspector General of Prisons soon after payments are made. A detailed statement of all raw materials, manufactures, sales receipts, balance of stock, etc. shall be submitted on the 10th of the following month.

875. The Superintendent may incur expenditure up to the budget allotment in the purchase of raw materials for manufactures with the previous sanction of the Inspector General and he shall be responsible for the purchase, thus entrusted to him. The accumulation of unnecessary stocks shall be avoided; all purchases shall be made from the cheapest market, frequent petty local purchases shall as far as possible, be avoided; sufficient stocks shall be stored when the season is favourable.

876. Purchases of articles should be arranged as per orders received from Government and Stores Purchase Committee from time to time. Purchase of articles, when arranged by the Stores Purchase Committee should be made from such contractors engaged by them.

877. A statement of the budget grant for manufacture will be sent at the beginning of each official year to the Superintendent by the Inspector General. The Superintendent may not, without previously obtaining an extra grant exceed the amount provided and, if he does so, he shall be held personally responsible for the excess expenditure. When the sanctioned grant is found insufficient to meet the expenditure timely notice should be given and an application made to the Inspector-General for an increase of the grant, with an explanation of the grounds of such requirement.

*878. "When the articles indented for are ready to be supplied, the Superintendent of the prisons concerned shall intimate the prices of the manufactured articles to the indenting officers/parties with a request to take delivery of the articles. The Superintendent of the prison shall prepare the bill of the cost of the articles or invoice in triplicate for the amount due and shall furnish the same when the articles are taken delivery of by the indenting officers/parties with a request to remit the full amount due under the receipt head of the Jail Department as shown in the invoice into the treasury of their jurisdiction and to forward the original chalan to the concerned Superintendent within 3 months from the date of taking delivery of the articles failing which penal interest at 12% of the prices of the articles will be levied. The Superintendent of the Prisons concerned shall issue acknowledgement receipt for the original chalans thus received from the intending officers/parties. The recovery of the cost of the articles supplied shall be watched through the individual ledger of sales in the prisons office and action for realisation of penal interest shall be taken against the indenting officers/parties who do not remit the payment within the prescribed time limit:

Provided that, in the case of articles (such as clothing and bedding furniture, etc.) of the Jail Manufactory supplied for the use of the same Jail or other Jails or Institutions under the Department or to the Headquarters Office, the cost of supplies shall be adjusted in the same manner as for other departments/parties on providing the required funds for the purpose from the Headquarters Office:

Provided further that, for supplies to Government Departments, both State and Central and other autonomous bodies such as Universities, Municipal Corporations, Public Service Commission, Statutory Boards, etc., wherein cheque payment is followed, the Superintendent of the Prison concerned shall receive cash payment to the full cost and issue receipt in T.R.5 for the amount and the amount so received shall be remitted under the receipt head of the Department in the treasury within three working days."

* G. O. MS. 78/93/Home dated 10-6-1993

879. All receipts shall be classed under "Jail Manufactures".

880. The price of the manufactured articles shall be fixed so as to include the following:—

(a) The cost of raw materials.

(b) Labour charges rated according to the wages of free labour of same class in the neighbourhood provided that due allowance may be made for the inferiority of convict to free labour.

(c) Supervision charges.

(d) Depreciation charges.

(e) A percentage on account of profit.

881. The depreciation charge shall be at 5 per cent and that profit shall ordinarily be fixed at 10 per cent of the cost of raw materials and labour. The supervision charges shall be at 5% as the cost of raw materials and labour".

882. Whenever the purchase of raw materials becomes necessary the store-keeper shall obtain the sanction of the Superintendent in Form No. 81. On receipt of such sanction the Articles shall be indented for, and passed by the Jailer. Raw materials when received in the manufactory shall be carefully inspected by the Jailer in the presence of the store keeper and then passed over to the store keeper who will then be responsible for the stock and its issue and maintenance of accounts.

883. As soon as any raw material is handed over to or received by the store keeper, he shall at once enter it in the stock book of raw materials, which shall be kept in Form No.103. Before any bill for any raw materials is passed for payment the Superintendent shall satisfy himself that it has been duly brought to account in the stock book and that the price charged corresponds with the rate entered in the stock book.

884. No raw material shall be issued from store by the store keeper except upon an indent in the prescribed Form No. 109 filled up and signed by the officer in charge of the workshop where the raw materials are required, and countersigned by the Jailer. This indent shall be the store keeper's voucher for issue and shall be retained by him and carefully filed.

885. Indents for raw material shall be made daily if possible or at frequent intervals and only materials required for the completion of each item shall be issued from the stores.

886. Indents shall be issued to the officers in charge of workshops bound together in books of a specified number, which shall be noted on the cover. Each indent and counterfoil shall bear a serial number, and the counterfoil shall be carefully preserved by the officer in charge of the workshop.

*887. As manufactured articles are received back from the workshops by the store-keeper, he shall enter the quantity, weight or number of articles so received from time to time on the right hand portion of the indent, until the whole of the raw materials issued is accounted for, and the indent fully satisfied. It may not be possible to ensure that the manufactured articles thus entered as a set off against raw materials issued, have been made with that identical issue, but if raw materials issued are thus regularly accounted for, the outstanding balance is the years and the number of indents not satisfied will always be small and subject to easy check.

888. Wherever raw materials for manufactures are thus issued from store by the Store-Keeper on countersigned indents, he shall enter the issue in detail in the appropriate columns of the stock book of raw materials, and shall strike the balance off the stock remaining.

889. Once a week the Superintendent shall check all indents and their counterfoils both by one another and by the entries in the stock book of raw materials, and shall satisfy himself that all raw materials which are shown in the stock to have been issued are supported by a daily countersigned indent which shall have a corresponding counterfoil.

890. At the same time the Superintendent shall check the entries of manufactured articles entered on the right hand portion of the indents with the entries in the stock book of manufactured articles, and shall satisfy himself that the entries correspond and that the issues of raw materials are duly accounted for by the entries of manufactured articles.

891. At the end of each month a list of all indents of raw materials which have not yet been satisfied by the receipts of manufactured articles shall be prepared and submitted to the Superintendent who shall satisfy himself by personal verification of the stock of raw materials in the workshops that there is sufficient materials to satisfy the indents. He shall also see that no undue delay occurs in the completion of manufactured articles for which raw materials have been issued.

**Note.*—In regard to the issue of coconut husks, since it is not practicable to show on the right hand portion of the indent the quantity and value of extracted from the daily issue of these it will be sufficient to show at close of each month, the average quantity and value of the yarn manufactured from the quantity of husks issued under each indent such average being based the total out-turn and value of yarn for the said month.

892. The store keeper shall keep a register of orders for goods in Form No.117. 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 the orders are carried out as far as possible in the order in which they are received.

893. The contract for the supply of articles to a Government Department shall be entered into only after the approval of the samples of the articles and acceptance of the rates.

894. The manufactured articles completed each day shall, before they are delivered to the store-keeper be examined by the Jailer and entered in the Register of Workshop Out-turn in Form No.107. If there is any defect in the workmanship or if not up to the sample the Jailer shall bring the same to the notice of the Superintendent who shall enforce responsibility against the industrial Instructors in charge of the workshops.

895. As soon as the manufactured articles are handed over to and received by the store-keeper, he shall at once enter them in the stock book of manufactured articles, which shall be kept in Form No. 104.

896. All sales or issues of manufactured articles shall be entered in all articles sold or to be sent out of jail, and the Gate keeper shall there be entered in the Day Book of Sales which shall be kept in Form No. 106 and be complete record of all issues. An individual ledger will also be maintained in Form No. 113.

897. The store-keeper shall issue a pass, (Common Form No. 45) to all articles sold or to be sent out of jail, and Gate keeper shall there upon check the articles with the pass and enter it in the Gate Register if found correct.

898. A receipt in Account Form No. 29 shall be granted under the signature of the store-keeper and Superintendent to every purchase as soon as cash is received. A notice shall be hung up in a conspicuous place stating that every person paying money should obtain a receipt signed either by the Superintendent or by the next senior officer authorised by him for the purpose. The entries in the Day Book of Sales shall be checked with the counterfoils of the receipts so granted.

*899. At the close of every year the Superintendent shall submit to the Inspector General statements of all outstanding dues to the Jail, and of profit and loss of the Manufacturing Department during the year.

900. At the close of each year the Superintendent shall check the stock of manufacturing plant and raw materials and shall satisfy himself that the stock and cash accounts are correct in every respect. He shall submit to the Inspector-General a certificate to the effect that this has been done, so as to reach that officer not later than the 20th April.

901. During the stock taking, all issues of raw materials should be stopped and the materials already in the workshops would be worked up as soon as possible into manufactured articles so that all indents shall be fully completed. Any raw materials remaining in the workshops at the close of the year shall be brought into store and accounted for in the stock books before the annual accounts are closed.

902. After stock taking, any depreciation in the value of manufactured articles or raw materials through long keeping etc., shall be reported to the Inspector-General and his orders obtained to write the articles of the accounts or to make the necessary deduction from the value.

903. A stock book of manufacturing plants shall be kept and an annual return of the manufacturing plants shall be submitted to the Inspector-General.

CHAPTER LV

WELFARE OFFICER

904. *Appointment of Welfare Officers.*—Government may appoint Welfare Officers in the Central Prisons or empower any other Officers to discharge the functions of the Welfare Officer, Lady Welfare Officers may be appointed for women prisoners.

*905 *Duties and responsibilities of Welfare Officers.*—(1) The Welfare Officer shall serve as a counsellor to the prisoners helping them to adjust themselves inside the prison to the daily routine and discipline and also with regard to their personal and family problems, if any, outside the Prisons.

(2) He shall prepare and maintain social case records of prisoners, with the approval of the Superintendent of the prison after conducting individual case study by counselling as well as by gathering information and data antecedents and on social and family backgrounds from the concerned sources including the convicting courts and the probation officers concerned.

(3) He shall plan programmes for the mental development and general welfare of prisoners and present them to the Superintendent of the Prison.

(4) He shall integrate the various aspects of Institutional treatment such as correctional, educational, vocational, religious, cultural and moral aspects and also for preparing and furnishing reports thereon to the Superintendent.

(5) He shall organise cultural and recreational programmes of (and for the prisoners, subject to the approval of the Jailor and Superintendent of the Prison.

(6) He shall work in liaison with the prisoners and the prison officials, in rendering welfare services to the prisoners inside the prison.

(7) He shall also work in liaison with the prisoners their families probation officers and the after-care Agencies/Associations with a view to paving way for the social rehabilitation of prisoners on their discharge by arranging for job, placement or by extending assistance to find means of livelihood.

(8) He shall make use of the pre-release programmes as a stepping stone for arranging the after-care and rehabilitation of the offenders.

(9) He shall assist the Superintendent whenever demanded for the interviews and communications of prisoners.

(10) The Welfare Officer shall also assist the Jailor and the Superintendent of the prison in the proper classification and treatment of prisoners.

(11) The Welfare Officer shall be in charge of the audio-visual programmes arranged for prisoners.

(12) In addition to the above, he shall also discharge such functions and duties as determined by the Inspector General of prisons from time to time.

906. *Special training.*—If recruited from within the Jail services the Welfare Officer shall be given formal training and field work experience on social welfare. If recruited directly from the social welfare field, he shall be given special training in Jail administration and Criminology.

2. *Amendment to the Rules.*—In the Kerala Prisons Rules, 1958, after rule 906, the following rules shall be added, namely:—

907. *Appointment of Chief Welfare Officer.*—Government may appoint one of the Welfare Officers as Chief Welfare Officer in the Prison Headquarters, to activate and co-ordinate the functions of Welfare Officers of the Jails Department.

908. *Duties and responsibilities of Chief Welfare Officer.*—(1) Chief Welfare Officer shall be subordinate to the Additional Director General of Prisons and Deputy Inspector General of Prisons as any other Officer of the Department.

(2) The Chief Welfare Officer shall,—

(i) assist the Additional Director General of Prisons and Deputy Inspector General of Prisons in the Welfare of Prisoners;

(ii) act as the co-ordinator of all the welfare activities of prisoners now being carried out by the Welfare Officers of each Jail;

(iii) collect case records of prisoners prepared by the Welfare Officers of each prison for scrutiny;

(iv) submit reports to the Additional Director General of Prisons, for issuing necessary instructions to the Welfare Officers in case of defects, if any found on scrutiny;

(v) submit proposals to Additional Director General of Prisons for sanctioning specific programme for the mental development and general welfare of prisoners;

(vi) integrate the various aspects of institutional treatments such as correctional, educational, vocational, religious, cultural and manual aspects and also prepare and furnish consolidated reports to the Additional Director General of Prisons/Deputy Inspector General of Prisons from time to time;

(vii) co-ordinate and organise cultural and recreational programmes of and for the prisoners with prior approval of Additional Director General of Prisons/Deputy Inspector General of Prisons;

(viii) work in liaison with the Welfare Officers, the Superintendents of all Jails in rendering Welfare services to the prisoners;

(ix) manage and scrutinise the activities of Welfare Officers of each, prison in strict co-ordination with the Superintendent of the Prison and see, that the Welfare Officers are working in liaison with the families of the prisoners, probation officers and the After Care Agencies/Associations with a view

to paving way for the social rehabilitation of the prisoners of the State on their discharge by arranging for job placement or by extending assistance to find means of livelihood;

(x) arrange with the permission of Additional Director General of Prisons/Deputy Inspector General of Prisons pre-release programmes in connection with each Jail as a stepping stone for arranging the after care and rehabilitation of offenders;

(xi) make visits to Jail Institutions at regular intervals, whenever occasion demands, and also inspect the activities of Welfare Officers. He shall submit his advance tour programmes to Deputy Inspector General of Prisons for approval;

(xii) arrange state level conference with prior approval of Additional Director General of Prisons/Deputy Inspector General of Prisons with the assistance of external welfare agencies;

(xiii) be in charge of all entertainment activities in connection with audio-visual programmes;

(xiv) be in charge of all the educational activities carried out inside, the Jails;

(xv) discharge, such duties as may be assigned to him by the Additional Director General of Prisons/Deputy Inspector General of Prisons from time to time.
