

### Responsibility for preventing over-crowding

47. The plate indicating the authorised accommodation should be attached to each housing unit. 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 register (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 over-crowded or not.

### Measures to relieve over-crowding

48. Ordinarily the number of prisoners confined in a housing unit should not exceed its authorised accommodation. As soon as any number of prisoners in excess of the available accommodation is received in the Prison or Hospital, the Superintendent shall submit an immediate report to the Inspector General of Prisons with a statement of the measures which he proposed to relieve the over-crowding and such temporary arrangements as he thinks best shall be at once adopted for this purpose. During emergencies such as sudden influx of prisoners leading to over-crowding, the Superintendent may temporarily relax the minimum standards of accommodation.

### Location of prisoners in sheds or tents

49. Prisoners in excess of the accommodation shall not, except as a temporary measure, be placed in work sheds or varandahs, but shall be located in sheds or tents inside or outside the Prison.

50. (a) *Ventilation of wards.*—Thorough ventilation of the sleeping barracks being of the greatest importance, prisoners shall not be permitted at their pleasure to close the windows and ventilation openings with shutters for other means. Whenever it appears that a barrack is either in-sufficiently ventilated or over ventilated, necessary steps must be taken to remedy the defect. The Superintendent and the Medical Officer shall pay special attention to the ventilation of the sleeping wards. As the condition of the atmosphere breathed by prisoners can only be just 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 Prison at night to satisfy themselves 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.

(b) *Walls to be colour-washed or white washed.*— exterior of the Prison buildings shall be colour washed and interior white-washed from time to time, as may be necessary. interiors of barracks, wards and cells in which prisoners are confined shall ordinarily be white-washed from floor to roof level atleast to a year.

#### Names of blocks to be shown

51. The names and numbers of the blocks and other important buildings and enclosures shall be shown upon them in a conspicuous and suitable position.

### CHAPTER IX

#### STAFF CONCESSIONS AND WELFARE

##### Welfare Committee

52. There shall be a Welfare Committee at each Central Prison, District Jail and Open Prison consisting of representatives of executive, medical, technical, ministerial and other personnel. The Superintendent shall be the *ex-officio* Chairman of the Welfare Committee. The election of the Welfare Committee will be held annually. The Committee will meet atleast once in two months. Minutes of its meeting will be recorded.

##### Functions of the Committee

53. The functions of the Welfare Committee are—
- (1) to chalk out the programme for staff welfare.
  - (2) to build up a welfare fund.
  - (3) to prepare an annual budget for the utilisation of the welfare fund.
  - (4) to run a staff canteen.
  - (5) to impress upon the staff members, the necessity of thrift through programmes of Postal Savings, Small Savings Schemes, Insurance Policy etc.
  - (6) to supervise the maintenance of the welfare accounts and to get them annually audited.

### Prison Staff Welfare Fund

54. A fund known as the "Prison Staff Welfare Fund" may be opened for providing amenities to the staff of the Prisons Department and their families. The rules for the management of the fund are as follows:—

(a) *Object.*—The fund is intended to provide amenities to the staff of the Prison Department and their families.

(b) *Short title.*—The fund will be called the "Prisons Staff Welfare Fund".

(c) *Extent and Membership.*—The fund will extend to all the staff of the Kerala Prisons Department excepting those who are posted from other departments like Health Services, Agriculture Department etc.

(d) *Fund.*—The fund will be raised from the following sources:—

1. *Subscription.*—Monthly subscription shall be recovered at the following rates from Officers and all classes of Staff members.

<i>Designation</i>	<i>Rate of monthly subscription</i>
1. Class I officers	Rs. 12
2. Class II officers	Rs. 8
3. Class III officers	Rs. 5
4. Class IV officers	Rs. 3

(i) The monthly subscriptions shall be deducted at the above scale from the salary or leave allowance of every member of the Prison staff by the officer disbursing the pay every month and shall be handed over to the Honorary Cashier to be selected by the Superintendent out of the staff members, to maintain accounts of the Fund. The Inspector General of Prisons may sanction a small honorarium every month to any Cashier, if it is considered that the work is heavy enough to justify such payment.

(ii) Recoveries from other sources shall be similarly accounted for.

2. Voluntary Donations.

3. Other sources with the prior sanction of the Inspector General of Prisons in each case, subject to the rules framed by Government for acceptance of donations.

4. Interest accruing from the investments of the balances of the fund.

16/3631/MC.

5. Benefit performances by artistes, theatrical parties, cinemas etc.

6. Subsidies from Government funds.

(e) The accounts and funds shall be written by the Honorary Cashier regularly and it will be the duty of the Jailor to see that they are properly kept.

(f) All receipts so accounted for shall be credited in a personal ledger account specially opened for this purpose or in such accounts as Government may direct from time to time.

(g) The Honorary Cashier shall not keep in the current balance in his charge a greater amount than what is absolutely required for emergency expenditure and shall not exceed Rs. 1000 in any case at a time.

(h) The account shall be checked by the Departmental Inspection Wing along with the Prison accounts and they shall also be subjected to audit by the Accountant General.

The following amenities and benefits may be provided out of the Fund.

(1) Relief in sudden illness.

(2) Medical aid where more than ordinary medical help is required and is beyond the economic capacity of a staff member.

(3) Aid for the education of specially deserving children of the staff. (Particularly the lower level staff)

(4) Relief in accidents.

(5) Relief in cases of premature/sudden death.

(6) Relief in unexpected/sudden loss or misfortune.

(7) to provide amenities for the children of the staff in the shape of parks near the quarters where children will be provided with play materials for sports and entertainment.

(8) Staff canteen.

(i) The funds of all Prisons/Jails/Borstal School/Correctional Institution will be pooled together, provided that 50% of the donations and income from dramatic and other performances secured by a particular Prison/Jail/Borstal School/Correctional Institution will be spent towards the benefit of that Prison/Jail/Correctional Institution.

(j) (i) Each Prison/Jail/Correctional Institution shall make an annual Budget of its requirements and send it to the Inspector General of Prisons along with the Prison/Jail/Correctional Institution Budget. The Inspector General will make allotments within the available funds. Details of distribution and expenditure out of the allotments so made will be left to the Superintendent concerned who will spend the allotments with the advice of a Committee consisting of atleast 3 to 6 members. (Including the Superintendent who will be the Chairman). Committee members shall be elected by the ballot system, in January every year. Care may be taken to have atleast one representative from the upper subordinate executive staff, warder establishment, ministerial staff and one from the rest of the staff.

(ii) The Superintendent will have a casting vote. He shall usually be guided by the advice of the majority of the Members of the Committee but may over-ride it for reasons to be recorded and reported to the Inspector General for his information.

(iii) The Superintendent shall convene meetings of the Committee not less than once in two months. Minutes of the proceedings of every meeting shall be recorded in a bound book and signed by the Chairman and all members.

#### Day-off allowance

55. The Subordinate Executive Staff of the Prisons Department who are called for duty on a day on which they are entitled to a "day off", shall be paid "day-off allowance", subject to their rendering one full day or one full night duty, at the rates fixed by Government from time to time.

#### Prison special allowance

56. All the Prison Executive Staff from Warder to Central Prison, Superintendent shall be paid a "Prison Special Allowance" as fixed by Government from time to time.

#### Smartness allowance

57. All the Prison Executive Staff, who are required to wear uniform as prescribed in the Rules shall be paid Smartness allowance at the rates fixed by Government, from time to time.

#### Ex-gratia allowance

58. Ex-gratia allowance as fixed by Government from time to time shall be paid to the dependants of the Prison staff who are killed or injured while on duty.

### House rent allowance in lieu of rent free quarters

59. All the Prison Executive Staff who are not provided with rent free quarters, as per Rules prescribed elsewhere in this Manual shall be paid House rent allowance at the rates fixed by Government from time to time, in lieu of rent free quarters.

### Concessions towards electricity, current charges

60. (1) Warder Establishment will be given reimbursement of Electric current charges for slab III of the tariff rates and Assistant Jailor Grade II—for Slab IV of the tariff rates.

(2) Water 40 Gallons per head per day. These concessions will be allowed in all cases irrespective of whether residing in family quarters or non-family quarters subject to the following conditions:

(a) *Electricity*.—Meter hire should be paid by the tenant but cost of minimum unit and duty on it should be paid by the State.

(b) *Water*.—(i) As a whole set of lines has a single meter both water hire and water charges should be paid by the Government. The Superintendent should watch to prevent wastage and see that the expenditure on water charges is kept within limits.

(ii) In order to prevent misuse of concession by personnel living in private buildings, the following conditions should be stipulated.

(c) *Electricity*.—Cost of minimum units and duty on it should be reimbursed on a certificate that he lives in an electrified building and that the amount paid by him is not less than the reimbursement.

(d) *Water*.—Reimbursement of charges for any part of the first 1200 gallons, if charged by the Public Health Engineer, Department/Municipality should be made on production of a payment receipt.

(3) Reimbursement of the charges will be arranged as a par with the procedure on reimbursement of charges on medical benefits to Government servants, in contingent bill, debiting expenditure under the head "Office Expenses and Miscellaneous".

### Facilities while on duty

61. The following facilities shall be provided to the personnel while they are on duty:—

(i) Rest-rooms with lockers for the use of staff members who are required to wait in the institutions in between their duty periods.

- (ii) Bath-rooms, lavatories and water closet.
- (iii) Cots for those who will be resting in between night duty periods.
- (iv) Torches or Hurricanes for night duty personnel.

## CHAPTER X

### THE SUPERINTENDENT

#### Statutory provision

Under section 6 of the Travancore Cochin Prisons Act (Act XVIII of 1950) and Section 6 of the Prisons Act of 1894 (Act IX of 1894), there shall be for every Prison a Superintendent who shall manage the Prison in all matters, as required under Section 8 of Travancore Cochin Prisons Act, 1950 and Section 8 of the Prisons Act, 1894.

#### Appointment of Prison Superintendent

62. (1) The Superintendent of the Prison shall be an officer 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 Jailor of the Prison. No such Superintendent shall quit the station or make over charge of his Prison to any person or officer without having obtained the previous sanction of the Inspector General of Prisons.

#### Executive management of Prison by the Superintendent

63. The executive management of the Prison 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.

#### General duties of Superintendent

64. (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 of 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.

#### Daily visit of Prison

65. The Superintendent shall visit the Prison 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 Prison on any day on which he is by this rule required to do so, he shall record the fact and the cause of his absence in his journal. At least twice a month he shall visit the Prison at night and satisfy himself that the guarding is being properly performed and that everything is in order.

#### Maintenance of journal

66. (1) The Superintendent shall maintain on half-margin foolscap and in his own handwriting, a journal, in which he shall record as soon after event as possible:— [Form No. 2]

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

(b) The special reasons for the imposition of hand-cuffs, if any, on any prisoner.

(c) The matters referred to in Rule 76.

(d) Every occurrence of importance connected with the management of the Prison 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.

#### Prison business to be transacted on Prison premises

67. The Superintendent shall, as a rule, transact all business connected with the Prison within its precincts. He shall not except in case of necessity, require the attendance of the Jailor or other subordinates beyond the Prison limits.

### Weekly inspection of prisoners

68. (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 Prison official to produce before the Superintendent without delay any prisoner desiring to see him.

### Control over receipts and expenditure

69. The Superintendent shall be responsible for the economical working of the Prison, 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 Prison. He shall be answerable for all Prison property, stores and moneys, and shall be held responsible for any defalcations on the part of the Prison establishment, if it be shown that such defalcations were rendered possible by negligence on his part.

### Financial powers (Control of expenditure)

70. (1) Subject to the Rules and orders of Government in the Finance Department, and the directions of the Inspector General of

Prisons, the expenditure of the Prison shall be controlled by Superintendent.

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

(3) The Superintendent is authorised the incurring 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 and 4 dozens Hurricane lamps.

(4) The Superintendent is competent to sanction purchase spectacles and dentures for the use of the prisoners on the recommendation of the Medical Officer concerned, meeting the cost therefrom from the amount of wages at the credit of the prisoner concerned from the prisoners cash property available in the Prison.

(5) He is competent to incur expenditure up to Rs. 50 at a time subject to Budget and subject to the condition that the same have been approved by the Director of Public Relations; advertisement.

(6) To sanction and incur contingent charges including purchase of Books upto Rs. 50 in each case subject to Budget provision.

(7) He is authorised to draw contingent bills in respect non-recurring contingent charges which do not require counter signature under the Rules, up to the limit of Rs. 100.

(8) To incur an expenditure up to Rs. 10 at a time purchase stationery articles in unforeseen circumstances subject annual limit of Rs. 50 and non-availability of articles in Stationery Department.

(9) To sanction urgent and unavoidable repairs to buildings, water supply installation, electric installations, etc., up to a maximum cost of Rs. 200 in each case subject to annual maximum limit of Rs. 500 and subject to the execution of the work being governed by relevant rules.

(10) To sanction purchase of medicines locally up to an annual limit of Rs. 500 on the recommendation of the Medical Officer provided that such medicines are not supplied by the Medical Store and also subject to Budget Provision.

(11) It shall be competent to the Superintendent to sanction temporary withdrawals from Provident Fund Deposit of Subordinate Officers subject to Rules of the fund up to a maximum of Rs. 200 in each case in normal cases.