

THE RAJASTHAN PRISONS RULES, 1951

PART-1

Introduction

1. Short title and commencement
2. Interpretation

PART-2

Offences and Punishments

(Rules under sub-sections (1), (2), (3) and (4) of section 59 of the Prisons Act)

1. Act declared to be prison offences by rule made under they Prisons Act
2. Acts constituting both prison offences and offences under IPC how dealt with
3. Minor and serious offences how dealt with
4. Punishment of prison offences by loss of privileges admissible under remission system
5. Classification of minor and major punishments
6. Restrictions in punishment of convict officers
7. Use of adequate force to compel obedience
8. Offenders to be brought before the Superintendent
9. Formal warning not to be combined with other punishments
10. Punishment of "Change of Labour"
11. Punishment of forfeiture of remissions
12. Forfeiture of remission exceeding one month
13. Forfeiture of privileges under the remission system
14. Punishment of gunny clothing
15. Punishment of separate confinement
16. Penal diet

17. Punishment of cellular confinement
18. Offences for which whipping may be awarded as Jail punishment
19. Previous sanction for whipping
20. Special reports in cases of whipping
21. Punishment of whipping for special classes of prisoners
22. Particulars to be furnished with proposal for whipping
73. Whipping not to be inflicted in instalments
24. Limits of stripes
25. Mode of inflicting punishment of whipping
26. Medical Officer to certify fitness for whipping
27. Penal diet, whipping, change of labour
28. Punishment to civil prisoners
29. Application of rules regarding Jail offences and punishment to certain prisoners
30. Punishment to prisoners sentenced to simple imprisonment and to others

PART-3

Remission System

(Rules under section 59(5) of the Prisons Act)

1. Definitions
2. Execution of sentences
3. Forfeiture of remissions
4. Re-admission to the remission system
5. Scale of ordinary remissions
6. Scale of ordinary remission for convict offenders
7. Remission to prisoners on scavenging duty
8. Remission to prisoners working on holidays
9. Date from which remission calculated
10. Remissions to prisoners expert in any industry of employed on wool carding

11. Remissions for continuous period of no punishment
12. Powers of officers to award remission
13. Procedure on award ;
14. Record of award
15. No remission for month in released if released on or before the 15th
16. Special remissions
17. Extent of special remission
18. Entry of special remission on history ticket
19. Maximum remission rewardable
20. Method of calculating date of release
21. Report to Government in certain cases
22. Release of convicts on earning remissions
23. Total remissions to be endorsed on warrant on release
24. Remission to be entered on history-ticket and warrant of a prisoner on transfer
25. Remission sheets of released convicts
26. Information to be sent by courts in certain cases
27. Abstract of rules

PART-4

Use of arms against Prisoners

(Rules under section 59(6) of the Prisons Act)

1. Use of arms against prisoners when permitted
2. Out-breaks and attempted out-breaks
3. Using violence to an officers
4. Warning to be given
5. Orders of superior officer

PART-V

Premature release of Prisoners in danger of death

(Rules under section 59(7) of the Prisons Act)

1. Recommendations for release of a sick convict

2. Reference to previous orders or recommendations
3. Periodical submission of list of old, infirm, in convicts
4. Medical certificate to be supported by other opinion
5. District Magistrate to report to the I.G. after 4 months the condition of each released prisoner
6. Procedure on conditional release
7. Convicts unwilling to abide by the conditions of release to serve full sentences
8. Procedure on conditional release of a convict
9. Release of blind or decrepit prisoners
10. Release of prisoners in danger of death with no chance of recovery within or without the Jail
11. Release of civil prisoners suffering from serious disease
12. Release of under trial prisoner seriously ill

FORM R.J. 152

FORM R.J. 135

FORM R.J. 136

R.J. 137 - FORM A

R.J. 138- FORM-B

PART-6

Classification of Prisons and description and construction of Wards etc.

(Rules under section 59(8) of the Prisons Act)

Section 1

Classification of prisons

1. Kinds of prisons
2. Central prisons
3. District prisons
4. Lock-up Jails
5. Purpose of Lock-up Jails

SECTION II

Construction of Wards and Cells, etc.

6. Capacity of wards
7. Minimum dimensions of a cell
8. Accommodation in ward
9. Sleeping berth in wards
10. Report to I.G. regarding number of prisoners in wards, hospital and cells
11. Responsibility for preventing overcrowding
12. Disposal of excess number of prisoners
13. Location of prisoners or tents
14. Ventilation of wards
15. Number and dimensions of beds in barracks
16. Construction of cells according to standard plan
17. Instructions to be followed in designing Jail
18. Construction of gate

SECTION III

Jail Buildings

19. Walls to be coloured or white-washed
20. Name of blocks to be shown
21. Agency and funds for construction and repairs of Jail buildings
22. Works to be carried out by the P.W.D
23. Repairs
24. Employment of convict-labour on construction and repairs of Jail buildings
25. Execution of works under P.W.D.
26. Method of carrying out works
27. Charge against P.W.D. estimates supplied in the P.W.D.
28. Charge on account of convict-labour
29. Charge on account of materials supplied by the Jail to the P.W.D.

- 30. Preparation of P.W.D. estimate for jail works and repairs and agreements with outside contractors
- 31. Statement of value of work done by jail labour w be supplied by the P.W.D. to the Jail
- 32. Cash payment not ordinarily allowed
- 33. Works undertaken by Jail Department to be inspected by P.W.D. Officers and subordinates
- 34. Standard designs not to be deviated from

SECTION IV

Sanitary Regulations Cleanliness

- 35. Cleanliness of Jail

Conservancy

- 36. Latrine
- 37. Receptacles in latrines
- 38. Water for ablution
- 39. Latrine parade
- 40. Trenches for night soil
- 41. Refuse from cook house
- 42. Latrine on dry earth system in sleeping barrack
- 43. Latrine for solitary cells
- 44. Latrine for paid warders

Water Supply

- 45. Water supply
- 46. Examination of impure water by Chemical Examiner
- 47. Well water
- 48. Chains and iron buckets for wells
- 49. Clearing process for impure water
- 50. Water pipes
- 51. Supply of drinking water in sleeping ward and for prisoners at work

Bathing

52. Batching arrangements for prisoners

PART - 7**Regulation of Sentences of Prisoners**

(Rules under section 59(9) of the Prisons Act)

SECTION I**Adult Male Convicted Criminal Prisoners**

1. Adult male convicts where to be confined
2. Prisoners sentenced to be whipped not to be transferred till the punishment is inflicted
3. Casuals and habitual when to be transferred to the appointed Jails

SECTION II**Female Criminal Prisoners**

4. Jails where female convicts to be confined

SECTION III**Superior Class Prisoners**

5. Superior class Prisoners

SECTION IV**Youthful Prisoners**

6. Youthful prisoners to be confined in central prisons

SECTION V**Sick Prisoners**

7. Lunatics
8. Lepers
9. T.B. prisoners

SECTION VI**Juvenile Female Prisoners**

10. Juvenile female prisoners

SECTION VII

Discretion of the Inspector-General

11. Reservation of power in the I.G. as to regulating prisoners to be confined in each class

PART-8

Government of prisons and Appointment of Jail Officers

(Rules under Section 5900) of the Prisons Act)

SECTION-1

The Inspector-General

1. Control of expenditure
2. Audit of bills
3. Power to sanction contracts
4. Temporary accommodation for prisoners
5. Power to make temporary appointments
6. Rewards for special services
7. Reward for recapture
8. Purchases in the local market
9. Power to appoint, promote, remove and punish subordinate officers
10. Magisterial powers of Inspector-General
11. Inspection of jails by Inspector-General
12. Channel of communication
13. Annual Jail administration report
14. Serious occurrences
15. Additions and alterations to jail buildings
16. Institution and of suits
17. Inspection of lock-ups
18. Inspection of mental hospitals
19. Budget estimates
20. Report to the Accountant-General

- 2.. Financial powers

SECTION II

The Deputy Inspector-General of Prisons

22. Duties of D.I.G.

SECTION III

The Deputy Directors of Medical & Health Services

23. Duties of Deputy Director of health

SECTION IV

The District Magistrate

24. District Magistrate as ex-officio visitor of central prisons
25. District Magistrate to be incharge of prisons and jails in emergency
26. District Magistrate to. be subject to I.G.'s control
27. Visits by mum Magistrate
28. District Magistrate's power to issue orders
29. Provision for occasions when District Magistrate is on tour
30. District Magistrate to arrange for jail work upon vacancy of office of Superintendent
31. District Magistrate's duty when officer incharge of district prison or lock-upjail absent
32. District Magistrate to exercise powers of Superintendent in certain oases
33. Appointment of religious & moral teachers
34. Duties of District Magistrate at the of disturbance or escape
35. Help in the matter of grain storage etc.
36. Permission for investigation
37. Authority to interview

SECTION V

The Director of jail Industries

38. Director of jail industries to assist in maintaining discipline

- 39. Status of Director
- 40. Duties as regards manufactory department
- 41. Director responsible for pecuniary Success of prisons
- 42. Contracts of raw material
- 43. Director may purchase materials and conduct business
- 44. Director to endeavor to improve quality
- 45. Director to acquaint himself with the character and industry of every prisoner
- 46. Stores to be under care and supervision of Director
- 47. Accountants of store
- 48. Periodical examination
- 49. Liability for defalcations
- 50. Director to keep constant watch
- 51. Report Book
- 52. Hours of work
- 53. Quarters for residence

SECTION VI

Factory Managers and Assistant Factory Managers

- 54. Rank of Factory Managers and their assistant

SECITON VII

Superintendents of Jails

- 56. Duties of Superintendent generally
- 57. Records to be kept by the Superintendent
- 58. Control and duties of officers of prisons
- 59. Superintendent to be acquainted with all rules and regulations etc.
- 60. Superintendent's Order Book
- 61. Distribution of duties
- 62. Staffs note book
- 63. Change of duties of officers

-
64. Superintendent to visit jail
 65. Journal of visits and occurrences
 66. All business to be transacted with in jail limits
 67. Inspection of prisoners in solitary or separate confinement
 68. Inspection of barracks etc.
 69. Complaints of prisoners
 70. Visit to the hospital
 71. Cleanliness
 72. Daily inspection of rations
 73. 'line for issue of raw rations
 74. Testing of weights and measures
 75. Superintendent to into all prison offences and record punishments
 76. Punishment Register
 77. Surprise night visits
 78. Precautions for presenting scapes
 79. Special precautions for security
 80. Superintendent to hold alarm Parades
 81. Superintendent to hold weekly parades
 82. Responsibility regarding searches of barracks, etc.
 83. Precautions against fire
 84. Precautions against fire
 85. Prevention of over-crowding
 86. Monthly inspection of arms
 87. Special directions by medical officer
 88. Presence at visits by the Inspector-General and other visitor
 89. Submission of returns and reports
 90. Entries in service books
 91. Confidential annual remarks on deputy Superintendents and gazetteJailors
 92. Integrity certificate in service books

93. Report regarding corrupt practices
94. Superintendent not to leave station without sanction
95. Report of death of any Jail officer
96. Institution and defence of civil suits
97. Superintendent to communicate freely with Inspector-General on all Jail matters
98. Contracts
99. Superintendent to report all important occurrences
100. Superintendent to exercise vigilant, control over receipts and expenditure
101. Superintendent to see to the storage on grain
102. Superintendent to check cash balance twice a month
103. Superintendent to check daily the revenue registers with the cash books
104. Superintendent to check twice a year stores machinery, etc.
105. Inspection of surplus stocks
106. Procedure when there is a charge of Superintendent
107. Prohibition of prisoners or prison officers from being employed in any private capacity
108. Prohibition of employment of prisoners as house servants
109. Supplies to be promptly paid for
110. Relevant rules to be displayed

SECTION VIII

Deputy Superintendents

111. Deputy Superintendent to obey the orders of the Superintendents
112. Security
113. Discipline and conduct
114. Duties of Deputy Superintendent stated: general
115. Residence of Deputy Superintendent Other Employments prohibited

-
116. Deputy Superintendent to be present at night to exempt from sleeping inside the Jail
 117. Night rounds
 118. Duty at unlocking and locking up
 119. Care of control watch stations
 120. Facilities for washing and repairing of clothes
 121. Sowing reaping and storing of Crops
 122. Register of vegetables
 123. Return of unexpanded ammunition
 124. Scale of ammunition
 125. To appear in uniform on duty
 126. Register of locks and keys to be re-written by the Deputy Superintendent
 127. Duties of Deputy Superintendents as to safety of prisoners, etc.
 128. Deputy Superintendent Journal
 129. Deputy Superintendent not to delegate his duties without permission
 130. Effects of prisoners
 131. Deputy Superintendent to search weekly for prohibited articles
 132. Deputy Superintendent to regulate interviews and communications
 133. Deputy Superintendent, when required to accompany officers and visitors
 134. Dunes of Deputy Superintendent in enforcing discipline amongst subordinate officers
 135. Power of Deputy Superintendent to grant four horn's leave
 136. Responsibility of Deputy Superintendent for records, warrants, money etc.
 137. Custody of Government property Periodical stock taking
 138. Disposal of entries in the Superintendent's Journal

- 139. Deputy Superintendent responsible for the efficiency of the guard
- 140. Deputy Superintendent responsible for property and money entrusted to him
- 141. Deputy Superintendent to supervise office and keep certain registers, Duties regarding cash and cash books
- 142 Responsibility for economy in every department
- 143. Inventory at the time of making over charge
- 144. Duty of the Deputy Superintendent on change of Superintendent

SECTION IX

Jailors

- 145. To be present in the absence of Deputy Jailors
- 146. Responsibility for custody of prisoners and discipline in Jail
- 147. Knowledge of rules and regulations
- 148. To be present at the time of opening and locking-up of prisoners
- 149. Duty on admission of a prisoner 150. Attention to persons of prisoner
- 151. To search prisoners when possession of contraband articles is suspected
- 152. Responsibility for custody of warrants and strict enforcement of their terms
- 153. Checking of entries etc. on admissions and releases
- 154. Check of warrants
- 155. Arrangements for absentees
- 156. Posting of Warder Guards
- 157. Responsibility for an efficient warder and reserve guard
- 158. Assignment and changing of Warders duties
- 159. Relief parties of Warders
- 160. Duties as regards Distribution of labour
- 161. Check of prisoners at works

-
162. Care of arms and ammunition
 163. Report Book
 164. Preventions of escapes and safe custody of prisoners
 165. Visit to outside working gang
 166. Sickness among Jail officers
 167. Prisoners requiring medical attention to be put up before medical officers
 168. To carry out directions of Medical Officer or Medical subordinate
 169. Duty on occurrence of death of a prisoner
 170. Death of female prisoners
 171. Death of under-trial prisoner
 172. Administrative control over Assistant Medical Officer and hospital servants
 173. Purchase of provisions and materials
 174. Duties in regard to weighments, issue and distribution of rations
 175. Cleanliness of vessels
 176. Provision of earthen gharas in summer
 177. Assistance to police in taking photograph, etc.
 178. To prohibit unauthorized visitors to jails
 179. Information of certain matters to Superintendent
 180. Private money not to be used for Jail purposes
 181. Care and maintenance of garden
 182. Covering and locking-up of wells
 183. Supervision of building
 184. Test of weights and measures
 185. Responsibility for stores and materials
 186. Charge of jail during Jailor's absence
 187. On suspension or resignation, to give an inventory of all
 188. Action in case of breach of rules

- 189. Duties in the absence of Superintendent
- 190. Weekly certificate about registers being current and upto-date
- 191. To acquaint a new Superintendent with all special rules and orders
- 192. Licence for revolver or pistol

SECTION X

Deputy Jailors

- 193. General duties of Deputy Jailor
- 194. In district Senior Clerk to work in absence of Deputy Jailor
- 195. Delegation of duties
- 196. Conduct of office establishment
- 197. To officiate for Jailor
- 198. Night rounds
- 199. Duties in detail
- 200. Deputy Jailor to observe rules and orders
- 201. Deputy Jailor to maintain discipline among subordinates and prisoners
- 202. Duties in connection with admissions and releases
- 203. Check of valuable property

SECTION XI

Claim and Store-Keepers

- 204. Superintendent to assign duties to clerks
- 205. Store-keepers duties
- 206. Employment of prisoners as clerks

SECTION XII

Head Warders

- 207. Appointment of Head Warders
- 208. Duties of Head warders
- 209. Duties as regards relieving Head Warders
- 210. Head Warders to see that gate sentries and gate-keepers are relieved according to instructions

- 211. Responsibility for appearance and discipline of warders
- 212. Responsibility for cleanliness of Jail
- 213. To report breach of discipline to Superintendent or Jailor
- 214. Responsibility records escapes
- 215. Duties as regards attendance and drill
- 216. Duties of Head Warders on night duty
- 217. Relief
- 218. Read Warders ho be present at every change of guard
- 219. Procedure in relieving guard over female prisoners
- 220. Custody of keys
- 221. Charge of the garden

SECTION XIII

Gate-Keepers

- 222. Head Warders to perform duties of gatekeepers
- 223. Duties of gate-keeper
- 224. Gate registers
- 225. Only one gate to be opened at a time
- 226. Custody of main gate keys
- 227. Procedure when prisoners are received or passed out of Jail
- 228. Jail officers to sign the gate book
- 229. Issue and receipt of bunches of keys
- 230. Keys of the key chest
- 231. Keys of all barracks, etc., tube kept in the key-chest after locking up
- 232. Keys not deposited in the key-chest
- 233. Keys of night locks to be deposited after locking-up
- 234. Keys of the two main gates. Two locks on each wicket at night
- 235. Passing in and out of articles
- 236. Statement 'of Jail population
- 237. Jailors check of the gate-book

- 238. Examination of gate book by Superintendent
- 239. Admission of outsiders
- 240. Gate-keeper to know all jail officers and to observe prisoners going out of the jail
- 241. Other general duties
- 242. Maintenance of articles in the passage between the main gates
- 243. The gate-keeper is authorised to search every person entering into or going out of the Jail except the following
- 244. Prevention of introduction of prohibited articles? And misappropriation
- 245. Register of convicts employed outside Jail
- 246. Gate-keeper to open only one gate or wicket at a time
- 247. Passage to be clear of persons
- 248. Disposal of gate keys at the of lock up
- 249. Light
- 250. Dogs not allowed

SECTION XIV

Warders

- 251. General duties of warders
- 252. Duty of warder in charge of workshed
- 253. Specific duties of wardels
- 254. Uniform of warders
- 255. Duty of warder on relief
- 256. Duty to disclose relation with prisoners
- 257. Relief of morning warders

SECTION XV

Matrons and Female Warders

- 258. Appointment of Matrons and charge of Female Enclosures
- 259. Matron's Report Book and Registers
- 260. Duties of Matron or Female Warder
- 261. Distribution of food

- 262. Escorting of female prisoners
- 263. Search of Female Warders
- 264. The Matron or Female Warder shall not allow any male Jail officer or male prisoner to enter the female enclosure without proper authority.
- 265. Matron or Female Warder not to communicate with male prisoners
- 266. Keys of Female Enclosure
- 267. Looking-up of female prisoners in district Jails
- 268. Report in cases unsuspected pregnancy

SECTION XVI

Reserve Guard

- 269. Reserve guard
- 270. Responsibility for an efficient reserve
- 271. Inspection of the reserve guard daily by the Superintendent
- 272. Reserve Guard to assist in out breaks and escapes
- 273. Reserve Guard not to take part in Jail daily routine
- 274. Responsibility of the reserve head warder and the jailor
- 275. Duties of chief head warder
- 276. Duties of reserve head warder, in central prisons and district prisons
- 277. Posting of reserve guard in central prisons
- 278. The Superintendent is empowered
- 279. Posting of reserve guard in district jails
- 280. Posting of guard in lock-ups
- 281. Duties of the reserve head warder incharge of gate picket
- 282. Reserve guard have to be always at full strength
- 283. Duty and name tokens
- 284. Duties of sentry at main gate
- 285. Duties of sentry

SECTION XVII**Jail Officers**

- 286. No prisoner to be punished without Superintendent's Order and Improper language to be avoided
- 287. Prisoners to be treated with tact, humanity and strict
- 288. Prisoners not to be struck and use of force to be regulated
- 289. Unnecessary conversation with prisoners prohibited
- 290. Prohibition against intimacy with prisoner's relatives
- 291. Prisoners not to be employed on private work
- 292. Prohibition against engaging in any trade, etc.
- 293. Prohibition against dealing with contractors arr' receiving gratuity or presents
- 294. Relationship with another officer or prisoner
- 295. Permission to keep cattle
- 296. Refusal of entry of unauthorised persons
- 297. Jail quarters
- 298. Communication to press and outsiders
- 299. Respect towards superior officer and visitors
- 300. Employment of ex-convicts
- 301. Information to relieving officer
- 302. Jail officers to be acquainted with the rules relating to their duties
- 303. Jail officers to note certain sections of the Prisons Act
- 304. No officers to enter any ward or cell alone from lock-up to sunrise
- 305. Immediate report to be made of any misconduct or breach of law
- 306. Duties of all officers to prevent escapes and report breaches of discipline
- 307. Dispute between Jail officers strictly forbidden
- 308. No officers to enter into pecuniary obligation with subordinates

- 309. Prohibition of combination between officers and servants
- 310. Charge report
- 311. Absence from duty
- 312. Leave on Sundays and other holidays
- 313. Communication of address during absence

SECTION XVIII

Subordinate Officers

- 314. Application of the rules relating to subordinate officers
- 315. Subordinate officers to be on probation for one year
- 316. Subordinate officers to be made acquainted with the terms of section 42 and 45 of the Prisons Act
- 317. Condition of employment of subordinate officer appointed to any iail
- 318. Officers to inform Superintendent when any relative or acquaintance is admitted or confined in the jail
- 319. Jail employees must be persons of respectable character
- 320. Employees forbidden to communicate
- 320. Restrictions Respecting right to form Association, freedom of speech etc.
- 321. No person from any service or convicted of any crime should be appointed without special sanction
- 322. Declaration to be taken before entertaining an officer in Jail service
- 323. All subordinate officers to reside in Jail quarters
- 324. Quarters to be open in inspection by Superintendent or Medical Officer
- 325. When quarters should be vacated
- 326. Occupation of quarters while on leave
- 327. Absence from jail premises or from duty not permitted without sanction
- 328. Uniform to be worn on duty and no combination allowed when off duty
- 329. Lounging about Jails not permitted

- 330. No liquor or tobacco, singing or loud talking, allowed in Jail
- 331. Admission of visitors not permissible in interior of the Jail
- 332. Officers not to have unauthorised communication with prisoners or their relatives etc.
- 333. Subordinate officers not to converse with prisoners
- 334. Responsibility in regard to Jail keys
- 335. Jail lanterns not to be used for private purposes nor naked lights to be used in kutch buildings

SECTION XIX

Military Training, Arms and Accoutrements

- 336. Jailors, Assistant Jailors and Warders to undergo military training in squad drill and use of arms
- 337. Instructions for saluting superior officers
- 338. Gate sentry to present arms
- 339. Swords and fire-arms when to be taken inside the Jail
- 340. Drill for intramural warders
- 341. Drill for reserve warders
- 342. Weekly drill parade of warders
- 343. Military training to Jail officers
- 344. Chief head warder or reserve head warder to be in charge of arms, ammunition, etc.
- 345. Arms, ammunition, etc., to be kept in the armoury ready for use
- 346. Arms, ammunition and rifle to be kept in safety
- 347. Duplicate keys for locks of armoury and rifle racks
- 348. Precautions against surprise attack from outside
- 349. Cleaning of rifles
- 350. Payment to police armourer for his services
- 351. Storage of ammunition
- 352. Superintendent to check ammunition
- 353. Officers responsible for the safe custody of ammunition

-
354. Check of sealed boxes of ammunition
 355. Issue of ammunition to the warder staff
 356. Expenditure of ammunition
 357. Return of unexpanded ammunition
 358. Firing practice
 359. Annual musketry course
 360. Collection of fired bullets
 361. Report of annual musketry course
 362. Account of fired cases
 363. Supply of arms etc. by Ordinance Department
 364. Armoury to be near main gate Arms to be kept in armoury
 - 365 Muskets for reserve guard
 366. Store, from where to be obtained
 367. Requisitions
 368. Requisitions for additional stores
 369. Indents for frogs and scabbards
 370. Sample of frogs
 371. Scale of arms, etc.
 372. Accoutrements from private firm
 373. Use of swords
 374. Scale of ammunition
 375. Indents for Ammunition
 376. Return of fired cases
 377. What ammunition should not be held in stock
 378. Requisitions for ammunition
 379. Boxes of arms and ammunition received 'from arsenal to be weighed and checked
 380. Ammunition to be kept dry and clean
 381. Missfires
 382. Preparation of indents for ammunition
 383. Indents for ammunition, how to be prepared

- 384. Record in indent of receipt of supply of ammunition
- 385. Requisition to contain address to which stores are to be sent
- 386. Instructions for preparation of indents
- 387. Submission of indents to I.G.P.
- 388. Requisition for ammunition as a first issue
- 389. Increase in allowance
- 390. Fresh requisition for disallowed items
- 391. Loaded cartridges
- 392. Committee for investigation of losses etc.
- 393. Disposal of blank fired cartridges
- 394. Disposals of brass
- 395. Supply of oil
- 396. Forms
- 397. Separate forms should be submitted for arms, ammunition, oil etc.
- 398. Procedure for replacement of arms
- 399. Complaint of damaged arms
- 400. Requisition for arms in certain cases
- 401. With regard to arms lost or becoming unserviceable, a committee of three members
- 402. Committee's proceedings
- 403. Loss of ammunition, etc.
- 404. Deficiency of rounds
- 405. Sanction for deficiency to be written off
- 406. Seal of packages
- 407. Consignment of stores
- 408. Return of stores under delivery and receipt vouchers
- 409. Preparation of vouchers
- 410. Receipt vouchers in duplicate
- 411. Receipt vouchers in case of direct requisition by I.G.P.
- 412. Separate vouchers for stores

- 413. Arms to be carefully examined
- 414. Seal on arms returned
- 415. Return of old lead bullets
- 416. Muskets
- 417. Procedure for disposal of consignments
- 418. Return of misfires
- 419. Instructions for preparation of indents
- 420. Inspection of arms etc.
- 421. Repair and maintenance of arms

SECTION XX

Punishment

- 422. Offences for which dismissal or prosecution should follow
- 423. Prosecution of jail officers
- 424. [.....]
- 425. Departmental action may be taken if the investigation proves that his conduct and character renders him unfit for Government service
- 426. Punishment to subordinate officers for breach, of any law, regulation, etc.
- 427. Punishment to subordinate officers by Superintendent and Inspector-General
- 428. Monthly return of punishments

SECTION XXI

Departmental Enquiries

- 429. Departmental enquiry

SECTION XXII

Appeals

- 430. Right of appeals
- 431. Final appeal to Government
- 432. Certified copy of order
- 433. Limitations for appeal

- 434. Accompaniments
- 435. Summary dismissal
- 436. Transmission of appeal
- 437. Subordinate authority not to withhold appeal
- 438. Rates of copying charges
- 439. Method of calculation

SECTION XXIII

Miscellaneous Matters

- 440. Casual and other leave
- 441. Leave of officers during the time of preparation of budget and annual report
- 442. Leave on medical certificate
- 443. Leave to warden
- 444. Service book for non-gazetted officers
- 445. Increments
- 446. Publication of classified list

PART - 9

DIET, BEDDING AND CUTFHING OF CRIMINAL PRISONERS AND ALL CIVIL PRISONERS MAINTAINED OTHERWISE THAT AT THEIR OWN COST

(Rules under section 59 (ii) of the Prisons Act)

SECTION I

Scale of Diet

- 1. Reduction in diet scale not permissible except in certain cases
- 2. Prisoners not to possess, receive or consume any article not prescribed
- 3. Daily issue of prison diet in three meals
- 4. Power to vary, scales
- 5. Power to fix scales of prison diet
- 6. Alteration of dietary by Superintendents
- 7. Scales of diet for prisoners of various classes

8. Exhibition of scales
9. Power reserved to Medical Officer to vary prison diet
10. Diet for sickly weakly prisoners and those losing weight or in poor condition
11. Condiments and antiscorbutics
12. Hospital diets
13. Training of hospital attendants
14. Milk
15. Feeding of patients
16. Morning and evening articles
17. Hospital diet
18. Diet for pregnant prisoners
19. Duty of Inspector-General to ensure adequate supplies
20. Supervision of food-stuff and water supply

Diet of "C" class prisoners

21. No and items of meals
22. Scale of rice ration
23. Rice diet
24. [.....]
25. Diet for Hindu prisoners keeping fast
26. Diet for Muslim prisoners keeping fast
27. Gur for prisoners working as sweepers
28. Cooked rice: how prepared and served
29. Food provided by private persons or societies
30. Authority or medical officer
31. Halwa diet
32. Chatni
33. Condiments
34. Scale of fuel
35. Proportionate diet scale for labouring and non-labouring
36. Diet for convict warders

- 37. Diet for mothers with confined along with them
- 38. Diet for weakly prisoners and those losing weight or in poor condition
- 39. Further instructions with regard to diet of weakly prisoners
- 40. Variation of condiments, etc., in certain cases
- 41. Food to be varied
- 42. Food of prisoners travelling by rail or on transfer
- 43. Diet of civil prisoners
- 44. Diet of ordinary undertrial prisoners
- 45. Diet for special class undertrial prisoners

SECTION II

Preparation of Food

- 46. Inspection of food supplies
- 47. Weighment of uncooked rations
- 48. Treatment of grain before grinding
- 49. Mill stand and grain troughs
- 50. Sitting of flour
- 51. Reserve stock of flour
- 52. Cleaning and grinding losses
- 53. Issue of raw-rations
- 54. Issue of condiments
- 55. Method of kneading flour and making chapaties
- 56. Method of cooking vegetables
- 57. Vegetables
- 58. Vegetables to be varied
- 59. Condiments to be given in jail garden
- 60. Authority for their purchase from, market
- 61. Variety of dals
- 62. Manner of issuing dals
- 63. Fish

64. Jailor responsible for issue of full ration
65. Brass vessels to be used in cook house
66. Cook-house
67. Selection of cooks, and cooking of food
68. Separation of labouring and non-labouring diets
69. Scales, weights etc.
70. Proportions in grain rations
71. Charge of the cook-house
72. Distribution of food
73. Shelter from rain and heat during meals
74. Responsibility of jail officers

SECTION III

Procuring and Storing of Food Supplies

75. Responsibility for purchase and storage
76. Purchase of grain
77. Examination of grain - Prompt payment to be made
78. Storage and subsequent care of grain
79. Grains, pulses etc. to be kept in gunny bags
80. Storage of paddy or rice
81. Husking of paddy
82. Utilisation of prison labour comparison of out-tum with materials issued
83. Superintendent to check weight of unchecked ration issued from grain expenditure

SECTION IV

Bedding and Clothing

84. Supply of clothing and bedding-prisoners not to use or possess any other
85. Clothing for children residing with their mothers in jail
86. Convicts to wear prison dress
87. Clothing for simple imprisonment and under trial prisoners

- 88. Military prisoners not permitted to wear uniform in jail
- 89. Jailer responsible for supply of clothing
- 90. Power to fix scales, dimensions and patterns of prison clothing and bedding
- 91. Provisions to be made in prescribing clothing, bedding etc. Exhibition of Scales
- 92. Prisons to conform to orders as to the care, etc. of articles
- 93. Powers reserve to Medical Officer to order extra clothing
- 94. Supervision of supply of clothing and bedding
- 95. Duty of Inspector-General with regard to clothing, etc.
- 96. Responsibility of prisoners regarding clothing, etc.

SECTION-V

Clothing and Jail Equipment

- 97. Prisoners to wear prison-dress of uniform pattern
- 98. Superior class prisoners to be given clothing and bedding as issued to "B" class prisoners
- 99. Scale of clothing for "C" class convicts
- 100. Bedding of "C" class prisoners
- 101. Supply of clotting, bedding, etc.
- 102. Clothing issued as required
- 103. Issue of warm clothing and blankets
- 104. Pattern of caps
- 105. Pattern of kurtas for convicts
- 106. Payjamas will be of the ordinary pattern reaching upto 6" above the ankle
- 107. Supply of towels
- 108. Winter coats
- 109. Colouring of caps to Indicate class of labour
- 110. Extra clothing for convicts employed on particular works and in the rainy season

-
111. Clothing for convict officers
 112. Hospital clothes
 113. Distinctive clothing for prisoners suffering from certain diseases
 114. Washing of clothes
 115. Submission of cloth indents
 116. Disposal of unserviceable clothing
 117. Charge of clothing godown—Protection from pests
 118. Clothing of prisoners transferred, Convicts to appear in court wearing ordinary clothes
 119. Extra clothing to prisoners on medical grounds
 120. Extra clothing for prisoners working in rain
 121. Extra clothing etc. for prisoners who work at stone-breaking
 122. Responsibility of prisoners regarding clothing, etc.
 123. Clothing to be kept serviceable
 124. Blankets and bedding to be aired
 125. Charge of clothing godown
 126. Washing of released prisoners kits
 127. Record of clothing
 128. Supply of certain articles to simple imprisonment prisoners
 129. Supply of certain articles to prisoners admitted in hospitals
 130. Pattern of blankets
 131. Life of cotton clothing
 - 132 Life of bedding blankets and blankets coats
 133. Store of clothing in bundles
 134. Storing of used condemned clothing
 135. Excessive condemnation
 136. Clothing for issue to convict prisoners
 137. Monthly inspection of clothing store

PART - 10**EMPLOYMENT, INSTRUCTION & CONTROL OF CONVICTS
(Rules under section 59 (12) of the Prisons Act)****SECTION I****Employment**

1. Jail Holidays
2. Labour for convicts sentenced to rigorous imprisonment
3. Jail labour shall be employed in supplying firstly, jail requirements secondly the wants of other consuming departments of Government
4. Centralisation of industries
5. Visits by officers of industries Department
6. Convicts to be on works of public utility
7. Female convicts not to be employed outside the enclosure
8. Task Board
9. Checking of work
10. Employment of prisoners as clerks
11. Employment and payment of extra warders to guard prisoners working extramurally. Rates for Jail Labour
12. Ankle ring for convicts employed outside the jail
13. Restriction on the employment of convicts as menial servants
14. Water-carrier and sweeper gang for official quarters
15. No prisoner be allowed to visit the bazar
16. Employment of convicts or convict officers in private capacity
17. Employment of simple imprisonment prisoners
18. Work for simple imprisonment prisoners
19. Employment of female prisoners
20. Work for under trial prisoners
21. Exercise for non-labouring prisoners undergoing simple imprisonment
22. Exercise by "A" and "B" class prisoners

- 23. Religious books for “A” and “B” class prisoners
- 24. Rules regarding discipline, etc. to be placed in cell or ward
- 25. Employment of domestic duties

SECTION II

Instruction

- 26. Instruction of convicts in handicrafts
- 26A. Education of convicts in public institutions
- 27. Religious ministration

SECTION III

General Control

- 28. Every prisoner to obey lawful orders
- 29. Removal from wards, etc.
- 30. Movements how to be conducted
- 31. Power of Inspector-General to issue directions
- 32. Every prisoner to be in charge of a jail officer
- 33. Vigilance over prisoners to prevent escapes
- 34. Unlocking and locking-up in central prisoners
- 35. Unlocking and locking-up in district
- 36. Allocation of duties at unlocking-up
- 37. Supervision of the jailor unlocking and locking-up of “certain wards
- 38. Unlocking of barracks
- 39. Morning bell
- 40. Routine before unlocking
- 41. Counting of prisoners
- 42. Relief of night duty officers after counting
- 43. Latrine parade on unlocking barracks
- 44. Cleaning of wards and cells
- 45. Wards and cells to be ventilated and locked
- 46. Time to be allowed in the latrine
- 47. March to the bathing platform

48. Distribution into gangs
49. Check of gang-books
50. The strength of each extramural gang
51. Convict officer to assist warder in escorting
52. March to work, Jailor to distribute tasks
53. Procedure in case of illness
54. Men who work together to sleep together
55. Prisoners to be looked in work-shed
56. Arrangement of spare clothing at work
57. Prisoners to be locked in work-sheet
58. Access to urinal and latrine at all hours
59. Routine to be followed at mid-day bathing and food parades
60. After the mid-day parade, they shall proceed to the place appointed for distribution of meals.
61. Hours of rest from labour—Prisoners locking-up during hours of rest
62. Amusing during winter months
63. Checking of food
64. Resumption of work after mid-day rest
65. Procedure of extramural gang work
66. Prisoners to be moved in files and to salute on word of command
67. Relief of morning warders
68. Night duty warders
69. Batches of night duty squad
70. Provision of a night latrine for each ward
71. Prisoners to observe strict silence and not to leave their beds
72. Looking-up of prisoners at night
73. Looking of cooks
74. Berths
75. Long term and dangerous convicts

-
76. Segregation of convicts of the same case
 77. Lights
 78. Cellular barracks
 79. Prisoners in cells to answer to calls
 80. Duties of head warder on night duty
 81. Duties of warders on night duty
 82. Duration of night duty
 83. Use of cost by warders on night duty
 84. Mid-night change of duty
 85. Division of night watch for convict night watchmen
 86. Duties of convict night watchmen
 87. Division of night watch for convict overseers
 88. Duties of convict overseers
 89. Day rest to night duty overseers
 90. Relief of convict night watchman and convict overseers
 91. Night rounds
 92. Duties of officer on night rounds
 93. Night rounds officers to sleep inside the Jail
 94. Precaution about locks and keys
 95. Opening of barracks at night
 96. Convict overseas on main wall duty
 97. Eligibility of convict overseers for main wall duty
 98. Specially dangerous convicts
 99. Watchman's control clock
 100. The following rules are prescribed for the care and use of watchman's control checks
 101. Superintendent and Jailor to hold weekly parades
 102. Parade of female prisoners
 103. Prisoners not to leave their places to make complaints
 104. Criminal complaints by prisoners
 105. Prisoners to be instructed what to do and what to avoid

- 106. Civil prisoners how to behave
- 107. Instructions about washing of clothes
- 108. Routine to be observed on holidays
- 109. Garden or brickfield to be enclosed by a thick hedge
- 110. No undue interference with religion or caste prejudices shall be permitted.
- 111. Water for ablution and a mat shall be provided in cells or wards where Mohammadan prisoners
- 112. Sikh prisoners shall be permitted to wear in jail a pagri of suitable size and Kachh (short drawers)
- 113. No gathering together of prisoners for performing any religious function or caste ceremony shall be permitted.
- 114. Every prisoner who expresses a desire to keep a religious fast and in the opinion of the Medical Officer
- 115. The festivals during which alone religious fasts, may be permitted are
- 116. Use of books and periodicals by prisoners
- 117. Recreation Room
- 118. Religious and moral lectures to all convicts in jails shall be allowed
- 119. Change of religion in jails

SECTION IV

Control in Matters affecting Persons of Prisoners

- 120. Prisoners to wash their clothing weekly
- 121. [omitted]
- 122. Fortnightly weighments
- 123. Record of weighments
- 124. Treatment of prisoners losing weight
- 125. Check by Medical Officer
- 126. Hunger strike
- 127. Hair Cutting

PART - 11**Prohibited Articles****(Rules under Section 59(13) of the Prisons Act)**

1. Prohibited articles defined and punishment for introduction thereof
2. Exceptions
3. Publication of penalties
4. Further rules defining and regulating prohibited articles

PART — 12**Forms of Labour and Periods of Rest****(Rules under Section 59(14) of the Prisons Act)**

1. Intramural and Extramural labour
2. All labour exacted from prisoners shall be classified as “hard”, “medium” or light labour
3. Employment of dangerous works
4. Hard labour
5. Restrictions in employment of convicts on labour
6. Time to be given to acquire skill
7. Hours of rest from labour prisoners locked—up during hours of rest
8. Tasks to be measured or weighed
9. Work done to be measured and entered daily
10. Distribution of Industries in jails and labour to be deterrent
11. How jail labour may be utilized
12. Hiring out of convict labour
13. Convict labour on jail buildings
14. Training in skilled labour
15. Checking of tools
16. Specification of extra-mural labour
17. Convicts who are not to be employed on extra-mural labour
18. Convicts who may be employed on extra-mural labour

19. Certificate of fitness for extra-mural labour
20. Sanction for employment on extra mural labour
21. Form of labour for prisoners in cells
22. Rules regarding labour to apply to female prisoners
23. Labour by "A" and "B" class prisoners, etc.
24. Light labour prisoners to be employed in repairing jail clothing
25. Temporary warder not to be placed in charge of out-gangs
26. A Gang detailed for extra—mural work shall in no case exceed 10 prisoners
27. Dunes of warders in charge of extra- mural gangs
28. When the number of convicts in an extra-mural gang is large or several gangs
29. Use of reserve guard armed with breech-loading muskets and ball cartridges
30. Surprise visits to outgangs by Superintendent
31. Wages
32. Forms and registers for account of wages
33. In the following table, an attempt is made to show standard tasks for each class of labour

PART-13

Disposal of Proceeds OF Employment of Pensioners (Rules under Section 59(15) of the prisons Act)

1. Contracts for disposal of jail produce
2. Responsible officer to keep manufactory accounts
3. Disposal of proceeds of employment of prisoners
4. Adjustment of accounts with other departments
5. How money is to be paid into treasury

PART — 14

Confinement in Fetters of Transportation Prisoners (Rules under section 59(16) of the Prisoners Act)

1. Confinement in fetters, of prisoners sentenced to transportation

PART - 15**Classification and Separation of Prisoners
(Rules under Section 59(17) of the Prisons Act)****SECTION 1**

1. Classes of prisoners
2. [.....]
3. [.... ..]
4. Recommendation to the Govt. for Admission either class 'A' or class 'B'
5. Trying courts will, in the Jail Warrant
6. Special class prisoners conditions to be fulfilled
7. A convicted criminal prisoner may be recommended for class 'B'
8. Class 'C' will consist of prisoners who are not classified in classes 'A' and 'B'.
9. Categories of prisoners and their separation
10. Prisoners of the "A" or "B" class who are accustomed
11. If on admission of a convicted criminal prisoner into a Jail
12. In the case of a military prisoner convicted by Courts
13. Convicts to be separated
14. Occupation 'of vacant cells
15. Procedure when separation by day is not feasible
16. Separation of prisoners sentenced to simple imprisonment
17. Seclusion of female prisoners from male prisoners etc.
18. Female prisoners under sentence of death to be kept in female ward
19. Classification of youthful offenders
20. Juvenile and Juvenile adults to be kept apart from adult prisoners and juveniles from juvenile adults
21. Confinement in cell of prisoner sentenced to death
22. Confinement of civil prisoners

23. Separation of under trial prisoners
24. Habitual under-trial prisoners
25. Separation of under trial prisoners accused of heinous offences
26. Habitual and non-habitual prisoners
27. Definition of habitual
28. Classification into habitual and non-habitual
29. Prisoners sentenced to simple imprisonment to be kept separate from prisoners sentenced to rigorous imprisonment
30. Character and conviction of prisoners
31. Previous conviction to appear in warrant
32. Weekly parade of prisoners for identification by police
33. Classification to be explained to prisoners
34. Separation of habitual female prisoners from non-habituals
35. Prisoners of non-habitual class not to be transferred to the habitual class
36. Rules regarding 'Star' prisoners
37. Copy of judgment to be sent for by the Superintendent
38. Superintendents duty in regard to classification and to discover and report previous convictions, if any
39. "Star" prisoners shall be kept separate from ordinary prisoners.
40. Distinctive mark of "Star" prisoners
41. Night-watch of Ordinary prisoners by "Star" prisoner, not permitted
42. Ordinary prisoners also eligible for appointments as convict officials
43. The superintendent, subject to the sanction of the Inspector—General of prisons

SECTION II

Rules. for the Treatment of Detenus

44. Preventive Detention Act, 1950
45. Detenus to be confined only in Central Prisons

46. When any person committed under the provisions of the said Act
47. How detenus are treated
48. When a detenu is treated as a civil prisoner
49. When to be treated as an under-trial
50. Inspector-General to issue orders regarding health and comfort of detenus
51. Transfer of detenus
52. Procedure on death of detenus

SECTION III

"A" and "B" Class prisoners

53. Definition
54. The prisoners of B class shall be kept separate from all other prisoners.
55. Scale of diet
56. Spinning, weaving envelope-making, book-binding, Composing, sewing
57. Prisoners of "A" and "B" classes who are not sentenced to labour
58. Open air exercise
59. Clothing
60. Scale of clothing, etc.

Furniture

61. Furniture
62. Tobacco, etc.
63. Prisoner of 'A' and 'B' class shall be allowed the use of soap
64. "A" and "B" class prisoners will have their hair cropped
65. Educated and literate prisoners shall be allowed to read books
66. "A" class prisoners shall be allowed to have one interview
67. Prisoners of these classes shall not be handcuffed or fettered
68. The Superintendent shall have the power to inflict

69. In the event of a prisoner of the "A" and "B" class misconducting himself
70. Lights shall be allowed to all "A" and "B" class prisoners up to 9 P.M.
71. Journey by rail
72. The Government reserves to itself the power to
73. Classification prisoners as class 'A' or class 'B'

PART 16

Confinement of Convicted Prisoners

(Rules under section 59 (18) of the Prisons Act)

1. Use of cells
2. Reasons for confinement in cells to be displayed
3. Method of executing sentence
4. Action to be taken when prisoner is sentenced to solitary confinement
5. Prisoners sentenced to imprisonment under two separate warrants
6. Sentencing court to be reported of the fact of a prisoner declared unfit to undergo solitary confinement
7. Punishment to prisoner undergone solitary confinement
8. Watch over prisoners in cells
9. Guarding, confinement and sickness of prisoners in cells
10. Solitary confinement register
11. Admission of prisoners for separate and cellular confinement
12. Search of cell and of prisoner before confinement therein
13. Visits by Superintendents and Medical Officers etc. to prisoners in cells
14. Cells to be kept clean
15. Supply of extra blanket in place of moonj bedding
16. Judicial solitary confinement
17. Responsibility for execution of sentence

18. Batches for execution of sentence
19. Removal for cell under medical advice
20. Remission of sentence in case of unfitness
21. Certificate of completion of sentence
22. Convicts not to leave cells except for bathing
23. Transfer to another Jail
24. Convict sweepers, cooks and watermen to enter cells
25. Prisoners in cells to remain silent

PART - 17

Prisoners' History-Tickets

(Rules under section 59(19) of the Prisons Act)

1. Prisoner's History-ticket
2. Every under-trial prisoner shall be furnished with a history-ticket R.J. 13
3. Certain matters in history-tickets to be filled in by the Medical Officer
4. Other matters to be entered on history-tickets by the Deputy Superintendents, Jailors and his subordinates
5. Matters to be recorded on history-tickets by the Superintendents
6. Weighment of prisoners to be recorded on history-tickets
7. History-ticket to be kept by convict officer
8. Period of preservation of history- tickets

PART—18

Appointment of Prisoners as Officers of Prisons

(Rules under section 59(20) of the Prisons Act)

SECTION I

Convict Officers

1. Grade of convict officers
2. Strength of convict officers
3. Convicts not eligible for appointment as convict officers

4. Convicts 'eligible for appointment as convict officers
5. Assault or violence by convict officers
6. Prosecution of convict officers
7. Independent charge of convict officers
8. Appointment of convict officers
9. Register of eligibility of convicts for various grades

SECTION II

Convict Watchmen

10. Qualifications for convict watchmen
11. Promotion among prisoners of the ordinary class to be limited to the grade of night watchmen
12. Habitual prisoners as convict night watchmen
13. Limit of the number of convict night watchmen
14. General duties of convict watchmen
15. Batches of convict watchmen
16. Privileges of convict watchmen
17. Selection of convict watchmen for convict overseers

SECTION III

Convict Overseers

18. Convict watchmen be a convict overseers condition
19. Appointment of convict overseers
20. General duties of convict overseers
21. All overseers shall be paraded together inc order of merit
22. The privileges of overseers are freedom from penal labour
23. Minor offences or negligence committed by overseers
24. Whenever an overseer, received from a Central Jail
25. These rules and others relating to a convict overseers duties
26. The employment of convict oversees as night guards

SECTION IV

Convict Warders

27. Strength of convict warden

28. Qualifications for convict warders
29. Duties of convict warders
30. Superintendent's power to degrade convict officers
31. Appointment of female convicts as convict night watch women and overseers

SECTION V

Miscellaneous

32. Physical training to convict warden" and convict Overseers
33. Fetters for convict officers
34. Supply of whistles and umbrellas to convict overseers
35. Supply of umbrellas
36. Privilege for convict overseers
37. Supply of batons and whistles to convict warders
38. Privileges for convict warders
39. Reversion of convict officer's on ground of incapacity
40. Female convict overseers
41. Female convict night watch-women and convict overseers

PART - 19

Rewards for Good Conduct

(Rules under section 59(21) of the Prisons Act)

1. Use of books by prisoners
2. Prisoners who have behaved well may
3. Casual prisoners who have behaved
4. Money grant to reward industry
5. Award of gratuities for industry
6. Money grant to indigent prisoners on release
7. Conditions for the grant to indigent prisoners
8. Rewards to convict officers for approved services
9. Gratuity to prisoners employed as sweepers

PART - 20**Transfer of Prisoners for Release****(Rules under seczm 59(27) of the Prisons Act)**

1. Transfer of prisoners for purposes of release
2. Ordinary release of prisoners
3. Transfer of prisoners unfit to travel for release
4. Transfer of previously convicted prisoners before release
5. Transfer of female prisoners for release
6. Transfer of sick P.R. / T. prisoners other than habituais before release
7. Transfer of other prisoners before release
8. Transfer of prisoners to other districts for release

PART- 21**Transfer and Disposal of Criminal Lunatics****(Rules under section 59(23) of the Prisons Act)****Lunatics**

1. Classification of criminal lunatics
2. Non-Criminal Lunatics
3. Non-criminal lunatics
4. Medical examination of non-criminal lunatics
5. Detention of non-criminal lunatics
6. Maintenance of nominal roll and medical history sheet for non-criminal lunatics
7. Cost of maintenance of non-criminal lunatics

Criminal Lunatics

7. Transfer of criminal lunatic, to mental hospital
8. Certain documents to accompany a lunatic
9. Action when criminal lunatic is capable or making his defence
10. Any person ordered to be detained in safe custody in a Jail

11. Documents to accompany criminal lunatics

Lunatic Prisoner

12. Report to I.G. of cases of prisoners found in same after admission
13. Removal of lunatics to mental hospital
14. Treatment of lunatic prisoners as non-criminal lunatics

Care of Lunatics-When Travelling

15. Transfer of lunatics to mental hospital
16. Female lunatics to be accompanied by a female attendant or relative
17. Despatch by recovered and unrecovered criminal lunatics by rail

Recovered or Unrecovered Criminal Lunatics

18. Treatment of recovered criminal lunatics in jails
19. Transfer of recovered lunatic criminals
20. Re-transfer to Jail of recovered criminal lunatics
21. Recovered criminal lunatic undergoing probation in jail-
Relapse of insanity

General

22. Certificate of receipt of lunatics
23. Further enquiries into the cause of insanity
24. Confinement in cell of dangerous, noisy or filthy lunatics
25. Diet for lunatics
26. Certificate of discharge for lunatics
27. Functions of Superintendent in respect of criminal lunatics
28. Reports on criminal lunatics
29. I.G. prisons as ex-officio visitor of mental hospitals
30. Power and duties of Inspector-General with regard to lunatics

APPENDIX**PART - 22****Transmission of Appeals AND Petitions and Interviews and Communications****(Rules under section 59(24) of the prisons Act)****SECTION I****Appeals and Petitions**

1. Information as to period within which appeal may be filed
2. Writing material to prisoners desirous of appealing
3. Presentation of petitions of appeal by prisoners
4. Appointment of a pleader by a prisoner
5. Permission to friends or counsel to communicate with prisoners; petitions of appeal
6. Accompaniments of petition of appeal- Application for copy
7. Appeal to be sent without copy of judgment in the case of prisoner under sentence of death
8. Petition of appeal; how to be drawn up
9. Transmission of appeals to appellate authority
10. Date of application for copy of judgment
11. Date of hearing to be sent to Jail when appeal is admitted
12. Appellate Court to send fresh warrant when a sentence is reversed
13. Supersession warrant
14. Result of appeal
15. Remand to under-trial ward
16. Sentence of whipping not to be carried out until the result of appeal is known
17. Presentation of petition for revision of sentence from which no appeal lies
18. Second petition for revision to the High Court of Judicature not permissible

19. Court revising a sentence to communicate result to Superintendent, jail
20. Instructions for dealing with petition for mercy from prisoners other than condemned prisoners
21. Petitions for mercy from prisoners under sentence of death
22. Petitions of appeal to Supreme Court
23. Particulars to be noted on history-tickets
24. Order of release

SECTION II

Interviews & Communications

25. Facilities to new convicts
26. Facilities to convicts imprisoned in default of payment of fine or furnishing security
27. Letters on transfer from one Jail to another
28. Applications for admission to superior class
29. Representations to Government or Government officers
30. Interviews and letters for condemned convicts
31. Ordinary letters and interviews
32. Extra interviews and letters
33. Censorship of letters
34. Letters to a prisoner not entitled to receive them
35. Retention of letters by prisoners
36. Writing materials for letters
37. Letters and interviews, etc. to be entered in register
38. Petitions for interviews
39. Petition writers
40. Prohibition against communicating interviews to the press
41. Petition-box
42. Days and hours for interviews
43. Place of interviews
44. Supervision of interviews

45. Deposit of articles or cash at interviews
46. Termination of interviews
47. Time allowed for interview
48. Search before and after interview
49. Refusal of interviews
50. Abuse of privilege
51. Rules regarding interview with civil and under-trial prisoners
52. Rules regarding interview with civil and under-trial prisoners
53. When any person desires an interview with an unconvicted criminal prisoner
54. Any bonafide confidential written communication prepared
55. Civil prisoners may see their friends and relations
56. With a view to facilitating the exercise of consular functions relating

PART - 23

Appointment and Guidance of Visitors of Prisoners (Rules under section 59(25) of the Prisons Act)

1. Ex-officio visitors
2. Visits by official Visitors
3. Non-official Visitors, power of the Government of Rajasthan to appoint
4. Term of office and removal of non-official visitors
5. Roster for monthly visits
6. Duration of visits
7. Boards of visitors
8. Board Meetings and additional visit by a visitor
9. Visitors to be accompanied by a jail officer and an escort
10. Names of visitors to be displayed
11. Duties of visitors
12. Inspection notes by visitors
13. Action on remarks of visitors

14. Permission to enter jail for recording statement of prisoners
15. Visits by authorised persons
16. Officers of PWD may enter jail during business hours
17. Admission of police officers to the jail and the interrogation of prisoners by them

PART-24

Subsidiary Jails

(Rules under section 59(26) of prisons Act)

1. Definitions
2. Under section 59, clause (26) of the prisons Act
3. Classes of prisoners to be confined in subsidiary jails
4. Transfer of prisoners from sub-jails
5. Transfer of casual prisoners from subsidiary jails under I.G.s order
6. Confinement of certain prisoners in subsidiary jail under I.G.'s orders
7. Transfer of "A" and "B" class prisoner
8. Management of sub-jails by Superintendents
9. Establishment of sub-jails
10. Convict Officers
11. Rules regarding duties of staff
12. Duties of Assistant Jailor
13. Depot for recruitment of Head Warders etc.
14. Arrangements for the dieting of prisoners
15. Duty of Superintendent
16. Labour for male and female convicts

PART — 25

Admission, Custody, Employment, Dieting, Treatment and Release of prisoners.

(Rules under section 59(27) and (28) of the prisons Act)

1. The term "warrant" in this part means any order

SECTION I

Admission of Prisoners

2. Admission of prisoners
3. Prisoners not to be admitted after lock-up, Exceptions
4. Warrant to be examined on admission of prisoners
5. Procedure when doubts arise regarding legality of warrant
6. Classification slips to accompany warrants
7. Sequences of sentences when they include both rigorous imprisonment and transportation
8. Prisoner to serve aggregate terms of sentences
9. Sentences how and when to take effect
10. When the appellate court simply modifies the sentence passed
11. Action after realising fines
12. Deposit of fines in the local treasury
13. Procedure on non-payment of fine
14. Receipt of realisation of fine
15. Imprisonment in default of payment of fine
16. Sentence in default of furnishing security
17. Additional sentence on escaped convict
18. Prisoners sentenced to whipping only
19. Procedure when there is a sentence of imprisonment in one case and a sentence of imprisonment and whipping in another
20. Report to the District Magistrate in case of military pensioners
21. Warrant of under-trial prisoners
22. Entries in and arrangement of warrants
23. Particulars to be recorded in registers within 12 hours of prisoner's admission
24. Admission register to contain full description of every prisoner
25. Register for Newly admitted prisoners
26. Superintendent to satisfy himself as to correctness of all entries relating to convicts

27. Superintendent to see to necessary alteration in registers
28. Information to convicts of alteration in their sentences
29. Orders relating to a convict transferred to another jail
30. Report to the District Magistrate of recent injuries, etc.
31. Other particulars to be noted on admission
32. Convicted prisoners to be provided with history-tickets
33. The Superintendent shall prepare and record
34. Wooden table for prisoners
35. Search of prisoners on admission and disposal of articles in their possession
36. Confiscation of money or prohibited articles in a convict's possession
37. Disposal of prohibited articles which cannot be stored
38. Report to Magistrate of cash valuable property of a convict sentenced in default of fine
39. Prisoners to wash themselves and their clothing
40.
41. Prompt disposal of the case of juvenile or juvenile adult under-trial prisoners
42. Prisoners having influence in district to be transferred to another district
43. An abstract of the rules relating

SECTION II

The safe Custody of Prisoners

A. Guarding of prisoners

44. Guarding of Prisoners
15. Procedure for guarding of prisoners
46. Warders, convict warders or convict overseers to be in independent charge of gangs
47. Patrol of watch during night

- 48. Roster showing turns of duty of warder and convict warder
- 49. Special systems of watch by convict overseers and watchman
- 50. The patrolling officer at night shall move
- 51. Cooks for early morning meal
- 52. Locks and keys of inner and outer main gates
- 53. Night sentry to be armed with breach loading musket and ammunition
- 54.. Visits of jails by Superintendent of Jails, Jailor, and Assistant Jailors
- 55. Opening of wards at night

B. Escape and Out-breaks and Alarm Parades

- 56. The precautions to be taken and the procedure
- 57. Rules for guarding, escapes and disturbances
- 58. Warning to jail officials of penalties permitting on escape of prisoner
- 59. Steps to be taken in the event of escape or out-break
- 60. Duty of gate—keeper
- 61. Duty of sentry
- 62.. Intimation of alarm
- 63. Arming of officers and staff at alarms
- 64. Convict officers to fall in
- 65. Collection and securing of prisoners working in out-gangs
- 66. Collection and locking of prisoners working inside the jail
- 67. Warders and convict warden to be on sentry duty on prisoners
- 68. If the prisoner escaped over the wall
- 69. Duties of Jailors or deputy Jailors before arrival of Superintendent
- 70. Superintendent to assume charge of operations
- 71. Conclusion of alarm

72. Report to the Inspector-General
73. Recapture of prisoner
74. Report of escape and re-capture of prisoners to I.G.
75. Rewards for apprehension of escaped prisoners
76. Whenever peculiar circumstances may render
77. Entry in the cover of the current release diary or escape of prisoner not recaptured
78. Escapes at night
79. Descriptive roll also to be sent to A.I.G., C.I.D.
80. Report of attempted escape
81. Rewards for recapture
82. Investigation by District Magistrate in case of an escape
83. Negligence of jail officers in cases of escape
84. Fetters for recaptured prisoners
85. Documents relating to escaped prisoners
86. The property of an escaped convict shall be retained
87. The name and full particulars of prisoners
88. A brief note shall be made on the history-tickets of all convicts recaptured
89. In order to train all jail officials in their respective duties.
90. Police assistance in connection with out-break
91. Report to I.G. of serious assault by prisoners

SECTION III

Release of prisoners

92. Name of a convict with sentence of less than 3 months to be entered in the Release Register
93. Check date to be fixed for convicts with sentences of three months or over
94. Check dates of convicts sentenced to transportation of imprisonment for terms exceeding 14 years

95. Fresh check date to be fixed in certain cases
96. Fixation of final dates of release
97. Parade of convicts to be released
98. Release of prisoners on Sunday and jail holidays
99. Notices of anticipated release of prisoner
100. Orders of release to be complied with promptly
101. Release orders to be duly authenticated
102. Orders by telegram
103. Sick prisoners not to be released unless t
104. Report of security tendered under section 123(4) of the Cr.P.C.
105. Responsibility for correct release of prisoners
106. Steps to be taken by the Jailor before a convict is released
107. Procedure regarding release of prisoners
108. Examination of certain registers before release of prisoners
109. Convicts identity to be verified
110. Delivery of prisoners property at the time of release
111. Time for release of prisoners and return of jail kits
112. The Superintendent shall supply every convict
113. Scale of release to destitute prisoners on release
114. Health and weight of convicts to be recorded on release
115. Certificate of completion of sentence
116. Scale of diet money to be paid to convicts
117. Railway ticket or lorry fare to be given in certain cases
118. Prisoners convicted under the Indian Railways Act, 1890 not to be given railway fare
119. Railway ticket and allowance to convicts resident of other States
120. Return of writ, order or warrant after execution
121. Return of warrants of military convicts
- 122 Return of warrants of railway thieves and swindlers

123. The following rules regulate the release of “police registered convicts”
124. P.R. juvenile convicts
125. Procedure on receipt of a release notice of P.R. Convicts
126. Convicts intimation of whose date of release is to be sent to superintendents of Police of the districts of their residence
127. Declaration of local area in which convicts on whom order under section 565 of the Cr.P.C. is passed are to reside
128. Application of paragraph 127 to a convict with no fixed abode
129. Information of release of opium and cocaine smugglers and barwar convicts
- 130 Ordinary calculation of date of release
131. Method of calculating release on bail or escape
132. Calculation of date of release when there are two or more sentences
133. Entries to be made in release diary when sentence includes fine
134. Calculation of date on release in part payment of fines
135. Release of prisoners under the 14 year rule

SECTION IV

Advisory Boards

136. Constitution of Advisory Board
137. The meetings of an Advisory Board shall be governed
138. Scrutiny by the Advisory Board
139. Prisoners eligibility for consideration by the Advisory Board
140. Prisoners not eligible for consideration by the Advisory Board
141. Procedure
142. The Advisory Board shall carefully scrutinise and consider the judgment of the Court
143. Date of revision
144. Register of dates of revision

- 145. Condition, for release
- 146. Particulars to be carried on revision sheets
- 147. Opinion of District Magistrate
- 148. Recommendation of the Advisory Board
- 149. Scrutiny of cases of professional convicts
- 150. Consideration by Government
- 151. References to previous orders or recommendations
- 152. Recommendations and orders to be entered in the Register Forms

SECTION V

Transfer of Prisoners

- 153. Transfer of prisoners under I.G.'s orders
- 154. Transfer of certain prisoners not to be made
- 155. Transfer of prisoners from one Jail to another on account of infectious disease
- 156. Transfer of prisoners by Superintendents of jails in anticipation of I.G.'s sanction
- 157. Transfer to another jail of prisoners or notorious Jail breakers or violent characters
- 158. Transfer of prisoners belonging to other provinces
- 159. Any prisoner, whose detention in a prison
- 160. Nominal roll of prisoners
- 161. Medical examination of prisoners before removal to another jail
- 162. Escorts for prisoners transferred from one Jail to another
- 163. Necessary clothing, bedding and vessels for prisoners before transfer
- 164. Search of prisoners before police escort
- 165. Handcuffing of male convicts before leaving the jail
- 166. Transfer of prisoners of different classes at different times
- 167. Jail official to accompany every batch of prisoners transferred

168. Duties of jail official when transferring a prisoner
169. Documents to accompany prisoners on transfer
170. Entry of completion of sentence on the warrant of transferred prisoners
171. Notice of loss of property of prisoners at destination
172. Clothing etc., of prisoners while travelling
173. Halts and marching of prisoners in transit
174. Lantern for gang of prisoners confined at night
175. Death of prisoner while on transfer

SECTION VI

Prisoner's Property

176. Property of prisoners how to be dealt with.
177. Registered and insured articles and money orders for prisoners, how to be delivered
178. Disposal of property of prisoner On transfer from one jail to another
179. Delivery of property or money of prisoners
180. Disposal of property of deceased prisoners
181. Disposal of property of escaped prisoner

SECTION VII

Accidents and Suicides

182. Enquiry and report regarding sudden or violent death or suicide
183. Watch over prisoners with suicidal tendencies
184. Wells to be secured by covers to avoid accidents
185. Well ropes to be locked up. Knives, broken glass or ropes not to be left about
186. Prisoners to be prevented from under cutting earth to avoid accidents
187. Preservation of rope ladder for accidents in wells

SECTION VIII**Civil Prisoners**

- 188. Classes of civil prisoners
- 189. Scales of daily subsistence allowance of judgment debtors
- 190. Monthly payment of diet-money (in advance) by decree-holders
- 191. Discharge of judgment-debtor
- 192. Certain judgment-debtors not to be discharged without order of the court
- 193. Balance of diet-money after release of civil prisoner
- 194. Disposal of article supplied by decree-holders
- 195. Applications for insolvency

SECTION IX**Under-trial Prisoners**

- 196. Committed]
- 197. [Committed]
- 198. Where confined
- 199. Scale of diet
- 200. Ministerial officers-in-charge of lock-ups
- 201. Officer and subordinate staff in lock-ups
- 202. Transfer of under-trials after convicting, responsibility of the police
- 203. Duties of an Assistant Jailor
- 204. Prisoners to be searched every time
- 205. Examination of warrant committing prisoner
- 206. No under-trial to be detained except on remand
- 207. Medical examination of under-trials on admission
- 208. Weighment of under-trials
- 209. Under-trials not to change personal appearance
- 210. Identification marks of under-trial
- 211. The Assistant Jailor should segregate under-trial prisoners

-
212. Convict register
 213. Direction as to separation of under-trials
 214. Separate confinement of approvers
 215. Report of cases of under-trial pending over a month
 216. Magistrate's order necessary for admission of prisoner after lock-up
 217. Discharge by courts
 218. Keys of doors of female wards
 219. Females not to leave this enclosure
 220. Punishment for prison offences
 221. Fetters
 222. Belchains
 223. Food'etc. from private sources
 224. Prohibition against hiring or selling, of clothing etc.
 225. Work for under-trial prisoners
 226. Shoes
 227. Books, newspapers, etc.
 228. Daily routine
 229. Procedure in the case of under-trial prisoners who have to be subsequently identified
 230. Cross references in cases of prisoners on trial in more than one case
 231. Clothing for under-trial prisoners attending courts in camps
 232. Transfer for trial to another district
 - 232A. Search of prisoners going to courts
 233. Transfer of female under-trial prisoners under 40
 234. Report of previous convictions
 235. Accused sentenced to whipping only
 236. Under trial prisoners unfit to attend court owing to sick
 237. Serious illness
 238. Death

239. Rules to be exhibited

SECTION X

Female prisoners

240. Separate cell for female under-trial prisoners

241. Female prisoners not to remain alone in female ward

242. Child with mother

243. Birth of a child in jail

244. Pregnancy of female prisoner

246. Keys of female ward

247. Restriction of male officer's entrance in female ward

248. Female prisoner not to quit female enclosure of jail

SECTION XI

Prisoners condemned to Death

249. Warrant of condemned prisoner

250. Confinement of condemned prisoner in a separate cell

251. Search of the condemned prisoners

252. Observation by the jail warder day and night of the condemned prisoner

253. Cell of condemned prisoner

254. Separate guard for each cell

255. Frequent visit by Head Warder

256. Daily search of the condemned prisoners

257. Diet of the condemned prisoner

258. Visit to condemned prisoner by his relative

259. Postponement of the execution of sentence on medical grounds

260. Delay in a capital sentence

261. Pregnant female prisoner under sentence of death

262. Pregnant female prisoner under sentence of death

263. Execution of sentence when suspended

264. Evidence of a convict under sentence of death

- 265. Execution of the condemned prisoner
- 266. Presence of certain officers at the time of execution
- 267. Execution to take place within the jail walls
- 268. Admittance of relative during execution
- 269. Arrangements for suppressing disturbance etc.
- 270. Scale of drop
- 271. Identification of a condemned prisoner before execution
- 272. Removal of the dead body
- 273. Insane condemned prisoner
- 274. Execution charges

SECTION XII

Lepers

- 275. Medical Officer to record on history tickets if prisoner is a leper
- 276. Transfer of lepers to jails having leper Wards
- 277. Accommodation for lepers
- 278. Segregation of leper prisoners

SECTION—XIII

Medical Administration, Hygiene and Epidemics General Instruction

- 279. Medical administration
- 280. Excessive mortality
- 281. Medical examination of prisoners on admission
- 282 Prisoners from unhealthy districts

Class of Labour

- 283. Class of labour
- 284. Average weight or physical equivalent

Weighment

- 285. Weighment of prisoners
- 286. Abstract statement of weight

287. Loss of weight

288. Food to habitual prisoners increasing in weight

Infirm Gang

289. Infirm gang

290. Diet to infirm persons

291. Light labour to infirm persons and their diet

Special Gangs

292 Special gangs

293. Prisoners suffering from Ring-worm

294. Prisoners suffering from enlargement of spleen

295. Prisoners suffering from syphilis

Prophylactics

296. Prophylactics in Malaria fever

297. Clothing

Exercise

298. Exercise of prisoners

299. Sick report of prisoners

300. Examination and treatment of sick prisoners

301. Intimation of serious illness to District Magistrate and relatives

Vaccination

302. Vaccination

303. Medical attendance to jail staff and their families

304. Medical certificate for illness and fitness

305. Channel of communication

306. Powers of Inspector-General of Prisons with regard to Medical subordinates

307. Medical Officer to reside on jail premises

Hospital Management

- 308. Admittance of sick prisoner in the hospital
- 309. Medical history-ticket of the prisoners
- 310. Diet of sick prisoners
- 311. Arrangement for sago
- 312. Medical frequently required
- 313. Light work to sick prisoners
- 314. Daily visits to hospitals and duties with regard to sick prisoners
- 315. Additions or alterations to sick diet
- 316. Duties with regard to medicines, medical stores and indent
- 317. Responsibility for medicines
- 318. Indents for medicines, instruments and hospital necessities
- 319. Hospital registers
- 320. Stores to be kept in good order
- 321. Maintenance of cleanliness and order etc. in the hospital
- 322 Treatment of Bowel complaints
- Duties of Medical Officers and Compounders
- 323. General duties of Medical Officer
- 324. Daily visits to jails and attendance as weekly inspections
- 325. Procedure for the removal of prisoners
- 326. Over-crowding
- 327. Supervision of jail garden
- 328. Medical Officer to inspect grounds
- 329. The Medical Officer to comply with all orders issued by the Inspector General
- 330. Medical Officer to examine candidates for jail employment
- 331. Medical Officer to obey orders of the Superintendent
- 332. Medical Officer to be on duty throughout the day
- 333. General duties of the Medical Officer
- 334. Visit ho infirm gangs

- 335. Cases of pregnancy to be reported'
- 336. Duties in connection with infectious diseases or serious injury
- 337. Duties as regards food and its distribution
- 338. Duties as regards water supply
- 339. Duties as regards sanitation and ventilation
- 340. Duties as regards dairy
- 341. Weighment of prisoners
- 342. Duties in general

Compounders

- 343. Compounders to be qualified
- 344. Control of Medical Officers on compounders
- 345. Medical Officer to specify hours of duty

Epidemics

- 346. Destruction of germs of infectious diseases
- 347. Steps to be taken in case of infectious diseases
- 348. Out-break of infectious diseases
- 349. Report cases of out-break
- 350. Disinfection of barracks
- 351. Infectious cases not to be accommodated in jail hospital
- 352. Cases of infection amongst segregated prisoners
- 353. Segregation of contacts
- 354. Instruction for the prevention of the spread of cholera
- 355. Camp jail
- 356. Material for huts or chhappars
- 357. Plan of Camp for prisoners suffering from infectious diseases
- 358. Reserve of fetters and belchans
- 359. Burning of huts or chhappars
- 360. Disinfectants and methods of disinfection

PART-26

Impositions of irons

1. Only Superintendent is authorised to order fetters and hand-cuffs
2. Description of hand-cuffs
3. Imposition of hand-cuffs method and period
4. Description of fetters
5. Period for which. fetters may be imposed
6. Prisoners exempted absolutely
7. Prisoners ordinarily exempted
8. Jailor's responsibility for fitness of fetters and hand-cuffs
9. Fetters for safe-custody
10. Class 'A' & Class 'B' prisoners shall wear fetters when they are travelling
11. Under Section 57 of the Prisoners Act, Transportation prisoners.
12. Removal of fetters of patients
13. Fetters Register. Entry in Superintendent's Journal and prisoners history-ticket
14. Review of orders for imposition of fetters
15. Gaiters for fettered prisoners, duty to keep them brightly polished
16. Bel-chains used in open confinement
17. Bel-chains on dangerous prisoners and how to apply

PART - 27

Escort of prisoners attending Courts

1. Officers IG of jail shall be referred to as "Superintendent"
2. Police to provide escort
3. Procedure to obtain escort
4. When court and jail are in one station
5. Where court and jail are in different stations
6. Custody at night

7. Custody when confined, in another Jail
8. Custody when confined in lock-up
9. Method of travelling
10. A convicted prisoner shall not be hand-cuffed unless
11. Strength of police guard
12. Cost of prisoner's journey
13. Certain prisoners not to be removed
14. Documents to accompany prisoner.

THE RAJASTHAN PRISONS RULES, 1951

PART-1

INTRODUCTORY

1. Short title and commencement.- (1) These rules may be called the Rajasthan Prisons Rules, 1951.

(2) They shall come into force at once-

2. Interpretation.- The General Clauses Act, 1897, of the Central Legislature shall apply to the interpretation of these rules as it applies to the Interpretation of a Central Act.

PART-2

OFFENCES AND PUNISHMENTS

(Rules under sub-sections (1), (2), (3) and (4) of section 59 of the Prisons Act)

1. Act declared to be prison offences by rule made under the Prisons Act.- The following acts are forbidden, and every prisoner who wilfully commits any of the Following acts shall be deemed to have wilfully disobeyed the regulations of the prison and to have committed a prison offence within the meaning of section 45 of the Prisons Act -

(1) Taking when at file or at unlocking or at latrine, bathing or other parades, or at any time when ordered by all officer of the prison to desist, and singing, loud laughing and loud talking at any time.

(2) Quarreling with any other prisoner.

(3) Secreting any article whatever.

(4) Showing disrespect to any Jail officer or visitor by observing silence or in any other way.

(5) Making groundless complaints,

(6) Answering untruthfully any question put by an officer of the prison or a visitor.

(7) Holding any communication (in writing, by word of mouth or otherwise) with an outsider, with a prisoner of the opposite sex, a

civil or an under-trial prisoner of a different class, in disobedience of the regulations of the prison.

(8) Abetting the commission of any prison offence.

(9) Omitting to assist in the maintenance of discipline by reporting any prison offence, or to give assistance to an officer of the prison when called on to do so.

(10) Doing any act or using any language calculated to wound or offend the feelings and prejudices of a fellow-prisoner.

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

(12) Leaving without permission of an officer of the prison the gang to which he is attached, of the part of the prison in which he is confined.

(13) Leaving without permission of an officer of the prison the ward, the yard, the place in file, the seat or berth assigned to him.

(14) Loitering about the yards lingering in the wards when these are open.

(15) Omitting or refusing the march in file when moving about the person.

(16) Visiting the latrines or bathing platforms except at stated hours, or without permission of an officer of the prison, or resorting unnecessarily to the night latrine, or omitting or refusing to employ dry earth in the manner directed by the prison regulations.

(17) Refusing to eat food, or the food prescribed by the prison diet scale.

(18) Eating or appropriating any food not assigned to him, or taking from or adding to the portions assigned to other prisoners.

(19) Removing without permission of an officer of the prison food from the cook-room or godowns or from the place where meals are served, or disobeying any order as to the issue and distribution of food and drink.

(20) Wilfully destroying food or throwing it away without orders.

(21) Introducing into food or drink anything likely to render it unpalatable or unwholesome

(22) Omitting or refusing to wear the clothing given to him or exchanging any portion of it for the clothing of other prisoners or losing, discarding, damaging or altering any part of it.

(23) Removing, defacing, or altering any distinctive number, mark or badge attached to, or worn on, the clothing or person.

(24) Omitting or refusing to keep the person clear, or disobeying any order regulating the cutting of hair or nails.

(25) Omitting or refusing to keep clean his clothing, blankets, bedding, fetters, brass tumbler, iron cups or platters or breast ticket or other identification token, 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 prison clothing or any part of the prison kit of any other prisoner.

(28) Committing a nuisance in any part of the prison.

(29) Spitting on or otherwise spoiling any floor, door, wall, or other part of the prison building or any article in the prison.

(30) Wilfully befouling the wells, latrines, washing or bathing places.

(31) Damaging the trees and vegetables in the garden of the Jail, or maltreating the prison cattle.

(32) Omitting or refusing to take due care of all prison property entrusted to him.

(33) Omitting or refusing to take due care of, or 'injuring, destroying or misappropriating the materials and implements entrusted to him for work.

(34) Omitting to report at once any loss, breakage or injury which he may accidentally have caused to prison property or implements.

(35) Manufacturing any article without the knowledge or permission of an officer of the prison.

(36) Performing any portion of the task allotted to another prisoner, or obtaining the assistance of another prisoner in the performance of his own task.

(37) Appropriating any portion of the task performed by another prisoner.

(38) Mixing or adding any foreign substance to the materials issued for work.

(39) Doing or omitting to do any act with intent to cause to himself; any illness, injury or disability.

(40) Causing, or omitting to assist in suppressing violence or insubordination of any kind.

(41) Taking part in any attack upon any prisoner or officer of the prison.

(42) Omitting or refusing to help any officer of the prison in case of an attempted escape or of an attack upon such officer or upon another prisoner.

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

2. Acts constituting both prison offences and offences under IPC how dealt with.- The following are declared to be the circumstances in which acts constituting both a prison offence and an offence under the Indian Penal Code or may not be dealt with as a prison offence:-

(1) 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, 1898]¹ :-

(i) Offences punishable under sections 147, 148 and 152 of the Indian Penal Code.

1. Please see the Code of Criminal Procedure, 1973 (2 of 1974).

(ii) Offences punishable under sections 222, 223 and 224 of the Indian Penal Code.

(iii) Offences punishable under sections 304-A, 300, 325 and 326 of the Indian Penal Code.(iv) Any offence triable exclusively by a Court of Session.

(2) It shall be in the discretion of the Superintendent to determine, with respect to any other act which constitutes both a prison offence and an offence under the Indian Penal Code, whether he will use lie own powers of punishment or move the Magistrate exercising to enquire into it in accordance with the Code of Criminal Procedure, 1898]¹.

3. Minor and serious offences how dealt with.- A prison offence shall be deemed minor offence when it is dealt with by a minor punishment (see classification of punishments in rule 5 below) and a serious offence when dealt with by a major punishment and in the annual returns offences shall be classified as (1) offences dealt with by major punishments, and (2) offences dealt with by minor punishment.

4. Punishment of prison offences by loss of admissible under remission system.- For a prison offence any of the following punishments involving loss of privileges admissible under the remission system may be awarded:

- (a) Forfeiture of 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 remission system.

Provided that no order directing the forfeiture of remission in, excess one of month shall take effect without be previous sanction of the Inspector General.

5. Classification of minor and major punishments.- The punishment that may be awarded for prison offences are classified as minor and major punishments as follows:-

(1) Minor punishments:-

- (i) Formal warning;

1. Please see the Code of Criminal Procedure, 1973 (2 of 1974).

- (ii) Change of labour for a stated period to some more irksome or severe form;
- (iii) Forfeiture or remission earned, not exceeding four days;
- (iv) Forfeiture of class, grade or prison privileges for a period not exceeding three months;
- (v) Temporary reduction from a higher to a lower class or grade;
- (vi) Penal diet with or without cellular confinement not exceeding 48 hours;
- (vii) Cellular confinement for not more than 7 days;
- (viii) Separate confinement for a period not exceeding fourteen days;
- (ix) Imposing of hand-cuffs, otherwise than by hand-cuffing a prisoner behind or to a staple;
- (x) Imposition of link fetters for a period not exceeding 30 days; and
- (xi) Substitution of gunny or other coarse clothing for the portion of the ordinary prison dress which is not woollen.

2. Major punishment:-

(i) Hard labour for a period not exceeding seven days in the case of prisoners not sentenced to rigorous imprisonment;

(ii) (a) Forfeiture of remission earned, exceeding four days but not exceeding one month;

(b) Forfeiture of remission earned, in excess of one month;

(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 ¹[..... ..]

(f) Permanent reduction from a higher to a lower class or grade;

(iii) ²[..... ..]

1. Omitted by Order dated 30.3.1957

2. Omitted by Notification dated 28.3.1967

- (iv) Separate confinement for a period exceeding 14 days;
- (v) Link-fetters, if imposed for more than 30 days;
- (vi) Bar fetters;
- (vii) Cross-bar fetter;
- (viii) Hand-cutting behind or to a staple;
- (ix) Penal diet combined with cellular confinement for more than 48 hours
- (x) whipping; and
- (xi) Any combination of minor punishments admissible under section 47 of the Prisons Act.

Note 1- The major punishments (ii) (d) and any combination of the major punishments (ii) (b), (ii) (c) and (ii) (e) shall not be inflicted without the previous sanction of the Inspector-General of Prisons.

Note 2- The following punishments shall not be carried out in combination even when awarded at different time for different offences:-

1. Penal diet with whipping;
2. Penal diet with standing hand-cuffs;
3. Standing hand-cuffs with cross-bar-fetters; and
4. cross-bar-fetters with bar fetters.

6. Restrictions in punishment of convict officers.- Convict warders and Overseers shall not be punished with hand-cuffs or fetters or with other degrading punishments. If it is intended to inflict such punishments on them they shall first be deprived of their ranks.

7. Use of adequate force to compel obedience.- The Superintendent of the jail may use or require to be used such force as may, in his opinion, be necessary to compel obedience on the part of any male prisoner to any lawful order issued by him.

8. Offenders to be brought before the Superintendent.- Every infringement of Jail rules shall be brought to the notice of the superintendent, who shall decide whether the infringement reported

was committed in such circumstances, e.g. wilful or without excuse, so as to constitute an offence. If the Superintendent is of opinion that the infringement of rule was committed through ignorance or excusable carelessness, he shall admonish the prisoner and dismiss the charge without recording it in the punishment Register. But if he finds it to be an offence, he shall award some punishment, and have it recorded on the history ticker, and shall have the entries made in the punishment Register as well, on the same day, giving all details required by the rules.

The date on which the punishment is inflicted shall also be entered both on the history ticket and in the register.

In the case of every serious offence the names of the witnesses proving the offence shall be recorded in the column provided for the purpose.

9. Formal warning not to be combined with other punishments.- A formal warning is deemed to be punishment and shall be personally addressed to the offender by the Superintendent. In all but in very exceptional cases the punishment for a first offence should first "formal warning". A formal warning shall not be combined with any other punishment.

10. Punishment of "Change of Labour".- "Change of labour" (minor punishment No. (ii) referred to in rule 5) can be awarded only to prisoners undergoing rigorous Imprisonment, and is a punishment suitable for persistent short work or idleness: but may be given also for other offences. It may be given for a definite time or until good behaviour.

11. Punishment of forfeiture of remissions.- Petty offences such as short work, etc. are unless frequently repeated, adequately punished, in the case of prisoner coming under the remission system, by loss of remission. The meaning of the punishment is better understood by prisoners if the number of days of imprisonment corresponding with the remission lost is stated at the time the punishment is awarded. This punishment should be used for minor

offences in preference to all others as long as the prisoner has any remission to his credit.

12. Forfeiture of remission exceeding one month.- Whenever application is made to the Inspector-General for sanction to the forfeiture of remission exceeding one month, full particulars of the offence and of the remission the prisoner has earned and a brief statement of his previous history, accompanied by his descriptive roll, shall be submitted.

13. Forfeiture of privileges under the remission system.- Forfeiture of prison privileges under the remission system includes any of the special privileges allowed to convict-warders, convict overseers and convict watchmen by the rules in this chapter. One or more of these privileges may be suspended. When awarding this punishment or reduction of class or grade [minor punishments Nos. (iv) and (v) and major punishment No. (ii)(f) referred to in rule 5], the Superintendent shall record whether it is to be permanent or for what period.

14. Punishment of gunny clothing.- Gunny clothing [minor punishment no. (xi) is a suitable punishment for offences Nos. (20), (22), (24) and (25) referred to in rule 1]. This punishment shall not be awarded for more than three months at a time, and a period of 14 days shall elapse after the completion of any term for which this punishment is awarded before it is again inflicted for a new offence. The male prisoner's gunny clothing shall consist of a tunic and a pair of Jungiahs. All other clothing, except the blanket coat and a loin-cloth, shall be taken from male prisoners undergoing this punishment, and the gunny clothing shall be worn next the skin. In cold weather the blanket coat shall be worn over the gunny tunic, in the case of females a gunny petticoat shall be worn next the skin, and they shall retain the cotton sari, kurtah, loin-cloth and blanket coat. Prisoners who have gunny clothing shall wash it weekly and keep it clean.

15. Punishment of separate confinement.- The outer batten door of the cell yard in cells built on the standard plan shall be left open,

and a prisoner undergoing the punishment of separate confinement shall have not less than one hour's exercise daily in the common passage in front of the cells or other sufficient spare under the eye of a paid warder, and shall have his meals in association within one or more other prisoners. Superintendent may award separate confinement upto 30 days. If any period in excess of this upto 6 months is deemed necessary, the order of the Inspector-General shall be obtained. When submitting an application for such order the Superintendent shall forward a certificate of the Medical Officer, of the fitness of the prisoner to undergo separate confinement for the period recommended. If the Medical Officer be the Superintendent, he shall not be bound to make a separate entry under this rule; it will be assumed that in giving the sentence he has duly considered the prisoners health.

16. Penal diet.- "Penal diet" shall consist of one pound of flour daily boiled as a porridge, seasoned with 1/8 chhatak of salt, and give in two meals. Prisoners on penal diet shall not receive the early morning meal. Penal diet shall in no case be applied to a prisoner for more than 96 consecutive hours. & shall not be repeated except for a fresh offence nor until after an interval of one week. This punishment should be sparingly resorted to, and not at all if the prisoners as a body are unhealthy or deteriorating in health as shown by the fortnightly weighments. Penal diet may be combined with solitary confinement. Prisoners ordered penal diet when not combined with solitary confinement shall be fed quite apart from others. Sunday is a suitable day for awarding prisoners penal diet: in serious cases the punishment may be continued for four consecutive Sundays- All prisoners subjected to penal diet shall be visited daily by the Medical Officer who has authority to direct the discontinuance of the penal diet, whenever he may observe or have reason to apprehend any injurious effects.

17. Punishment of cellular confinement.- Cellular confinement may be awarded for not more than ¹[7 days], and after each period

1. Subs. by Noti. (Pub. in Raj. Gaz., Pt. IV-C, dated 15.6.1967)

of cellular confinement an interval of not less duration than such period shall elapse before the prisoner is again sentenced to other cellular or solitary confinement. The convict-cell attendants shall have access to his cell to give the prisoner his food and attend to conservancy, but the prisoner shall have his meals alone, and bathe in his cell yard.

18. Offences for which whipping may be awarded as jail punishment.- The punishment of whipping shall be inflicted only for mutiny or for incitement thereto or for other Jail offences involving serious physical violence. Persistent disobedience of rule may amount of mutiny.

19. Previous sanction for whipping.- The Superintendent may award in the case of mutiny the punishment of whipping only with the approval of the District Magistrate, in the case of other offences whipping may be inflicted only after the approval of the Government has been obtained.

20. Special reports in cases of whipping.- (a) The Superintendent shall at once submit to the Inspector-General a special report, based on the record in the punishment register, on every case in which whipping has been inflicted for mutiny.

(b) in cases where whipping has to be inflicted with the previous approval of the Government the Superintendent shall submit a special report of the case stating the age of the prisoner, his previous conduct the nature of the offence committed by him and the reasons for the recommendation, to the Inspector-General.

21. Punishment of whipping for special classes of prisoners.- The punishment of whipping shall not be inflicted on "A" and "B" class prisoners except with the permission of the Government

22. Particulars to be furnished with proposal for whipping.- When it is proposed to award a sentence of whipping the Superintendent shall record in the punishment register, the substance of the evidence of the witnesses, the defence of the prisoner and the finding with the reasons therefore.

23. Whipping not to be inflicted in instalments.- No punishment of whipping shall be in instalments or except, in the presence of the Superintendent or, where the Superintendent is not the Medical Officer, or the Assistant Medical Officer.

24. Limits of stripes.- In the case of a person of or over ¹[16 years] of age such punishment shall not exceed 30 stripes and in the case of a person under ¹[16 years] of age it shall not exceed 15 stripes.

25. Mode of inflicting punishment of whipping- The Superintendent shall observe the following instructions regarding the mode of inflicting the punishment of whipping:-

(i) The person inflicting the punishment of whipping, whether it has been ordered by court or is awarded as a Jail punishment, shall, wherever possible, be of a higher caste than a sweeper;

(ii) Whipping shall be inflicted with a light rattan not less than half an inch in diameter or, the buttocks; and in the case of prisoners under the age of 16. It shall be inflicted in the way of school discipline with a lighter rattan;

(iii) No prisoner shall be punished with whipping within a week after any previous infliction of whipping or until any sores caused by a previous whipping are entirely healed.

(iv) To prevent undue laceration of the skin, a piece of thin cloth soaked in some antiseptic a solution of carbolic acid in water (of the strength of carbolic acid solution one in. 100) should be spread over the prisoner's buttocks during the operation, All such clothes should be thoroughly washed and afterwards soaked in an antiseptic solution before being again brought into use, so as to obviate the possibility of disease of any kind being conveyed from one prisoner to another.

(v) The "drawing stroke" which is calculated to lacerate the flesh is prohibited.

26. Medical Officer to certify fitness for whipping.- (a) The punishment of whipping shall not be inflicted unless the Medical

1. See the provisions of Juvenile Justice (Core and Protection of Children) Act, 2000.

Officer certifies that the offender is in a fit state of health to undergo such punishment (b) If during the execution of a sentence the Medical officer certifies that the offender is not in a fit state of health to undergo the remainder of the sentence, the whipping shall be finally stopped.

27. Penal diet, whipping, change of labour.- No punishment or penal diet, either singly or in combination. or of whipping, or of change of labour (Minor punishment No. (ii) or of hard labour in the case of a prisoner sentenced to simple imprisonment (major punishment No. (i), shall be executed until the prisoner to whom such punishment, has been awarded has been examined by the Medical Officer and has been certified by him to be fit to undergo such punishment. The Medical Officer shall record his certificate in the Punishment Register. If the Medical Officer considers the prisoner unfit to undergo the punishment, he shall record his opinion in writing and state whether the prisoner is absolutely unfit for punishment of the kind awarded or whether he considers any modification necessary. In the latter case he shall state what extend of punishment he thinks the prisoner can undergo without injury to his health. If the Medical Officer be the Superintendent, he shall not be bound to make a separate entry under this rule. It will be assumed that in giving the sentence he has duly considered the prisoners health.

28. Punishment to civil prisoners.- Any civil prisoner assaulting or insulting another prisoner or jail officer, or quarreling or talking loudly and boisterously, or guilty of indecent or immoral conduct, or communicating with outsiders in an unauthorized manner, or bribing or attempting to bribe any Jail officer, or gambling or spitting about and spoiling the ward, verandah or passages or disobeying the orders of, showing disrespect to the Jail authorities in any way may be punished with minor punishment Nos. (i), (iv) and (vii) or major punishment No. (iv) or may be punished according to any law in force.

29. Application of rules regarding jail offences and

punishment to certain prisoners.- The rules relating to Jail offences and punishment that are applicable to convicted prisoners shall be applicable to under-trial prisoners, prisoners sentenced to simple imprisonment, female convicted prisoners, juveniles and juvenile adult prisoner.

Note.- Before administering whipping to under-trial prisoners the consent of the Magistrate of the District shall be obtained.

30. Punishment to prisoners sentenced to simple imprisonment and to others.- (a) Prisoner sentenced to simple imprisonment shall not be punished neglect of work of short work or refusing to work otherwise than by the alteration of their diet from the labouring to the-non-labouring scale. The following punishment shall not be applied to such prisoners, namely, minor punishments Nos. (ii) to (v) and major punishment No. (ii) unless the prisoner is under the remission system. (b) No female or civil prisoner shall be liable to whipping as a punishment for a prison offence.

PART-3

REMISSION SYSTEM

(Rules under section 59(5) of the Prisons Act)

1. Definitions.- In this part-

(a) "Prisoner" includes a person committed to prison in default of furnishing security to keep the peace or be of good behaviour;

(b) "Class I Prisoner" means a thug, a robber, a dacoit, or a professional or specially dangerous Criminal convicted of heinous crime or heinous organized crime, such as dacoity;

(c) "Class II Prisoner" means a prisoner other than a Class I prisoner;

(d) "Sentence" means—a sentence as finally fixed on appeal, revision or otherwise, and includes an aggregate of more sentences than one when running consecutively and in order of committal to prison in default of furnishing security to keep the peace or be of good behaviour;

¹[(e) Sentence of imprisonment for life or transportation for life shall be deemed to mean Imprisonment for 20 years];

(f) "Heinous offences" are offences punishable under the provisions of the Indian Penal Code, or any other law with a sentence of death, transportation for life or a sentence of imprisonment for seven years or more and offences punishable under the provisions of sections 147, 148, 152, 153-A, 212, 378 and 411 of the Indian Penal Code, provided that the final substantive sentence inflicted is one of transportation or imprisonment for a term of not less than two years;

(g) "Organized crime" is a crime committed by one or more of a body of persons associated for the purpose of committing such crime or crimes of a similar nature.

2. Execution of sentences.— No ordinary remissions shall be earned in the following viz:-

(i) in respect of any sentence of rigorous imprisonment amounting, exclusive of any sentence passed in default of payment fine, to less than six months in the case of habitual prisoners and to less than 3 months or 90 days in the aggregate in the case of prisoners other than habituals.

(ii) in respect of any sentence of simple imprisonment, except for any continuous period not being less than one month, during which the prisoner labours voluntarily.

Explanation.- If a sentence or total of sentences of a habitual prisoner is reduced on appeal to less than six months and of a casual prisoner to less than three months, the 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.

3. Forfeiture of remissions.- If a prisoner is convicted of an offence committed after his admission to Jail, under sections 147, 148, 152, 224, 302, 304, 304-A, 306, 307, 308, 323, 324, 325, 326, 332, 333, 352, 353 or 377 of the Indian Penal Code or of an assault committed after his admission to Jail on warder or other officer, the

1. Subs. by Noti. (Pub. in Raj. Gaz., Pt. IV-C, dated 2.2.1961).

Inspector-General may order the whole or part of any remission earned by the prisoner upto the date of the said conviction to be cancelled.

4. Re-admission to the remission system.— the Superintendent may with the previous sanction of the Inspector-General, re-admit to the remission system any prisoner who has been removed there from under the rules made under section 59, clause (3), of the Prisons Act. Such prisoner shall begin to earn remission from the commencement of the calendar month following the date of such re-admission. It shall be calculated in the manner laid down in rule 10.

5. Scale of ordinary remissions.— Ordinary remission shall be awarded on the following scale:—

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

(b) Two days per month for industry and the due performance of the prescribed daily task.

Explanation.- A prisoner who is unable to labour through causes beyond his control such as his being in court, in transit from one Jail to another, in hospital or in an invalid gang, shall be granted remission under clause (a) on the scale earned by him during the previous month, if his conduct prior to and during the period in question has been such as to entitle him to the grant of such remission.

Such prisoner shall also be entitled to the grant of remission under clause (b) on the scale earned by him during the previous month, if he was working during that period, if not, remission, shall be awarded to him at the rate of two days per month; provided that if his absence from work is due to his own misconduct in Jail, no remission under clause (b) shall be awarded to him for the period of such absence:

Provided also that if he is in a hospital or in an invalid gang, no remission under clause (b) shall be granted unless the Medical Officer certifies that the prisoner's absence from labour is due to causes beyond his control and is in no way caused by any action of the prisoner himself with a view to escape work or to get into or to remain in hospital.

¹“Provided also that the remission allowed under clause (a) will also be admissible to the prisoners who have undergone regular and permanent parole under rule 9 of the [Rajasthan prisoners release on parole rules, 1958] without violating the conditions laid down for the purpose and entered into the prison at the stipulated time.”

6. Scale of ordinary remission for convict offers.- In lieu of the remission allowed under the last preceding rule, convict warders shall receive eight days of ordinary remission per month, convict overseers six days per month and convict night watchmen five days per month. Convict overseers employed on duty on the main walls or outside the barracks at night shall receive two days ordinary remission per month in addition to the remission granted under this rule.

7. Remission to prisoners on scavenging duty.- Subject to good work and conduct in Jail. prisoners working as scavengers in Jails or prisoners whom on administrative ground it is not found expedient to promote to the grades of convict officers, shall though they may not be appointed convict officers, be entitled to receive ordinary remission at the scales mentioned in the last preceding rule for convict night watchmen and convict overseers, respectively, with effect from the first day of the month following the one on which they would, but for this rule be eligible for promotion to those grades. They shall, however, not be eligible for remission at the scale prescribed for convict warders.

8. Remission to prisoners working on holidays.- Prisoners employed on prison services, such as cooks, store-keepers lamp cleaners, hospital attendants and barbers, who ordinarily work on Sundays and other Jail holidays, may' be awarded one day's ordinary remission for each complete calendar month during which they have been so employed, in addition to any other remission earned under these rules.

Prisoners employed on scavenging work in Jail on holidays shall be awarded two day' s remission per month in addition to any other remission under these rules.

1. Subs. by Noti. 7(32)Home-12/kara/2014 dated 11.01.2018 (Pub. in Raj. Gaz. Pt. IV-C, dated 15.01.2018).

9. Date from which remission calculated.- (a) Remission under rule 5 or 6 shall be calculated as follows:—

(i) There the sentence of a prisoner runs from the 1st or 15th of any month, remission shall be calculated from that date only;

(ii) Where the sentence runs from any of the dates from 2nd to 14th (both inclusive), remission shall be calculated from the 15th of the same month; and

(iii) Where the sentence of a prisoner runs from any of the dates the 16th to the last day of a month, remission shall be calculated from the first of the next month.

(b) Any prisoner who has been admitted to Jail after his temporary release either on bail or on account of temporary suspension of his sentence and who has been re-admitted to remission system under rule 4, shall earn remission in the manner laid down in sub-rule (a). The remission, if any which has been earned by the prisoner before he is released either on bail or on account of temporary suspension of his sentence, shall be credited to his account of remission.

10. Remissions to prisoners expert in any industry of employed on wool carding.- Prisoners who become experts in any industry may be granted remissions admissible under rule 6 above in lieu of promotion to the post of convict officers. Special remission at double rates shall be granted to prisoner employed on wool carding.

11. Remissions for continuous period of no punishment.- Any prisoner eligible for remission under these rules, who for a continuous period of one year reckoned from the date from which remission is calculated under rule 9, of the date on which he was last punished for a prison offence has received no punishment other than Formal warning for any prison offence, shall be awarded thirty days ordinary remission in addition to any other remission earned under these rules.

12. Powers of officers to award remission.- Ordinary remission shall be awarded by the Superintendent, or, subject to his control and supervision and to the provisions contained in the next following rule, by the Deputy Superintendent, Jailor, or any other officer specially empowered in that behalf by him.

13. Procedure on award.- An officer awarding ordinary remission shall, before the award, consult the prisoner's history-ticket in, which every offence proved against the prisoner 'must be carefully recorded.

If a prisoner has not been punished during the quarter otherwise than by a formal warning, he shall be awarded the hull ordinary remission for that quarter under rule 5, or if he is convict officer, under rule 6.

If a prisoner has been punished during the quarter 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 5, or, if the prisoner is a convict officer, under rule 6. All remissions 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.

14. Record of award.- The award of ordinary remission shall be made, as nearly as possible, on first 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 prisoner under rule 12 shall be recorded on his history-ticket as soon as possible after it is awarded.

15. No remission for month in which released if released on or before the 15th.- A prisoner due to be released on or after the 16th of a month shall be granted ordinary remission for the first fifteen days of that month if he is under the remission system. No such remission 'shall be granted to him for any period of a month in which he is due to be released on or before the 15th.

16. Special remissions.- Special remission may be given to any prisoner, whether entitled to ordinary remission or not, for special services, such as,-

- (i) assisting in detecting or preventing breaches of prison discipline or regulations;
- (ii)- marked diligence in teaching to read and write;
- (iii) marked success in teaching handicrafts;
- (iv) special excellence in work, or greatly increased cut—turn of work of good quality;

- (v) protecting an officer of the prison from attack;
- (vi) special assistance to an officer of the prison in case of an out-break, fire or other similar emergency;
- (vii) special economy in wearing clothes;
- (viii) donating blood to seriously in patients in hospitals. Special remission being 15 days in each case.
- (ix) attaining literacy while in Jail, the scale of special remission being as follows:-

(i) For passing the 1st primary	10 days.
(ii) For passing the 2nd primary	10 days.
(iii) For passing the 3rd primary	10 days.
(iv) For passing the 4th primary	20 days.

17. Extent of special remission.- Special remission may be awarded,-

- (a) by the superintendent to an amount not exceeding thirty days in one year;
- (b) by the Inspector-General, to an amount not exceeding sixty days in one year.

Explanation.- For the purposes of this rule, a year shall be reckoned from the date on which the convict is committed to Jail or where he was in Jail as an under-trial prisoner on the date of conviction, from the date of such conviction, and any fraction of a year shall be reckoned as a complete year.

18. Entry of special remission on history ticket.- An award of special remission shall be entered on the history-(ticket of the convict as soon as possible after it is made, and when such remission has been awarded by the Superintendent, brief reasons for such award shall also be recorded thereon.

19. Maximum remission rewardable.- The total remission awarded to a prisoner under all these rules shall not, without the special sanction of the Government, exceed one-third part of his sentence.

20. 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 to each month.

21. Report to Government in certain cases.- When a life convict who is either (a) a class I prisoner, or (b) a class II prisoner, with more than one sentence, or (c) a prisoner in whose case the Government has passed an order forbidding his release without reference to it, has earned such remission as will entitle him to release, but for the provisions of this rule, his case shall be reported by the Superintendent through the Inspector-General for the orders of the Government in order that it may be considered with reference to section *[401] of the Code of Criminal Procedure, 1898]¹

22. Release of convicts on earning remissions.- When a prisoner other than a life-convict referred to in rule 21 has earned such remission as entitles him to release, the Superintendent shall release him.

23. Total remissions to be endorsed on warrant on release.- When a prisoner is released under rule 22, the total amount of remission earned by him shall be endorsed on his warrant and the endorsement shall be signed by the Superintendent.

24. Remission to be entered on history-ticket and warrant of a prisoner on transfer.- When a prisoner is transferred to another Jail. the total amount of remission earned by him upto the end of the previous month shall be endorsed on his warrant and entered on his history-ticket, the entries being signed by the Superintendent, and the remission sheet shall be sent with the convict alongwith other documents.

The receiving Jail shall be responsible for seeing that the above Information is duly obtained.

Every Jail in which a prisoner serves a portion of his sentence

1. Please see the Section *[432], Code of Criminal Procedure, 1973 (2 of 1974).

shall be responsible for the correct calculation of the remission earned by him in that Jail.

25. Remission sheets of released convicts.- The remission sheets of a prisoner shall be retained in the Jail for a period of one year after his release.

26. Information to be sent by courts in certain cases.- When a prisoner is sent to a Jail under a sentence of transportation or imprisonment for term, or terms not exceeding in the aggregate fourteen years on conviction for a heinous offence, the Court should furnish Information on the following points to the Superintendent of the Jail concerned.

(i) Whether the convict is a professional, hereditary, or specially dangerous Criminal or not;

(ii) Whether the offence of which he was convicted was an organized crime or not;

27. Abstract of rules.- An abstract of the remission system rules translated into Hindi shall be posted up in every barrack and shall be read to the prisoners every Sunday by a paid warder or an educated prisoner.

PART—4

USE OF ARMS AGAINST PRISONERS

(Rules under section 59(6) of the Prisons Act)

1. Use of arms against prisoners when permitted.- Any officer of the prison may use a sword, bayonet, firearm or any other weapon against any prisoner escaping or attempting to escape :

Provided that resort shall not be had to the use of any such weapons unless such officer has reasonable ground to believe that he cannot otherwise prevent the escape.

2. Out-breaks and attempted out-breaks.- Any officer of the prison may use a sword, bayonet, firearm or any other weapon on any prisoner engaged in any combined out-break or in any attempt to force outbreak 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.

3. Using violence to an officers.- Any officer of the prison may use a sword, bayonet, firearm or any other weapon against any prisoner using violence to any officer of the prison or other person, provided that such officer has reasonable ground to believe that the officer of the prison or other person is in danger of life or limb or that other grievous hurt is likely to be caused to him.

4. Warning to be given.- Before using firearms against a prisoner under the authority conveyed in rule 1, the officer of the prison shall give a warning to the prisoner that he is about to fire on him.

5. Orders of superior officer.- 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.

PART-V

PREMATURE RELEASE OF PRISONERS IN DANGER OF DEATH

(Rules under section 59(7) of the Prisons Act)

1. Recommendations for release of a sick convict.- (1) The Superintendent may recommend for release a convict suffering from disease provided that. —

(i) the, disease is likely to prove fatal if the convict remain in prison;

(ii) there is a reasonable chance of recovery if the convict be released;

(iii) the disease has not been produced or aggravated by any wilful act on the part of the convict;

(iv) The Medical Officer grants a certificate in Form R.J. 152;

(v) The District Magistrate has no objection to the release of the convict;

(vi) the convict is willing to be released and has relations or friends to look after him, if released; and

(vii) the prisoner agrees and subscribes to the conditions set forth in Form R.J. 135.

(2) The superintendent shall submit the case through the Inspector-General of Prisons.

(3) If the prisoner is undergoing imprisonment in default of furnishing security under section *[123] of the Code of Criminal Procedure, 1898]¹, or if he has not more than six months to remain in prison before the expiry of his sentence, the case shall be referred to the District Magistrate concerned, who may either himself sanction the release, of the prisoner or submit the case through the Commissioner of the Division for the orders of the Government.

(4) In other cases the recommendations shall be submitted direct to the Government of Rajasthan

2. Reference to previous orders or recommendations.- When the case of a convict is submitted to the Government of Rajasthan for consideration of the question of his premature release under these or any other rules, the number and date of any previous reference made to the Government on the subject of premature release, and in case any orders have been previously passed by the Government in the case the number, date and substance of such orders shall invariably be noted on the convict's nominal roll or revision sheet.

3. Periodical submission of list of old, infirm, in convicts.-
(a) The Superintendent shall on the 1st of May every year submit to the Inspector-General a list showing the name of every convict who owing to old age, infirmity, or illness "is permanently incapacitated from the commission of further crime of the nature similar to that for which he was been convicted. In cases which appear to him suitable for reference to the Government, the Inspector-General, after obtaining the views of the Magistrate of the District where the convicts

1. Please see the Section *[122], Code of Criminal Procedure, 1973 (2 of 1974).

reside, whether there is any objection to the conditional. or unconditional release of the convicts, shall report the names of such convicts to the Government of Rajasthan with his recommendation whether or not the convict should be released. The provisions of the last preceding rule should be observed.

(b) This provision does not preclude Superintendents from making special recommendations at any time for release on account of bodily infirmity under the orders contained in rule 1.

4. Medical certificate to be supported by other opinion.- The certificate of the Medical Officer in charge of the Jail referred to in rule 1, shall be supported by the second medical opinion of the civil surgeon; where the Medical Officer of the Jail is the civil surgeon himself by the second medical opinion of the officer who is most senior among the other civil medical officers in the district.

5. District Magistrate to report to the LG. after 4 months the condition of each released prisoner.- The names of prisoners released under this part shall be communicated to the District Magistrate of the district where the convict resides and the District Magistrate shall report to the Inspector-General on the expiry of four months from the date of release of each prisoner whether the man is living or dead, in case he is alive the report shall indicate in a general way the condition of the man's health.

The number of convicts released under this part shall be shown in the annual report along with the death rates in Jail.

The provisions of rule 2 shall be observed.

6. Procedure on conditional release.- When a convict has been ordered to be released conditionally by the Government of Rajasthan, the District Magistrate concerned shall be informed of the impending release of the convict and the Superintendent shall deliver to the convict a translation in Urdu or Hindi of the Order of Release in Form "A" (R.J. 137) and shall require him to sign the agreement on the back of the form. The Superintendent shall then sign the certificate that the agreement has been duly executed. The convict shall thereafter be released and the execution of the remainder of his

sentence shall remain suspended. The convict shall after release, be under police surveillance, in accordance with the rules relating to such surveillance and 'subject to the conditions specified in the order of release till the expiry of his sentence or for such lesser period as may be specified:

Provided that if the sentence with the remission earned by the convict is to expire within two months of the date of release, the release shall be unconditional:

Provided also that if in the case of a convict whose sentence with the total remission is to expire beyond a period of two months from the date of release, but in whose case police surveillance has not been arranged until two months before the date of expiry of such sentence, the convict shall be deemed to have been released unconditionally.

7. Convicts unwilling to abide by the conditions of release to serve full sentences.- A convict who is unwilling to abide by the prescribed conditions of release shall not be released till the expiry of his sentence. The most ordinary case of this sort would be that of a convict belonging to a wandering or a criminal tribe, members of which are frequently unwilling to settle down in a place where police surveillance can be exercised over them.

8. Procedure on conditional release of a convict.- On the day of release, the Superintendent shall in cases where conditional release has been ordered. Forward the convict along with the descriptive roll and a copy of the order of release, with the date of expiry of the sentence duly endorsed thereon, to the Superintendent of Police of the District Magistrate, as the latter may by general order direct. The original order of release shall be retained by the Superintendent of the Jail.

9. Release of blind or decrepit prisoners.- (1) In all cases of complete and incurable blindness not caused by any act of the prisoner in order to procure release. or of decrepitude or other incurable infirmities, such as advanced pulmonary tuberculosis which incapacitate prisoner from the commission of further crime on release or when release would not be attended with mischief or danger, a

report recommending the release of such prisoner may be submitted by the Superintendent to the Inspector-General. This report shall state the amount of remission earned by the prisoner, the date on which he would be released in the ordinary course, details of his conduct in Jail and of periods spent in hospital or on the convalescent gang together with information as to the prisoner's home, and relatives likely to receive him, and with such other remarks as may appear necessary. It shall be accompanied by nominal roll (Form R.J. 132) and by a report by the Medical Officers of the State of the prisoner's health.

(2) If the case appears to be a suitable one for submission to Government, the Inspector-General shall forward the report and its enclosures to the Magistrate of the District in which the prisoner's home is situated or in which the prisoner's relatives reside, and shall inquire whether he sees any objection to the conditional release of the prisoner. At the discretion of the Inspector-General, the case may then be submitted for the orders of the Government.

10. Release of prisoners in danger of death with no chance of recovery within or without the Jail.- When a convicted prisoner is in danger of death from sickness, not due to infectious disease and there appears to be no hope of recovery within or without the Jail, and it is considered desirable to allow such prisoner the comfort of dying at home, the Superintendent shall, provided the prisoner has not been sentenced for a period exceeding seven years for any very heinous crime or series of crimes against society, consult the Magistrate of the district to which the prisoner belongs about the desirability of releasing the prisoner and then forward the papers to the Inspector-General of Prisons for submission to the Government together with a nominal roll of the prisoner showing the amount of remission earned and any remarks relevant to the case the Superintendent may desire to add. A certificate to the effect that the convict will, if released be suitably cared for by his friends or relatives shall accompany the document. The Medical Officer shall record a certificate in the form R.J. 152.

In order to be accepted by the Government the certificate must be strictly in accordance with the term of this rule. To the Medical Officer shall append a full statement of the medical case and of the reasons which led him to belief expressed in the certificate.

(2) If the unexpired period of the prisoner's sentence does not exceed six months, the Magistrate is authorized to direct his immediate release, after making personal enquiries into the case, or, in the event of the prisoner's offence having been committed in another district, after consulting the Magistrate of that district.

(3) In all other cases the Magistrate shall immediately report the facts of the case, with his recommendations thereon, direct for the orders of Government.

(4) No prisoner who has no friends or relatives willing and able to take charge of him shall be released under this rule.

(5) Great care should be exercised in recommending release of prisoners under this rule, and the report to the Government should contain full particulars showing that on humanitarian grounds the balance of advantage lies in allowing the prisoner to die at home. In such cases the nature of medical relief which the prisoner is likely to be able to command at his home is an important consideration which should not be over-looked.

(6) All releases under rule shall be treated as deaths for the purposes of the statistical records of the Jail.

11. Release of civil prisoners suffering from serious disease.-

A Judgment debtor who has been committed to Jail may be released there from by Government on the ground of his suffering from any infectious or contagious disease, or by the committing court, or any court to which that court is subordinate on the ground of his suffering from any serious illness. Whenever a judgment debtor is found to be suffering from any serious and probably communicable disease, an immediate report shall be made by the Superintendent to the Inspector-General with a view to Government being moved to release him. If a civil prisoner is found to suffer from any serious illness, likely to cause his death, the case shall be reported by the Superintendent to the committing Court.

12. Release of under trial prisoner seriously ill.- In every case when an under trial prisoner is seriously ill, the Superintendent shall report the circumstances to the Magistrate, or if the prisoner is awaiting trial before a court of session, to the Sessions Judge of that Court, in order that if the law permits and the Court thinks it proper, the prisoner may be released on bail.

FORM R.J. 152

I,hereby certify that convict/ prisoner No nameConûned in jail is, in my dangerously ill, blind, sick, suffering from (give name of disease).

(Delete items not required)

His illness!-

- (a) is likely to prove fatal if the convict remain in prison;
- (b) the disease has not been produced or aggravated by any wilful act on the part of the convict in order to procure release;
- (c) I sincerely declare that the will have a reasonable chance of recovery if he is released. And
- (d) a full statement of the medical case is appended with reasons that lead me to the belief expressed in the certificate.

Signature of the M.O. of the Jail

(Second Medical Opinion)

Signature of the Civil Surgeon or his immediate subordinate.

(Opinion of the District Magistrate)

Signature of the District Magistrate.

FORM R.J. 135

Conditions to be assented to by a convicted prisoner prior to release on medical grounds.

Prisoner' s name and caste

Prisoner's fathers ~ name ..

Prisoner's Village and district.

Prisoners Crime.....

Prisoner's Sentence

Prisoner's amount of punishment undergone

Prisoner's amount of punishment not undergone

Number and date of G.O. sanctioning conditional release on medical grounds.-

I son of
 convict No in the Jail at.
 being informed that His Highness the Rajpramukh of Rajasthan is pleased to suspend the sentence which I am under going on my assenting to the hereinafter mentioned conditions do hereby bind myself.

(1) That I will, within fourteen days from the date of my release, present, myself to the Superintendent of, Police or, if he be absent, to the Manager of the office of the District Superintendent of Police to, and will produce the copy of the conditions of my release delivered to me by the Superintendent of the Jail.

(2) That I will thenceforth report myself, one in each month at such time and to such office, as I may be directed by the said superintendent or Manager.

(3) That I will not quit the said district of
 .. without the written permission of the said Superintendent or Manager.

(4) That I will accept and fulfill the conditions on which such permission may be granted.

(5) That I will not commit any offence punishable by any law in force in India.

(6) That I will not associate with notoriously bad character or lead a dissolute life.

(7) That I will live honestly and peaceably and will endeavour to earn an honest livelihood.

I hereby accept and agree to abide by the above conditions and I acknowledge that if I knowingly violate any of the above conditions, I hereby render myself liable to be recommended under the provisions of section *[401] of the Code of Criminal Procedure, 1898]¹ to undergo the unexpired portion of my original sentence.

Signature or left

Thumb impression of the prisoner

Certified that the foregoing conditions were read over to convict No.and accepted by him under section *[401] of the Code of Criminal Procedure, 1898]¹ in my presence.

Witness No. 1

Witness No. 2

Jail

Superintendent

Date20

FORM R.J. 136

Conditions to be assented to by a prisoner (relative or friend of a prisoner) requiring special treatment in a hospital outside the prison or in an asylum as defined in the Indian Lunacy Act. 1912]².

Particulars of the Prisoner

1. Name of Jail.
2. Name of the prisoner.
3. Case of the prisoner.
4. Father's name.
5. Village and district.

1. Please see the Section *[432], Code of Criminal Procedure, 1973 (2 of 1974).

2. This Act has been repealed Please see the Mental Health Act, 1987.

- 6. Prisoners number in the Jail register.
- 7. Offence for which convicted
- 8. Courts by which convicted.

WHEREAS Ison of
..... village , taluk
..... district now confined as a prisoner in the
..... Jail at (that
the prisoner whose particulars are stated above and who is under his
custody hereinafter referred to as the prisoner) require(s) special
treatment in the hospital at.
Mental hospital at a hospital outside the said Jail & I (the
prisoner) an asylum as defined in the Indian Lunacy Act. 1912]¹ (4
of 1912) will be sent to that hospital only on my assenting to the
conditions herein laid down, I assent to the following conditions and
hereby bind myself

- 1. That I* (the prisoner) will immediately on receipt of instructions
proceed, under escort, if so ordered, to the hospital at
..... .. and present myself' (Himself) to the Superintendent.
Medical Officer of the said hospital or his assistant for treatment;
- 2. That I* (the prisoner) will be an in-patient in the said hospital
and shall not go away until formally discharged there from;
- 3. That I* (the prisoner) will on formal discharge from the hospital
after treatment return, under escort, if so ordered, directly to the Jail
where I* (he) was confined and report myself I* (himself) to the
Superintendent of the Jail without delay.

I* do hereby bind myself to (that the prisoner will) abide by the
aforesaid conditions and if I* (he) knowingly violate(s)* any of them,
I shall render myself liable to forfeit to the Government of Rajasthan
a sum of Rs. (Rupees (in words) besides rendering myself
(himself) liable to be re-arrested and bent back to prison to undergo
the unexpired portion of the original sentence.

1. This Act has been repealed Please see the Mental Health Act, 1987.

Witness 1

Witness 2

Signature

Convict No. (Relative or friend of convict)*

Certified that the foregoing conditions were read over to the executants and assented to by him.

Superintendent of Jail

Note.- The portion in brackets marked by the asterisk should be used after striking off the words underlined, when the bond is to be executed by a relative or friend of a prisoner.

R.J. 137

FORM A

Order of Conditional Release

In exercise of the powers conferred by section *[401] of the Code of Criminal procedure. 1898]¹, and all other powers vested in him in that behalf. His the Rajpramukh is pleased to remit subject to the conditions hereinafter set forth, such portion of the sentence of imprisonment passed upon, son of caste residence a convict confined in the and numbered by the court of the the date on the day of.....20..... under section of the as remission unexpired on the day of 20.....and, subject to the acceptance of the said conditions by the said convict, to direct his release on the said of 20 The conditions which are applied to the said convict during the period of his sentence hereby remitted are—

(1) He will not commit in any State in the Indian Dominion any offence punishable by any law in force in the Indian Dominion;

(2) that he will not in any way associate with person known to be of bad character, nor lead a desolate or evil life;

1. Please see the Section *[432], Code of Criminal Procedure, 1973 (2 of 1974).

(3) that he will reside within the district of
 at such place as the Magistrate of the district may,
 from time to time direct and shall not go beyond or absent himself
 from the limits of such place without the permission in writing of
 the Magistrate of the Superintendent of Police of the district in which
 he is required to reside;

(4) that unless and until he is exempted from doing, so by the
 District Magistrate, he shall report himself periodically at such time
 and place and to such person as may from time to time be specified
 by the District Magistrate of the Superintendent of Police of the District
 in which he is required to reside;

(5) that he will generally submit to and comply with the
 requirement of the rules relating to the police surveillance to be
 exercised over conditional released convicts, for the time being in
 force.

Dated theday of20

By order of

His Highness the Rajpramukh.

Secretary of the Government

I here by accept the conditions as
 specified in the above order of conditional release and agree to abide
 by the same. I understand that if I fail to fulfil wholly or in part any
 of these conditions, the Rajasthan Government may -cancel the
 remission of my sentence and that I may thereupon be arrested by
 any police officer without warrant and remanded at to undergo the
 unexpired portion of my original sentence.

Witness

Date 20.....

Signature or left thumb impression of the convict.

Certified that the conditions specified in the above order of release
 have been read over to the convict named in this order and that he
 has accepted the same as the conditions under which he, is to be

released before the expiry of the term of his sentence as required by section *[401] of the Code of Criminal Procedure, 1898]¹.

Date the20

Superintendent of Jail

Certified that the convict named in the above order of conditional release is entitled to be released on the day of.....20..... and has been sent to the District Magistrate/Superintendent of policeat..... for the purpose of being released. The date of expiry of his sentence inclusive of remission is20.....

.....
Superintendent of Police

Certified that the necessary order in Hindi has been delivered convict named in the above order of conditional release, that the terms of the order have been explained to the said convict by word of mouth, and that he is set at liberty (or sent under police escort to)

Date20

District Magistrate
or

Date20.....

Superintendent of Police.

R.J. 138

FORM-B

Form of conditional release

In exercise of the powers conferred by section *[401] of the Code of Criminal Procedure, 1898]² and of all other powers vested in him in that behalf, His Highness the Rajpramukh of Rajasthan is pleased to remit. Subject to the conditions hereinafter set forth, such portion of the sentence of imprisonment passed uponson ofcaste residencea convict confined in the Jail, and numbered by the court of the

1. Please see the Section *[432], Code of Criminal Procedure, 1973 (2 of 1974).

2. Please see the Section *[432], Code of Criminal Procedure, 1973 (2 of 1974).

..... .. at..... on the day of 20 under section
 of as remission unexpired on the day of
20and subject to the acceptance of the said conditions
 by the said convict to direct his release on the said day of
 The conditions which shall apply to the said convict during
 the period of sentence hereby remitted are:

(1) That the said shall proceed to the State of
 and shall not re-enter Rajasthan without the written permission of

Dated at theday of20

*By order of His Highness the Rajpramukh
 Secretary to the Government*

Ihereby accept the conditions as specified
 in the above order of conditional release and agree to abide by the
 same, understand that should I fail to fulfil wholly or in part any of
 these conditions, the Rajasthan Government may cancel the remission
 of my sentence and that I may thereupon be arrested by any police
 officer without warrant and remanded at to undergo the unexpired
 portion of my original sentence.

Witnessdated the20

Signature or left thumb impression of the convict

Certified that the conditions specified in the above order of release
 have been read over to the convict named in this order, and that he
 has accepted the same as the conditions under which he is to be
 released before the expiry of the term of his sentence as required by
 section 401 of the Code of Criminal Procedure, 1898].

Dated20

Superintendent of Jail

Certified that the convict name in the above order of Conditional
 release is entitled to be released on theday of and
 has been sent to District Magistrate/Superintendent, Police
 .. atfor the purpose of being released.

The date of expiry of his sentence inclusive of remission is
 20..... ..

Superintendent of Police

Certified that the necessary written order in Hindi has been
 delivered to the convict named in the above order of conditional

release, that the terms of the order have been explained to the said convict by word of mouth and that he has been set at liberty (or sent under Police escort and directed forthwith to leave

At
Dated
District Magistrate
Or
Superintendent of Police.

PART - 6

CLASSIFICATION OF PRISONS AND DESCRIPTION AND CONSTRUCTION OF WARDS ETC.

(Rules under section 59(8) of the Prisons Act)

SECTION I

Classification of prisons

1. Kinds of prisons.- Prisons shall be of four kinds, namely:-

- (i) Central prisons intended for the confinement of all classes of prisoners;
- (ii) District prisons at the headquarters of districts or sub-divisions intended for the confinement of Criminal and prisoners;
- (iii) Lock-up Jails; and
- (iv) Special Jails, declared or established as such, from time to time, by the Government

2. Central prisons.- The Jails at Jaipur, Jodhpur and Bikaner are central prisons. They are also district jails for the districts in which they are located.

Notes 1 :- One octagon of Jodhpur central prison has been set apart for the reception of star class prisoners.

¹[2. Juveniles will be kept only in central prisons till a separate juvenile Jail is made.

²[3. **prisons.-** District prisons are of four classes, namely, A, B, C and D. At present the district prisons in Rajasthan belong to the four classes as follows:-

A class— Alwar, Jhunjhunu, Kotah, Udaipur.

-
1. अब किशोरों के लिए बाल सुधार गृह बनाये गये हैं।
 2. See as per list given.

B class— Bharatpur.

C class— Bhilwara, Dholpur, Sirohi.

D class— Banswara, Dungarpur, Ganganagar, Jaisalmer, Jhalawar, Khetri, Pratapgarh, Tonk.

4. Lock-up jails.- Lock-up Jails are of three classes, namely, first class, second class, and third class. At present the lock-up Jails in Rajasthan are as follows:-

First Class- 1. Barmer 2. Bundi 3. Chum 4. Jalore 5. Nagaur 6. Neem-ka-thana 7. Pali 8. Sikar.

Second Class- 1. Bali 2. Bhinmal 3. Bayana 4. Chabra 5. Chittor 6. Dausa 7. Deeg 8. Gangapur 9. Hindaun 10. Jaitaran 11. Karanpur 12. karauli 13. Kishangarh 14. Malpura 15. Mandalgarh 16. Nimbahera 17. Nohar 18. Parbaisar 19. 20. Rajgarh (Churu) 21. Sadulgarh 22. Sambhar 23. Sawal Madhopur 24. Sironj 25. Vallabhnagar

Third Class- 1. Aklera 2. Balotra 3. Bandikul 4. Bap 5. Baran 6. Begun 7. Behror 8. Bhawani 9. Bhawani Mandi 10. Bhim 11. Chechat 12. Chirawa 13. Choti Sadri 14. Didwana 15. Fhaiepur 16. Gangapur 17. Hurda 18. Indergarh 19. Kanod 20. Kapasan 21. Kishangarh 22. Kotra 23. Kushalgarh 24. Mavli 25. Merla 26. Nathdwara 27. Nainwa 28. Patan 29. Phalodi 30. Phulera 31. Pirawa 32. Rajgarh (Alwar) 33. Ratangarh 34. Rajsamand 35. Reodar 36. Salumber 37. Saarda 38. Shahpura (Bhilwara) 39. Shahpuxa (Jaipur) 40. Sheoganj 41. Sojat 42. Tijara 43. Udaipur 44. Uniara.

5. Purpose of Lock-up Jails.- Lock-up Jails are intended for the confinement subject to accommodation, or prisoners whose sentences do not exceed three months.

SECTION II

Construction of Wards and Cells, etc.

6. Capacity of wards.- In every sleeping ward a certain amount of superficial area, cubic space and lateral ventilation shall be allowed for each prisoner and the minimum allowance is stated below:-

	Lateral		
	Superficial area	Cubic space	ventilation
In barracks	36	500	10
In hospital	34	900	10
In cells	75	1000	10

Over the door of every ward there shall be hung up on a board in the following form a statement showing the details in regard to the accommodation-

No. Barracks Measurement Accommodation	No. Barracks Measurement Accommodation
1. Length	7. At.....Sq. fit.
2. Breadth	8. At.....Sq. ft.
3. Height to bottom of the beam	9. At.....Sq. fit. lateral ventilation
4. Lateral ventilation area	10. Number of berths.
5. Superficial area	
6. Cubic space	

Superintendent, Jail

The height of the walls of award shall not be less than 13 feet and in calculating the allowance of cubic feet perman, no account shall be taken of any air space above 13 feet.

7. Minimum dimensions of a cell.- The dimensions of every cell built in future shall be 12'x8'x13'high. It shall be ventilated by an iron grated door in front 6 lb' x 2 a/2' and by two windows 4' x 2', 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.

8. Accommodation in ward.- Care should be taken that the lock-out register shows the accommodation in each ward so as to enable the Superintendent to judge at a glance whether any particular ward is overcrowded or not ?

9. Sleeping berth in wards.- Every ward shall contain a sleeping berth for each prisoner who can be accommodated in the ward.

10. Report to LG. regarding number of prisoners in wards, hospital and cells.- A return in the prescribed Form R.J.-131 shall be submitted on the first day of each month to the Inspector-General, showing the number of persons who slept in the wards, hospital and cells on the previous night, and the amount of accommodation which available for the prisoners of each class.

11. Responsibility for preventing overcrowding.- The remission and the Medical Officer shall be respectively responsible that no prisoners in excess of the authorized accommodation are confined in any ward or in hospital.

12. Disposal of excess number of prisoners.- When the arrival of excess number is apprehended, the Superintendent shall at once communicate with the Inspector-General, asking to what Jail a stated number of may be transferred. On receipt of a reply from the Inspector-General, the Superintendent shall transfer a sufficient number of prisoners.

13. Location of prisoners in sheds or tents.- Prisoners in excess of the accommodation shall not, except as a temporary measure be placed in work-sheds or verandahs, but shall be located in sheds or tents imide or outside the jail.

14. Ventilation of wards.- (1) The Superintendent and Medical Office shall pay special attention to the ventilation of the sleeping wards. In all cases care shall be taken that three 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 Superintend Medical Officer shall at all seasons and at uncertain intervals visit the jail 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 it their respective

(2) Thorough ventilation of barracks is of the greatest importance the ventilation openings should only be closed when the weather is severe or to prevent ran from beating in. The berths should be arranged, as far as possible, to prevent a direct draught from blowing in on a prisoner if there are three berths between two ventilation

openings, the heads of the prisoners should be placed as indicated in the diagram below:-

Ventilation	Head	Wall	Head	Ventilation
Opening		Head		opening

In cold weather it is better to issue extra clothing to the prisoners to keep them warm than to close up the ventilation openings.

15. Number and dimensions of beds in barracks.-Every prisoner shall in upper, as in lower storied buildings, have a raised bed assigned to him in his proper ward or cell at least 6 inches in height. 6 feet long and 2 feet broad, to make certain that each prisoner sleeps in a separate bed, and does not touch any other prisoner,-and the head of one bed shall be opposite the foot of that next to it the number of beds in each ward shall be in accordance with its capacity calculated on the scale prescribed in rule 6. Ordinarily, they, shall be sundried bricks either solid or arched. No beds shall be placed in front of a window or open grating.

16. Construction of cells according to standard plan.- Cells for separate, cellular and Judicial solitary confinement on the standard plan shall be provided in all jails. Each cell shall have a yard attached to it, where the prisoner can have the benefit of fresh air without having the means of communication with, any other prisoner. In outer door of the yard attached to each cell an eye-hole shall be made, so that the prisoner can be seen without seeing any one. Each cell shall be provided with the means of communication required by section 29 of the Prisons Act.

17. Instructions to be followed in designing Jail buildings.-In designing Jail buildings, the following instructions should be attended to-

- (1) Fifty square yards should be taken as the standard yard space per prisoner- The area within in the inner wall, only deducting that of buildings to which the prisoners are not ordinarily confined should be, taken into account in calculating the amount per prisoner.
- (2) The minimum distance of any building inside the Jail from the outer enclosure wall should be 16 feet.

{3) The minimum height of the circumvallation wall round every Jail should not be less than 15 feels.

(4) The distance between the battens on the tiled roof of jail barracks and generally in all buildings or any portions of buildings in which prisoners are ordinarily confined, should not be more than 6 inches from centre to centre.

18. Construction of gate.- The main entrance of every Jail shall have a double gate with a space between the gates: in each gate there shall be a wicket: all should have secure fastenings that can be easily closed and made fast from between the gates. The inner gate should be a batten door provided with eye-holes in it to enable the gate-keeper to observe any person who wishes to leave the jail, and to see that there is no large gathering of prisoners inside preparing for a rush to force open the gate, the outer gate shall be iron barred gate. All egress for ordinary purposes shall take place through the wicket doors.

SECTION III

Jail Buildings

19. Walls to be coloured 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 often feet from the ground twice a year.

20. Name 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.

21. Agency and funds for construction and repairs of Jail buildings.- In respect of the agency by, and funds front, which the construction and repairs of Jail buildings are to be carried out, the following procedure is to be adopted:-

(a) All buildings or works of an engineering class, in the construction of which materials of a permanent character are employed, should be undertaken by the Public Works Department from Public Works Department funds.

(b) All works constructed of what may be termed perishable materials, e.g., buildings of kutchha brick in mud mortar, should be carried out by the Jail department from the Jail budget funds.

22. Works to be- carried out by the P.W.D.- Under clause (a) the following works would fall:- Circumvallation and divisional walls, barracks and all accommodation for prisoners, such as solitary cells, under trial wards, work-sheds, cookhouses, bathing-platforms, etc., accommodation of Superintendents of Jails. Jailors and Jail staff, including that forwarders and other subordinate staffs, wells and water supply, and also large works of drainage necessitating the employment of trained supervision and skilled labour.

Under clause (b) the following would occur, viz:-

Store-sheds required for temporary purposes and constructed of kutchapucka or of entirely kutchha materials, making raised sleeping-platforms in barracks etc. moorum or earthen floors in barracks or other buildings and surface drains within and beyond Jail boundaries.

23. Repairs.- In respect to "Repairs" the Public Works Department should carry out all such to buildings constituted by, or on the books of the PWD. and the Jail Department to all other buildings or works.

24. Employment of convict-labour on construction and repairs of Jail buildings.- The construction and repairs of Jail buildings should be regarded as one of the primary objects to which convict labour must be devoted. In the case of class (b) works carried out by the Jail, the entire construction and -repairs must be executed by convict labour, only a few necessary articles being purchased from Jail funds, As regards class (a) works executed under the supervision of the Public Works Department, the construction and repairs should as far as possible, by means of the convicts, so as to reduce the cost to Government to the lowest possible limits.

25. Execution of works under P.W.D.- In the larger Jails, it would generally only be necessary for the Public *Works Department to supply the materials and some skilled labour, and nearly all class (a) works and repairs should be carried out by the convicts. In the case of small Jails, it would some times be necessary to carry large works

by contract but nearly all small works and repairs should be done by the convicts.

26. Method of carrying out works.-The works and repairs under the Public Works Department would thus be carried out in one of the three following ways:-

- (i) The whole work provided for in the estimate may be executed by convict-labour, only such materials and skilled labour, as the Jail department may require being supplied by the Public Works Department.
- (ii) The work provided for in the estimate may be carried out by an outside contractor. labour for carrying materials etc. In fact all but skilled labour being, as far as possible, supplied by the Jail.
- (iii) (1) Certain sub-heads only of the estimate may be carried out by the Jail as in case (i), e.g. earth work, concrete, iron work, wood work, etc., and

(2) the rest of the estimate (e.g. masonry stone flooring, Allahabad tilling) carried out by an outside contractor only labour being supplied by the Jail as in case (ii).

27. Charge against P.W.D. estimates.- In case (i) the estimate will only bear charges on account of materials and skilled labour supplied by the Public Works Department. In case (ii) all payments made to the contractor, exclusive of the value of convict-labour supplied, .will be charged to the estimate. In case (m) (1) charges on account of sub-heads of works carried out by the jail will be treated in the same manner as in case,(i), and in case (m)(2) charges on account of work done by contract treated as in case (ii).

28. Charge on account of convict-labour supplied to the P.W.D.- No charge should be made the Public Works Department when convicts are employed on Jail works. When prison labour is employed on other public works, the full market value of the work performed, as certified to by the Executive Engineer, will be charged to 'the Public Works Department. The adjustment of such charges

should be made according to the general rules for payment by one department to another.

The cost of additional warders entertained by the Jail Department to guard the convicts when employed on Jail works executed by the Public Works department will be borne by the Jail Department.

29. Charge on account of materials supplied by the Jail to the P.W.D.- Materials supplied by the Jail to the Public Works Department will, as usual, be paid at the ordinary stock or sale rates of the Jail Department.

30. Preparation of P.W.D. estimates for Jail works and repairs and agreements with outside contractors.-The Public Works Department in preparing estimate for all Jail works and repairs will, in the abstract of the estimate, show opposite each item of work the estimated value of Jail labour to be employed and this value will be deducted from the total cost at normal rates, and net cost will be the amount of the sanctioned estimate. Care should be taken in drawing up agreements with outside contractors, that all work to be done or labour to be furnished by the Jail Department, is very clearly specified and excluded from the contract.

31. Statement of value of work done by Jail labour to be supplied by the P.W.D. to the Jail.- At the end of each calendar year, the Executive Engineer will supply the Superintendent of each Jail with a statement showing the value of the work done by convicts during the year, that is, the difference between the value of the work at ordinary contract rates and the cost of the materials and skilled labour paid for by the Public Works Department.

32. Cash payment not ordinarily allowed.- Under these rules there should ordinarily be no cash payments or book adjustment between the Jail & Public Works Department for work executed on account of Jail buildings, But in those cases where materials are supplied by the Jail to the Public Works Department such as linseed oil, dosuti cloth, or other articles of manufacture from Jail stock, payments or adjustment or such charges should be made according to the general rules for payment by one Department to another. Under the sanction of the Rajasthan Government necessary works

that have not be budgeted for in the Public Works Department may, at the request of the Inspector-General be undertaken by that Department of the Jail Department. The charges on account of such works ,will be treated as final charges in the Public Works accounts the necessary fluids being provided before hand by a transfer from the Jail to the Public Works Department budget.

33. Works undertaken by Jail Department to be inspected by P. W.D. Officers and subordinates.- Executive Engineers should inspect work in the way of buildings that may be carried out from time to time by Jail Superintendent, even though such buildings have not been designed or estimated for by the Public Works Department, and point out any defects they may notice and give advice. Executive Engineers should also instruct their subordinates who are in charge of Jail buildings to bring to notice any bad work that may be going on in connection with Government buildings.

34. Standard designs not to be deviated from.- In the construction of buildings for which type plans exist, great care should be taken that no change is made in the standard unless there are special orders to the contrary.

SECTION IV

Sanitary Regulations Cleanliness

35. Cleanliness of Jail.-All parts of the Jail shall be kept thoroughly clean, and care should be taken that rubbish and dirt are not allowed to accumulate in any part of it Special: attention shall be given to the cleanliness of drains, cooking utensils, etc. unless rubbish which is not likely to be converted into manure may be burnt.

Conservancy

36. Latrine.- Each enclosure shall, if possible, have a separate day Latrine on the approved plan and shall have a sufficient number of seam to allow the latrine parade to be carried out rapidly. About one seat to 5 prisoners is usually sufficient. Provision must be made for the permanent supply of dry earth in every latrine and before the commencement of the rains; a sufficient quantity should be stored. The earth should be dry and in fine powder.

37. Receptacles in Latrines.- Separate receptacles shall be Provided in all latrines for solid and liquid excreta, and the use of them shall fully be explained to all prisoners by the members. The mehtars shall put a layer of dry earth at least 1 inch thick into each receptacle for solid excreta before it is used, and every prisoner after he used a receptacle shall cover his dejecta with a scoopful of dry earth. Vessels for urine shall be one-third filled with water.

38. Water for ablution.- The use of water for personal ablution at the seats of latrines is prohibited; but at one side of the latrine, or adjacent to it, there will be a raised platform (draining into a receptacle which can be easily carried away when filled) on which the prisoners can wash themselves according to the custom of Indians. Water will be provided at the ablution platform.

39. Latrine parade.- While the latrine parade is being carried out, the mehtars attached to each latrine shall be present, and shall call the attention of the convict overseer to any prisoner who does not cover up his dejecta with dry earth. The mehtars shall empty the contents of the small receptacle into large iron drums and replace the receptacles in the latrine after having cleaned them.

40. Trenches for night soil.- The night soil shall be burned in trenches in the garden. Before taking up the ground for trenching, it shall be efficiently drained so that the surface layers of the soil shall be free from saturation by storm or flood water. The trenches shall be ¹[two feet] broad and 4½ feet deep running parallel to each other at intervals of ¹[2 feet]. The bottom of the trench should always be loosened with a pick to admit of rapid absorption of liquids. The night solid shall be deposited therein to the depth of ¹[3feet] and the dug earth shall then be returned to the trench. The trenches shall be made as straight as possible with the help of a rope, and right across the field to be manured. They may be dug by the garden gang but must be filled in by the mehtals. The trenches should be prepared a day in advance-every day for the next days excreta.

41. Refuse from cook house- Ail refuse from the cook-house, if fit for food for cattle, shall be given to the cattle, if unfit for food for

1. Subs. vide Noti. dated 30.8.1958)

the cattle but likely when decomposed to make a good manure, it shall be thrown into the manure pit, if unlikely to make a good manure and if combustible, it may be burned. In the garden a pit will be dug into which all the leaves and rubbish that are likely to be converted into manure shall be thrown. A tarred barrel with a hole in the bottom of it is placed on this rubbish and urine is emptied into the barrel so that it can gradually percolate through the whole contents of the pit, The urine tends to make the mass decompose rapidly and good manure results.

42. Latrine on dry earth system in sleeping barrack.- A latrine on the dry-earth system with Ca vessel for urine shall be provided in each sleeping barrack. The use of the night latrine is prohibited except in case of sickness and any prisoner who use the night latrine shall be reported by the night watchman on the following morning.

43. Latrine for solitary cells.- Solitary cells shall be provided with smaller vessels, and a box of dry earth shall be placed in one corner.

44. Latrine for paid warders.- A latrine shall be provided for the paid warders and shall be worked on the dry-earth system.

Water Supply

45. Water supply.- Every possible precaution shall be taken to prevent the pollution of the water supply, either at its source or in distribution. Iron tanks with locked covers shall be provided in sleeping barracks and work sheds in which good drinking water will be stored for the day's use. These will be provided with taps from which water can be drawn and no vessels shall be dipped in to these tanks. One tap will be on the outside, so that water can be drawn when the prisoners are taking their food in the verandah. and one will be placed so that prisoners can draw water from the inside of the barrack.

46. Examination of impure water by Chemical Examiner.- When a new water supply is obtained, or when there is suspicion that the water is impure, samples shall be sent to the Chemical

Examiner for analysis, and when the result of the analysis is unfavourable a report of this fact will be submitted to the Inspector-General.

47. Well water.- When water from wells is used for drinking purposes, special care will be taken that there is no fouling on the are a adjacent to the well and the wells should be cleaned every hot weather or oftener if possible. The wells should be covered to prevent pollution by substances being dropped or falling into them.

48. Chains and iron buckets for wells.- Chains and iron buckets shall be used for drawing water from the wells.

49. Clearing process for impure water.- If the water contains such mechanical impurities as mud, it may be purified by allowing it to stand for a few hours in tin or iron vessels, and the addition of a small quantity of alum will hasten the clearing process. A lump of alum tied to one end of a string and dipped into the water for about half a minute give a very good method of removing the mechanical impurities. When there is reason to suspect that the water is contaminated by bacteria, boiling may be resorted to.

50. Water pipes.- If the water is not conveyed to the places in which it is to be used, covered cans with spouts shall used for carrying it.

51. Supply of water in sleeping ward and for prisoners at work.- Every sleeping ward shall be provided with drinking water, and prisoners at work shall be provided with drinking water as, is necessary, when gangs are working outside the jail, special care shall be taken to ensure that they are supplied with good water.

Bathing

52. Bathing arrangements for prisoners.- A bathing-platform on the approved pattern shall be provided in each enclosure in which prisoners are confined. The bathing troughs shall be filled with water thrice daily and all the prisoners (excepting the sick) shall be made to wash themselves thoroughly at these. In the morning and evening,

they will wash their hands, feet and faces, and at midday they will wash their whole bodies.

PART - 7

REGULATION OF SENTENCES OF PRISONERS

(Rules under section 59(9) of the Prisons Act)

SECTION I

Adult Male Convicted Criminal Prisoners

1. Adult male convicts where to be confined.- Adult male convicted Criminal prisoners shall ordinarily be detained for purpose of undergoing their sentences in the Jails to which they are, in the first instance, committed, subject to the limitations set out below:-

- (a) No habitual prisoners with sentences of over six months shall be confined in any prison in Rajasthan except the Jaipur Central Jail.
- (b) Casual prisoners whose sentences are not in excess of 10 years shall be confined in 'A' class district prisons.
- (c) Casual prisoners whose sentences are not in excess of 3 years shall be confined in 'B' class district prisons.
- (d) Casual prisoners whose sentences are not in excess of one year shall be confined in 'C' class district prisons.
- (e) Casual prisoners whose sentences are not in excess of six months shall be confined in 'D' class district prisons.
- (f) Casual prisoners whose sentences are not in excess of three months shall be confined in lock-up Jails.
- (g) Casual prisoners whose sentences are in excess of ten years or who are sentenced to death or transportation shall be confined in the Central prisons.

2. Prisoners sentenced to be whipped not to be transferred till the punishment is inflicted.- Prisoners sentenced to the whipped in addition to imprisonment shall not be recommended for transfer until the expiration of the period prescribed by law for the infliction

of such punishments and until the sentence of whipping has been inflicted, or annulled, or commuted, as the case may be.

Provided that nothing in this rule shall be deemed to prevent the transfer of habituals and casual adolescents immediately on conviction to the appointed Jails as required by the following rule.

3. Casuals and habitual when to be transferred to the appointed Jails.- Ordinarily no casual convicted prisoner shall be transferred to other appointed Jails to serve sentence until the time allowed for appeal has expired or until the appeal is filed whichever is the shorter period. Habituals, with sentences of over six months and casual adolescents sentenced to four months and upwards shall be transferred immediately on conviction to the appointed Jails. .

SECTION II

Female Criminal Prisoners

4. Jails where female convicts to be confined.- Upto the limit of accommodation in the female ward of each Jail, all female convicts (both habitual and casual) sentenced to imprisonment for less than a year shall be retained in the Jails of the district or sub-division to which they belong. Female convicts sentenced to imprisonment for one year or more shall, if of the casual class, be transferred to the nearest Central Jail and, if of the habitual class, to the Jaipur Central Jail.

SECTION III

Superior Class Prisoners

5. Superior class Prisoners.-The superior class prisoners shall be confined only in the central jails. In rare cases where the trying judge or Magistrate has omitted to classify a prisoner as belonging to a superior class, it is open to the Superintendent of the Jail to which he is committed to place him temporarily in a comparatively inferior class and to refer his case to the District Magistrate for further orders. A prisoner so treated shall not be transferred to a central Jail without the approval of the District Magistrate, before the final orders of the Government of Rajasthan as to his classification are received.

SECTION IV

Youthful Prisoners

6. Youthful prisoners to be confined in central prisons.- So long as Borstal or Reformatory Schools or juvenile Jails are not opened, all youthful prisoners as defined in the Reformatory Schools Act, 1897¹, will be confined in any of the three central prisons.

SECTION V

Sick Prisoners

7. Lunatics.- Prisoners suffering from mental aberration not amounting to insanity shall be confined either in the Jaipur Central Jail or the Udaipur district Jail. Prisoners who are certified lunatics shall be confined in the Mental Hospital at Jaipur or Udaipur.

8. Lepers.- Prisoners suffering from Leprosy shall be confined in the Leprosy Asylum Jaipur-

9. T.B. prisoners.- Prisoner's suffering from Tuberculosis of the lung shall be confined in the district prison, Kotah.

SECTION VI

Juvenile Female Prisoners

10. Juvenile female prisoners.- Juvenile female prisoners shall be confined in the female ward of the central Jails. The cases of such girls should be immediately brought to the notice of the District Magistrate.

SECTION VII

Discretion of the Inspector-General

11. Reservation of power to the I.G. as to regulating prisoners to be confined in each class.- Notwithstanding anything contained in the foregoing rules, the Inspector-General of Prisons may, for sufficient reason, by general or special order, direct that any class or classes of prisoners shall be confined in or transferred to any jail or class of jails. But he shall report such case to the Rajasthan Government for information.

1. See the provisions of Juvenile Justice (Care and Protection of Children) Act, 2000.

PART - 8**GOVERNMENT OFF PRISONS AND APPOINTMENT OF JAIL OFFICERS****(Rules under Section 59(I0) of the Prisons Act)****SECTION I****The Inspector-General**

1. Control of expenditure.- Subject to the accounts and financial rules for the time being in force, the Inspector-General shall exercise full and general control over all expenditure of the jail Department, for which budget provision has been made, provided that the expenditure incurred on- (a) public works, (b) supply of stationary and (c) supply of medical stores, shall be regulated in accordance with the special rules in that behalf made by the Government.

2. Audit of bills.- Subject to the reservations mentioned in the preceding rule all monthly and other bills for jail expenses of every description shall be submitted to and audited by the Inspector-General.

3. Power to sanction contracts.- No contract other than a petty contract relating to the supply to Jails of food, clothing, etc., shall be made by any officer other than the Inspector-General without the sanction of the Inspector-General. Petty contracts shall be understood to mean any contract for supplies not exceeding ¹[Rs. 500/-] in a year in the case of central jails and [Rs. 100/-] in a year in the case of other classes of Jails.

4. Temporary accommodation for prisoners.- The Inspector-General is authorized to make provision for the shelter and safe custody of prisoners in temporary prisons as required by section 7 of the Prisons Act. Before making any such provision he shall make a report of the circumstances and of his proposals to the Government of Rajasthan :

Provided that when the circumstances are such as to make delay clearly undesirable, the Inspector-General shall upon his own

1. See the provisions of General Financial & Account Rules (G.F. & A.R.)

responsibility take such action, as he deems to be necessary and submit a report to the Government of Rajasthan as soon thereafter as possible.

5. Power to make temporary appointments- The Inspector-General is authorised to sanction in case of necessity, and subject to budget provision, temporary appointments on pay not exceeding Rs. 30/- per mensem for clerical staff, and Rs. 50/- per mensem for executive staff for periods not exceeding one year.

Exceptions.- Except where expressly provided for in these rules, the employment of any temporary establishment is not permissible without the previous sanction of the Inspector-General.

6. Rewards for special services.- The Inspector-General is authorised to sanction small rewards for special services as, for instance, to matrons or midwives for attending confinement cases in Jails. preservation of great coats by Warders beyond the usual period of six years. special efficiency in drill. capture for escaped prisoners, for apprehension of escaped prisoners, to prisoners for good conduct, to convict-officers for approved service, to industrious convicts, to prisoners for good work at industry, for the detection of buried prohibited articles, etc.

7. Reward for recapture.- Whenever circumstances may render it advisable to offer a reward in excess of Rs. 25/- for the apprehension of an escaped prisoner, the Inspector-General is empowered to sanction payment of such a reward not exceeding Rs. 250/ -. The sanction of the Government of Rajasthan shall be obtained for the payment of a reward in excess of Rs. 250/ -.

8. Purchases in the local market.- The Inspector-General may purchase in the local market any one article or any number of articles not exceeding Rs. 250/ - in value, except articles of the kind supplied by the Controller of Stationery. He may also sanction petty local purchases of stationery and rubber-stamps upto a limit of Rs. 20/- in each case.

9. Power to appoint, promote, remove and punish subordinate officers.- Every Jailor, Deputy Jailor, Assistant Jailor and other

subordinate non-gazetted officers and staff shall be appointed by the Inspector-General. No officer appointed by the Inspector-General shall be dismissed or removed by any subordinate authority. The Inspector-General may direct the suspension, reduction, supersession, removal, dismissal or transfer from one jail to another of any non-gazetted Jail sub-ordinate and may punish any such subordinate with any one or more of the punishments specified in rule 426. In the case of gazetted subordinate any one or more of such punishments except those specified in clauses (h) and (i) of rule 10 may be imposed by the Inspector-General.

10. Magisterial powers of Inspector-General.- The Inspector-General shall exercise the powers of a Magistrate of 1st class within the limits of every Jail in his Jurisdiction.

11. Inspection of Jails by Inspector-General.- The Inspector-General shall inspect every central prison twice a year and every district prison at least once a year,-

- (a) he shall inspect all yards, wards, cells, work-sheds, store-rooms, kitchens and latrines, noting their state of repair, their sanitary condition, the general security of the Jail, and how far the structural arrangements permit of due effect being given to the requisitions of the Prisons Act with respect to the separation of the different classes of prisoners;
- (b) he shall examine the garden, enquire into the water and supply the conservancy arrangements, shall see that the sick are carefully attended to and ascertain that the food is of proper quality and quantity;
- (c) he shall personally see every prisoner then in confinement in the Jail, nothing any circumstances of consequence connected with his physical condition, adaptation of task to physique and class, condition and sufficiency of clothing, employment of fathers, progress under the remission rules, and awards under the punishment rules, and shall afford to such as desire it, a reasonable opportunity of making any application or complaint, investigating and passing orders on all those relating to Jail discipline;

- (d) he shall the warder establishment and himself at to the proficiency in drill and musketry. Inspect its arms and accoutrements, and test ability of every officer of the upper subordinate establishment to drill the guard. He shall closely scrutinise the arrangements for carrying out day and night watch and ward, and for the prevention and suppression of riot, and shall satisfy himself that the disposition of the paid and convict officers is as prescribed and the most effective possible; -
- (e) he shall compare, with the rates obtaining in the local markets, the rates paid for contingent purposes and shall satisfy himself that economy is practiced in their use as well as in the use of all articles supplied by contract;
- (f) he shall satisfy himself that all accounts and registers are maintained according to the files in force for the time being, that proper arrangement are made for the safe custody of all records, and that due regard is paid to all requirements of the Prisons Act and the rules framed there under;
- (g) he shall see that accommodation is ample. and that no overcrowding exists;
- (h) he shall. satisfy himself as to the general health of the jail;
- (i) he shall examine the sentences of juveniles and adolescents to see whether some other form of punishment could not have been inflicted by the courts and also to see -that short sentence have been duly brought to the notice of the District Magistrate.

On the completion of the inspection of any prison, he shall 'record, in the Visitors' Book, a memorandum of the state in which he found the Jail, fire manner in which is administered, the extent to which officers are familiar with their charges etc., together with any suggestions he may wish to make and any orders he may issue to the Superintendent. The Superintendent shall then report to the Inspector-General the action taken on each order or suggestion on the prescribed form within one month regarding buildings and works

and within two weeks in regard to other matters. A copy of any part of this memorandum which deals with matters, which should in the opinion of the Inspector-General, be brought to the notice of the Government shall be forwarded by the Inspector-General to the Government of Rajasthan with any remarks, the Superintendent may have offered.

12. Channel of communication.- In the absence of any direction to the contrary the Inspector-General shall be the channel of communication between the Government and all Superintendents and other officers of the Jail Department.

13. Annual Jail administration report.- The Inspector-General shall submit to the Government of Rajasthan, annually not later than the 20th of March, a detailed report on the Jail administration for the previous calendar year. together with such statistical and other statements, returns and information as the Government may from time to time require.

14. Serious Occurrences.- When a suicide or a serious escape, assault or disturbance or any other unusual or serious occurrence as taken place in any Jail, the Inspector-General shall submit a report of the occurrences to the Rajasthan Government indicating the action taken by him and his recommendations, if any, in regard to the removal of any defects in the system of Jail administration.

15. Additions and alternations to jail buildings.- No additions or alterations to the Jail buildings shall be undertaken without the Inspector-General orders and no plans or estimates shall be prepared by the Superintendent without his sanction.

16. Institution and defence of suits.- No proposal for the Institution of a suit should be made unless all means for the satisfaction of the chain have been tried and have failed. If there is no alternative to the institution of a suit, the Superintendent of the Jail shall report the facts to the Inspector-General and ask for his sanction to the institution of the suit before taking any further action.

17. Inspection of lock-ups. — The Inspector-General may inspect any magistrates lock-up and record his opinion of the manner in

which such lock-up administered, and make such suggestions as he may consider necessary for the guidance of the officer in charge.

18. Inspection of mental hospitals.- The Inspector-General is ex officio visitor of all mental hospital in Rajasthan.

19. Budget estimates.- The Inspector-General shall annually submit to the Government in the prescribed form and not later than the prescribed date an estimate of receipts and expenditure for the next financial year.

20. Report to the Accountant-General. At the close of every financial year, the Inspector-General shall submit to the Accountant-General Rajasthan, a report on the extra statutory remissions and abandonment's of claims to revalue in the department sanctioned during the preceding year. Individual remissions below Rs. 200/- shall not be reported.

21. Financial powers.- In connection with the preparation and submission of departmental estimates, re-appropriation of funds, supplementary estimates, and control over the expenditure, the Inspector-General shall exercise the powers given to him and perform the duties imposed on him by the provisions of the schedule of powers for the time being in force.

SECTION II

The Deputy Inspector-General of Prisons

22. Duties of D.I.G.- The following are the duties of the Deputy Inspector-General of prisons:-

- (i) In the absence of the Inspector-General from Jaipur, he shall, in all emergent cases, exercise all or any of the powers of the Inspector-General as directed from time to time;
- (ii) He shall be responsible for the efficient and prompt working of the office of the Inspector-General.
- (iii) He shall, under the orders of the Inspector-General, inspect any Jail institution or hold a departmental enquiry or any enquiry into any untoward happenings in any of the jail institutions.

SECTION III

The Deputy Directors of Medical & Health Services

23. Duties of Deputy Director of health.- The Deputy Director of Medical & Health Services incharge of the health side, in addition to his functions as an official visitor of all Jails, shall be a consultative officer on all subjects connected with the general hygiene and sanitary arrangements of jail and is expected to offer his advice freely to the I.G. of Prisons. Should there be a difference of opinion on an important point of hygiene of sanitary management, the Inspector-General shall refer the case for the orders of the Rajasthan Government.

SECTION IV

The District Magistrate

24. District Magistrate as ex-officio visitor of central prisons.— The District Magistrate is an ex-officio visitor of every central prison situated in his district.

25. District Magistrate to be incharge of prisons and Jails in emergency.- In case of emergency the District Magistrate may himself assume charge of a District prison or a lock-up Jail, and shall immediately report the fact to the Inspector-General of Prisons.

26. District Magistrate to be subject to I.G.'s control.- The District Magistrate shall, in all affecting the discipline of Jails be subject to the control of Inspector-General and shall report to him all important steps which he thinks proper to take.

27. Visits by District Magistrate.- The District Magistrate or his senior assistant shall visit the Jail at this headquarters once a fortnight but the former shall visit it himself at least once a month, unless unavoidable prevented by absence on tour or other similar causes, in which case he shall visit it at least once a quarter.

Where the Jail is situated at the headquarters of a sub-division, the Sub-divisional officer will pay the above visits and the District Magistrate shall visit the Jail when inspecting the sub-divisional headquarters:—

- (a) The primary purpose of such visits is to keep a check on disposal of a cases and to avoid under detention of under-trial prisoners and youthful offenders for long periods. At each visit he shall make a careful inspection of them and prepare a list of such prisoners and record his remarks to that effect in the Visitor's book together with the dates of these visits. A copy of the remarks shall be forwarded officially by the Superintendent of the Jail to the District Magistrate for action as in sub-rule (b) and to the Inspector-General for such action as may be deemed fit.
- (b) The District Magistrate on receipt of such a copy should obtain the records of such cases and take suitable action to expedite the trial.

28. District Magistrate's power to issue orders.- The power to issue orders respecting a prison conferred on District Magistrate by section II of the Prisons Act, must not be interpreted as empowering District Magistrates to interfere unnecessarily with the management of Jails and to weaken the Superintendent's authority. All orders passed by the District Magistrate shall be issued through the Superintendent of the Jail.

29. Provision for occasions when District Magistrate is on tour.- When the District Magistrate is absent on tour from headquarters, the officer incharge of the station for the time being shall perform the duties of the District Magistrate with, regard to the Jail, subject to any instructions which the District Magistrate may give. Such officer shall append to his signature in the visitors minute book the words "in charge of the station during the absence of the District Magistrate."

30. District Magistrate to arrange for jail work upon vacancy of office of Superintendent.- When the office of the Superintendent falls vacant and there is no time to refer the matter to the Inspector-General for the orders of the Rajasthan Government, the District Magistrate shall, pending the orders of the Government, make

necessary arrangements for the work of the Jail, reporting his action at once to the Inspector-General.

31. District Magistrate's duty when officer incharge of district prison or lock-up jail absent.- When the duties of the officer incharge of a district prison or lock-up Jail necessitate his leaving the station, or if from any other cause, such as illness or absence on leave, he is unable to supervise the Jail, the senior most medical officer in charge of the main Hospital or in his absence, the officiating incumbent shall, subject to the approval of the District Magistrate hold executive and medical charge of District Jail or lockup but if it is considered inconvenient in any particulars case for fire senior most medical officer or his immediate junior medical officer to take charge, the District Magistrate may appoint the senior subordinate Magistrate at head-quarters to the executive charge, reporting the fact to the Inspector-General of Prisons.

32. District Magistrate to exercise powers of Superintendent in certain cases.- If the Superintendent of a central jail is about to proceed on casual leave, or if from any other cause, such as illness he is unable to discharge his duties, the District Magistrate, or, if the District Magistrate considers It preferable, the senior executive Assistant or Extra-Assistant Commissioner at headquarters shall exercise temporarily all the powers and duties of the Superintendent. The District Magistrate shall report the fact to the Inspector-General of Prisons. -

33. Appointment of religious 8: moral teachers.- The District Magistrate is authorized to appoint honorary teachers in religious and moral subjects, who may be permitted to lecture in the Jail once a week, the day and hour being fixed by the Superintendent.

34. Duties of District Magistrate at the of disturbance or escape.- The duties of the District Magistrate in the case of a disturbance in jail or in the event of an escape or attempted escape are as follows:—

- (a) He shall, at the request of the Superintendent conduct an inquiry and record a finding on the cause of an out-break or

disturbance and the conduct of the officers concerned, and shall send a copy of his report. to the Inspector-General direct.

- (b) Immediately upon receiving intimation of an escape, the District Magistrate or, in his absence, the Magistrate in charge of headquarters shall himself make an investigation into the circumstances of the escape and send a report to the Inspector-General with such recommendations as he may think fit to make in regard to the jail officers concerned and other matters.

35. Help in the matter of grain storage etc.- The District Magistrate shall render all reasonable help, to Superintendents of Jails in the matter of storing grain, and shall furnish weekly, through the tehsildar, the current price of such food-grains and other important commodities ordinarily purchased by Jails as the Superintendent, may from time to time desire.

36. Permission for investigation.- The District Magistrate may by a written order, permit a police officer to make an investigation inside the Jail and no such investigation shall be made except under the orders of the District Magistrate.

37. Authority to interview.- The District Magistrate may specially authorise any officer named by him in writing to interview any prisoner for the purpose of obtaining information which may lead to the detection of crime.

SECTION V

The Director of Jail Industries

38. Director of jail Industries to assist in maintaining discipline.- As an officer of the Jail, he shall make himself thoroughly acquainted with all the jail rules, with which he shall strictly comply, and shall assist Superintendents and other Jail officials to maintain order and discipline. In case of emergency, he shall be expected to render this assistance at any time, But he shall not have power to interfere in any way with the administration or management of the jail in matters not directly connected with the Superintendent of the manufactory department thereof.

39. Status of Director.- The Director of Jail Industries shall take rank above the Deputy Superintendent, who shall carry out all orders issued by the deputy Inspector-General in regard to matters relating his own department provided they be in accordance with the Jail rules and the

Superintendent's instructions.

40. Duties as regards manufactory department.- He shall be responsible for the efficient management of the manufactory department and shall conduct all operations relating to the manufacture of articles in the Jails to the greatest possible advantage of the Government.

Principle for deciding upon work.- In deciding upon work to be done, he shall exert himself to ascertain what are the branches of labour which will meet their requirement:-

- (a) Firstly, of the jail service;
- (b) Secondly, of the local Public Works Department; and
- (c) Thirdly, of other consuming departments of the Government.

41. Director responsible for pecuniary Success of prisons.- After these means of employment are exhausted, he must make himself acquainted with the state of the market and ascertain what other industries are likely to be most profitable, and how articles can be best disposed of. He will be regarded as partially responsible for the pecuniary success of the Jail.

42. Contracts of raw material.- For supplying raw material, the best practicable arrangements shall be made, and if contracts are entered into, the Superintendent shall satisfy himself of the respectability of the contractor and also that no corrupt arrangement is made between the contractor and Jail officers and shall report the matter to the Inspector-General of Prisons, furnishing him with a copy of the contract.

43. Director may purchase materials and conduct business.— The Director of Jail industries shall, subject to the approval, orders

and control of the Superintendent, purchase the raw materials required for use in all branches of the manufactures, and, for this purpose, it will be his duty to acquaint himself with the chief markets where and at what season articles can be best bought, so that purchase shall always, as far as practicable, be made in the cheapest market and at the most favourable rates obtainable.

44. Director to endeavor to improve quality.- The Director of Jail industries shall use every endeavor to improve the quality of the work turned out, in the manufactory department, and he shall be responsible that articles not according to specification are specially brought to the notice of the Superintendent. He shall satisfy himself from time to time that the work turned out in each branch of industry is commensurate with the labour employed and the raw material consumed.

45. Director to acquaint himself with the character and industry of every prisoner.- The Director of Jail industries shall make himself acquainted as far as possible, with the character and industry of every prisoner working under him, and assist the Superintendent in allotting remissions and granting rewards for good work. He shall report to the Superintendent for punishment all prisoners failing to complete their allotted tasks or doing bad work, as well as all breaches of Jail discipline which have come within his cognizance.

46. Stores to be under care and supervision of Director.- All stores maintained in the manufactory department of all Jails, whether consisting of raw material, material in the process of manufacture or manufactured goods, machinery plant, tools or other articles shall be under the care and supervision of the Director, Jail industries through the officer incharge who shall at all times be liable to duly account therefore to the Superintendent.

47. Accountants of store.- The Director, Jail industries shall, cause proper accounts to be kept of all stores purchased, received in stock, expected, respectively, and of all moneys of whatever kind at any time received or expected by him or under his authority or orders.

He shall be responsible that all registers and accounts prescribed and relating to the manufactory department, are at all times correctly prepared and kept up to date, that proper vouchers for all issues of stores and payments are obtained, kept in safe custody, and produced when called for by the Superintendent, and that his accounts are duly audited under proper authority.

48. Periodical examination.- The Director. Jail Industries, shall periodically examine all cash, stores, machinery, plant, tools, raw materials, materials in process of manufacture and manufactured articles and satisfy himself that the cash, stock, materials, manufactured' articles, machinery, plant and tools are equivalent to the balance shown in the accounts. 49. Liability for defalcations.- The Director Jail Industries at the headquarters and the other officer' s incharge of factories in other Jails of Rajasthan shall be personally liable for any defalcations, loss or damage in any way or attributed to any negligence, disobedience or misconduct on their part

50. Director to keep constant watch.- The Director Jail Industries is required to keep a constant watch of the receipts and expenditure of the .manufactory department and all property of whatever kind relating thereto. He is liable for defalcations on the part of every officer serving under his orders, which have been in any way facilitated or rendered possible by any neglect of duty or omission on his part to exercise effective supervision.

51. Report Book.- The Director, Jail industries, shall maintain a report book in which he shall make entries of all matters requiring the order of the Superintendent, such as requisitions for prisoners, machinery, tools, plant and the like; the manufacture, sale or dispatch of goods, the recommendations or every kind relating to manufacture, passed by the Superintendent shall be entered in the report book.

52. Hours of work.- The Director, Jail Industries shall enter the Jail manufactory sufficiently early each morning to Superintendent the Distribution of the labour gangs and he shall ordinarily remain inside the Jail throughout the day.

53. Quarters for residence.- Quarters shall be provided for the Director of Jail Industries at the Jail in which he shall reside. He shall not absent himself from his duties without the permission of the Superintendent, unless he is sick, in which case he shall furnish a certificate of sickness from the Medical Officer. He may absent himself for meals and other purpose at such hours and for such periods as the Superintendent may fix.

SECTION VI

Factory Managers and Assistant Factory Managers

54. Rank of Factory Managers and their assistant.- The Factory Managers and the Assistant Factory Manager will take rank above the Jailors and the Deputy Jailors respectively.

55. Duties.- All the rules relating to the Director, Jail Industries will apply mutatis mutandis to these officers as well.

SECTION VII

Superintendents of Jails

56. Duties of Superintendent generally.- (i) Subject to the orders of the Inspector-General, the Superintendent shall manage the prison in all matters relating to discipline, labour, expenditure, punishment and control.

(ii) Subject to such general or special directions as may be given by the Government of Rajasthan, the Superintendent of a prison, other than a Central Prison, shall obey all orders not inconsistent with the Prison Act or any rule there under, which may be given respecting the prison by the District Magistrate and shall report to the Inspector-General all such orders and the action taken thereon.

57. Records to be kept by the Superintendent.- The Superintendent shall keep, or-cause to be kept, the following records:-

- (i) A register of prisoners admitted;
- (ii) A book showing when each prisoner is to be released;
- (iii) A punishment Book for the entry of the punishment inflicted on prisoners for prison offences;
- (iv) A visitor's book for the entry of any observations made by

the visitors touching any matter connected with the administration of the prison;

- (v) A record of the money and other articles taken from prisoners; and
- (vi) All such records as may be prescribed by rules under section 59 of the prisons Act.

58. Control and duties of officers of prisons.- All officers of a prison shall obey the directions of the Superintendent all officers subordinate to the Jailor shall perform such duties as may be imposed on them by the Jailor with the sanction of the Superintendent or prescribed by rules under section 59 of the Prisons Act.

59. Superintendent to be acquainted with all rules and regulations etc.-

- (i) The Superintendent shall make themselves thoroughly acquainted with all acts, regulations, rules and orders relating to jails and shall be responsible for the due observance thereof and for the execution of all sentences of prisoners committed to their charge.
- (ii) Every order of the Superintendent shall be subject to a revision by the Inspector-General.

60. Superintendents Order Book.- The Superintendent shall maintain an "ORDER BOOK" and shall enter therein all orders passed by relating to the management and, discipline of the Jail. He shall satisfy himself that every such order is duly carted into effect. All officers entrusted in any way with the execution of any such order shall sign the Order Book in acknowledgment of having seen and received the order.

- 61. Distribution of duties.-** (i) The Superintendent of any jail shall prescribed in writing in his order book the division of labour allotted to each of his subordinates, especially to those employed in the Jail office, so that the responsibility for errors in the Jail records and for any other dereliction of duty, be fixed with precision and without dispute. In District Prisons,

other than A Class District Prisons, it should be specifically stated what office work the Jailor and Assistant Jailor shall respectively perform, but no such order shall relieve a Jailor of the responsibility of ensuring that the work in the jail office, whether done by himself or by his assistants, is properly and punctually conducted

- (ii) In Central Prisons and A class District Prisons an additional Jailor of junior rank is appointed to assist the Jailor, and he shall perform such duties under the orders of the senior Jailor as the Superintendent may prescribe. These duties shall be laid down in writing by the Superintendent in his order book, and shall be copied by the junior jailors into the notebooks which they are required to keep.
- (iii) In appointing the duties of the senior and junior jailors under the above rule, the Superintendent shall be careful to define them accurately in writing, so that the responsibility of each may be fully understood and enforced.

62. Staff's note book.- The Superintendent shall see that every member of the "superior staff maintains a note book in which he shall keep not of orders" affecting the various details of the administration of the Jail.

63. Change of duties of officers.- The Superintendent shall, so far as possible, so arrange that no officer, particularly no store-keeper, shall remain employed at the same duty for a period of more than one year at a time. All officers must be conversant with the working of all departments and shall be employed in each by turn.

64. Superintendent to visit jail- The Superintendent shall visit the Jail daily 'as soon after sun rise as possible when his first duty shall be to release time expired convicts with due observance of the rules regarding the return of the private property and the grant of Subsistence Allowance for the Journey to their home. If he is unable from sickness or any other cause to visit the jail on any week day, he shall record the fact of his absence and its cause in the order book.

He shall inspect the whole Jail premises atleast once a week. Superintendents of Central Prisons shall visit jails at night after lock-up atleast once a fortnight and Superintendents of District Prisons at least once a month. They shall satisfying themselves that guarding is being properly performed and that everything is in order and note of this fact should be made the very next day in the Superintendents journal. The Superintendent shall also, when necessary, visit the Jail on Sundays and Jail holidays.

65. journal of visits and occurrences.- (i) Every Superintendent shall maintain in his own hand-writing on half-margin foolscap 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 on each day and the result of his weekly inspection of the prisoners, guards and premises.
- (b) Every occurrence of importance connected with the management of the Jail, which has not otherwise been dealt with and which it is desirable to record for future reference.
- (ii) The journal shall be forwarded to the Inspector-General on the 1st day of the month following to that which it relates. The Inspector—General shall return it with such remarks as he may consider necessary.

66. All business to be transacted within jail limits.- The Superintendent shall, as far as possible, transact all business connected with the, Jail within its precincts and shall not, except in case of necessity, require the attendance of any subordinate officer outside the Jail precincts.

67. Inspection of prisoners in solitary or separate confinement.- The Superintendent shall see every prisoner who is in solitary or separate confinement at least thrice a week.

68. Inspection of barracks etc.- The Superintendent shall inspect the barracks wards, cells and every other part of the prison including the latrines and urinals atleast once a week. He shall also occasionally inspect the quarters of the subordinate officers. He shall regularly

visit and supervise the Jail garden and satisfy himself that all necessary measures are being taken therein for the purpose of cultivating and producing an ample and continuous supply of vegetables, condiments and antiscorbutics, for consumption by the prisoners; that the land included in the garden is kept in proper order and free from weeds; that the trenching of filth and refuse from the jail is effectively and duly conducted: that stable litter and other manure is suitably disposed of and that the premises are generally maintained in good salutary condition.

69. Complaints of prisoners.- The Superintendent shall on all occasions be ready to enquire into any complaint and to listen to any application from a prisoner. If any prisoner expresses to any Jail officer a desire to see the Superintendent, it shall be the duty of that officer to inform the Superintendent of the fact at his next visit to the Jail.

70. Visit to the hospital.- The Superintendent shall visit the hospital daily and shall see that proper arrangements are made for the safe custody of sick prisoners and that prison discipline is maintained in the hospital as far as consistent with the medical treatment of the prisoners.

71. Cleanliness.- The Superintendent shall be responsible for seeing that the whole area of the Jail and its buildings, the persons, clothing and bedding of the prisoners, and all furniture, utensils and other articles in use in the jail, are kept in the highest possible condition of cleanliness.

72. Daily inspection of rations.- The Superintendent shall inspect daily the rations prepared for issue to the prisoners, and shall satisfy himself that they are of good quality and of proper weight. He shall be present at food distribution parades as often as possible and shall enquire into any complaint made by the prisoners concerning their food.

73. Time for issue of raw rations.- The Superintendent shall prescribe in his order book the actual time for the issue of raw

rations from the grain godown to the cook-house. A copy of the order shall be hung in the Superintendents office as well as in the grain godown.

74. Testing of weights and measures.- Once in every quarter, the Superintendent shall test all weights and scales which are in use in the Jail, factories store-rooms, kitchen, etc. and shall record the result of each test in his order book.

75. Superintendent to inquire into all prison offences and record punishments.- The Superintendent shall hold an enquiry touching every offence committed or alleged to have been committed by a prisoner amid punish such offence in accordance with the provisions of the law and rates in that behalf. He shall record with his own hand all orders of punishment is carried into effect provided that when required by these rules, the Medical Officer shall have previously certified that the prisoner to be punished is fit to undergo it.

76. Punishment Register.- The order for punishment of any offence not punished by whipping must be entered by the Superintendent in the prisoner's history-ticket, and may thence be copied by a subordinate in the Punishment Register. but in every case in which whipping is inflicted, the Superintendent shall himself make the necessary entries in punishment Register. Against the entries in the Punishment Register relating to each punishment, the Superintendent and Jailor shall affix his initials as evidence of the correctness of the entries, If the offender be a convict officer, the letter "C.O." shall be inserted in the remarks column.

77. Surprise night visits.- The element of surprise in night visits is essential. A night-visit should, therefore, not be postponed till the very last day of the for might of the month, as the case may be, it should also be noted that guards are more likely to become slack after 11 p.m. than before that hour the night visits, therefore, should be paid after 11 p.m. with a view, however, to retain the element of surprise, occasional additional night visits should be paid before 11 p.m. or on the last day of the fortnight or of the month. The result of

such visit should be recorded in the journal maintained by the Superintendent.

78. Precautions for presenting escapes.- The Superintendent shall direct every precaution necessary to be taken for preventing escapes and shall cause a daily examination to be made of all cells, doors, windows, bars, bolts, locks, fetters, handcuffs, fastenings. etc the shall require the Jailor to report daily the result of such examination in his report book. On every Sunday and jail holiday a special head warder shall be made responsible for examining all grating and fetters in the after-noon. This work should occasionally be verified by the Superintendent himself.

79. Special precautions for security.- The Superintendent shall use his discretion in ordering such special precautions as may be necessary to be taken for the security of any important prisoner, whether he has received any warning from the Magistrate or not, as the Superintendent is the sole Judge of what measure are necessary for the safe custody of the prisoners he shall be held responsible for seeing that precautions taken are reasonably sufficient for the purpose.

80. Superintendent to hold alarm Parades.- In order to train all Jail officials in their respective duties which they will have to perform in the case of an outbreak, the Superintendent shall hold an alarm parade at an unexpected hour once a fortnight in Central prisons and once a month in District prisons in accordance with the instructions issued by the Government of Rajasthan in that behalf.

81. Superintendent to hold weekly parades.- Atleast once a week, preferably on Monday, the Superintendent shall hold a parade of all the prisoners, in accordance with the instructions issued by the Government of Rajasthan in that behalf in order to satisfy himself that all the rules and orders applicable to prisoners are being carried out.

The Medical Officer shall also be present at such parades. In winter months this parade may be held in the open air in the sum but in the hot months or on a rainy day, the prisoner shall parade in a sheltered plane such as the study side of a barrack or inside a barrack.

At each parade the Superintendent shall satisfy himself that-

- (a) every prisoner is properly classified; .
- (b) that every prisoner is provided with a properly written up history ticket;
- (c) that weighment's have been duly made and recorded on the tickets and that prisoners who show a substantial loss in weight are duly set apart for medical inspection;
- (d) that the prisoners are clean and are duly provided with clothing, bedding and kit as required by the rules and that the articles supplied to them are properly marked and numbered and are clean and serviceable and in good condition;-
- (e) that the convicts understand the remission rules and the remissions have been duly awarded and communicated to them;
- (f) generally that the rules and orders applicable to prisoner are being carried out;
- (g) at every such parade the Superintendent shall hear and enquire into and pass orders on any complaints that the prisoners may make, it shall be his duty to listen to these complaints in a patient and considerate manner and to afford the prisoners facilities for making amity representations that they may like to make. No prisoner shall however, leave his place to make such representations.

Note.- Noting in these rules shall debar a prisoner from making a complaint or application to the Superintendent at any other time.

82. Responsibility regarding searches of barracks, etc.- The Superintendent shall see that the Jailor and his subordinates comply with all the rules and orders relating to the searches of barracks and prisoners at the lock-up, the selection of convicts for out-gangs, and the safe -custody and conditions of employment of convicts working in out-gangs.

83. Precautions against fire.- The Superintendent shall see that proper precautions are taken to prevent damage by fire to jail building and all Government properties contained therein. He shall draw up an order showing the duties of each member of the establishment on the giving of an alarm, of fire. A copy of this order shall be hung up in the Jail office.

84. Precautions against fire.- The following measures are prescribed as a precaution against fire:—

- (i) No fires except in constructed fire-places (e.g. in cook-houses, black smith shops, etc.) shall be allowed in any part of the Jail buildings during the day of the night
- (ii) No fire or light shall be carried about unguarded in any part of the Jail buildings.
- (iii) No stocks or collections of grass, straw or other inflammable material shall be allowed to accumulate near any building. Kerosene oil and other inflammable articles shall be stored in a place of safety away from, other articles.
- (iv) All appliances-for extinguishing fire shall at all times be kept available for immediate use and in serviceable condition.
- (v) Half a dozen buckets full of water shall at all times be kept in each godown and factory and near the main gate and chicle gates and at other prominent places. The word “FIRE” shall be painted on these buckets.
- (vi) A supply of dry earth or sand in buckets or tins shall be available at all times at each godown and factory and near the main gate and at other prominent places.
- (vii) Minimaxes, where available shall be fixed at suitable places.
- (viii) The Jail shall be provided with a fire alarm to notify the outbreak of fire. A fire alarm parade shall be held once a year and the fact recorded in the Superintendents order book.
- (ix) Every Superintendent shall draw up suitable instructions adapted 4 to his Jail, showing precisely the respective duties

of all the members of the Jail establishment and convict officers when a fire alarm has been sounded.

- (x) When going on their rounds, Superintendents shall satisfy themselves that these instructions have been carefully carried out in the Jail.

85. Prevention of over-crowding.- The Superintendent shall take all necessary precautions to prevent over-crowding in any barrack. In the event of the prison being full, he shall immediately report the matter to the Inspector-General and shall in the meantime adopt such temporary measures as the case may require. On the 1st of every month the Superintendent will submit the daily average for the month and lock-up return in Form R.J. 131.

86. Monthly inspection of arms.- The Superintendent shall, once a month, require all Jail officers to turn out with their arms and shall satisfy himself that they are proficient in their use and that the arms are clean and in serviceable condition.

87. Special directions by medical officer.- (1) The Superintendent shall give effect to all such written directions as the medical officer may give for separating prisoners suffering or suspected to be suffering from infectious, contagious or mental diseases. In all cases of actual or suspected infectious or contagious diseases he shall give immediate directions in consultation with the medical officer for the cleaning or disinfecting of any places occupied by the prisoners affected, and for washing, disinfecting, fumigating or destroying any foul or suspected apparel or bedding.

(2) He shall give effect to any written requisitions and directions of the Medical officer as to the supply of additional bedding or clothing to, or to the alteration in the diet of, any prisoner and shall make such arrangements for the special treatment of any prisoner as the medical officer may, for reasons of health, direct.

(3) In cases where the Superintendent himself is the medical officer, of the prison, he shall enter any instructions, which he may have to give in the capacity as medical officer, in the Superintendent's

order book for the guidance of the Deputy Superintendent of the Jailor.

88. Presence at visits by the Inspector-General and other visitor.- When previous notice of the date and hour of visit has been given, the Superintendent shall accompany the Inspector-General during his of the Jail. He shall also be present at the visits of distinguished visitors, if requested to do so, at the half-yearly inspection of the board of visitors and at the visit of official visitors.

89. Submission of returns and 'reports.- The Superintendent shall punctually submit to the Inspector-General such yearly and other returns statements, bills and vouchers as may from time to time be prescribed. He shall submit not later than 10th of January to the Inspector-General, the annual report on the administration of the Jail in such form as the Inspector-General may prescribe.

90. Entries in service books.- The Superintendent shall make annual entries in all service books in January each year.

91. Confidential annual remarks on deputy Superintendents and gazette Jailors.- The Superintendent shall submit to the Inspector-General on 10th the January each year, a confidential report on each gazetted Jailor or Deputy Superintendent.

The following instructions are laid down for the guidance or reporting officers:-

(1) The report must be brief but complete in itself it should be written in a narrative form indicating clearly the manner in which the officer has performed his duties during the year, his qualifications, ability, and any other matter which may be of assistance in forming an opinion on the usefulness and capacity of the officer.

(2) The report should contain information on the following points:

- (i) Personal-Temperament, manners, judgment, tact, ability, initiative, physique, activity, personal contact with prisoners, factory work.
- (ii) Departmental efficiency-Knowledge of the Jail Manual, circular orders and Government orders as well as accounts and office

procedure, control and treatment of staff, discipline, power of organization, keenness for internal economy and control of equipment and stores.

(iii) General conduct and fitness.

(iv) Special remarks, if any.

(v) Integrity (Under this head state anything that may cast any doubt on the officer's integrity).

(3) When a gazetted Jailor or Deputy Superintendent is transferred after serving for a period of atleast three months in a Jail, the Superintendent shall forward a confidential report on him soon after his transfer, to the Inspector—General. Every Superintendent who is transferred or proceeds on leave shall record his remarks on gazetted Jailors and Deputy Superintendents working under him for the information of his successor prior to his departure.

(4) When the report on an officer is unfavorable and is likely to effect his future promotions, the Superintendent should give reasons for his opinion and should specially state whether the defects mentioned in the report have been brought to the notice of the officer concerned or not?

92. Integrity certificate in service books.-

(a) The Superintendent shall record each year along with annual remarks in the service books or Government servants in receipt of a monthly pay of Rs. 30/ - or onwards and in the confidential reports of all gazetted officers, a certificate of integrity in the following form:-

“Certified that nothing has come to my knowledge which casts any reflection on the integrity of”

(b) vague and unsubstantial complaints against an officer may some times be sufficient to justify the withholding of integrity certificate. In cases where there is good reason to suspect the integrity of an officer but sufficient proof to warrant formal proceedings is not forthcoming, the certificate of integrity may be withheld.

93. Report regarding corrupt practices.- The Superintendent shall submit a report to the Inspector-General' on 30th September, each year, dealing with the prevalence of any corrupt practices in his Jail and the measures taken to cope with them together with particular of the person detected and punished.

94. Superintendent not to leave station without sanction.- A whole time Superintendent may not leave the station without having obtained the previous sanction of the Inspector-General.

95. Report of death of any Jail officer.- The Superintendent shall immediately report to the Inspector-General, the death of any subordinate officer of his Jail.

96. Institution and defence of civil suits.- According to section 80 of the Civil Procedure Code, 1908 (V of 1908), notice of suits against the Government of Rajasthan is 'to be served either on the Secretary to the Government of the Collector of the district. When a Superintendent receives a notice of a treatment suit against the Government, it is invalid and all he need do is to forward it to the Collector for necessary action.

97. Superintendent to communicate freely with Inspector-General on all Jail matters.- No suit on behalf of Government shall be instituted by the Superintendent without the previous sanction of the Rajasthan Government obtained through the Inspector-General of prisons. The Superintendent shall freely, and, if necessary, confidentially, communicate with the Inspector-General of Prisons on all matters relating to the Jail, and in cases not provided for shall apply to him for orders, acting in the meantime, to the best of his judgment He shall see to it that no debt is outstanding against the Jail for more than three months; and shall, to the best of his ability, ascertain the solvency of person to whom credit sales are made; In the case of all purchases made by the Superintendent himself or by any; subordinate from the Jail, it is his duty personally to see that the proper charge is at once entered in the Jail books and that the debt is punctually discharged.

98. Contracts.- The Superintendent shall see that in all contracts entered into on the part of Government, under which sums of money are payable by contractors, adequate security is, whenever possible taken for sums being paid as they fall due. When personal security has been furnished, the Superintendent shall verify, through the District Magistrate, the solvency of the security and when the period of contract exceeds a year, he shall repeat the verification annually during the currency of the contract. When the circumstances are such that security cannot be conveniently furnished, suitable advance instalments shall be fixed. In default of payment of any instalment he shall take steps to cancel the contract and make new arrangements, so that, as far as possible, Government may be protected from loss.

In the case of contracts for the supply of grain or raw materials or other articles for the Jail, the Superintendent shall verify from the District Magistrate the solvency of the contractor before the contract is entered into by himself or by the Inspector-General of Prisons on behalf of Government. If the period during which the articles are to be supplied exceeds one year, he shall repeat the verification annually during the currency of the contract.

99. Superintendent to report all important occurrences.- The Superintendent shall report to the Inspector-General of Prisons, as they occur, all serious breaches of Jail discipline, escapes, attempts at escape, recaptures, suicides, death or serious injury to prisoners from accidental causes, and to both the Inspector-General of Prisons and Director of Public Health any outbreak of epidemic spread diseases or unusual sickness, and the measure taken to prevent the spread of the disease.

100. Superintendent to exercise vigilant, control over receipts and expenditure.- He shall keep a constant and careful watch over the Jail receipts and expenditure; he shall promote all possible economy in every department and carefully examine all demands and indents. Before sanctioning or submitting them for sanction; he shall frequently satisfy himself that the registers and books are written up that daily entries are made in the day books, and that outstanding

dues are not allowed to remain unrealized, and he shall the last entry in each book the examines and he shall record' the result of his examination in his 'order book. He shall beheld responsible for any defalcations on the part of the jail establishment if it be shown that such defalcations were rendered. Possible by neglect on his part of this or any other rule laid down for his guidance.

101. Superintendent to see to the storage on grain- He shall see that at the proper reason, when grain is cheapest, a sufficient quantity of each kind of grain required for prisoners consumption is stored for use until the next season for annual storage: that proper arrangements are made for storage and preservation of the grain; that grain so stored is of good and wholesome quality. He shall also satisfy himself by frequent inspection of the accounts and of the prisoner's food before and after cooking, and by weighments of the food after Distribution t:hat the prisoners obtain their full rations properly cooked.

102. Superintendent to cheek cash balance twice a month.- He shall check the balance of money in the case chest with that shown in the cash books twice a month and record the fact and the date of such verification in the latter under his signature. The "Factory" and "Maintenance" cash books should be examined simultaneously so as to preclude the possibility of a transfer to funds from one account, to recover any deficiency in the other.

103. Superintendent to check daily the revenue registers with the cash books.- In order to prevent any loss of revenue by defalcation, the Superintendent shall check daily the, receipts of money realised and entered in the various registers and books with those shown in the cash books, and satisfy himself that he money have been duly entered in the case books. He will date and sign the registers and books to indicate that he has checked them.

104. Superintendent to cheek twice a year stores machinery, etc.- He shall, every, six months, as soon as possible after the 31st March and 30th September of each year, examine all sores, machinery, plant tools, raw materials, manufactured articles, live and

dead stock appertaining to the Jail, and satisfy himself that he has on the premises stock and plant equivalent to the balance shown in the accounts on those dates. After each examination he shall submit to the Inspector-General a certificate showing the result thereof. He shall also frequently inspect all stock and other property of Government in the Jail.

105. Inspection of surplus stocks.- Store remaining in stock for over a year should be considered as surplus unless there is any good reason to treat them otherwise. These surplus stocks should be Inspected by the Superintendent half-yearly in the case of perishable foods and once a year in the case of others. After inspection, the Superintendent should submit a report, to the Inspector General and apply for sanction to the sale of the surplus or obsolete stores and to the writing off of their value.

106. Procedure when there is a change of Superintendents - On change of Superintendents, the relieving officer shall, before taking over charge, satisfy himself that the cash balance permanent advance and accounts are correct : also, as far as possible, that all stock both general and manufactory), machinery, plant and tools shown by the accounts to be in stock are forthcoming; that the registers have been written upto date; and that sanction has been obtained for all the establishment employed : and shall report the Inspector-General that he has done so. The responsibility of the relieved officer shall not cease till this is done.

107. Prohibition of prisoners or prison -officers from being employed in any private capacity.- The Superintendent shall not permit any prisoner or prison officer to be employed in any private capacity either for himself or any other person except under the following circumstances. Small detachment of the sweeper gangs shall, under the charge of paid wardens, visit all the quarters occupied by Jail officials except the Superintendent's house twice a day; each house shall in turn be cleaned by the gang, which shall then be marched to the next house, No prisoner of these gangs shall be left about a house.

108. Prohibition of employment of prisoners as house

servants.- He should see that no officials employ prisoners in attending to animals which do not belong to Government. The employment of prisoners as house servants of any description, such as sweepers or water-bearers, is strictly prohibited.

109. Supplies to be promptly paid for.- The Superintendent shall satisfy himself that all supplies are paid for at the time they are purchased, or as soon afterwards as possible.

110. Relevant rules to be displayed.- The Superintendent shall cause a copy of the rules relating to appeals, offences and punishments and remission of sentences to be affixed on the wall of each barrack, and shall cause these rules to be read and explained to prisoners within 48 hours of his admission to Jail.

SECTION VIII

Deputy Superintendents

111. Deputy Superintendent to obey the orders of the Superintendents.- The Deputy Superintendent of a central prison shall obey the directions of the Superintendent; He shall rank above the Jailor who shall carry out the orders issued by him within the sanction of the Superintendent.

112. Security.- Every Deputy Superintendent shall be required to furnish security in such of money as may be fixed by the Government of Rajasthan.

113. Discipline and conduct.- A Deputy Superintendent will be subject to the Government Servants Conduct Rules and to all rules prescribed by, or under the authority of the Government of Rajasthan, and to all orders issued by the Inspector-General from time to time, which it is within his competence to issue.

114. Duties of Deputy Superintendent stated: general.-

(1) The Deputy Superintendent shall be the chief executive officer of the Jail and shall discharge his duties under immediate directions and orders of the Superintendent.

(2) It shall be the duty of the Deputy Superintendent strictly to enforce, or cause to be enforced, through fire Jailor, all laws, rules

regulations, directions and orders, respectively, relating to the management of jails and prisoners and applicable to the Jail or to any prisoner confined therein, for time being in force.

115. Residence of Deputy Superintendent. Other Employment prohibited.- (1) The Deputy Superintendent shall reside at the Jail premises unless the Superintendent permits him in writing to side elsewhere.

(2) The Deputy Superintendent shall not, without the Inspector-Generals sanction in writing, be concerned in any other employment.

116. Deputy Superintendent to be present at night to exempt from sleeping inside the Jail.- The Deputy Superintendent shall not be absent from the prison for a night without permission in writing from the Superintendent; but if absent without leave for a night from unavoidable necessity shall immediately report the fact and the cause of it to the Superintendent.

117. Night rounds.- The Deputy Superintendent shall visit the Jail at night at uncertain hours out of his turn.

118. Duty at unlocking and locking up.- The Deputy Superintendent shall frequently visit different parts of the Jail to see that the unlocking and locking up are carried out correctly.

119. Care of control watch stations.- The Deputy Superintendent shall satisfy himself that the Control watch stations have been fixed at the most suitable places. He shall visit each station personally once a week and report in his Report Book that he has examined the Control Boxes and that keys at each station were found securely fixed and had not been tampered with.

120. Facilities for washing and repairing of clothes.- It shall be the duty of the Deputy Superintendent to afford necessary facilities to the Store Keeper for the washing and repairing, etc., of clothes.

121. Sowing reaping and storing of crops.- The Deputy shall be responsible for seeing that, crops grown on Jail lands are sown and reaped at the proper time and immediately brought into the

store after reaping and accounted for and that proper precautions are taken against speculation, losses, or miss-use.

122. Register of vegetables.- Vegetables gathered daily from the jail gardens shall be weighed and weights recorded in the jail Register. The quantities issued to the prisoners and to Jail Officer, if any, shall also be entered therein A register shall be maintained by the Deputy Superintendent in a Central prison.

123. Return of unexpanded ammunition.- All unexpanded ammunition shall be returned to stock after the completion of the duty for which it was issued. The Deputy Superintendent shall enter the details of the expended and unexpanded ammunition received back in the register and compare the totals with the amounts issued. Any shortages or shall be reported to the Superintendent without delay.

124. Scale of ammunition.- The scale of ammunition allowed for Deputy Superintendent is Balls. M.H. rifle, 100 per. rifle.

125. To appear in uniform on duty.- Tire Deputy Superintendent shall always appear in uniform when on duty.

126. Register of locks and keys to be re-written by the Deputy Superintendent.- The register of locks shall be re-written after every three years and the Deputy Superintendent in central prisons is personally responsible for checking it thoroughly and seeing that no omissions occur. The Superintendent shall also satisfy himself and certify in the register that the entries have been correctly copied out.

127. Duties of Deputy Superintendents as to safety of prisoners, etc.-

(1) The Deputy Superintendent shall do all acts and things which may be necessary or expedient for ensuring the safe custody of all prisoners at any time received into or confined in the Jail as well as for enforcing and maintaining discipline and order, through his subordinates, amongst such prisoners and all subordinate officers of the jail any time serving under his orders or control.

(2) The Deputy Superintendent shall, atleast once in 24 hours,-

(a) himself see every prisoner for the time being confined in the jail;

(b) visit every barrack, ward, cell, compartment and other part of the Jail and the premises thereof including hospital; and shall, save as provided in the rules, regulations, directions and orders for the time being in force in that he half always remain present within the jail or premises thereof.

128. Deputy Superintendent Journal.- The Deputy Superintendent shall regularly maintain a Journal in which he shall from time to time record, as they occur all events of importance affecting the jail and shall daily record the general state of the Jail. He shall enter in his journal all reports and representation which it may be his duty to make to the Superintendent, and all other matters which by any of the provisions of the rules, regulations, directions and orders for the time being in force, he is required to enter therein.

129. Deputy Superintendent not to delegate his duties without permission.- If the Deputy Superintendent is at any time prevented by unavoidable cause, from performing any duty imposed upon him as such Deputy Superintendent, he shall take immediate measures to have such duty performed by the next senior officer in rank present and to report the fact to the Superintendent, save as hereinbefore provided the Deputy Superintendent shall not, without the previous permission of the Superintendent, at any time delegate any duty to any other officer.

130. Effects of prisoners.- All money or other articles in respect whereof no order of a competent court has been made, and which may with proper authority be brought into the prison by any criminal prisoner or sent to the prison for his use shall be placed under the custody of the Deputy Superintendent.

131. Deputy Superintendent to search weekly for prohibited articles.- The Deputy Superintendent shall, at uncertain times, atleast once a week cause each prisoner, and all clothing and bedding, and all wards; cells and other compartments, workshops, latrines and other

place frequently by prisoners, to be thoroughly searched for prohibited articles.

132. Deputy Superintendent to regulate interviews and communications.- It shall be the duty of the Deputy Superintendent to regulate all interviews and communications between prisoners and persons who are not prisoners and to prevent all persons who are not duly authorised in that behalf by competent authority, from entering the Jail premises or having any access of any kind to, or communication with, any prisoner and to arrange that the proper officer of the jail is present during all interviews held.

133. Deputy Superintendent, when required to accompany officers and visitors.- The Deputy Superintendent shall, whenever required so to do, accompany the Superintendent, Medical Officer, and Magistrate every inspecting officer and visitor, on their visit to the Jail.

134. Dunes of Deputy Superintendent in enforcing discipline amongst subordinate officers.- (1) It shall be the duty of the Deputy Superintendent to exercise proper control over all officers of the Jail Subordinate to him, and to satisfy himself that every such officer is at all times efficient, and that he discharges his duties regularly and in a satisfactory manner.

(2) The Deputy Superintendent shall at all times maintain strict discipline amongst subordinate officers and shall be responsible that-

- (a) such officers as are subject to discipline in the nature military discipline are acquainted with drill and the use of their arms;
- (b) all officers in respect of the offices held by them and for whom uniforms are prescribed, wear such uniforms in the prescribed manner at all times when such uniforms required to be worn;
- (c) the prescribed roster of attendances and duties is carried into effect;
- (d) when on duty, all offices are neat and clean in appearance, properly dressed and accrued; and
- (e) every instance in which any subordinate officer is guilty of

any dereliction of duty, breach of discipline or other misconduct, which comes to his knowledge, is entered in his journal and brought to the notice of the Superintendent.

135. Power of Deputy Superintendent to grant four hour's leave.- Subject to the rules relating to the granting of leave and the record to be maintained of all leave granted the Deputy Superintendent may grant leave of absence for a period not exceeding six hours at any one time to any subordinate officers.

Provided that in every case in which any such leave is granted the Deputy Superintendent shall make all necessary arrangement for the due performance of the duties of the officer to whom such leave is granted, during his absence on such leave.

136. Responsibility of Deputy Superintendent for record, warrants, money etc.- The Deputy Superintendent shall be responsible for the safe custody of the records to be kept under section 12 of the Prisons Act for the commitment warrants and all other documents confined to his care, and for the money and other articles taken from prisoners.

137. Custody of Government property periodic stock taking.- The Deputy Superintendent shall be responsible for the receipt issue safe custody and due application or disposal of all stores, machinery, tools, plant; raw materials, manufactured goods and all other articles of whatever kind for the time being in the Jail and the property of the Government, and he shall maintain, or cause to be maintained, proper accounts and registers thereof. He shall take stock frequently and shall from time to time examine and verify the accounts and registers maintained.

138. Disposal of entries in the Deputy Superintendent's Journal.- The Deputy Superintendent's journal shall be placed daily (or oftener if necessary), before the Superintendent, who shall endorse his orders against each entry, or if no orders or comment necessary, append his initials.

139. Deputy Superintendent responsible for the efficiency of file guard.- The Deputy Superintendent shall satisfy that a sufficient

strength of the guard to meet all emergencies is at all times present at the Jail and ready to be armed, and that the warders sleep in the quarters allotted to them and do not leave the Jail premises without permission.

140. Deputy Superintendent responsible for property and money entrusted to him.- The Deputy Superintendent shall render an account, on his removal or transfer, of all Government and other property and money entrusted to his care. He shall see that all store-rooms are clean, neatly arranged and protected as far as possible from vermin, birds, insects and the weather. The Deputy Superintendent of a Central Jail to which a Factory Manager is attached, shall be responsible for all stores, etc. not appertaining to the Manufactory Department, and shall similarly render an account of them.

141. Deputy Superintendent to supervise office and keep certain registers, Duties regarding cash and cash books.- The Deputy Superintendent shall exercise general supervision over the work of the officer; the delegation of the preparation of returns, entries in registers, or any of the Deputy superintendents duties to any authorized sub-ordinate in no way relieves the Deputy Superintendent of the responsibility for ensuring that these are correctly and punctually made, but his most important duties are in the direct control of the prisoners and management of the Jail. He shall keep the cash books and release diaries with his own hand and such other registers as the Superintendent may direct. He shall daily compare the balance of cash in hand with the balance shown in his cash books. Initial the latter if correct and present them to the Superintendent daily for examination.

142. Responsibility for economy in every department.- The Deputy Superintendent shall promote such economy as is consistent with efficiency, in every department of the Jail; he shall prepare or cause to be prepared, and submit to the Superintendent, all intends for food, clothing and articles of every description required; he shall prevent any needless destruction of Government property, utilize convict labour to the fullest extent in supplying the requirements of

the Jail and other departments and bring to the notice of the Superintendent any improper waste or extravagance.

143. Inventory at the time of making over charge.- When a Deputy Superintendent is discharged or suspended, resigns, takes leave (other than casual leave), or is, transferred, he shall be required, in making over charge to his successor, to give an inventory of all property, stores, etc. in his hand, together with vouchers for all credit sales. This list shall be kept with the Jail records, a copy being given to his successor and another sent to the Inspector-General. The Superintendent shall satisfy himself as to the correctness of the list within two months from the date the Deputy Superintendent leaves the Jail, and shall, if circumstances warrant his doing so, furnish the Deputy Superintendent, should the latter require it, with a certificate, that no demands or are outstanding against him in that Jail. In case of the death of the Deputy Superintendent, the inventory shall be made by or under the directions of the Superintendent, and the certificate shall be granted on the application of the heirs or executors of the deceased.

144. Duty of the Deputy Superintendent on change of Superintendent.- When a new Superintendent assumes charge of a Jail; it shall be the duty of the Deputy Superintendent to bring to his notice in writing, all orders specially relating to that Jail. In the QVHNI of any grave irregularity taking place in consequence of the non-observance on the part of the Superintendent of any such order, the Deputy Superintendent will be held responsible unless he can show that he brought the order in question to the notice of the Superintendent.

SECTIONIX

Jailors

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

146. Responsibility for custody of prisoners and discipline in jail. The Jailor chief duties are to secure the safe custody of prisoners, to enforce among prisoners and his subordinates, to ensure that prisoners sentenced to rigorous imprisonment do the work assigned to them, and to maintain a high standard of health among them, so far as can be secured with the rules and orders made with this object. He shall visit every part of the Jail daily, including cells and hospital, and see every prisoner atleast once in every 24 hours. He must always be present in the jail grounds during the day except when he takes his meals and reasonable relaxation, or has to attend a court of justice or on permission from the Superintendent.

147. Knowledge of rules and regulations.- The Jailor shall make himself thoroughly acquainted with the provisions of the Prison Act, and the Prisoners Act, as well as all rules and regulations relating to Jails, and conform to them. When he is posted to any Jail for the first time, he shall also make himself conversant with all orders and regulations specially regarding to that Jail or lock-up. He shall see that all subordinate officers are duly instructed in their duties and discharge them regularly and efficiently.

148. To be present at the time of opening and locking-up of prisoners.- It shall be the Jailor's duty to be always present when the prisoners are locked up at night and taken out of the wards in the morning and his duty cannot be delegated except with the permission of the Superintendent, unless the jailor is sick and unfit. When it is so delegated a note of the fact must be made in the jail Report Book. In large jails, a part of the unlocking and locking-up must be performed by the Deputy Jailor, Assistant Jailor or Head Warder, who shall be responsible for the proper performance of their portion of the work; but the Jailor must ascertain from these officers that every thing is correct and that every prisoner is present. He shall also see that all keys are counted and properly disposed of every night as required by rules.

149. Duty on admission of a prisoner.- It shall be Jailor's duty on the admission of a prisoner to satisfy himself that the warrants are in order to take from the prisoner all money jewellery, and other

article found upon him, and all clothing not required in Jail, and to see that the same are properly entered on the prisoners warrant, When the property consists of money, the amount shall be entered in the contingent cash book. He shall present the prisoners as soon as possible before the Superintendent and the Medical Officer as required by the rules.

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

151. To search prisoners when possession of contraband articles is suspected.- With the view, to preventing the secreting or possession of contraband articles in the Jail, the Jailor shall cause to be searched every prisoner as he goes out of, or returns to the jail, and shall occasionally, but atleast once a week, at uncertain times, cause every prisoner and all clothing bedding, wards, workshops and cells to be thoroughly searched.

152. responsibility for custody of warrants and strict enforcement of their terms.- The Jailor shall be responsible for the strict enforcement of the terms of all warrants; he shall see that the name of every prisoner is, on his arrival, entered in the release-diary under the date on which he is to be released; that in case of the prisoners obtaining a remission of sentence, or receiving any additional sentence while in jail, the entry in the release diary, is transferred to the correct date and that no prisoner is on any account released before his time or kept in Jail beyond the termination of his sentence, or beyond the date on which under the remission system he is entitled to be released. If whipping is imposed in addition to imprisonment the Jailor shall see that the prisoner is brought up for execution of this sentence on the proper day, if a prisoner is sentenced to solitary confinement, he shall see that an entry is made in a register of prisoners so sentenced and that the prisoner is placed in a cell at proper intervals for prescribed periods as required by law.

153. Checking of entries. etc. on admissions and releases.- The Jailor shall carefully check the calculations, entries and the returns

etc., made by the officer-in-charge of the work of admission and releases. The fact, that a Deputy Jailor or other subordinate officer has been placed in direct charge of warrants or other documents or records, shall not absolve the Jailor from his general responsibilities under this paragraph.

154. Check of warrants.- The Jailors shall once a year, usually in March, go through all the warrants 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 by the 10th April.

155: Arrangements for absentees.- The Jailor shall arrange for the efficient discharge of the duties of any subordinate officer of the Jail who is absent from his duty, all shall record in his Report Book, the fact of such absence and the arrangements made by him.

156. Posting of Warder Guards.- The Jailor shall control and supervise the postings of the Warder Guards. He shall, at uncertain intervals, visit the guards at their posts, and satisfy himself that the sentries are duly posted and are on the alert, and that the rounds are being properly performed.

157. Responsibility for an efficient Warder and reserve guard.- The Superintendent of the Jail or the Deputy Jailor where he is an officer in-charge of the Jail and the Assistant Jailor at Sub-Jail shall be held responsible that the Ward Guard is properly drilled generally efficient, clean and neat in appearance. It shall be his duty to see that the Reserve Guard is at all times present at the Jail in full force and properly armed. He shall see that all the Warders invariably sleep in the Quarters allotted to them. For any neglect or offence committed by a member of the Warder Force which comes to his knowledge, he will take necessary action.

¹[158. Assignment and changing of Warders duties.- The Superintendent of the Jail or Deputy Jailor where he is an officer-

1. Subs vide Home Deptt. Order No. D-2130/F. 16(14) H, 11/54/2095, dt. 28.2.1957.

in-charge of the jail and the Assistant Jail at or Sub-Jailor will ordinarily change the duties of Warder Force on the 1st day of every month and will as far as possible change them monthly or oftener and at any other time, if considered necessary. He may direct any Head Warder or Warder to perform any duty in any part of the day or night.

159. Relief parties of Warders.- The Jailor shall see that all relief parties of Warden enter and leave the Jail with military precision. He shall cause the warders to be searched at uncertain hours, atleast once a week and report the result in his Report Book.

160. Duties as regards Distribution of labour.- The Jailor shall assign work to each prisoner subject to the control of the Superintendent, and shall see that the task is properly entered in the history-ticket and that all changes of labour are so entered. In the Distribution of labour he shall invariably consult the result of the fortnightly weighments, and see that no prisoner who is losing weight is placed on any labour that is likely to injure his health. This duty cannot be delegated to any subordinate without the 'permission of the Superintendent who however, in Central Jails, if he considers it expedient, may entrust it to his Deputy Superintendent and to the octagon officers.

161. Check of prisoners at works.- The Jailor shall check the number of convicts during the hours of work, and shall see that they are kept steadily at work and that the full task is exacted from them.

¹[**162. Care of arms and ammunition.-** The Superintendent of the Jailor or Deputy Jailor where he is an officer-in-charge of the Jail and the Assistant Jailor at Sub-Jail, shall take particular care for safe custody of arms and ammunition.

163. Report Book.-

- (a) The Jailor shall keep a Report Book, in which he shall record all reports and other matter which these and the departmental

1. Subs vide Home Deptt. Order No. D-2130/F. 16(14) H, 11/54/2095, dt. 28.2.1957.

circulars require him to record, and all important events connected with the administration of the prison. The Report book shall be laid before the Deputy Superintendent every day that shall after signing it bring to the notice of the Superintendent any untoward happening.

- (b) No spaces shall be left either below or on top of the pages or between the reports. Each report shall be serially numbered and the numbering shall be renewed on the first of each month, important reports shall be entered in red ink and the Superintendent shall Initial them and pass necessary orders. The Superintendent shall also affix his at the bottom of each page of the Report Book.
- (c) The Jailors report should give information on the following points:-
 - (a) The hour of unlocking and locking and by what officers they - were performed;
 - (b) all reports made against subordinates, all serious breaches of discipline on. the part of subordinates and prisoners, the offence charged the time of its occurrence and other circumstances connected with it;
 - (c) all cases in which he may found it necessary to use restraint to any prisoner;
 - (d) the absence of any subordinate officer from duty, and requests for leave of absence;
 - (e) requests for sanction of unusual expenditure;
 - (f) requests for the employment of prisoners in any special manner;
 - (g) any representation or recommendations he may deem proper to make;
 - (h) any unusual occurrence or matter of importance;
 - (i) any matter on which he may require orders;
 - (j) reports according to the rules in various paragraphs in this I chapter; and

(k) how far he has omitted any of the duties required by these rules, and the reasons thereof,

Each day's report shall be dated and a consecutive serial number running through the calendar year shall be given to the subject dealt with.

164. Prevention of escapes and safe custody of prisoners.-

(a) In order to prevent escapes the, Jailor shall have the gratings of all drains and barracks in Jail tested daily by a Head Warder or a Warder, specially detailed for the purpose and make a note in his Report Book as to their condition. The report shall also be signed by the Head Warder of the Warder concerned.

(b) The Jailor shall see that planks, ladders, ropes and any other material likely to facilitate escape are kept in safe custody and out of the reach of prisoners. Help shall be responsible for seeing that all necessary means are employed 'for the security of cells, barracks, yards, workshops, etc.

(c) The Jailor is personally responsible for seeing that all orders affecting the safe custody of prisoners are understood and carried out by his subordinates.

165. Visit to outside working gang.- The Jailor shall make one or more visit every day at uncertain hours to each gang of convicts working outside the Jail and satisfy himself that the rules about the security and watch of such convicts are being duly observed and shall record. in his Report Book a note of the time and the result of his visit.

166. Sickness among Jail officers.- The Jailor is responsible for reporting without delay, to the Superintendent of all cases of sickness among officers of the Jail.

167. Prisoners requiring medical attention to be put up before medical officers.- The Jailor shall arrange that every prisoner who is desirous of seeing the Medical Subordinate or who is in or whose state of mind or of body appears to require medical attention, is shown to the Medical Subordinate without delay, and he shall record the

circumstances on every such prisoners history-ticket

168. To carry out directions of Medical Officer or Medical subordinate.- All directions entered by the Medical Officer or Medical Subordinate on a prisoners history ticket relative to the treatment of such prisoner shall be complied with by the jailor, unless they are contrary to any standing orders, or unless the jailors has not the means or power to carry them out. In every case, the jailor shall record on the prisoner's history ticket, in respect of every direction, what action he has taken, or why he has not taken action; and in any case he considers-it improper to comply with any direction or is unable to do so, he shall show the history-ticket to the Superintendent at his next visit and obtain his orders thereon. He shall carry out forthwith emergent written orders of the Medical Officer regarding the sick in hospital.

169. Duty on occurrence of death of a prisoner.- When any prisoner dies, the Jailor shall send immediate notice of the death to the Superintendent and the Medical Officer, also to the Medical Superintendent, if he is not already acquainted with the fact A return of every death of a prisoner or any person residing on the jail premises shall be furnished by the Jailor to the prescribed public official.

170. Death of female prisoners.- If a female prisoner dies in the Jail, and leaves a child, notice shall at once be sent to the Magistrate of the district in which her home is situated, with a view to the child being received by its friends. Should no relation or friend willing to take the child, arrangements shall be made for placing it in some approved Institution where orphans are received and educated.

171. Death of under-trial prisoner.- A notice of the death of any under trial prisoner or suspected lunatic shall be sent as soon as possible by the Superintendent of the Jail to the court or other authority under whose warrant or order such tinder-trial prisoner or suspected lunatic was detained.

172. Administrative control over Assistant Medical Officer and hospital servants.- The Assistant Medical Officer and the servants of the Jail hospital shall be subject to the Jailor's orders in all

matters not immediately and directly connected with the medical treatment of the sick.

173. Purchase of provisions and materials.- The Jailor shall scrutinizes all indents for provisions and materials required for consumption in the Jail, and shall exercise the utmost vigilance to secure in all departments of the Jail such economy of expenditure as is not inconsistent with efficiency. He shall see that proper sanction where necessary under the rules, is duly obtained in every case before purchases are made.

174. Duties in regard to weighments, issue and distribution of rations.- The Jailor shall be held responsible for the proper weighments and issue to the cooks of prisoners' rations, and for seeing that they are properly cooked and distributed so that every prisoner receives his proper quantity; but subject to such responsibility, he may, with the permission of the Superintendent, delegate these duties to an Assistant Jailor.

175. Cleanliness of vessels.- The Jailor shall see that prisoners keep their vessels clean and bright and free from all signs of rust.

176. Provision of earthen gharas in summer.- it shall be the duty of the jailor to see that during the summer season each barrack is duly provided at night with an adequate number of earthen gharas filled with water for the use of prisoners.

177. Assistance to police in taking photograph, etc.- The Jailor and other Jail officer shall give all reasonable assistance to the police officers duly deputed for the purpose of taking measurements or photographs of prisoners under the provisions of the identification of Prisoners Act and the Rules issued there under. The photograph referred to in this rule shall be taken in the ordinary dress which the prisoner was accustomed to wear before his conviction; Convicts shall not be allowed to change their appearance when the photographs are taken.

178. To prohibit unauthorized visitors to jails.- The Jailor shall be strictly guided by the rule regarding prisoner's interviews and communications with their friends or outsiders. He shall not permit

any stranger or person not authorized to visit the jail, to enter the Jail without the orders of the Superintendent.

179. Information of certain matters to Superintendent.- The Jailor shall inform the Superintendent of the nature of every information received by him from the Magistrate of the police about the character of any under trial or convicted prisoner, and shall carefully such precautions as the Superintendent may direct, for the security of such a prisoner.

180. Private money not to be used for jail purposes.- The Jailor is prohibited from making advances from private for Jail purposes. In all financial transaction, he shall strictly follow the procedure prescribed by the financial rules.

181. Care and maintenance of garden.- The Jailor, besides the Deputy Superintendent, shall give his personal attention to the care and maintenance of the jail garden in accordance with the rules, and shall see that all land outside the Jail which is available for this purpose is used for raising crops for the prisoners food and also for fodder crop.

182. Covering and locking-up of wells.- The Jailor shall see that all wells in side the jail or in the jail garden or in its premises are kept properly covered up and locked when not in use, and that they are not opened except under the supervision of a responsible officer.

183. Supervision of building.- The Jailor shall be responsible for seeing that all Jail buildings are kept in a thorough state or repairs. He shall supervise all building operations.

184. Test of weights and measures.- Once in every month, flue office Jailor in central prisons and the Jailor in district Jails shall test all weights and other measures in use in godowns, cook houses, etc., and shall enter in his Report Book the result of such test. Any weights or measures found below the standard shall be condemned by order of the Superintendent and destroyed in his presence.

185. Responsibility for stores and materials.- The Jailor and other officers shall be responsible for all stores and materials in their

charge. The Jailor shall see that all store-rooms are kept clean and neatly arranged and protected, as far as possible, from vermin, birds insects and damp. 186. Charge of jail during Jailor's absence.- Before leaving the Jail precincts for any purpose whatever, the Jailor shall make, over charge of the jail to the next senior officer present, and shall make an entry of the fact in his Report Book. The officer taking overcharge shall countersign the entry.

187. On suspension or resignation, to give an inventory of all.- When a Jailor is discharged or suspended, resigns, takes leave (other than casual leave), or is transferred he shall be required, on over charge to his successor to give an inventory of all property, stores, etc., in his hands which will be kept in the Jail records, a copy being given to" his successor. He shall give vouchers for all credit sales to the relieving officer. The superintendent shall ascertain that the inventory is correct and complete and that the unrealized credit sales are duly vouched for. After full time for all due enquiry and not less than two months after the Jailor has left the Jail, if the Superintendent be satisfied of the correctness of his accounts, a "no-demand" certificate may be granted to him. In case of the Jailors a death, the inventory shall be made by or under the directions of the Superintendent, and the certificate shall be granted and security given up after reference to the Inspector-General and on the application of the heirs and executors of the deceased. This rule may be suspended in the case of a Jailor who takes privilege leave for not more than six weeks; but in case the Jailor who takes leave shall be pecuniarily responsible for the storm, etc. during his absence and the burden of proving the responsibility of his locum tenens for any loss shall lie upon him.

188. Action in case of breach of rules.- The jailor shall note every breach of jail rules in the prisoners history-tickets and shall bring the offender before the Superintendent.

189. Duties in the absence of Superintendent.- The following duties and powers of the Superintendent may be exercised by the Jailor during the absence of the Superintendent and the Deputy

Superintendent from the Jail:—

- (a) Release of prisoners under order of Court;
- (b) Grant of leave of absence upto four hours to all Warders and other officers subordinate to him;
- (c) Grant of ordinary interviews and letters, if so authorized by the Superintendent in writing;
- (d) Issue of pay orders not exceeding rupees five; and
- (e) Such other duties and powers as may be specially delegated to him by the Superintendent in writing with the previous sanction of the Inspector-General.

190. Weekly certificate about registers being current and upto-date.- On Monday morning the Jailor in district jails, and in central jails such official as the Superintendent may nominate for the purpose, will certify in the Jailors Report Book that he has carefully examined the entries made in the several registers since the preceding Monday. and that they have been found correct and up-to-date.

191. To acquaint a new Superintendent with all special rules and orders.- When a Superintendent newly assumes charge of a jail, it shall be the duty of the Jailor to bring to his notice all special rules and orders relating to that Jail.

192. Licence for revolver or pistol.- The Jailor is entitled to a licence for one revolver or pistol for his protection if he applies for it, and is exempted from the payment of the licence fee.

SECTION X

Deputy Jailors

193. General duties of Deputy Jailor.- The Deputy Jailor is the Jailor's immediate subordinate and assistant, whose duty is to take - his place whenever he is absent and to undertake whatever portion of the jailors duties are delegated to him under proper authority.

194. In district jails Senior Clerk to work in absence of Deputy jailer.- In district jail, on all occasions, when the Deputy Jailor is not available, the Senior Clerk shall perform the duties of the Jailor.

195. Delegation of duties.- Deputy Jailor shall perform such executive and clerical duties as the Superintendent may, by an order entered in his Order Book, prescribe.

196. Conduct of office establishment.- The office establishment in a Central prison shall be under the direction of the Jailor working under the supervision of the Deputy Superintendent, or when the office Jailor is absent, of the Senior Deputy Jailor, or when no Deputy Jailor is available of the Senior Clerk.

197. To officiate for Jailor.— On every alternate Sunday and on other occasions when the Jailor through illness or other cause is absent, the Deputy Jailor shall officiate for him, keeping the Report Book for the day and performing all other prescribed duties. On every occasion on which the Deputy Jailor officiates for the Jailor, he shall possess all the powers and responsibilities of that officer.

198. Night rounds.- Deputy Jailor shall make such night rounds atleast once a week as the Jailor, subject to the control of the Superintendent may direct, in the following manner:-

He shall supervise the working of the Warder Guard. At least once a week, at uncertain times, he shall visit the Jail after 10 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.

199. Duties in detail.- The following duties ascertain to the Deputy Jailor; viz:-

- (a) the admission and search of prisoner on their admission;
- (b) the custody of prisoners property except cash;
- (c) the removal of private clothing from prisoners on their admission; the issue of Jail clothing and bedding; the count-marking of identification discs and the placing of prisoners in quarantine soon after their admission; -
- (d) the custody of prisoner's private clothing and the Jail clothing store;

- (e) the maintenance of the clothing registers, in the prescribed forms;
- (f) the charge of the quarantine and of the civil and leper annexes where such annexes exist;
- (g) the examination, weighing and storing of all grain and rations purchased;
- (h) the supervision of the cleaning of grain, vegetable and other articles of diet;
- (i) the weighing and issue of rations;
- (j) the maintenance of the ration accounts and Ration Registers in the prescribed forms;
- (k) the maintenance of accounts for extra articles purchased by civil debtors;
- (l) conducting prisoners' interviews;
- (m) the supervision of punishment diet;
- (n) the supervision of the jail library;
- (o) the supervision of the dairy and the maintenance of its accounts;
- (p) the censoring of letters addressed to and sent by the prisoners and the disposal of such letters under the orders of the Superintendent;

Note:- The letters shall be placed before the Superintendent after being censored, for orders regarding their disposal.

- (q) other duties which the Superintendent may impose in writing. For instance, if the Deputy Jailor is better fitted than the jailor for the supervision of the garden or farm that duty may be entrusted to him.

Note:- In Jails where there is only the Deputy Jailor, all the duties mentioned above shall be performed by him subject to such modification as is ordered necessary by the Superintendent, which should be recorded in the Superintendent's Order Book.

200. Deputy Jailor to observe rules and orders.- The Deputy Jailor shall be responsible for the observance of all prescribed rules and orders and for the supervision of the subordinate staff.

201. Deputy Jailor to maintain discipline among subordinates and prisoners.- The Deputy Jailor's first duty is the maintenance of 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. He shall not be absent from his quarters at night without the written permission of the Superintendent.

202. Duties in connection with admissions and releases.- The Deputy Jailor or clerk entrusted with work connected with the admission or release of prisoners shall be responsible for the correct calculation of the dates of release and submission of nominal rolls under the 14 years rule and other similar calculations, the making of entries in the relevant registers and the punctual submission of rolls and returns connected therewith.

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

SECTION XI

Clerks and Store-Keepers

204. Superintendent to assign duties to clerks.- In all Jails, the duties to be assigned to the several clerks shall be determined by the Superintendent, subject to the formal sanction of the Inspector-General, who will ordinarily be guided by the following general rules:—

The first or senior clerk will be placed incharge of manufactory stores and will be known as the Store-Keeper; second clerk will hold charge of the accounts, returns and general correspondence and will be known as the Head Clerk; and the third and fourth clerks where

there are such will be assistants to the Store-Keeper and Head Clerk, respectively, one being named the Assistant Store-Keeper and the other Remission Clerk. The Remission Clerk will have charge of the whole of the work connected with the remission system, of the preparation of connected returns, appeals, petitions, letters for prisoners, history-tickets and of connected correspondence. Other clerks, if any, will perform such miscellaneous duties as the Superintendent may assign to them.

205. Store-keeper's duties.- (a) The Store-Keeper, who may have an assistant or assistants, shall be incharge of the raw-materials required for manufactures, manufactured articles, and all books and accounts relating to this department.

(b) No officer, particularly no Store-Keeper, shall remain employed at the same duty for a period of more than one year at a time. All officers must be conversant with the working of all the departments and shall be employed in each by turn. This will not ordinarily apply to officers attached to the office of the jail.

206. Employment of prisoners as clerks.- The employment of prisoners as clerks, in Jail offices is strictly forbidden. But the Inspector-General may, when there is special necessity for it. Sanction the employment of an educated prisoner in the copying of letters, preparing of rolls, writing of registers, which have no connection with warrants, remissions, or money transactions. The Jailor will be held responsible for seeing that a prisoner so employed is provided with a place for writing quite apart from the rest of the Jail officials and where he cannot have access to any Jail books or records. Prisoners employed on clerical work will receive no extra unless they are watchmen convict-overseers or convict-warders when they will only receive the extra remission laid down for services in those grades.

SECTION XII

Head Warders

207. Appointment of Head Warders.- Head Wardens shall be appointed by promotion from the most deserving warders who are

qualified for such appointment. These appointments are made by the D.I.G., Prisons. It must be distinctly understood that such promotions will be made by merit and by seniority, and not by seniority alone.

208. Duties of Head warders.- It shall be the special duty of every Head Warden to:-

- (a) Superintend the warders Subordinate to him in discharge or their duties;
- (b) Assist in every possible way in the management of the Jail, the prevention of escape and the maintenance of order and discipline generally, amongst his subordinate warders and prisoners;
- (c) comply with the requirements of all laws, rules, regulations, directions and orders for the time being in force as to the duties which he is to perform and the manner in which he is to perform them;
- (d) obey the orders of all officers superior to him in rank;
- (e) assist the Jailor in all routine duties;
- (f) open, in the presence of the Jailor, the sleeping wards, cells and other compartments each morning and count the prisoners;
- (g) distribute the prisoners who are liable to labour to their respective work gangs;
- (h) cause the name of every prisoner placed in charge or any paid warden and convict-overseers to be entered in the proper gang-book;
- (i) issue all necessary tools, Implements, raw materials, and other articles required for the day's work and to make a record of all articles so issued;
- (j) collect all such articles, together, with the produce, if any of the prisoner's labour, after the period prescribed for work is over each evening;

- (k) satisfy himself that all articles issued have been duly returned to him or accounted for;
- (l) measure or check the task (if any) performed by each prisoner and note the same in the prescribed task record;
- (m) to see that the work turned out by the convicts under his charge is satisfactory in quality and sufficient in quantity: in case it is not so, he should report to the Deputy Superintendent in writing.
- (n) Superintend the use of the latrines and all bathing and feeding parades;
- (o) check the prisoners at each change of guard during the day and night;
- (p) Issues rations to the cooks and see that no part of the food, specially the oil is misappropriated;
- (q) keep constantly moving about, during his hours of duty, amongst the prisoners, supervising the work and discipline of the Jail and keeping the warders and convict-officers on the alert;
- (r) cause all gratings, doors and the like to be secured and satisfy himself from time to time that they are secure;
- (s) in the presence of the Jailor, to count, search and lock the prisoners up in their respective wards, cells, and other compartments; at the prescribed time, each evening.

209. Duties as regards relieving Head Warders.- Each Head Warder, previous to coming on duty, shall collect the warders of the relieving guard at least ten minutes before the time for changing guard; he shall march the warders in double file to their respective posts, and see that every warder relieved at once falls in at the rear of the file and marches with the rest until the relief is completed, when the whole relieved guard shall be marched back to their barracks.

210. Head Warders to see that gate sentries and gate-keepers are relieved according to instructions.- Each Head Warder on day

duty shall likewise see that the gate sentries and gate-keepers are changed every three or every six hours, according to instructions. At central Jails the gate sentry shall be changed by the reserve head Warder or first grade Warder of the reserve.

211. Responsibility for appearance and discipline of warders.-

Head Warder shall be responsible for the appearance and discipline of their warders. Any Warder-found to be improperly dressed whilst on duty must be reported by the Head Warder.

212. Responsibility for cleanliness of Jail.- Head Warder shall see that no dirt or litter is allowed to lie about the Jail, and that the drains are kept clean, that, the wards are cleaned and ventilated during the day time and that the bedding is properly folded and arranged in them.

213. To report breach of discipline to Superintendent or Jailor.-

Head Warder shall exact strict compliance on the part of both warders and convicts with all the rules of the department, and shall. report every breach of them that comes within their knowledge to the Superintendent or Jailor, Should It be proved that any Head Warder has wilfully neglected to report a breach of discipline of which he is cognizant. he shall be liable to serve punishment.

214. Responsibility records escapes.- In the event of an escape taking place, the Head Warder shall be held primarily responsible unless they can satisfactorily prove that the escape was due to no laxity of duty on their part.

215. Duties as regards attendance and drill.- Each Head Warder shall be on duty in the jail for half the day and for one watch at night. Every Head Warder shall also be on duty at the opening and locking-up of the wards, and shall attend drill once a day until he himself becomes qualified to drill the warders, On a Head Warder becoming qualified in drill. It will be sufficient for him to attend drill twice a week.

216. Duties of Head Warders on night duty.- The duties of every Head Warders on night duty are-

- (1) To see that night sentries both Inside and outside the barracks are on the alert;
- (2) to go ground each barrack or cell block, examining locks, gratings, doors, walls and roofs in order to satisfy himself fully that they are all intact;
- (3) to get the prisoners counted by the watchmen on duty atleast once in every two hours and to satisfy himself that the number is correct;
- (4) to see that every association barracks containing prisoners is well lighted;
- (5) to report immediately any serious cases of sickness to the Medical officer and the Jailor;
- (6) to raise alarm and send immediate information to the rounds officer and the jailor of any occurrence requiring prompt action, such as an escape, riot, fire, etc.

217. Relief.- (a) No Head Warder or Warder shall leave his post until he has been properly relieved. His responsibility shall continue until he is so relieved.

(b) No relief whether by day or by night shall be effected otherwise than in, the presence of both the relieved and the relieving officers and also of the Head Warder on duty or any other officer to whom the duty of superintending reliefs may have been assigned, Such Head Warder or officer shall satisfy himself that the gang is complete and corresponds with the number in the gang-book. He shall also see that gratings and locks are intact and that all is correct in, every respect.

218. Read Warders to be present at every change of guard.- The periods of duty shall be so arranged that a Head Warder shall be present at every change of warders during the day and of patrolling warders at night.

219. Procedure in relieving guard over female prisoners.- At each change of watch the relieved and relieving Head Warder or gate-

keeper on duty shall, without entering the female ward enclosure, ascertain by calling out to the convict watch-woman whether all the female prisoners are in safe custody. -

220. Custody of keys.- The key of the key cupboard at the main gate shall be kept by the senior Head Warder on duty during the day-time and be delivered to the Jailor after lock-up at night. Any keys he may have to carry about his person whilst on duty shall be attached to a stout chain.

221. Charge of the garden.- A Head Warder who understands gardening shall be immediate charge of the garden and may be specially recruited for the purpose. This warder shall be exempted from night round duty.

SECTION XIII

Gate-Keepers

222. Head Warders to perform duties of gate-keepers. Ordinarily two Head Warders in central prisons and two senior warders, in district prisons shall, if qualified, perform the duties of gate-keepers. No warder who cannot read the entries in a gate register, who cannot write his own language clearly, neatly and with case, and who has not some knowledge of arithmetic, shall be appointed as gate-keeper or be promoted to the rank of Head Warder. Great care should be exercised by Superintendents in selecting the best men and in testing their competence to perform this responsible duty. A certificate of fitness to keep the gate register shall be entered in every warder's service book and signed by the Superintendent and Jailor.

223. Duties of gate-keeper. The gatekeeper of the first watch shall come on duty at the opening of the Jail and each gate-keeper shall remain between the gates until duly relieved. For these officers the day may be divided into either two or four watches, as deemed expedient. At each change of gate-keeper an entry of the hour of change shall be made in the gate-keepers registers (referred to in the following rules) by both the relieved and the relieving officers.

224. Gate registers.- The gate-keeper shall keep two gate registers; in one he shall record,-

- (a) the names of all prisoners or persons who pass out of or into the Jail together with the hour and minute of their entrance or exit;
- (b) the time at which any money is sent out of the Jail to the treasury with a description of the challan;
- (c) the time, which should be entered in red ink, at which the bells is rung for the unlocking and locking up or for alarm, etc.
- (d) at every relief of the gate-keeper, a note of the exact time of each relief and the number of keys taken over with the signatures of both the relieved and relieving officer.

In the other,-

- (a) he shall make note of all goods, tools, or stores either into the Jail or out of it through the gate;
- (b) the hour and minute at which any articles pass into or out of the Jail, their description and number of weight, and the name of the officer or person in charge of the articles;
- (c) he shall, to the best of his ability, prevent improper removal of any property from within the Jail of the introduction into it of any forbidden articles; and the description or such articles and the time should be entered in red ink.

225. Only one gate to be opened at a time.- The gate-keeper shall open only one gate at a time and shall never under any circumstances have both gates open at once. Whether the person who has to pass through the gates is a high official or a prisoner, the first gate through which he passes shall invariably be both carefully bolted and securely locked before the second gate is opened. Neglect of this rule shall render the offending gatekeeper liable for the first offence to a fine of half a month's pay, and for the second offence to The Jailor shall also be held responsible for seeing that this rule is strictly observed.

226. Custody of main gate keys.- The main gate keys shall be kept in a bunch with eight others somewhat similar to, though not exactly resembling them, and shall be attached to a stout chain to the wrist of the gate-keeper. This will add materially to the security of the jail by making it difficult for prisoners to obtain the keys and to ascertain which of them will fit the locks of the gate.

227. Procedure when prisoners are received or passed out of jail.- When prisoners have to be passed out of or into the Jail, the following procedure shall be invariably be followed:-

The gate-keeper shall first let them pass through the inner gate, and having done so he shall lock it, he shall then take his gate register and write in full in it the number and name of every prisoner of the gang leaving the Jail, the number and name of the paid warder who is in charge, and the number and name of the convict overseer who is assisting him. These entries having been carefully made, he shall open the outer gate and count the prisoners out one by one in order to see that there is no mistake in the total number entered in the gate register. The list of the gang having once been made, in the gate register need not be re-written on each occasion of the passage of those prisoners through the main gate; but every change in the gang must be noted. On the prisoners of the gang returning he shall open the outer gate, the inner one being carefully locked first, and admits them to the passage between the gates. He shall then lock the outer gate, take his gate register and call out the name of each prisoner, the convict overseer and the paid warder, each man answering as his name is called out. The gang having been rounding correct, he shall open the inner gate and count each man into the Jail one by one to see that there is no mistake in this total number. The gate-keeper shall carefully compare the names of the warder, convict officers and prisoners entered in the gang-book with those given him at the time of the exit of the gang from, or entry into, the Jail; should be detect any discrepancy he will detain the gang between the gates and apprise this Jailor of the fact. Under no circumstances whatever shall this procedure be departed -from and no prisoner shall the allowed to leave the Jail unless he is in charge of a paid official.

228. Jail officers to sign the gate book.- Jail officers going into or out of the jail shall sign their names in the gate book and enter the hour and minute of entrance and exit, and also record the number of any bunch of keys, which they may take from or return to the key-chest. They shall write their names legibly and in full. The Medical Officer shall write the letter "M.O." after his name.

229. Issue and receipt of bunches of keys.-The gate-keeper shall record in the gate-register in the case of illiterate warders, the time of issue and receipt of all bunches of keys, with the name of the officer to whom he issues or from whom he receives the bunches. Literate officers shall make these entries themselves.

230. Keys of the key chest.- During the day the gate-keeper shall be in charge of the key of the padlock securing the key-chest. From the locking-up to the unlocking this key shall be in the charge of the Jailor on duty in central prisons and of the Jailor or Deputy Jailor in district Jails.

231. Keys of all barracks, etc., to be kept in the key-chest after locking up.- After the locking-up the keys of all barracks, cells, godowns and workshops shall be lodged in the key-chest and the Jailor shall verify the number and certify in his lock-up report that all keys have been correctly received back from all officers and that they have been placed in the key chest.

232. Keys not deposited in the key-chest.- A list of keys which remain in possession of officers and are not deposited in the key-chest shall be entered separately in the register of locks and keys.

233. Keys of night locks to be deposited after locking-up.- The keys of the night locks shall be kept during the day in the box for night locks. After locking-up, these keys shall be deposited in the key-chest.

234. Keys of the two main gates. Two locks on each wicket at night.- The gate-keeper shall keep with him the keys of the locks of the two main gates and the wicket during the day. When the prisoners are locked-up for the night, the gate-keeper shall deliver the keys of the main gates to the Jailor who shall lock them up in the key-chest.

After the locking-up and until the unlocking, only the wickets shall be used. There shall be two locks at night on the wicket of the outer main gate. The key of one lock shall be in the possession of the gate-keeper while the key of the second lock shall be with the sentry on duty outside the main gate in district Jails and with the reserve head warder on duty in central prisons.

235. Passing in and out of articles.- The gate-keeper shall not pass any articles out of or into the jail without the permission of the Jailor.

236. Statement of Jail population.— The gate-keeper shall write in the gate—book, in tabular form, a daily statement of the prison population, showing the balance of prisoners from the previous day, the number of prisoners admitted and the number of prisoners released or otherwise disposed of, and the balance at the end of the day. Such balance should correspond with the actual number of prisoners locked up for the night.

237. Jailors check of the gate-book.- The office Jailor in central prisons and the jailor in district Jails shall check and, sign the gate-book daily.

238. Examination of gate book by Superintendent.- The Superintendent shall examine the gate-book atleast once a week and see that all entries have been made nearly and all orders as to its maintenance duly complied with.

239. Admission of outsiders.- The gate-keeper shall admit the jail officers on duty. He shall not admit any other person without authority from the Superintendent, the Deputy Superintendent of the Jailor.

240. Gate-keeper to know all jail officers and to observe prisoners going out of the jail.- The gate-keeper shall make himself thoroughly acquainted with the faces of all officers, and shall carefully observe the faces and appearances of all prisoners leaving the Jail in order to prevent any prisoner attempting to escape in disguise.

241. Other general duties.- The gatekeeper shall note in the gate

register the hours at which the different jail officials pass into and out of the Jail,' but he shall not allow any subordinate Jail official to pass out the Jail, during such officials tour on duty, without the written order of the Jailor; he shall help the Assistant Jailor to receive new prisoners, and shall also assist in effecting petty sales at the gate, recording, in regard to each item, the article sold, quantity, rate, value received and name and residence of purchaser. At the end of his turn of duty he shall enter in writing the total of sums of money received by him and shall sign his name thereto, or if nothing has been received shall make an entry to that effect; the relieving gate-keeper shall receive and verify the amount and also sign the entry. The Jailor on receiving from the gate warder cash for article sold at the gate shall enter in red ink at the end of the gate-keeper's entries, the. amount received, and date. The gate-keeper shall be responsible for the cleanliness of the main gates and the passages between them, and all fetters and other articles placed there under his charge, and many employ, prisoners awaiting release in keeping everything perfectly clean.

242. Maintenance of articles in the passage between the main gates.- In the passage between the main gates should be kept the following articles:-

The Jail clock;

A looked key cupboard fixed to the wall;

Measuring rod;

Emergency fetters and hand-cuffs, which shall be kept in a place of security;

A standing desk with lock and key for the gate-keeper's books and writing materials;

The treasure Chest;

The box of night locks;

The emergency rope; and

The list of visitors and other persons who are 'authorised to enter the Jail under the rules or by the orders of a competent authority.

In Central Jails, the measuring rod can be kept at the central tower, if more convenient.

243. (1) The gate-keeper is authorised to search every person entering into or going out of the Jail except the following:-

- (a) officers of the Jail;
- (b) official and non-official visitors and other visitors specially authorised by competent authority to enter the Jail;
- (c) legal practitioners;
- (d) officers and upper-subordinates of the Jail and other government departments;
- (e) the Senior Head-warder on day duty.

(2) Should he have reason to suspect that any person exempted from search is introducing or removing articles which ought not to be taken into or out of the Jail, he may detain the person between the gates and must give immediate notice to the Jailor, who will himself search the person. A copy of the order shall be hung up in the passage between the main gates for general information.

(3) If on searching an officer, an officer are outsider, any article is found, which ought not to be taken into, or out of the Jail, he shall make an immediate note in the Gate Register concerned and shall immediate notice to the Deputy Superintendent or Jailor or in their absence to the senior officer on duty, who may, if he thinks necessary, cause the person to be searched or to take such other action as he may consider necessary. If he be a prisoner, he shall report it at the first opportunity.

(4) He shall search all the prisoners, who pass through the gates, the search of all persons including prisoners, shall be carried out with due regard to decency and with as little annoyance and inconvenience to the person searched as possible.

(5) Females shall be searched only by Matron of females Warder in a secluded place and not in the presence of any male prisoner.

(6) When the number of prisoners passing through the gate is

large, the Jailor may especially depute other warders to assist him at times when prisoners are going to, or coming back from, extra-mural work.

244. Prevention of introduction of prohibited articles and misappropriation.- The gate-keeper shall endeavor by every means in his power to prevent the misappropriation of any Jail property and the admission of the authorised or prohibited articles.

245. Register of convicts employed outside Jail.- The gate-keeper shall maintain a register of all convicts, who are employed outside the jail walls. Such prisoners who are allowed to go outside the Jail gate shall be specially selected by the Jailor with the sanction of the Superintendent. Should it come to the knowledge of the gate-keeper that any prisoners are being taken out of the Jails contrary to rule, he shall make a note of the fact in the gate-register, report to the jailor at once, and subsequently to the Superintendent on the first opportunity. He should see that every prisoner and a convict officer, passing out of the gate puts an ankle ring and stop any who has not one. All prisoners employed in the officers, or about the main gate shall be placed under the special charge of the gate-keeper.

246. Gate-keeper to open only one gate or wicket at a time.- All Jails are provided with double gates. The gate-keeper shall open only one gate or wicket at a time, and before doing so shall satisfy himself that all other means of entry and exit are secure. Ingress, and agrees for ordinary purposes shall take place through the wicket doorways.

247. Passage to be clear of persons.- He shall keep the passage clear of any person or prisoners who are not specially authorised to remain there and shall keep an eye on the movement of all person employed or detained therein.

248. Disposal of gate keys at the of lock-up.- The gate-keeper shall not allow the keys of the inner and outer main gates to pass out of his personal custody until the lock-up is completed in the evening. The gatekeeper shall then, in the presence of the Jailor, make over

the key of the large folding doors of the inner gate to the chief head-warder, who shall lock it up with other keys not required for the night in the gate key cupboard. The sentry shall only be in possession of the keys of the wicket gates of inner and outer main gates.

249. Light.- The gate-keeper shall keep a light burning brightly in the passage between the gates throughout the night.

250. Dogs not allowed.- No dog shall be allowed within the inner gate of the Jail. This prohibition is absolute and applies to the dogs of official and non-official visitors, as well as those of Jail officers.

SECTION XIV

Warders

251. General duties of warders.- Each warder shall have a particular duty assigned to him by the Superintendent or Jailor; such as :-

charge of a particular ward or set of wards;

charge of a particular work shop or set of workshops;

charge of a particular gang of prisoners inside or outside the Jail

The posts and duties of warders shall be frequently exchanged so as to prevent the warders from forming permanent relations with any of the prisoners.

252. Duty of warder in charge of workshop.- Warders in charge of workshops shall be responsible of all tools and property kept in them, and shall see that these are carefully put away or stored on cessation of labour, and that no ropes, bamboos, ladders, or other things likely to facilitate escapes are left about.

253. Specific duties of warders.- It shall be the duty of all warders not merely to prevent escape but also to aid their superior-officers in seeing that prisoners comply with the rules of the jail, that they industriously apply themselves to their work and complete their tasks; also:—

- (a) to count the prisoners made over to them, and to declare the number of the head warder;

- (b) (to stand or patrol whilst on duty. On no consideration may a warder take off his belt and lie, or sit down or stand leaning against a support whilst on duty;
- (c) to know the number of prisoners in their charge: to count their prisoners frequently during their turn of duty; and to satisfy themselves that they have in their custody the correct number;
- (d) to search all prisoners of their gangs at the time they are made over to them, likewise before they give over charge of them to any other person and at such other times during their watch as may be necessary, and to report the discovery of any forbidden articles upon any of the prisoners in their charge;
- (e) in the case convicts sentenced to labour, to report all cases of idleness and short work; -
- (f) to prevent all loud talking or laughing, playing or quarreling and other unseemly behavior;
- (g) to prevent the unauthorised use or possession of tobacco or smoking implements or of any drugs or of money or unsanctioned articles of food. They will see that prisoners do not steal or eat grain, vegetables, berries or fruit and drink no water, except that prepared and supplied for their use;
- (h) to see that the prisoners march two by two when moving from one place to another, and that they do not leave their proper places, or loiter about the Jail. In the event of a prisoner being found separated. from his gang, the warder in charge will be punished;
- (i) to see that no prisoner leaves his own enclosure, without authority or communicate with any prisoner with whom he has no proper concern or with a prisoner of another class;
- (j) to see that no dirt or litter is allowed to lie about the Jail, and that the drains are kept clean; and to report mehtars or sweepers who neglect their work;
- (k) to report prisoners urinating or defecating into the drains or in

any place other than the places provided for the purpose, and to bring to the notice of the jail on any prisoner who goes to the latrine in work time;

- (l) to see that any prisoner who has to go to the latrine at unauthorized times is made over to the charge of a responsible officer whilst away his gang;
- (m) to see to the cleanliness of the clothes, bedding, rings, fetters, brass tumblers, plates and cups of the prisoners in their gangs and proper arrangement of their kits; that the prisoners bath only at the bathing parades and that bedding is aired according to order;
- (n) to bring to the notice of the Jailor any sign of sickness or any prisoner complaining of sickness;
- (o) to report any plots against the Jail authorities for the purpose of escaping or of assault, or out-break, or of obtaining forbidden articles, and every breach of jails rules;
- (p) to report any case of wilful injury to clothing or jail property;
- (q) to prepare prisoners for muster and for parades and to see that each prisoner comes to his proper place in proper order, behaves well and keeps silent;
- (r) to blow his whistle at once if any prisoner be missing;
- (s) to see that no food is secreted by the prisoners, that every prisoner gets his proper allowance of food, and that no prisoner gives his food to another; to report any cook who gives a short allowance, or favours a prisoner by giving too much;
- (t) to keep his arms and accouterments clean and in good order and fit for immediate use;
- (u) on being relieved of any particular duty to carefully explain to his successor any special points connected therewith.

254. Uniform of warders.- Every warder shall be provided with uniform, in accordance with the scale laid down by the Government

of Rajasthan. He shall, at all times, whilst on duty, be properly and cleanly dressed in his uniform and shall wear his belt and carry a baton.

255. Duty of warder 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 the is in charge of prisoners, if he can do so without serious risk to the safe custody of those prisoners. All the warder concerned rails 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 as 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.

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

257. Relief of morning warders.- The head warders and warders placed on duty at the unlocking of the wards in the morning shall be relieved by night duty head warders and warders after the prisoners are locked up in the barracks. Both day and night duty head warders and warders shall be present at the meal time. Every long-term and dangerous prisoner shall be specially pointed out to the relieving head warders so that special watch may be kept on him.

SECTION XV

Matrons and Female Warders

258. Appointment of Matrons and charge of Female Enclosures.- Matrons are appointed by the Inspector-General to the

Central Jails at Jaipur, Jodhpur and Bikaner. They will have the charge of the female ward and efficiently perform such duties under the immediate orders of the Superintendent, the Deputy Superintendent of the Jailor.

259. Matron's Report Book and Registers.-Every Matron shall keep a Report Book, in which she shall keep copies of orders received from their superior officers. In this Report Book she shall also record all Occurrences of importance. She shall also maintain all labour and factory registers relating to female prisoners and be responsible for the custody of stores and materials in her charge.

260. Duties of Matron or Female Warder.- The Matron or Female Warder shall in respect of the female prisoners perform the duties prescribed for the Head Warder or Warders, respectively, and all rules relating to Head Warders and Warders shall, as far as they may be applicable, apply to Matrons and Female Warders.

261. Distribution of food.- The Matron or Female Warder shall carefully supervise the distribution of food to female prisoners and see that each prisoner receives her proper ration. She shall report to the Superintendent of the Jailor any instance in which the food is bad or badly cooked or is insufficient in quantity.

262. Escorting of female prisoners.- The Matron or Female Warder shall escort every female prisoner leaving the female enclosure; and shall remain with the prisoner until the prisoner returns to the enclosure or quits the Jail premises.

263. Search of Female Warders.- The Matron or Female Warder shall conduct the search of female prisoners. Such search shall not be conducted in the presence of any male person.

264. The Matron or Female Warder shall not allow any male Jail officer or male prisoner to enter the female enclosure without proper authority. If any male Jail officer or male prisoner without proper authority at any time enters or attempts to enter any word or portion of the Jail reserved for occupation by female prisoners she shall make a report to the Superintendent, the Deputy Superintendent of the Jailor forthwith.

265. Matron or Female Warder not to communicate with male prisoners.- No Matron or Female Warder shall at any time on any pretext hold any interview, intercourse or communication of any kind whatsoever with any male prisoner or visit any part of the Jail allotted to reserved for, or occupied by any male prisoner, except in the discharge of her duties.

266. Keys of Female Enclosure.- The Matron of the Female Warder shall have custody of the keys of the wards and enclosures in which female prisoners are confined during the day. After the locking-up she shall deliver the keys to the Deputy Superintendent of the Jailor who shall lock them up in the key chest. The Deputy Superintendent of the Jailor shall over the keys again to the Matron of the Female Warder in the morning before unlocking.

267. Looking-up of female prisoners in district Jails.- In district Jails when" the Female Warder is present on duty the entrance door shall be locked on the outside by the Senior Head Warder on duty and on the inside by the Female Warder. The key of the outside lock shall be returned by the Senior Head Warder to the Jailor who shall retain it and issue to the Senior Heads Warder when it is again for use, When the female prisoners are locked-up for the night both the locks shall be put on. the outside of the entrance door, and the Jailor shall lock the keys in the key-chest.

268. Report in cases unsuspected pregnancy.- The Matron of the Female Warder shall, if she has reason to think that any female prisoner is pregnant, report the fact to the Superintendent. Deputy Superintendent of the Jailor.

SECTION XVI

Reserve Guard

269. Reserve guard.- There shall be a reserve guard constituting the quasi-military guard, attached to all prisons in accordance with the prescribed scale laid down for each.

270. Responsibility for an efficient reserve guard.- It shall be the duty of the Jailor to see that the reserve guard is at all times present at the prison in full force and properly armed.

271. Inspection of the reserve guard daily by the Superintendent.- The reserve guard will be detailed under orders to the Superintendent of the jail. They will be inspected daily by the Superintendent on his arrival at the prison, shall turn out in full force properly equipped and shall present arms.

272. Reserve Guard to assist in out breaks and escapes.- The reserve guard shall be ready at all times at a moment's notice to turn out fully armed and equipped, should their services be required to quell any outbreak or to prevent any combined attempt to escape. They shall also assist in the suppression of all violence or opposition to authority on the part of prisoners or others within the Jail or its precincts. The men shall be armed with breech-loading muskets and cartridges loaded with ball. The muskets for each man of the reserve guard shall be kept in the guard room. The remaining muskets and the ball ammunition arranged as laid down below, are to be kept in the magazine, the key of which will be in charge of the reserve head warden in central and district Jails. In the magazine all reserve ammunition of ball other than that mentioned above is to be kept in a separate chest or cup-board, the key of which shall be with the Jailor.

273. Reserve Guard not to take part in Jail daily routine.- The reserve guard shall not take any part in the daily routine of the prison or assist in the searching of prisoners or in counting them. In distributing the duties of the guard care should be taken to see that they are entered segregated from the prisoners inside the jail except when employed to escort the Superintendent or a visitor on his round through the Jail or when detailed for duty under rule 276(17). They shall not be employed in escorting prisoners from one jail to another.

274. Responsibility of the reserve head warden and the jailor.- The reserve guard shall be in the charge of the reserve head warden in central and district prisons. They shall be competent to give instructions in squad and company drill with special attention being paid to the use of arms and target practice. The head warden in charge of the reserve guard, if possible, should be a retired soldier of the

army competent to give wardens a thorough military training. The Jailor as well as the reserve head warder, shall be held responsible for seeing that the number of men in the reserve available for immediate action is never less than that fixed. In the event of permission being given to leave the Jail premises, or of leave of absence being granted to any of the reserve guard, the Jailor shall arrange to provide substitutes from the general body of ward is, and while these substitutes serve on the reserve guard, they must strictly comply in every respect with the rules for the reserve.

275. Duties of chief head warder.- The duties of the chief head warder in central prisons and A class district prisons are:—

- (1) He is, subject to the general, control of the Jailor, the head of the warder establishment and responsible for its working and for the due carrying out of all rules relating to it and to the guarding of the Jail.
- (2) He shall assist the Jailor at unlocking and locking-up.
- (3) 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 he may discover in his report book, which he shall maintain in form similar to that of the Jailor, and shall submit it daily to the Superintendent.
- (4) He shall keep the attendance, duty and other registers and the registers of the warder establishment.
- (5) He shall have charge of the whole of the uniform and equipment or every description of the warder establishment and of the accounts relating thereto.
- (6) He shall see that no warder absents himself from the jail premises without due written authority, and to report every warder who offends in this respect stating the period of absence.
- (7) He shall see that all warders, when on duty, are always properly dressed, and smartly salute their superior officers and to report every man who defaults.

- (8) He shall be responsible for the cleanliness of the wardens lines, shall satisfy himself that all warders live in the quarters provided for them, and report absences without leave.
- (9) He shall see that the line latrines are kept in a thoroughly condition and report the inhabitants of any quarters, which he finds to be dirty.
- (10) He shall make a round of the outer main wall once every day and at least once a week at uncertain hours during the night, and to report to the Jailor any suspicious circumstances or indications.
- (11) He shall report to the officer on duty at the main gate, if he finds any lock, door, window, and fillings thereof insecure or of any ladders, ropes, beams or any other articles likely to facilitate escape, lying about.
- (12) He shall carry out any order for punishment drill given by the Superintendent.
- (13) He shall be responsible for the efficient carrying out of training including by the reserve lead warder.
- (14) He shall see that all orders regarding the duties of the guards are duly observed and that they are known to and understood by the warders.
- (15) He shall perform such other duties as the Superintendent may, by order to be recorded in the Superintendent's order book, assign to him.

276. Duties of reserve head warder, in central prisons and district prisons.- The duties of the reserve head warder in central prisons and district prisons are:-

- (1) He shall post one sentry at the main gate day and night at every watch. The practice of posting sentries merely to prevent persons approaching to Jail walls is prohibited.
- (2) He shall be present at every change of sentries and personally see that the arms and ammunition are correctly made over by the changing sentry.

Note.- When the reserve head warder is away, the head warder posted by the officer incharge of the jail shall do all the duties of the reserve head warder.

- (3) He shall take one turn of watch at night.
- (4) He shall see that the guard room is kept clean and neat and the beds properly arranged.
- (5) He shall inspect the sentries frequently and satisfy himself that they, are on the alert, smartly dressed and properly equipped and report at once to the jailor any suspicious occurrences.
- (6) He shall detail for all visitors an escort, which shall consist of two warders armed with batons.
- (7) He shall inspect daily all arms and accouterments and see that they are kept clean, in good order, and fit for immediate use. Each warder shall have his own particular musket and accouterments, and the head warder of the reserve shall keep a list of the warders and numbers of the arms, etc., given into their respective charges.
- (8) He shall have charge of the armoury and ammunition magazine, the spare belts, the pouches, keeping the key on his person; to see that the ammunition is kept dry and in good order (and that in central Jails 20 rounds of ball ammunition are always kept on the rifle rack by the side of each rifle, and in district jails 50 rounds).

Note.- In subsidiary Jails, where there is no reserve guard, the head warder shall see that 20 rounds of ball ammunition are always kept in a cloth bag hanging in the armoury for immediate use.

- (9) He shall keep an account of ammunition in stock, received and expended.
- (10) He shall drill all Jail officers' and warder establishment once a day in the morning, except on Sundays, Thursdays and Jail holidays, giving each at least half an hour's drill, unless they

- are drilled at the police lines with the police, in which case, he shall himself attend drill at the police lines.
- (11) He shall report every warder who absents himself from drill.
- (12) He shall be responsible for the smartness and cleanliness of the wardens and for their being at all times properly dressed.
- (13) Besides the above duties, the shall perform in B, C and D class district prisons, the duties of the chief head warders of central and A class district prisons.
- (14) On the arrival daily of the Superintendent at the Jail gate, the present himself and make reports on the following points:-
1. Whether during the preceding 24 hours, the reserve guard was at any time below its full strength, and, if it was the cause;
 2. Whether any visiting official of the Jail visited the Jail at night, or whether any other matter of importance was reported to him by the gate sentries.
 3. Whether the arms and ammunition in the magazine are ready for immediate use.
 4. Any irregularities or misconduct committed by warders, and warders absent without leave.
 5. The reserve head warder shall be responsible that arms are never left within reach of the prisoners. All arms shall be kept in the guard room when not in use. The approach to the guard room shall be outside the main gate.
- (16) He shall detail a reserve warder to instruct convict officers in marching and physical training for an hour every morning.
- (17) Then more than 40 prisoners are taken beyond jail precincts, the shall detail two of the reserve guard armed with breach loading muskets and ball cartridges and told off to follow the gangs and station themselves with suitable position for rendering assistance if it is required.
- (18) He shall see that the muskets of the sentries on night a

securely fastened to their belts by a strong chain so cannot be removed easily by any outside agency.

- (19) He shall see that the rifles not in use are kept in racks and secured at night by a chain fixed permanently to the upright at one end and passing through the trigger guards of all the rifles -and padlocked to the other upright and the key of which is kept by the reserved head warder of the head warder who does duty for him.
- (20) He shall also see that as a precaution against a surprise attack from outside six rifles in each central prison and two rifles in each district Jail are to be kept in the Superintendents office securely fastened to the wall by means of a chain passing through the trigger guards and padlocked. Sufficient ammunition shall also be kept near the rifles in a locked box. The key shall remain with the senior office on duty at the jail.
- (21) Before the Jail is unlocked in the morning, the reserve guard and warders whose duties for the day have not been fixed shall be mustered under arms outside the main gate, and the reserve head warder shall at once post the day sentries. The guard shall be drilled and afterwards remain under arms till the gangs are marched out, when they can be dismissed to the guard room. The guard will again be under arms from the hour fixed for the cessations of work till the prisoners are looked-up for the night.

277. Posting of reserve guard in central prisons.- In central prisons:-

- (a) the full strength of the reserve guard shall be on duty under arms at the unlocking hour, and also from 6.30 to 8.30 a.m. In summer and from 7.00 to 9.00 a.m., during winter and again from 4 p.m. until the locking up is complete; and
- (b) two reserve warders with rifles and 10 rounds of buckshot each shall patrol the back of the main wall from the unlocking till the completion of the Distribution of labour, from 10.30 a.m., till work is resumed after the mid-day-rest, and again

from 4 p.m. till the completion of the locking-up, Arrangements shall be made by which a proportion of the guard not exceeding one-third, at a time, shall be enabled to leave the guard room in order to take their meals in some convenient place near the main gate, but none of them shall leave the immediate Jail precincts. The Superintendent shall personally satisfy himself that a suitable arrangement has been made, and the order regulating it shall be briefly drawn-up and hung-up in the guard room.

- (c) At night a certain proportion not more than half of the reserve guard shall be allowed to go home and the place or these men being taken by men from the warder guard who are liable for night duty. The night guard thus composed shall be atleast equal in numbers to the full strength of the reserve guard and shall be called the Night Standing Guard.

The officer in command of the Night Standing Guard shall be termed the Guard Officer.

The drill of the Night Standing Guard are similar to that of the Reserve Guard by day.

(d) The gate picket reserve warder under a head warder shall be on duty day and night at the main gate and shall furnish all sentries and escorts for official and non-official visitors. The turn of duty shall be similar to that of the warders. The day sentry at the main gate shall be posted immediately outside the iron-barred gate and shall carry his rifle with bayonet fixed. The sentry on duty shall be provided with not more than 5 or less than 3 rounds of ball ammunition loose and ready. In case of any attempt of prisoners to break through the gate, he is required to give immediate alarm to the rest of the reserve guard and to act under the instructions contained in rule regarding escapes and out breaks.

278. The Superintendent is empowered:-

- (i) to increase the number of rounds to not more than 10, if he considers it necessary owing to local existing circumstances.

- (ii) to decrease the number of 3 to 5 rounds of ball or even to substitute this by the issue of blank cartridges, should he consider it advisable for any reason;
- (iii) an order in both cases must be recorded by the Superintendent in his order book and a copy must be sent to the Inspector-General of prisons. reporting the neowsity of such all alteration.

279. Posting of reserve guard in district jails.- In district prisons-

- (a) the whole of the reserve guard shall parade under arms and will pile arms in font of the armoury every morning during the unlocking and every evening during the locking-up. During the morning meal of the prisoners one third of the guard shall be under arms.
- (b) in addition to the sentry on duty, two reserve wardens shall be present in the guard room from 10 p.m. till the unlocking.

280. Posting of guard in lock-ups.- In lock-ups the whole of the guard shall parade under arms every morning during the unlocking and every evening during the locking-up. The sentry on duty during the day shall be posted immediately outside the iron-barred gate and shall carry his rifle with bayonet fixed. The night sentries will be posted as follows-

- (i) One outside the iron-barred gate and the other behind the lock-up.
- (ii) Each one of them shall carry his rifle with bayonet fixed.

The sentries on duty shall be provided with not more than 5 or less than 3 rounds-of ball ammunition loose and ready.

281. Duties of the reserve head wader in charge of gate picket.- The duties of the reserve head warden in charge of the gate picket in central prisons and district Jails and the head warden in lock-ups are:-

- (i) to see to the posting of sentries day and night according to the turn of duty.

- (ii) to inspect the sentries frequently and satisfy himself that they are on alert, smartly dressed and properly equipped and to report at once to the Jailor or the Assistant Jailor, as the case may be, any suspicious occurrences;
- (iii) to detail for all visitors an escort which shall consist of two warders armed with baton in central prisons and one warder similarly armed in lock-ups;
- (iv) the head warder in charge of the main gate picket shall have in his possession at night the key of one of the locks of the outer wicket gate.

382. Reserve guard have to be always at full strength. - The reserve guard shall assist in watching at night to the extent provided in rules on the subject. Whilst any of the reserve guards are on watch inside the Jail, an equal number of warders of the general staff shall remain in the reserve guard house to complete the full strength of the reserve guard. They shall ordinarily be selected from those who will go on the next watch or those who have come after the previous watch, the most efficient being taken. Whilst the regular reserve head warder is on night watch, one of the other head warders or otherwise away on permission in writing of the competent authority to be selected by the Superintendent, in rotation, shall be in charge of the reserve guard.

283. Duty and name tokens.-

- (a) For every post of sentry, there shall be a duty token. Every reserve warder shall have a brass name token. Whenever a sentry is relieved, he shall give the duty token to the relieved reserve warder, the relieved warder shall give his name token to the relieved warder in token of his having duty taken over charge of the duties of the post. The reserve head warder of the gate picket of the guard, as the case may be, shall collect name tokens at suitable intervals and hand them back to their owners.
- (b) Duty tokens shall be of the size of a rupee with the designation of the post engraved on it. Name tokens shall be

1½" square in size with the name of the reserve wards engraved on them.

284. Duties of sentry at main gate.- The duties of the sentry at the main gate are:-

- (a) to be on duty outside the main gate with his rifle with the bayonet fixed. The rifle shall not be loaded, but the sentry shall carry in his unbuttoned pouch placed to the front of his belt a packet of ten rounds or buckshot and two loose blank cartridges. This ammunition shall be handed over to the relieving sentry at the time of his relief.
- (b) to stand to attention and present arms on the arrival at the Jail of-
 - (1) distinguished visitors;
 - (2) the Inspector-General;
 - (3) the Deputy Inspector-General;
 - (4) other inspecting officers;
 - (5) official and non-official visitors;
 - (6) the Superintendent; or
 - (7) the Medical Officer.
- (c) to keep in a sealed leather packet the duplicate keys of the armoury and the rifle rack. The relieving sentry shall on taking over, satisfy himself that the seal is intact. The sentry shall break the seal in the absence of the head warden only if an emergency arises;
- (d) in district jails, to keep in his possession at night the key of one lock of the outer wicket gate;
- (e) to prevent any person from loitering about the premises;
- (f) to refrain from entering into conversation with a prisoner or any one else except when questioned by a superior officer, and from interfering unnecessarily with any prisoner or jail officer.
- (g) to prevent any prisoner from passing out of the jail except under the custody of an authorised officer. and to stop every individual passing out of the jail gate whom he does not

- recognise as a Jail officer and detain him until he received authority from the gate-keeper to let him pass;
- (h) to call on a prisoner who may be attempting to escape to stand still, if the prisoner fails to stand still, and he cannot otherwise prevent the escape, the sentry shall fire at the prisoner, if the prisoner is beyond recall, he shall raise the alarm by firing a shot in the air;
 - (i) to raise the alarm by firing a blank cartridge and loudly sounding the alarm bell when ordered to do so by the gate-keeper, or on his own initiative if any store or store-room has caught fire or he has reason to believe that an outbreak or disturbance or attempt at escape is occurring or about to occur;
 - (j) to challenge any person approaching his post after dark and warn him, to stand until the reserve head warder arrives on pain of being shot, at the same time loading and bringing his rifle to the ready. If the reply is unsatisfactory or if he receives no reply, he shall give the alarm. Challenges should be delivered in English and after twice in Hindustani, before firing;
 - (k) to challenge and require the parole or countersign or pass word from all persons going inside or coming outside the main gate at night. The Deputy Superintendent of the Jailor. as the case may be, shall communicate the parole to the officer of fire guard;
 - (l) on relief, to explain to his successor the duties of his charge and bring to his notice any circumstance to which attention should be directed; and
 - (m) to carry out the orders given to him without distinction of person and protect, as far as possible, all stores and Government property in the jail in the precincts of the jail.

285. Duties of sentry.- The sentry shall be relieved at the end of every watch. During the day the reserve head warder shall conduct the reliefs, and at the same time satisfy himself that the sentries are

on the alert and attending to their duties properly. To discharge these functions during the night, two patrolling officers shall be appointed from among the Reserve Head Warders. Head Warders and gatekeeper. Each patrolling officer shall record the hour of his visits by means of the tell-tale clock. He shall be provided with a lantern. He shall specially see that all ordinary or reserve warders outside the barracks and cells, and all convict overseers or watchmen inside the wards are on the alert. If he receives a report of anything suspicious or unusual having occurred, he shall immediately take measures to investigate it.

SECTION XVII

Jail Officers

286. No prisoner to be punished without Superintendents Order and Improper language to be avoided.- No Jail officer shall in any circumstances punish any prisoner except under the Superintendents 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.

287. Prisoners to be treated with tact, humanity and strict impartiality.- All Jail officers shall treat prisoners with good temper, humanity, and strict impartiality, and listen patiently and without irritability or any complaint or grievance, while at the same time maintaining strict and enforcing the observance of all rules and regulations.

288. Prisoners not to be struck and use of force to be regulated.- No officer shall on any pretext strike a prisoner, except in self-defence, or in the repression of a disturbance (in which case no more than necessary force shall be used), or when, a whipping is formally ordered by the Superintendent.

289. Unnecessary conversation with prisoners prohibited.- No Jail officer shall unnecessarily converse with a prisoner or allow any undue familiarity on the part of prisoners towards himself or any other jail officer: Nor shall he on any account speak of his duties

or of any matter of discipline or of prison arrangements with him or within the hearing of a prisoner.

290. Prohibition against intimacy with prisoner's relatives.- Jail officers shall avoid intimacy with prisoners' relatives or friends outside the Jail and shall not visit the house of any prisoner, convict or his relative or friend.

291. Prisoners not to be employed on private work.- No Jail officer shall, save as authorised by any provision of any rule herein contained in that behalf, at any time employ any prisoner on his own private work for his own gain or profit; nor shall any such officer at any time employ any prisoner otherwise than for the profit and advantage of the Government, and in strict accordance with the provisions of the Prisons Act 1894, and the rules made there under relating to the employment of prisoners.

292. Prohibition against engaging in any trade, etc.- No Jail officer shall directly or indirectly engage in any trade business or employment other than his legitimate duties.

293. Prohibition against dealing with contractors and receiving gratuity or presents.- No Jail officer shall directly or indirectly be concerned in any contracts or agreement for the supply of any article to the Jail, nor receive directly or indirectly any fee, gratuity, present or loan from any contractor or supplier, or from any prisoner, prisoner's friend or any person visiting the Jail.

294. Relationship with another officer or prisoner.- If a Jail officer is in any way related to or connected with another officer employed in the same prison, or with any prisoner confined in that prison, he shall forthwith report the fact to the Superintendent who may take such action as he may consider necessary.

295. Permission to keep cattle.- No Jail officer ¹[(including the superintendent) shall feed or keep any animals such, as horses, cattle. Sheep or goats '[required for his personal use] without the written permission of ¹[the Inspector-General] and such permission may be

1. Subs vide Home Deptt. Order No. F. 16(90) Home/2/54, dt. 28.5.1958.

granted only [When the Inspector—General is satisfied that the Jail garden-produce will not be misused for feeding the Cattle and no nuisance is caused at the Jail premises. A permission so granted can be withdrawn at any time if the Inspector-General does not consider proper the continuance of the permission for the private cattle.]

296. Refusal of entry of unauthorised persons.- No Jail officer shall permit any person to enter the Jail without proper authority.

297. Jail quarters.- (a) Every jail officer for whom residential quarters are provided shall reside therein.

(b) No officer occupying jail quarters shall permit any person not being a member of his family or a relation to remain for the night in his quarters without the permission of the Superintendent.

298. Communication to press and outsiders.- (a) No Jail officer other than the Superintendent shall give information to the public or press or converse with person not employed in the prison regarding the affairs of the Jail or any occurrence taking place in or connected with the Jail.

(b) No Jail officer shall resort to the press or to non officials or to officials other than the official competent to deal with his case, for the redress of any of his own grievances or the grievances of any other Jail officer or class of officers.

299. Respect towards superior officer and visitors.- Every jail officer shall at all times treat his superior officers with respect and see that the prisoners show no disrespect to any one visiting the jail.

300. Employment of ex-convicts.- No jail officer shall employ an ex-convict in any capacity in his service without the previous permission of the Inspector-General.

301. Information to relieving office.- Every jail officer while on duty shall remain within such limits as are fixed for his post by the Superintendent of the Jailor. It shall be his duty on relief to inform the officer relieving him of all matters of special importance concerning his charge and of any directions he may have received regarding y particular prisoner.

302. Jail officers to be acquainted with the rules relating to their duties.- Every officer shall make himself acquainted with the rules and orders regulating his duties. Every officer appointed to a special post in the Jail shall be provided with a book detailing his duties. Every fresh order must be entered in the book at the time, the order is given. On a change of officer, the relieving officer shall take over the book and make him self acquainted with the order contained in it. To enable him to do this, orders in English shall be written on one page and translations of them in Hindi on the other. The officer relieved shall point out to his successor all matters of special importance connected with the duties of his post and explain any of the Superintendent, Medical Officer or other superior officer affecting any prisoner or matter. Jailors and Assistant Jailors shall each carry with them a note- book in which they shall enter at the time any verbal order given to them by the Superintendent.

303. Jail office-s to note certain sections of the Prisons Act.- All Jail officers shall note the provisions of sections 8, 9, 10, 21, 22, 37, 42, 43 and 54 of the Prisons Act, 1894 (IX of 1894).

304. No officers to enter any ward or cell alone from lock-up to sunrise.- No officer of a Jail shall at any time enter any ward, cell or other compartment occupied by any prisoner from the hour such ward, cell or compartment has been locked-up for the night, till sunrise the following morning unless he is accompanied by atleast one other officer and then only in case of sickness or other emergency.

305. Immediate report to be made of any misconduct or breach of law.- It shall be the duty of every officer of the Jail. subordinate to or under the orders of the Superintendent to make an immediate report to that officer of any misconduct, act of wilful disobedience or breach of the provisions of any law, rules or regulations for the time being in force on the part of any other officer or any prisoner which shall at any time come to his knowledge or be committed in his presence, sight or hearing.

306. Duties of all officers to prevent escapes and report breaches of discipline.- All Jail officers are bound-

- (1) to exert the utmost vigilance in the prevention of a capes; to this end the Jailor and his subordinates shall see that all ladders, ropes, bamboos, privy vessels, and other articles which may facilitate escape, are not left at any place from which they may be taken by a prisoner;
- (2) to prevent to the best of their power, the introduction into the Jail and the giving of any prisoner of any unauthorised tobacco, opium ganja or other prohibited article;
- (3) in prevent and report any attempt at communication between prisoner and out-siders, except as permitted by rule, and shall report the fact when any suspicious persons are observed loitering about the jail. Every, person arrested under section 43 of the Act shall be at once sent to the nearest police station in the custody of a jail warder who shall take from the officer incharge of the police station an acknowledgment of delivery to him of fire arrested person.

307. Dispute between Jail officers strictly forbidden.- All wrangling or disputes officers or servants of the Jail are strictly forbidden any disagreement between subordinate officers as to any matter connected with their duties must be referred to the jail or, or; if necessary, to the Superintendent. All complaints must in writing to the Superintendent of the Jail or the Jailor within twenty-four hours of the occurrence of the cause of complaint. Officer making frivolous or false complaints will be liable to punishment.

308. No officers to enter into pecuniary obligation with subordinates.- No officer shall take a loan of money from, or lay himself open to any pecuniary obligation to any officer subordinate to him.

309. Prohibition of combination between officers and servants.- No combinations among officers and servants are allowed and proceedings tending to such will be punished.

310. Charge report.- A report of the date on which a, Superior Jail officer or medical officer makes over or takes over charge shall the made immediately to the Inspector-General.

311. Absence from duty.- Any Jail officer who is unable by reason of illness or from any other cause to attend to the regular performance of his duties, shall immediately inform the Deputy Superintendent in central prisons and the Jailor in district jails.

312. Leave on Sundays and other holidays.- The Superintendent may grant leave of absence to such officers as can be spared, on Sundays and other Jail holidays. Officers on Sunday leave shall be exempted from all duties after the locking-up on Saturday until the morning of the Monday following; while officers on leave on other jail holidays shall be exempted from duties between the unlocking and the locking-up of the Jail.

313. Communication of address during absence.- Whenever a Jail officer proceeds on leave or is absent from the station he shall leave his address at the jail office and keep it informed of any subsequent change of address.

Whenever a Superintendent proceeds on leave he shall communicate his address to the Inspector-General.

SECTION XVIII

Subordinate Officers

314. Application of the rules relating to subordinate officers.- Unless there is something inconsistent with anything contained in any rule relating to any officer or class of officers, or repugnant to the subject or context, the rules relating to subordinate officers generally hereinafter following, shall be deemed to apply to all except those classified as belonging to the State Services, viz., Superintendent and Deputy Superintendents of Central and District Jails and Director of Jail Industries.

315. Subordinate officers to be on probation for one year.-

- (a) A candidate for employment in the Subordinate Jail Service must not be over 25 years of age.
- (b) Unless otherwise, directed by the Inspector-General or Superintendent, every subordinate officer shall be appointed on probation for one year. His confirmation at the end of his

probationary period shall be contingent on his proving efficient. If at the end of the probationary period, he is not considered fit for confirmation, he shall be discharged if he was recruited direct or he shall be reverted to his substantive appointment if he was transferred to the Jail Department from another department. The period of probation cannot be extended save for exceptional reasons and under the special orders of Government in each case.

316. Subordinate officers to be made acquainted with the terms of section 42 and 45 of the Prisons Act.-

- (1) All subordinate officers on entering the Jail service, whether temporarily or permanently, shall read or have read to them sections 42 and 45 of the prisons Act and shall acknowledge by signature or make that this has been done. The acknowledgment shall be attached to each officers service book.
- (2) Every person appointed to be a warder in a Jail shall enter into an agreement, with the appointing authority not to resign his appointment within two years of the date of his appointment permanently.

317. Condition of employment of subordinate officer appointed to any jail.-

- (1) It shall be deemed to be a condition of the employment of every subordinate officer appointed to any Jail, that he shall be liable, in the discretion of the Inspector-General, from time to time to reserve in any other Jail to which he may at any time be transferred or appointed, whether in the same or any other suitable capacity.
- (2) When orders are issued for the transfer of officials, the movement must be made as early as possible. Joining time according to the provisions of the rules in that regard. May ordinarily be taken by officials under orders of transfer, but it should be understood that in all cases of emergency and when

so ordered by the Inspector-General joining time is not to be taken.

- (3) No subordinate officer shall, after he has been confirmed in his appointment, be, without the sanction of the Inspector-General, permitted to serve in any Jail or place situate within the limits of the district in which his permanent home is situate.
- (4) No person shall, without the previous sanction of the Inspector-General, at any time be employed as a subordinate officer in any jail in which any relation or connection of his is confined as a prisoner or employed as a subordinate officer.

318. Officers to inform Superintendent when any relative or acquittance is admitted or conformed in the jail.-

- (1) It shall be the duty of every candidate for employment as a subordinate officer; and of every subordinate officer, of every Jail, to forth with inform the Superintendent of the jailor if anytime; there is confined in the jail in which he is a candidate for employment or in which he is for the time being employed, as the case may be, any prisoner :-
 - (a) with whom he is in any way related or connected; or
 - (b) with whom he has had any pecuniary dealings or chose acquaintanceship of any kind.
- (2) If at any time a subordinate office in a Jail has any relationship y kind with any other subordinate officer employed in the same Jail, be his duty forthwith to Inform the Superintendent of the Jailor fact of the existence of such relationship.

319. Jail employees must be persons of respectable character.- All person employed in a Jail must be persons of respectable character; disreputable conduct, even outside the Jail, will render an officer or servant liable to dismissal.

320. Employees forbidden to communicate.- All persons sewing in the Jail department are strictly prohibited from communicating directly or indirectly to Government servants belonging to other departments, or to non-official persons, or to the press, any documents

or information which may come into their possession in the performance of their public duties or has been prepared or collected by them in the course of their duties or has been prepared or collected by them in the course of their duties whether from official sources or otherwise. Any officer or servant found guilty of a breach of these orders is liable to be prosecuted under section 5 of the Indian Official Secrets Act, 1923, and there shall be no hesitation about departmental enquiry or prosecution in this matter.

¹[320-A. Restrictions Respecting right to form Association, freedom of speech etc.- (1) No subordinate officer shall without the expression sanction of the Government-

- (a) be a member of, or be associated in anyway with any trade union, labour unions of political associations; or
- (b) be a member of, or be associated in any /way with any other society institution, association or organisation that is not recognised as part of the Prison Department of which he is an employee or is not of a purely social, recreational or religious nature; or
- (c) communicate with the press or publish or cause to be published any book, letter or other document unless such communication or publication is in the bonafide discharge. of his duties or is of a purely literary, artistic or scientific character.

Explanation.- If any question arises as whether any society, institution, association or organisation is of a purely social recreational or religious nature under clause (b) of sub-rule (i), the decision of the Government thereon shall be final.

(2) No subordinate officer shall shout slogans or display play cards or flags or otherwise participate in or address any meeting to take part in any demonstration organised:-

- (a) for any political purposes; or
- (b) for the purposes of protesting against any of the provisions of

1. Added by Noti. No. F. 20-G(59) Home/12/77, dated 15.12.1978 (Pub. in Raj. Gaz. Pt. IV-C(i) dated 28.12.1978).

the persons Act of 1894 of these rules or any other rules made under that Act; or

- (c) for the purposes of protesting against any disciplinary action taken or proposed to be taken against him or against any other subordinate officer; or
- (d) for any purpose connected with any matter pertaining to his remuneration or other condition of service or his conditions of work or his living conditions, of the remuneration, other conditions of service, conditions of work or living conditions, of any other subordinate.

(3) Any person who contravenes any of the provisions of the above sub-rules (1) and (2) shall, without prejudice to any other action that may be taken against him, be liable to be dismissed in a disciplinary proceeding and also be liable to be prosecuted under section 54 of the Prisons Act, 1894 and there shall be no hesitation in launching prosecution and simultaneously holding disciplinary proceedings.

321. No person dismissed from any service or convicted or any crime should be appointed without special sanction.- (1) No person who has at any time been dismissed from any office in the public service shall without the special sanction of the Inspector-General given upon a full statement of the facts relating to such dismissal be deemed to be qualified for appointment as, or be at any time appointed to be, an officer of any Jail.

(2) No person who has at any time been convicted of any offence against the Criminal law and punished with imprisonment or with whipping shall, without the sanction of the Inspector-General be deemed to be qualified for appointment or be at any time appointed; as an officer of any Jail.

322. Declaration to be taken before entertaining an officer in jail service.- Before any person is, whether temporarily or permanently, appointed to be an officer in any Jail, he shall be required to make a declaration that he has not at any time been dismissed from the public service or convicted of any offence and

punishment with imprisonment or whipping; Provided that if any such person has been so dismissed or convicted and punished he may, instead of making a declaration as aforesaid, make a full disclosure of the circumstances attending such dismissal or conviction and punishment for the information and order of the authority.

323. All subordinate officers to reside in jail quarters.- Every subordinate officer, for whom quarters are provided by Government, shall live in those quarters, and those from whom no quarters are provided shall live within such distance of the Jail as may fixed by the Superintendent, except in the case of Medical Officers holding dual appointments. Quarters on the Jail premises shall be provided for Jailors and Assistant Jailors, Medical Officers (not holding dual appointments) compounders and the warders establishment; and for such other officers as the Inspector-General may deem necessary.

324. Quarters to be open to inspection by Superintendent or Medical Officer.- The quarters occupied by subordinate officers shall, at all times, be open to the inspection of the Superintendent or other officers deputed by him, also to the Medical Officer. These inspections shall, however, invariably be carried out in the company of the subordinate occupying the quarters.

325. When quarters should be vacated.- All subordinate officers of servants dismissed or discharged shall be required, on leaving service, to quit their quarters in the jail at once, and shall not be allowed to enter the jail premises. An officer under suspension pending decision of a case against him may remain at his quarters, provided his behavior is satisfactory and provided no substitute is appointed to act for him; but if suspended for a definite period as a punishment he shall, forthwith quit the Jail, premises, An officer under suspension shall not enter the jail or Jail offices or hold any communication with prisoners.

326. Occupation of quarters while on leave.- An officer on leave may occupy jail quarters on payment of rent provided no substitute is pointed in his place, and with the permission of the Inspector-General of Prisons.

327. Absence from jail premises or from duty not permitted without sanction.- No subordinate officer shall absent himself from the jail premises either by day or night; or from duty during the hours fixed for his attendance, without the permission of the Superintendent or (if subordinate to the Jailor) of the Jailor, except when summoned by a court of justice. Any subordinate officer disabled from the performance of duty by illness, or summoned by a court of Justice, shall at once give notice to the Jailor, who shall enter the information in his report book and shall make such arrangements as may be necessary for the performance of the duty of the officer during his absence.

328. Uniform to be worn on duty and no combination allowed when off duty.- Subordinate officers shall pay strict attention to cleanliness of person and dress; and those for whom a uniform is ordered shall at all times wear it while on duty. When off duty on the Jail premises or in any public place, they must either appear altogether in private clothes but should wear the off duty cap or in complete uniform; no combination of the two shall be allowed.

329. Lounging about Jails not permitted.- Subordinate officers and servant shall not lounge about the Jail. They shall confine themselves to their respective posts, excepts when ordered by a superior-officer to go elsewhere or when going upon duty.

330. No liquor or tobacco, singing or loud talking, allowed in jail.- No subordinate officer or servant shall smoke, or drink, or sing, or talk loudly, while on duty, or without authority introduce liquor, tobacco or any drug into the jail.

331. Admission of visitors not permissible in interior of the jail. - No subordinate officer or servant shall be permitted to receive any visitors in the interior of the jail.

332. Officers not to have unauthorised communication with prisoners or their relatives etc.- No subordinate officer shall correspond with or hold any inter-course with the friends or relatives of any prisoner or with any person whatever as to matters concerning the Jail: nor shall be correspond with or hold any inter-course with

any discharged prisoner, or with the friends or relatives or such prisoner, or allow any such prisoner, or his friends or relatives to visit or remain in his quarters, except with the special permission of the Superintendent.

333. Subordinate officers not to converse with prisoners.- No subordinate officer shall converse unnecessarily with any prisoner or treat him with familiarity or discuss matters connected with the discipline or regulations of the jail with him or within his hearing.

334. Responsibility in regard to Jail keys.- No subordinate office or servant entrusted with keys shall take them out of the Jail, leave them lying about, or deliver them to any other person, except when leaving the Jail or going off duty, he delivers them to such officer as may be authorised to receive them, and he shall not leave his post of the Jail without making them over as above directed. The keys of wards, cells, outer gates or godowns are not on any pretext whatever to be made over to prisoner.

335. jail lanterns not to be used for private purposes nor naked lights to be used in kutchha buildings.- Subordinate officers shall not use the jail lanterns for private purposes, An unlighted lantern, or two, if necessary shall be kept at the main gate for use if required in the office or for the night visit to the Jail of the Jailor or Assistant Jailor, but these lamps shall not be removed to the private quarters of these officers, Subordinate officers are prohibited from using naked kerosene lamps or unprotected native chirags in kutchha or thatched dwelling houses belonging to the Jail.

SECTION XIX

Military Training, Arms and Accouterments

336. Jailors, Assistant Jailors and Warders to undergo military training in squad drill and use of arms.- All Superintendent, Deputy Superintendent, Jailors, Assistant Jailors and the whole warder-force shall undergo a thorough military training in squad drill and in the use of the arms provided for them. Warders shall also be put through all annual course of musketry practice at the police or

other butts, so that they may be able to use the muskets with precision and confidence. Warders shall be drilled at the Jail by the chief head warder or the reserve head warder as the case may be, for half an hour once a day, in the morning or evening, in subsidiary Jails this duty devolves on the senior head warder. When Deputy

Superintendents, Jailors and Assistant Jailor's have acquired a knowledge of their drill and are found to be qualified to drill their Warders, they will be required to attend the Superintendents drill parade only once a week. On these occasions the whole warder staff not on duty, together with their head warders and superior officers, shall be inspected by, and drilled before the Superintendent. Practice with blank cartridge shall ordinarily, take place at these inspections at least once a month. The course of drill practice at the butts shall, as far as possible, be the same as followed by the police. Warders who are thoroughly efficient in drill and have passed as marksmen will be exempted from drilling, except for a month annually in the cold season, when they shall go through a course of drill and musketry practice. It must be fully understood by all officers that no leave, except leave on medical certificate, shall be granted to any subordinate officer until he had qualified himself in drill.

337. Instructions for saluting superior officers.- The following general instructions in regard to saluting superior officers shall be observed:-

JAILORS, ASSISTANT JAILORS AND HEAD WARDERS

	When on parade with Warders armed with sword.	When not on parade with Warders	If drilling with the Warders in the rank
To Inspector-General, Superintendent, official and non-official visitors, Superior officers of Government.	Shall salute with sword.	Shall stand at attention and salute with right hand as instructed in "Infantry Drill" Section.	Shall salute with Warders at word of command.

Assistant Jailors and Head Warders shall salute an officer superior to them in rank but subordinate to these above indicated with the right hand.

Warders

	When on parade armed	When passing armed with musket.	When passing unarmed.
To Inspector-General, Superintendent, official and non-official visitors, superior officers of Government.	shall be halted and present arms at word of command.	Shall advance arms. If marching in squad shall do so at word of command.	Shall salute with the right hand as instructed in "Infantry Drill" Section.
To Jailors and Assistant Jailors	Shall advance arms at word of command.	- do -	- do -

338. Gate sentry to present arms.- The gates sentry shall present arms to the Jailor or any officer superior to the Jailor or to official or non-official visitors. A head warder or warder sitting, shall when any such officer approaches, rise, stand at attention and salute with the right hand: when addressing an officer he will halt two paces from him and salute as above; he will also salute when withdrawing.

339. Swords and fire-arms when to be taken inside the jail.- Swords and fire-arms shall only be taken inside the Jails when it is necessary to drill the warders in the Jail for want of a proper parade ground outside or at alarm parades, and in that case, the armed officers and Warders shall march into the Jail in a body. Any officer or warder carrying his sword or musket inside the Jail. when on ordinary duty, will be liable to punishment.

340. Drill for intramural warders.-

- (a) Every intramural warder shall drill for an' hour daily, until he has become proficient. When he has been declared proficient, he may be exempted from daily drill and shall thereafter be required to put in eight drills in every month.
- (b) Intramural warders who have been on night duty from and

night till the unlocking shall not be required to attend the drill in the morning.

341. Drill for reserve warders.- Every reserve warder shall, be drilled for half an hour once a day in the morning, except on Sundays, Thursday and Jail holidays.

342. Weekly drill parade of warders.- On weekly parade days the Superintendent shall hold a drill parade of all warders who are not on duty and see them put through drill by the head warder in charge of the guard. He shall satisfy himself that the warders are proficient in squad and company drill and rifle, bayonet and marching exercise.

343. Military training to Jail officers- (1) The chief head warder in central prison and "A" class district Jails and the reserve head warder in other district Jails are responsible for giving the Jail officers and warders a thorough military training in squad and company drill and the use of firearms including rifle, bayonet and firing exercises.

(2) He shall report to the Deputy Superintendent of the Jailor, as the case may be, every warder who absents himself from drill and keep a register of attendance of Jail officers at drill and lay it before the Superintendent once a week.

344. Chief head warder or reserve head warder to be in charge of arms, ammunition, etc.- The chief head warder in central prisons and "A" class district jails and the reserve head warder in other district Jails shall be in charge of the arms, emergency ammunition, and spare accouterments, and shall be responsible for seeing that 20 rounds of buckshot ammunition per rifle are always kept ready for use in the armoury. A list of all arms and accouterments, signed by the chief head warder of the reserve head warder shall be hung up in the armoury. He shall report to the Superintendent, the Deputy Superintendent of the Jailor, any loss of arms, ammunition or accouterments immediately it comes to his knowledge.

345. Arms, ammunition, etc., to be kept in the armoury ready for use.- The rifles (with bayonets fixed), accouterments and emergency ammunition shall be kept in the armoury and an adequate

supply of torches, blue lights, oil and matches shall also be maintained at all times for use.

346. Arms, ammunition and rifles to be kept in safety.- All arms, emergency ammunition and accouterments in the armoury shall be so arranged as to be in a way accessible from outside. The rifles not in use shall be kept in racks and secured by a chain fixed permanently to the upright at one end and passing through the trigger guards of all the rifles and padlocked to the other upright. Each rifle shall have a number marked on it. and shall, when not in use. always remain, deposited in the armoury in the place assigned to it.

347. Duplicate keys for locks of armoury and rifle racks.— The Locks of the armoury and of the rifle racks shall have duplicate keys. One key of each lock shall be in the charge of the sentry at the main, gate and the other in charge of the reserve head warden in charge of the gate picket in central prison and of the guard in district jail.

348. Precautions against surprise attack from outside.- As a precaution against a surprise attack from outside six rifles in central prison and in district Jail shall be kept in the Superintendent office securely fastened to the wall by means of a chain passing through the trigger guards and padlocked. Sufficient ammunition shall also be kept near the rifles in a locked box. The keys shall remain with the senior officer on duty, at the jail. Arrangement concerning this point has been mentioned at para 276 (20).

349. Cleaning of rifles.- At least once a week and on every occasion on which the rifles have been used they shall be thoroughly cleaned out in front of the Jail-gate. and shall, after inspection by the chief head warden in central prison and the reserve head warden in district jail. be securely deposited in the racks inside the armoury. Under no circumstances shall rifles be taken to the warders lines or other locality for cleaning or any other purpose.

350. Payment to police armourer for his services.- The police armourer shall be paid actual conveyance charges when he visits the Jail for repairs to jail muskets.

351. Storage of ammunition.- (a) The reserve ammunition shall be kept in a strong immovable box locked with two padlocks in a secure place between the two gates.

(b) Ball, buckshot and black ammunition shall be stored separately from each other.

352. Superintendent to check ammunition.- At least once a month the Superintendent shall check the stock of ammunition and note the date of his inspection and the result in the register of arms and ammunition. He shall also certify at least twice a year that the stock of live ammunition and of fired cases of each kind added together correspond with the scales laid down in this chapter.

353. Officers responsible for the safe custody of ammunition.- The Deputy Superintendent in central prisons and the Jailor in district Jails, shall be responsible for the safe custody of the reserve ammunition.

354. Check of sealed boxes of ammunition.- Boxes of ammunition whose seals are intact shall not be opened for the purposes of checking the contents, as they cannot be soldered up again satisfactorily. But if there is any evidence of the boxes having been tampered with, they shall be opened and the contents checked immediately.

355. Issue of ammunition to the warder staff.- The Deputy Superintendent of the Jailor, as the case may be, when necessary, issue arm ammunition to the chief head warder or reserve head warder to replenish his stock of emergency ammunition, taking the head warders receipt in the register in the column provided for the purpose. The Superintendent shall also sign the entry.

356. Expenditure of ammunition.- In order to effect a regular turnover of the stock of ammunition, the issue of ammunition for expenditure shall be made in the following order:—

- (1) The contents of broken boxes, viz, boxes the tin linings of which have been opened, and loose rounds.
- (2) Boxes of ammunition on which the words “Examined year”

are enfaced on the labels. This ammunition shall be used up in order 5 of date of examination.

(3) Other ammunition, the oldest in stock to be used first.

Note 1- The period of complete turnover of ammunition has been fixed at not more than eight years.

Note 2- In the appropriate register, a separate page shall be allotted for each make and date of ammunition and each box containing ammunition shall be given a separate serial number which shall be written in bold figures on a label to be pasted on the box. In the remarks column of the register these serial numbers and any other distinguishing remarks shall be noted to facilitate identification. The entries in the ammunition register of receipts shall be made in red ink and those of issues in black ink.

357. Return of unexpanded ammunition.- All unexpanded ammunition shall be returned to stock as soon as possible after the completion of the duty for which it was issued. The Deputy Superintendent of the Jailor, as the case may be, shall enter the details of expenditure and the quantities received back in the register and compare the total with the amount issued. Any shortage or regularities shall be reported to the Superintendent without delay.

358. Firing practice.- Firing practice with blank ammunition shall be carried out once a month by warders. During this practice any ammunition which considered to be dead should be tried and if found so. shall be kept apart and reported to I.G. Prisons.

359. Annual musketry course.- All jail officers (except the medical, technical and teaching staff) including reserve and intramural warders shall be put through an annual musketry course some time. between October, 15 and April, 1. The course shall, as far as possible be the same as that followed by the police. When the butts are on the jail premises that course shall be conducted under the superintendence of a jail officer detailed by the Superintendent for this duty, and the Superintendent himself shall take every opportunity of attending the firing to see that it is properly conducted.

360. Collection of fired bullets.- The reserve head warder shall see that all fired bullets buried in the butts are collected by warders of his guard immediately after completion of each practice. It is expected that a reasonable amount of lead shall be collected on each occasion. All warders shall be warned of the importance of the salvage of undamaged bullets, An account of the lead, etc. collected and disposed of shall be kept and all materials recovered shall be returned to the arsenal.

361. Report of annual musketry course.- As soon as the annual musketry course has, been completed, a report shall be sent to the Inspector-General stating the number of men who have undergone the course and the general result.

362. Account of fired cases.- The Deputy Superintendent in central prison and the Jailor in district Jail shall keep an account of the fired cases and dead ammunition of each kind on separate pages of the ammunition register and the chief head warder in a central prison and the reserve head warder in a district jail shall be responsible for their safe custody.

363. Supply of arms etc. by Ordinance Department.- Small arms, ammunition, slings, bayonets, frogs, scabbards and the stores for the case of arms are supplied by the Ordinance Department.

364. Armoury to be near main gate Arms to be kept in armoury.- A special room near the main gate shall be set apart for keeping the arms, and ammunition. etc. it shall be furnished with proper racks for the muskets and for hanging-up the accouterments. The bayonets and ammunition pouches shall be slung on the spare belts ready for immediate use. The key of the armoury shall be kept by the reserve head warder and a duplicate key shall be kept by the Jailor in the treasure chest with a tin label affixed to it for, immediate recognition in case of emergent In lockups, the key shall the kept by the head warder off duty and the duplicate key by the Assistant Jailor in the treasure chest. The jail armoury shall contain swords with scabbards for the jailor. Assistant Jailor, and head warders. a breach loading musket with stopper and snap-cap, bayonet, bayonet

scabbard and frog, ammunition pouch a spare old belt for warders according to scale laid down.

365 Muskets for reserve guard.- The muskets of the reserve guard shall be kept in a rank in the reserve guard-room with the bayonet and ammunition pouch on the belts ready for immediate use. Arms shall not be piled outside where, prisoners could seize them. Then they turn out for day duty or parade, the reserve guard shall invariably carry their bayonets and ammunition pouches.

366. Store, from where to be obtained.— The Jails in Rajasthan will be dependent on arsenals to be appointed by the Defence Department of the Government of India. for the supply of their requirements of small arms, ammunition, frogs, scabbard, bayonets, slings and stores for the care of arms.

367. Requisitions.- Requisitions for the ordnance stores to the appointed arsenals (other those for additional arms) should be submitted for compliance to the Assistant Director-General of Ordnance stores, through the Inspector-General of prisons, Rajasthan, No demand should be made direct by Superintendents.

368. Requisitions for additional stores.- Requisitions for additional arms required (except to replace on charge) must be obtained by the Inspector-General of Prisons through the Director-General of Ordnance stores, New-Delhi, after obtaining sanction of the Government of India through the Government of Rajasthan.

369. Indents for frogs and scabbards.-Indents for frogs and scabbards shall be met by the Ordnance authorities only when the unserviceable articles have been returned to store under a proper certificate and vouchers. Before returning any equipment to the arsenal, the sanction of the Chief Ordnance Officer of the arsenal should be obtained.

370. Sample of frogs.- When frogs are required, a sample should be sent to the arsenal. If no sample is available, a bayonet and a scabbard may be sent so that a correct frog may be fitted- The outside of the package being clearly marked "MARKED FOR INDENT BRANCH".

371. Scale of arms, etc.- The scale of arms, ammunition and accouterments allowed for use in the Jails of Rajasthan annually is as follows:-

Lee Enfield musket 410 bore Bayonet with scabbard Sight Protector Jag	One each per man of the reserve Warder guards and one each per man of 70 percent of the remaining Warder staff including Head Warders.
Waist belts with frog and ammunition pouch	One each per man of the warder staff including Head Warder and reserve guard.
Swords with scabbards and belt.	One for each jail officer above the rank of Head Warder.

372. Accouterments from private firm.- Accouterments may be obtained from private firms approved of by the Inspector-General of prisons'.

373. Use of swords.- Swords will only be used by the Jailor and the chief of reserve head warder when in command of the guard or ceremonial occasions.

374. Scale of ammunition.- (a) The following scale of ammunition is sanctioned.

	Reserve Warder	Intramural warder
Blank M.H.	40	40
Buckshot. B.L. .476 or .410 bore	50	30
Ball B.L. .476 or .410 bore	60	40

ball M.H. rifle, 100 per rifle for Deputy Superintendents and Jailors of central prisons only.

(b) The annual scale of other articles used for the care of arms be as follows:—

Lubricating oil	1½ gallons per 100 arms.
Paraffin war	1 pound per 100 arms.
lute dressed	1 pound per 100 arms.

375. Indents for ammunition.- Indents for ammunition are only complied with by the Ordnance Department on condition (1) that the demand is within authorised quantities. (2) that an equivalent number of fired cases of the same description is returned, and (3) that a certificate is enclosed on the indent that the total quantity demanded plus the quantity in hand does not exceed the maximum quantity prescribed in the previous paragraph. A refund is afforded for all fired cases as also for empty ammunition boxes, bandoliers and charges returned to the arsenal.

376. Return of fired cases.- The fired case should be sent to the arsenal as early as possible say one month before preparation of the indent, to enable the number and date of the receipt voucher being entered in the certificate attached to the indent

377. What ammunition should not be held in stock.- The life of all S.A.A. (Small Arms Ammunition) is 10 years. at the most and therefore ammunition older than 8 years should not be held in stock. To ensure proper turnover the oldest stock in hand should be used-up first.

378. Requisitions for ammunition.- Requisitions should be submitted for full boxes of ammunition or, when this is not feasible, for rounds which are multiples of 10, as issues of incomplete multiples necessitate the opening of the packet of ammunition, which is inconvenient and causes the number of rounds remaining in the packet to become too serviceable. In all cases demands for small quantities of ammunition should be discouraged when possible and consistent with efficiency, and in no case should a requisition be put forward for less than 10 rounds, and each demand should be multiples of 10 rounds, in order to avoid breaking a complete packet.

379. Boxes of arms and ammunition received from arsenal to be weighed and checked.- All boxes of small ammunition are

weighed at the arsenal before issue and the gross weight is marked on each box. When receiving packages of ammunition Superintendents of jails will see that the weight marked on each box is carefully checked and any box weighing light by 1 lb, or over is to be set aside after careful examination and the circumstances reported to the issuing officer immediately.

380. Ammunition to be kept dry and clean.- Ammunition should be kept perfectly dry and clean and not exposed to very high or low temperatures.

381. Missfires.- A misfire generally arises from one of the following causes: (a) defective cartridge, or (b) defective rifle. In case of misfire the cartridge should be tried in another musket before returned to the arsenal. The sanction of the Ordnance Officer should always be obtained before returning these to the arsenal.

382. Preparation of indents for ammunition.-

- (a) Annual indent for ammunition should be prepared on prescribed army forms. The indent for blank ammunition should be submitted to the Inspector-General of Prisons on the 1st of March in each year for countersignature and transmission to the arsenal on which dependent. The indent for ball ammunition, should be submitted to the Inspector-General on or before the 20th December, each year. The Inspector-General will countersign the indent and return it to the Jail Superintendent for transmission to the reserve Inspector Police of the district who will include requirements in the police indent and supply the quantity demanded on receipt from the arsenal. In all indents for ammunition the exact description of the ammunition required shall be properly entered.
- (b) Indents for stores in different sections of the period vocabulary of stores shall be made on different sheets.

383. Indents for ammunition, how to be prepared.- In preparing indents for ammunition, enter in -

- (a) Column 2- "Authorised proportion"- the total quantity of ammunition calculated as in paragraph
- (b) Column 3- "Now on change"- the actual number of loaded cartridges required which must be an equivalent to the number of metal empty cases. etc., returned to the arsenal and paper cases destroyed.

384. Record in indent of receipt of supply of ammunition.- A note to the effect that the jail is prepared to receive the supply of ammunition should be recorded in the remarks column of the indent. The date on which the Jail 's prepared to receive such supply should also be noted.

385. Requisition to contain address to which stores are to be sent.- On every requisition should be clearly stated the name of the railway station to which stores should be sent, and in case when the consignee is off the line of rail, the address should be given, care of party, who will take delivery.

386. Instructions for preparation of indents.- (a) The instructions issued by the supplying arsenals regarding the preparation of indents shall be carefully followed.

(b) Each indent shall be on the prescribed Army Form and be given a register number to facilitate reference.

387. Submission of indents to I.G.P.- When submitting indents to the Inspector-General for counter-signature, Superintendents will attach a certificate in the following form, accounting for the exact numbers of misfires and metal cases returned to this arsenal, quoting the number and date of the receipt voucher for verification by the arsenal; The number of blank paper cases destroyed should also be accounted for, care being taken that the numbers of metal cases for ball and metal cases of blank and paper cases burnt tally with the indented quantity.

"Certified that the under mentioned metal cartridge cases and misfires have been returned to the and that all paper cases of blank cartridge were destroyed in my presence.

Empty Fired Metal Cases and Missfires

(1) Ball

(2) Blank

vide O.D.R.V. No

Paper (blank) destroyed

Signature of Superintendent

Dale

388. Requisition for ammunition as a first issue.- When ammunition is required as a first issue it should be submitted on a separate (prescribed Indian Army Form) supported by Authority. The requisition should be enfaced "First issue" and should not include any other items such as quantity already received.

389. Increase in allowance.- In the case of an increase of former allowance, the procedure should be followed as above, but the number "now authorised" the number "on charge" and the number "required to complete" should be shown. A copy of the authority for the increase should be attached.

390. Fresh requisition for disallowed items.- When once items are disallowed from requisitions they should not be asked for again in connection with the same requisition. as once a requisition is passed, the action taken on it is final. A fresh requisition is, therefore, necessary before the item, once disallowed can be issued

391. Loaded cartridges.- Loaded cartridgs should on no account be sent with empty fired cases but in a separate packet Package containing empties or misfires should be carefully sealed in the same manner as cases containing arms.

Note:- Empty case of ammunition purchased from private firms will not be accepted by the Arsenal neither should one kind of fired case be returned to Arsenal and another kind of ammunition be demanded.

392. Committee for investigation of losses etc.- To maintain strict control and check over losses of arms and ammunition, a committee of three officers shall be appointed to investigate cases in

which ammunition or arms have been lost as well as to condemn arms, ammunition and stores which have become unserviceable. The committee shall consist of a Magistrate, the Superintendent of jail and a district Superintendent of police or other officer not below the rank of Inspector. The Chief Ordnance Officer will accept the finding of this committee. -

393. Disposal of blank fired cartridges.- (a) The case of blank fired cartridges shall not be returned to the Ordnance Officer, but shall be destroyed by burning in the presence of the Superintendent.

(b) When the paper cases of blank fired cartridges have been burnt, they shall be written off charge on an expense shall be voucher and a certificate to the effect that such stores have been, destroyed endorsed on the indent for replacement.

394. Disposals of brass.- All such brass as remains after burning the paper cases of blank fired cartridges shall be sent to the Jaipur Central Prison to be utilized.

395. Supply of oil.- All jail Superintendents with intimate to the Inspector-General of prison on the 1st of March, every year their annual requirements of oil, nothing at the same time the number of muskets in charge in their respective Jails. Consolidated indents will then be prepared and sent by the Inspector-General to the Ordnance Officer concerned on the 16th March each year with instructions to supply the required quantity to the distributing Jails. On receipt of the oil by the latter, the Jail Superintendent concerned will supply the required quantity to the Jails requiring it. The Superintendents of the headquarters jail of the circle shall distribute the lubricating oil to the jails within their circle.

396. Forms.- (a) The following forms shall be used in connection with the issue from and the return of ammunition and stores to the Ordnance Department:-

I.A.F.A. - 2091	Requisition form
I.A.F.Z. - 2096	Delivery receipt or expanse voucher form
I.A.F.Z.— 2097	Packing note

I.A.F.Z. -2098 Detail of discrepancies due to and tear and other causes.

A.F.A.- 2 Committee proceedings.

(b) All indents for the supply of Indian Army Forms shall be sent to the Manager. Forms Press, 166. Dharamtalla Street, Calcutta and not to the supplying arsenals.

397. Separate forms should be submitted for arms, ammunition, oil etc., but all kinds of stores under one class or section must be on one requisition. Each item should be shown clearly and under its correct nomenclature as shown below:-

Section 1-A

Frogs	Bayonets, G.S. (40 rounds).
Pouches	Ammunition (20 rounds).
Singles	Rifle

Section 27

Cartridges S.A. Ball B.B. 410 bore M.H.

Cartridges S.A. Blank 410 bore M.H.

Weedon Section A.

Musketg. B.L 410 bore.

Weedon section "A" Appnrtenances

Jags M.H. Brass.

Protectors; Front-sigit. M.H. Rifle

Bayor1§;t— M.H. Converted.

Rod, cleaning- M.H. Rifle.

Swords- W. and non-commissioned officer's or sergeant-patent, 97.

Scabbards— Swords W. and non-commissioned officer's or S. sergeant patent 97.

Scabbards- Bayonets M.H.

Section 9-A

Oil- Lubricating G.S. "Gallons" scale 1 ½ gallons per 100 muskets.
M.E. II, belts, waist.

398. Procedure for replacement of arms.- The following procedure should be followed in the case of replacement-

- (a) All indents for replacement for arms etc., should be so endorsed and the voucher number on which the receipt for the unserviceable parts were returned to arsenal was granted, should be quoted on the requisition.
- (b) All arms and components must be returned to the arsenal before other can be issued to replace them vide paragraph 867. Army Regulations, India, Volume II.
- (c) All demands to replace losses of arms, ammunitions and components should contain the following certificate of the Inspector-General of Prisons on each before transmission-
"Certified that the loss of (state the number and description of articles lost) has been duly investigated and I accordingly sanction them being written off."

399. Complaint of damaged arms.- When arms become damaged, the complaint made should contain the following information:-

- (a) Description of arms (Nomenclature of period vocabulary to be used);
- (b) Place and date of manufacture of the ammunition complained of;
- (c) Number of rounds fired at the time the defects are discovered;
- (d) Number of defective rounds, stating clearly what the defects are;
- (e) Number of rounds of the same place and date manufacture as that complained of remaining on charge.

Note:- The defective cartridges in their wrappers in which the ammunition was packed should accompany the report.

400. Requisition for arms in certain cases.- Requisitions to complete the authorised proposition of arms, or to replace arms, condemned as unserviceable or lost may be submitted as necessity arises.

401. With regard to arms lost or becoming unserviceable, a committee of three members should usually be appointed to investigate the circumstances attending the loss of the cause of the arms becoming unserviceable. In the case of arms which have become unserviceable the committee should, if possible, record the period the arms have been in use, and whether the arms appear to have become unserviceable through fair wear to tear or otherwise.

Note.- Arms wilfully damaged, or arms, components thereof and ammunition negligently lost or destroyed, will be replaced at the cost of the defaulter.

402. Committee's proceedings.- In the case of arms, ammunition and components, the committee should record their opinion as to whether the loss was un-avoidable and should be borne by the State or was due to neglect or carelessness on the part of any person or persons, who should be required to make good the loss. The name of the person or persons should be recorded. The committee to investigate such cases will consist of a Magistrate, the Superintendent of jail and a district Superintendent of police or other police officer not below the rank of Inspector. The committee's proceedings should be prepared in duplicate on Form No. 163 Schedule XII and forwarded to the Inspector-General of Prisons for orders.

403. Loss of ammunition, etc.- In view of the rules which govern the supply of ammunition it behoves all concerned to exercise the greatest care to prevent loss of ammunition and empty fired cases. The latter should be carefully collected and counted after each practice, and compared with the number of loaded rounds issued for the practice, the officer-in-charge of the firing party being held personally responsible for any deficiency the number of fired cases.

404. Deficiency of rounds.- Should there be any rounds deficient owing to the loss of empty fired cases, the Superintendent of the jail

concerned will submit to the Inspector-General or Prisons a statement of the number of cases so lost with a full explanation of the circumstances connected with those losses.

405. Sanction for deficiency to be written off.- If the explanation is considered satisfactory, the Inspector-General will sanction the deficiency being written off. This sanction, which should be attached to the requisition (Army Form No. Z.-2098) at the time of making the demand, will be the authority for the rounds deficient being demanded from the Ordnance Department in lieu of the return of an equivalent number of empty fired cases.

406. Seal of packages.- Packages containing empty cartridge case, old bullets, or old lead, etc, should be sealed in the same manner as cases containing arms (see paragraphs 169 and 173) and marked with the name of the consignor, the nature, number and weight (exclusive of package) of the contents with packing note in variably enclosed.

407. Consignment of stores.- All stores returned to the arsenal should be forwarded freight paid and by goods train described "Safety" or "non-safety", as in the absence of such declaration consignments are charged by the railway at a much higher rate involving considerable Extra expenses which should be avoided. Consignments specially sent more expeditiously other than by goods train must be supported by competent financial authority to cover the extra expenditure involved.

408. Return of stores under delivery and receipt vouchers.- No stores should be returned to the arsenal without the necessary delivery and receipt vouchers Army (Form No. Z-2096) and without the necessary authority.

409. Preparation of vouchers.- In returning articles to the arsenal separate receipt and delivery vouchers (Army Form No. Z-2096) should be prepared for each of the following description of stores which should be dispatched at the same time to the approved arsenal:-

- Small arms and components of small arms.
- Empty cartridges and fired bullets.
- Ammunition.

410. Receipt vouchers in duplicate.- Receipt vouchers should be forwarded in duplicate and delivery vouchers in original the latter being signed by the Superintendent of the former will be signed by the officer of the Ordnance Department who receives the stores. The vouchers should be sent by post and should not on any account be enclosed in the boxes, as they are required to identify the packages which cannot be opened till the vouchers concerning them are received. Such remarks as total weight of consignments, mode of transit, date of dispatch etc., can be made on the delivery voucher, but covering memoranda are unnecessary.

411. Receipt vouchers in case of direct requisition by I.G.P.- When requisitions are made to the arsenal direct by the Inspector-General of Prisons for arms, etc., for jails, the receipt vouchers sent by the arsenal to Superintendents of jails. for signature should be returned through. The Inspector-General for the countersignature.

412. Separate vouchers for stores.- Separate vouchers or authority are not required, when empty box are returned provided they are utilised for the packing of stores. The boxes may be entered in the same vouchers at the stores under return.

413. Arms to be carefully examined.- All arms, whether serviceable, unserviceable or repairable, should be carefully examined before return to the arsenal and any small screws or other components found deficient should be shown as such in the vouchers.

414. Seal on arms returned.- When arms are returned to the Ordnance Department the cases should be sealed with four seals, two on each side of the cases one at the junction of the side and lid of the box and one at the junction of the side and the bottom of the box and not on the top and bottom as formerly. The seals should be placed in counter sunk holes into which a small piece of tape should be let in and tacked down on either side of the seal, the seal being placed over the tape.

415. Return of old lead bullets.- The old head bullets from small arm ammunition fired at practices should be carefully recovered and returned to the Ordnance Department. The delivery and receipt

vouchers should show the description of bullets returned and a certificate to the effect that the bullets consist solely of recoveries from the rifle range and that only authorized service ammunition has been fired on it should be given, without which credit will not be afforded (as "mixed lead") for any thing that is not clearly recognized by the Ordnance Department.

Note:- The above does not apply to Jails which use military, auxiliary force or police ranges, as lead gathered on these ranges, is taken towards the upkeep of the butts.

416. Muskets.- Each musket shall be in the special charge of one of the Warders, who will be held responsible that its bayonet, accouterments ammunition are kept in good order. The reserve Head Warder in central and district Jails and the senior Head Warder in subsidiary Jails shall inspect the arms, uniform, accouterments and ammunition daily, and the Superintendent and the jailor shall each inspect them once a week. Any warder whose musket, uniform or accouterment are found to be dirty will be liable to punishment.

417. Procedure for disposal of consignments.-

- (a) All consignments of empty cases shall be sent in sealed S.A. ammunition boxes, and packing notes filled up and signed by the Deputy Superintendent of the Jailor shall be deposited in the box. The packages shall be addressed distinctly to the Ordnance Officer of the arsenal of supply, and shall be marked with the name of the consignor and the number and description of the fired Cases and their weight
- (b) All railway freight shall be prepaid and a receipt obtained from the railway authorities for such payment.
- (c) All stores intended for the appointed arsenal shall be booked to the proper address.

418. Return of misfires.- Misfires shall be returned to the arsenal separately packed and clearly marked as such. The practice of extracting the bullets from misfired cartridges and returning the live cases as empty cases to the arsenal is dangerous as the cases are melted

down in the arsenal and the explosion of misfired caps may cause serious injury to the smelters.

419. Instructions for preparation of indents.— The instructions issued by the supplying arsenals regarding the return of stores originally received on payment or loan shall be carefully complied with.

420. Inspection of arms etc.- (a) The Chief Master Armourer who inspects the arms and ammunition in charge of the civil police will inspect the arms and ammunition in possession of the Jails. This inspection will be carried out not more frequently than once in three years and on same conditions as for the police. The charge for the inspection shall be made from the jail budget heads “.....”

(b) As laid down in paragraph 433 of the regulations for the equipment of the army (India) Part I, 1933, the Chief Ordnance Officer shall examine ammunition on request; samples being called into the arsenals to enable tests to be carried out.

421. Repair and maintenance of arms.- The following rules govern the repair and maintenance of arms:-

- (i) The maintenance (i.e. sweeping, cleaning overhauling and lubricating) of arms will be undertaken by the police at the headquarters of the district.
- (ii) The repair of arms and the replacement of component parts will be undertaken by the police armourers at centres to be fixed by the Government. The Superintendent of jails at the centres shall pay the amount fixed for each Jail to armourers through the District Superintendent of Police convened at the end of each year.
- (iii) Component parts, if necessary, will be obtained from the arsenal before sending the musket to the armourer.

SECTION XX

Punishments

422. Offences for which dismissal or prosecution should follow.- Subordinate officers who commit any of the following offence

shall ordinarily be punished by dismissal or in serious cases, when there is sufficient evidence to obtain conviction, shall be prosecuted under section 54 (1) of the Prisons Act:—

- (1) Appearing on duty in a state of intoxication from liquor or any drug,
- (2) Sleeping whilst on guard,
- (3) Striking a prisoner, except in self-defence, or to suppress an outbreak, or unlawfully punishing any prisoner,
- (4) Improperly entering or permitting any person to enter the female enclosure or having any improper communication with a female prisoner,
- (5) Communicating or conniving at irregularities in the supply or distribution of food, clothes or other articles, to or amongst any prisoners,
- (6) Employing a prisoner for private purpose contrary to rule,
- (7) Insubordination or insolence to the Jailor or any officer superior to him.
- (8) Any Jail official, warder, or convict-officer wilfully or allowing a prisoner to communicate with a prisoner of another class, or to enter, any enclosure set apart for another class, shall be liable to punishment, and a convict-overseer repeatedly offending against this rule must be degraded.

But where there are extenuating circumstances or when the previous good service and character of an offender render leniency expedient, some lighter punishment than dismissal may be awarded.

423. Prosecution of jail officers.— For the following offences, if committed by any jail officer, a prosecution shall be instituted against the offender, provided the evidence is such as to make a conviction probable, if the evidence is not sufficient for this, but is sufficient to produce reasonable belief of the guilt of the officer in the mind of the Superintendent, he shall hold a departmental enquiry:—

- (1) Negligently or voluntarily permitting an escape.
- (2) Any offence under section 42 of the Prisons Act, relating to

the introduction of or supply to prisoners of forbidden articles, unauthorised communication with prisoners and abatement of such offences.

- (3) Being concerned directly or indirectly with any contract for supplies for the Jail or receiving any present from a supplier.
- (4) Any serious offence punishable under the Indian Penal Code or other Criminal law.

But wilfully permitting escape of a prisoner and serious offences under the Penal Code or other Criminal law must invariably be prosecuted, and the enquiry or prosecution should ordinarily be conducted by the police. Any subordinate officer who is sentenced to imprisonment by a criminal court shall be dismissed from the service, except when retention is authorised by the Inspector-General on account of long service, good character and the petty nature of the offence for which convicted, Order of dismissal shall not be passed till decision of appeal or expiration of period allowed for appeal, if no appeal is made, but the convicted officer shall be held under suspension.

Note:- A copy of the judgment in the case of every subordinate officer prosecuted shall be forwarded to the Inspector-General.

424. ¹[..... ..]

425. Departmental action may be taken if the investigation proves that his conduct and character renders him unfit for Government service.- If, however, the official be acquitted on technical grounds, or if the acts established by the Judicial investigation show that his conduct and character as an official has been such as to make it undesirable that his services should be retained by Government, the Inspector-General may, in the exercise of the authority invested in him and after making a full record of his reasons, take departmental cognizance of such conduct of character.

426. Punishment to subordinate officers for breach, of any law, regulation, etc.- Every subordinate officer who shall at any time

1. Omitted by Home Deptt. Order No. D-2130/F. 16(7)(14) H/11/54/2095, dt. 28.2.1957.

be found to have been guilty of any breach of any law, regulation, direction, or order for the time being in force in regard to the duties, or any of the duties which he is required to perform them, of the manner in which he is required to perform them, or any of them, shall be liable to be punished by one or more of the following punishments:-

- (a) Official reprimand.
- (b) Censure.
- (c) In the case of any such officer who is subject to discipline in the nature of discipline, extra drill, upto a maximum period of one hour a day for not more than seven consecutive days; confinement to barracks for a period not exceeding fifteen days.
- (d) Suspension.
- (e) Deprivation or stoppage of leave for any period.
- (f) Supervision for promotion, or with-holding of increments or promotion., including stoppage at an efficiency bar.
- (g) Reduction to a lower post or time scale, for to a lower stage in a time-scale.
- (h) Removal from the civil service of the Government, which does not disqualify from future employment.
- (i) Dismissal from the civil service of the Government, which ordinarily disqualifies for future employment.
- (j) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach, of orders.

Explanation:- The discharge-

- (a) of a person appointed on probation, during the period of probation;
- (b) of a person appointed otherwise than under contract to hold a temporary appointment, on the expiration, of the period of the appointment does not amount to removal or dismissal within the meaning of this rule.

1. Departmental punishment is altogether distinct from punishments under the criminal law and may be inflicted apart from any action taken under the latter.
2. A descriptive roll of every Warder punished with dismissal shall be circulated to all Superintendents for information and record..

427. Punishment to subordinate officers by Superintendent and Inspector-General.- (1) Without prejudice to the provision of any law or any special orders for the time being in force and subject to the condition that no officer shall be removed or from service by an authority subordinate to that by which the or she was appointed, the Superintendent may impose for good and sufficient reasons any one or more of the punishments specified in the preceding rule, upon members of subordinate services pursuing in his jail.

Notes:- (i) Superintendents of district Jails are not subordinate to the Superintendents of central jails.

(ii) A departmental enquiry as laid down in section XXI shall be held before any order under clause (f), (g) or (h) of rule 426 is passed.

(2) When Superintendent has inflicted on any subordinate officer whom he has power to appoint any one or more of the punishments specified in rule 426 except that under clause (a) he shall promptly make a report of the fact to the Inspector-General, and hold a departmental enquiry as laid down in section XXI before any order under clauses (g), (h) or (i) is passed.

(3) If in the opinion of the Superintendent any subordinate officer appointed by the Government by the Inspector-General merits punishments of removal or dismissal from service, the Superintendents shall hold departmental enquiry, as laid down in section XXI and submit the proceedings of the enquiry along with his recommendations to the Inspector-General for orders.

(4) The Inspector-General may punish any subordinate officer appointed by him with any one or more of the punishments specified in paragraph 10 above holding a departmental enquiry or ordering

one to be held in all cases coming under clauses (g), (h), and (i), of that paragraph. He may also punish any subordinate officer appointed by the Government with any one or more of the punishment specified in paragraph 10 above except those under clauses (h) and (i). A departmental enquiry shall be held before an order under clause (g) is passed.

428. Monthly return of punishments.— A monthly return of punishments inflicted under these rules shall be submitted not later than the 5th of every month by each Superintendent to the Inspector-General in the prescribed form.

SECTION XXI

Departmental Enquiries

429. Departmental enquiry.— (1) In every case in which it is probable that if the charge is established, the punishment of dismissal, reduction or dispensing of service will be inflicted and before any one of these punishments is inflicted or recommended in any case, the Superintendent shall—

- (a) reduce the charge or each of the charges to writing and read and explain them to the accused person, or cause the charge or charges to be so reduced to writing, read and explained in his presence and under his Superintendence;
- (b) record the statements of the witnesses appearing in support of the charge, in writing, in the presence and hearing of the accused;
- (c) place the documentary evidence (if any) on record and permit the accused person to have such reasonable and proper access to it as may be necessary to enable him to prepare his defence;
- (d) permit the accused to cross-examine every witness produced in support of the charge;
- (e) hear the accused's defence and the evidence of any witness for the defence and record the accused's statement and the statements of his witnesses in writing;

(f) if so desired by the accused, grant him time not exceeding three days, to prepare his defence;

(g) record an order stating the facts in the issue, the evidence produced on either side, his finding on each such fact and on each charge, and his order or recommendation there-upon.

(2) At any time after hearing the evidence in support of the charge, the Superintendent may, if he is of opinion that a *prima facie* case has been made out, suspend the accused from his office.

(3) in any case in which time is given to the accused person to prepare his defence, the Superintendent shall furnish the accused person will, a written order to file a written statement of defence within the time (not exceeding three days) allowed to him.

(4) If the accused person is a subordinate officer appointed by a higher authority and the punishment recommended is removal or dismissal from service, the Superintendent shall, after complying with the provisions of clauses (a) to (g) inclusive of sub-rule (1), of this rule, submit the record for the orders of the Inspector-General and in any other case, he shall pass final orders either acquitting or punishing the accused.

SECTION XXII

Appeals

430. Right of appeals.- An appeal shall be to the next higher authority from an order imposing any of the punishment specified in rule 426. Where an appeal lies to the Government under this rule, the decision shall be taken in consultation with the Public Service Commission.

431. Final appeal to Government.- Except in respect of the services in class IV, a final appeal shall be to Government against the order of the appellate authority imposing the penalty specified in clauses (h) and (i) of rule 426 and the Government shall consult the Public Service Commission before passing orders thereon.

432. Certified copy of order.- In the case of the passing of an order which is appealable, the authority passing the order shall, within

a reasonable time, give a certified copy of the order passed to the person against whom the order is passed.

433. Limitations for appeal.- Every person preferring an appeal shall do so through the proper channel and within three months, of the passing of the order.

434. Accompaniments.- Every appeal preferred under these rules shall be accompanied by-

- (a) a certified copy of the order appealed against, and
- (b) a certified copy of the material statements and arguments relied on by the appellant.

435. Summary dismissal.- An appeal shall be liable to summary dismissal if it contains any disrespectful or improper language.

436. Transmission of appeal.- The authority to whom the appeal is presented shall forward it to the next authority and so on until it reaches the authority competent to hear the appeal. In doing so, each authority shall forward with a covering letter the material necessary for the decision of the appeal as available in its office. It shall make no comments on the merits of the appeal except to point out whether any disrespectful or improper language has been used by the appellant.

437. Subordinate authority not to withhold appeal.- No authority not competent to dispose of the appeal shall withhold it.

438. Rates of copying charges.- Where a copy of an order imposing any penalty other than that for which an officer is entitled under rule 432 is required or in respect of documents where rates are not already prescribed in the departmental rules or manuals, the rates of copying charges will be as follows:-

- (i) For copy containing not more than 1500 words- Rs. 1-0-0.
- (ii) For every 300 words in excess of 1500 words- Extra charge- Rs. 0-4-0.
- (iii) The rates for copies of documents in Hindi or Urdu will be the same as for documents in English.

- (iv) If a copy of book, register, map or plan is to be prepared, a suitable charge will be fixed by the head of the office.
- (v) Copying charges shall be recovered in cash in advance and should be credited as receipts to the proper head of accounts.
- (vi) Copies should be made by the ordinary staff of the office concerned without any additional remuneration, but if absolutely necessary, at these of pressure, extra copyists may be employed for the purpose on a temporary basis.

439. Method of calculation.- In calculating the charges mentioned in number 438, each statement, report etc., should be taken as a separate document and should be charged for separately.

SECTION XXIII

Miscellaneous Matters

440. Casual and other leave.- Casual leave shall be granted by the officers in charge of prisons and jails to their subordinates. Leave, other than casual leave to any Deputy Superintendent Jailor, Deputy Jailor, Matron and the Director of Jail industries, Factory Manager and Assistant Factory Manager shall be sanctioned by the Inspector-General only. In the case of all other officers, the grant of all leave shall rest with the officers-in-charge of Jail institutions.

441. Leave of officers during the time of preparation of budget and annual report.- No leave will be granted to any Deputy Superintendent, Director of jail Industries, Factory Manager, Assistant Factory Manager, Jailor, Deputy Jailor, Asstt Jailor, Head Clerk or Accountant except in the case of sickness or very great urgency during the time of preparation of budgets and at the time of the preparation of annual Jail statistics and report.

442. Leave on medical certificate.- It must also be understood by all officers that no leave except on medical certificate, shall be granted to any subordinate officer until he has qualified himself in drill.

443. Leave to warders.- No candidate for employment as a subordinate officer of any jail shall be entertained unless and until

the Medical officer of a jail or a Civil Surgeon certifies that he possesses the necessary mental and physical qualifications to perform the duties likely to be required of him

444. Service book for non-gazetted officers.- Every non-gazetted officer shall on appointment be furnished with a service book (at his own expense) in which all changes of appointment, offences, punishments, leave, transfers, and -changes of pay, shall be recorded, under the of the Superintendent. The book shall be kept in the Jailors custody in the office of the jail to which the officer is attached and it will be the record on which the grant of pension will depend. On the transfer of an officer, his service book, after all necessary entries have been made in it, shall be sent under registered cover without delay to the Superintendent of the jail to where he is transferred. On the resignation or discharge without fault of an officer, his service book may be given up to him, an entry to this effect being first made therein.

Every entry made in a service book should likewise simultaneously be made in the service register prescribed by paragraph 18 of the section on "Circle of Employment" and before a service book is dispatched to another jail, the two records should be coir-paired, and any omissions or discrepancies in either should be corrected.

445. Increments.- Increments will not he sanctioned unless the service of the official concerned has been satisfactory during the year and a certificate to that effect is given by the officers in charge of jails and lockups. The stoppage of an increment will be considered a major punishment, and will be entered in the monthly report of punishments submitted by the Superintendents to the Inspector-General under paragraph 428 above.

446. Publication of classified list.— A classified list of Deputy Superintendent, Jailors, Deputy Jailors, Assistant Jailors, and Matrons shall be published half yearly for general information. It must be distinctly understood that promotions in the different grades and appointments will be by merit and by, seniority, and not by seniority alone.

PART — 9**DIET, BEDDING AND CLOTHING OF CRIMINAL PRISONERS AND ALL CIVIL PRISONERS MAINTAINED OTHERWISE THAT AT THEIR OWN COST****(Rules under section 59 (ii) of the Prisons Act)****SECTION I****Scale of Diet**

1. Reduction in diet scale not permissible except in certain cases.- No reduction in the sanctioned diet scales shall be made except in the case of prisoners who are on penal diet. When prisoners sentenced to rigorous imprisonment refuse to work, their diet shall be such as is issued to non-labouring convicts, excepting when the Medical Officer considers that such a reduced diet is still too full, in which case, he shall order such a diet and of such quality as he considers adequate for the maintenance of nutrition.

2. Prisoners not to possess, receive or consume any article not prescribed.- Subject to the provisions of section 31 of the Prisons Act; and the rules there under no criminal or civil prisoner shall at any time receive, consume or possess or be permitted to receive, consume or possess any article of food or drink not provided for or supplied to him in the manner here-in-after in these rules provided in that behalf.

3. Daily issue of prison diet in three meals.- Every convicted and every unconvicted or civil prisoner who does not maintain himself shall when not lawfully subjected to punishment by penal diet or placed on special diet on medical grounds by proper authority daily receive the scale of prison diet provided for prisoners of the class to which he belongs.

4. Power to vary scales.- The Government may, at any time by order, vary either temporarily or permanently and subject to such conditions, as it may think fit, the scales laid down in this chapter.

5. Power to fix scales of prison diet.- The Inspector-General, with the previous sanction of the Government shall fix the scale of

prison diet to be provided in respect of each class of prisoners and may, without such sanction, prescribe a special scale of prison diet in respect of the prisoners confined in any jail or in the Jails situated within any specified local area.

The diet of individual prisoners or classes of prisoners in any Jail may not be changed without the written orders of the Medical Officers of that jail.

6. Alteration of dietary by Superintendents.- Notwithstanding anything contained in this Chapter, Superintendent may alter, with the previous approval of the Medical Officer of the jail concerned, the dietary of the prisoners to such extent and in such manner as they think fit Superintendents shall, as soon as practicable, report every alteration made by them under this rule to the Inspector-General.

7. Scales of diet for prisoners of various classes.- The scales of prison diet from time to time prescribed shall contain provision in respect of each of the following classes:

- (i) Convicted criminal prisoners of class "A" and "B"
 - (a) labouring male convicts;
 - (b) Non-labouring male convicts; male prisoners undergoing simple imprisonment and female prisoners.
- (ii) Convicted criminal prisoners of class "C"
 - (a) Labouring male convicts.
 - (b) Non-labouring male convicts: male prisoners undergoing simple imprisonment and female prisoners.
- (iii) Female prisoners and their infants when any nursing infant is permitted to reside in the Jail with the mother.
- (iv) civil prisoners.
- (v) Unconvicted criminal (under trial) prisoners
 - (a) Special class.
 - (b) Ordinary class.
- (vi) Prisoners in hospital-

(a) "C" class.

(b) "A" and "B" class.

(vii) Prisoners travelling by rail or on transfer. _

8. Exhibition of scales.- Copies of the scales of diet for the time being in force in any jail shall be exhibited in the manner provided in regard to the exhibition of copies of rules in section 61 of the Prisons Act

9. Power reserved to Medical Officer to vary prison diet.- Nothing in the foregoing rules shall be deemed in any way to limit or restrict the power of the Medical Officer, in his discretion, at any time to prescribe any special dietary in respect of any prisoner or class of prisoners, provided that it shall not be lawful for the Medical Officer to vary, in any case, the scale of prison diet for the time being prescribed by way of punishment, otherwise than on medical grounds.

10. Diet for sickly weakly prisoners and those losing weight or in poor condition.- Prisoners in falling health shall be given better, more nutritious and more digestible food than is provided in the ordinary diet scales and the Inspector-General shall modify the ordinary diet scales for that purpose.

11. Condiments and anti-scorbutic.- Every prisoner shall receive daily in the food supplied to him such quantity of salt and other condiments as may be necessary to render the food wholesome and reasonable, or for the benefit of the health of the prisoners, and the daily scale of such condiments to be allowed shall be specified in the scales of diet from time to time prescribed under these rules.

12. Hospital diets.- The diet of prisoners in hospital shall be entirely under the Medical Officers control, and he shall order in each individual case diet according to the following scale:—

Scale No. 1. Milk	In sufficient quantity with sugar " upto 24 chhataks.
-------------------	--

Scale No. 2. Milk and Sago	1 seer of milk: 2 chhataks of sago and 1 chhatak of sugar.
----------------------------	---

Scale No. 3. Milk & Rice	4 chhataks of rice, 1 seer of milk and 1 chhatak of sugar.
Scale No. 4. Rice and Dal	6 chhataks of rice: 2 chhataks of dal.
Scale No. 5. Wheat	10 chhatak of wheat flour: 1 chhatak of dal.

- (a) The above quantities are for the whole day and may be issued at the times fixed by the Medical Officer. The Medical Officer may also prescribe the morning meals as prescribed for other prisoners, and any extra food which he may consider necessary in addition to the scales prescribed above.

For scales number 4 and 5, $\frac{1}{12}$ chhatak of ghee in dal, $\frac{4}{25}$ chhatak of oil in vegetable and dal, 4 chhatak of vegetables, $\frac{1}{50}$ chhatak or chillies, $\frac{1}{50}$ chhatak of turmeric and $\frac{1}{4}$ chhatak of salt per patient are also allowed.

The Medical Officer is responsible for the preparation of diets of patients in hospital under his control.

When the Medical Officer considers it proper, diet according to the full ordinary non-labouring scale may be given to a patient in hospital.

- (b) The scale of fuel is the same as for the cook-house for less than 50 prisoners.
- (c) Extra fuel issued to the hospital for the boiling of water and the sterilization and the heating of milk shall not exceed the following quantities:-

Three seers in winter and 2 seers in summer for every ten prisoners or less.

Note.- Five chhataks of fuel is sufficient for boiling one seer of milk. Much of the fuel can be found in the jail garden without damaging the trees and will include the sweepings of the garden and these should be made use of as much as possible.

- (d) In large jail there shall be a separate cook-shed in the hospital for the preparation of food for the sick, and a special convict cook or cooks shall be appointed.

13. Training of hospital attendants.- Two or more long-term prisoners of good caste should be trained and employed as hospital attendants.

14. Milk.- The full supply of good milk should always be available for hospital purpose and only the best kind of grain should be used.

15. Feeding of patients.- Arrangements should be made for the feeding of patients, both by day and night, as may be found necessary. The nature, quantity, and frequency of issues of extra food should be recorded on the Medical History-Sheets, as well as in the quantities in the Diet Register.

¹[16. Morning and evening articles.— The following articles properly boiled shall be issued as an early morning and late evening meal to all except those on scale number one diet-

Suji or sago 1 chhatak.

Milk 2 chhataks.

Sugar 1/4 chhatak

The prescribed scales of diet excepting scale number 1 and scale number 2 shall be divided between mid-day and evening meals.

17. Hospital diet.- The ordinary hospital diet scales will be the same "A", "B" and "C" class prisoners, under trials and civil prisoners.

Diet extras.- The following articles may be issued as extras, if and when required, in such quantities as may be recommended by the Medical Officer:-

Chicken	Sugar	Soda-water	Simple-puddings
Milk	Sago	Ice	Rice or barley water.
Eggs		Lemonade	Spirits.

18. Diet for pregnant prisoners.- The Medical Officer shall pay special attention to the dietary of females prisoners during pregnancy, and shall, for each such prisoner, draw up a special diet scale to include milk, fresh vegetables, fruits or any other article of diet. The

1. As per diet order of Govt. of Rajasthan F. 21(58) Home/Gr.-3/76, dated 15.11.1976.

quantities of these shall be determined by him according to necessity. The quantities shall not usually exceed the following scale:—

Milk	3/4 seers.
Fresh vegetable	4 chhataks
Fresh fruits	4 chhataks

19. Duty of Inspector-General to ensure adequate supplies.-

It shall be the duty of the Inspector-General from time to time to take all such measures as may be necessary to ensure that every prisoner is at all time so supplied with food and drink as to maintain him in good physical health and vigour.

20. Supervision of food-stuff and water supply.- It shall be the duty of the Superintendent, the Medical Officer and the Jailor at all times to satisfy themselves, respectively that-

- (a) pure and wholesome water is provided for consumption by the prisoners, and that supply of such is at all time freely available to every prisoner for drinking purposes;
- (b) every article at any time issued, or intended to be issued, for the food of any prisoner, is of the prescribed quantity and quality, and is good, wholesome and fit for human consumption;
- (c) every article of food supplied to any prisoner in a cooked state, or which is required to be cooked before being so supplied, is properly and cleanly cooked in such manner as to be wholesome and reasonably palatable;
- (d) every article of food, whether cooked or uncooked, is subjected to proper examination and inspection before it is issued for consumption by any prisoner;
- (e) all food-stuffs at any time obtained and stored in the Jail are frequently inspected, and that all articles which are unwholesome or in any respect unfit for human consumption, are forthwith rejected and are not issued for the use of prisoners; and-
- (f) proper places for the convenient, and orderly distribution and

suitable utensils and other appliances for the consumption of food, are duly provided.

Diet of "C" class prisoners

21. No and items of meals.- (a) All "C" class prisoners shall have three meals a day-early morning, at mid-day, and in the evening.

The early morning meal for "C" class prisoners shall be as follows:-

Note 1. One chhatak or less of dal may be cooked separately and seasoned with salt and given with chapati, the quantity of dal being deducted from the daily allowance.

2. The morning meal shall be prepared the same morning and served fresh.

3. The morning meal may be supplemented by the issue of sweet potatoes (*Batatus Edulis*) or other vegetables as an extra and in addition to the scale.

(b) The following scales are sanctioned for mid-day and evening meals:

Scale No. I

- (1) For all adult male labouring convicts ¹[5 chhataks = 292 gram] of flour.
- (2) All labouring male juvenile convicts Ration at each meal.
- (3) Male simple imprisonment and under-trials prisoners who elect to labour.

Scale No. II

All others i.e. non-labouring male convicts, Juvenile under-trials, female ¹[4½ chhataks = 262 gram] of flour ration at prisoner. each meal.

Note:- The grain ration shall ordinarily consist of one-third wheat flour, one third gram flour and one-third barley flour from the 15th February to the 16th November. The rest of the year i.e., from 16th November to 14th February, juwar will be issued for the mid-day meal and bajra for the evening meal.

1. Subs. by Government Order dated 23.1.1961)

In addition, The following quantities of vegetable, for every prisoner for mid-day and evening meal:—

	Scale No. I	Scale No. II
Dal	87 Gram	58 Gram
Vegetables	233 Gram	233 Gram
Oil	15 Gram	15 Gram
Condiments	7 Gram	7 Gram
Salt	17 Gram	17 Gram

22. Scale of rice ration.- Scales of daily rice ration in lieu of chapati diet shall be as follows:-

Rice	8 chhataks
Dal	2 chhataks
Vegetables	5 chhataks (including 1 chhataks leafy vegetables);
Oil	4/5 chhatak

Other articles of diet shall be the same quantity a prescribed for grain ration.

23. Rice diet.- In case of prisoners who are accustomed to rice diet, the Superintendent may direct the issue of rice diet in accordance with the scales prescribed in paragraph 22 throughout the year. He may also sanction the substitution of grain ration for such prisoners at not more than 4 meals in a month by way of change.

Prisoners on rice diet shall also be provided with morning meals as prescribed in paragraph 21.

24. ¹[.....]

25. Diet for Hindu prisoners keeping fast.- Every Hindu prisoner who elect to keep a fast, as provided in the note below, shall be entitled to receive one chhatak of gur in addition to the diet admissible to the class to which he belongs. He may, if he so wishes, be allowed to receive the whole of his days meal at one time. A prisoner who may not wish to take the usual diet on religious ground, may

1. Subs. by Government Order dated 30.8.1958)

be given fruits and vegetables instead. Such vegetables may be issued from the jail garden and supplemented, if necessary by purchase from the market, provided that the value of the fruits and vegetables so purchased shall not exceed the value of one day's ration in the scale applicable to the prisoner.

Note:- Hindus shall be permitted to keep fasts, if they so desire, on the following days:-

Shivratri

Ramanavami

Anant Chaturdashi

Janmasthmi

Navratri

Bhira Aikadasi

26. Diet for Muslim prisoners keeping fast.- Every Muslim prisoner keeping fast in the month of Ramzan shall receive one chhatak of gur or 1/2 chhatak of khajoor (date-palm) in addition to the diet admissible to the class to which he belongs. He shall be allowed to receive the whole of his days meal at one time i.e., before sun-set and to keep the whole or part thereof in his barrack or cell at night for consumption during the night or early in the morning. One of the meals may consist of a rice diet.

Note.-Muslim prisoners shall be permitted to fast, if they choose to do so during the month of Ramzan.

27. Gur for prisoners working as sweepers.- Every prisoner working as sweeper shall receive one chhatak of gur thrice weekly in addition to the usual diet.

28. Cooked rice: how prepared and served.- Cooked rice shall be served dry so that each grain is separated. It shall not be made in to balls (golas), but shall be weighed out to individual prisoners on parade. Four chhataks of rice when cooked should not less than 13 chhatnks.

Note.- Cooked weight varies with the quality of rice and Superintendent should experiment with each variety of rice and fix the exact quantity of the cooked weight in each case.

29. Food provided by private persons or societies - Whenever any philanthropic person or society offers to provide a special meal on any special occasion to the entire population of the Jail, he or it may, at the discretion of the Superintendent, be permitted to pay the cash value of the food that is to be served and the Superintendent shall then issue the food desired by the owner to the prisoners and record the fact in his order book and also inform the Inspector-General.

30. Authority or medical officer.- The Medical Officer may reduce the quantity of wheat and rice by one chhatak during the summer months.

31. Halwa diet.- A special diet of halwa shall be issued to all [the prisoners (convict or under-trial)] on the following [four] occasions in a year viz., "Holi", "Idul-Fitar", ¹["Depawali" and Independence Day.]

For preparing the special diet, the following articles shall be issued for each [prisoner (convict or undertrial)].

² [Wheat atta	1 chhatak
Sugar	1 chhatak
Ghee	1/2 chhatak
Fuel	4 chhataks.

The special diet shall be in addition to the ordinary diet prescribed in paragraphs 21 and 22.

32. Chatni.-

- (a) One-sixth chhatak of chatni shall be issued every Monday, Wednesday and Friday, with the evening meal throughout the year to every prisoner.
- (b) The following ingredients well pounded together with the addition of a little water are sufficient to provide chatni for 100 prisoners-

1. Subs. by Order dated 28.2.1957)

2. Subs. by Order dated 4.3.1958)

Salt	1 chhatak
Chillies	1/4 chhatak
. Mint (fresh or dried podina)	2 chhatak
Tamrind (free of husk and stone)	5 chhatak
or	
Patwa or Roselle	5 chhalak

- (c) Kamrakh, Kaitha, or fresh raw-mango, or when these are not available, amchur may be substituted when tamrind or patwa is not available.

Note.- The ingredients required for chatni should be in addition to the allowance of condiments in the daily ration.

- (d) From 1st April to 31st October, one or other of the following antiscorbutics shall also be issued on the remaining four days of the week to every prisoner in the quantities prescribed below with the mid-day and evening meals—

Lime juice	1/2 chhatak per prisoner.
or	
Amchur	1/12 chhatak per prisoner.
or	
Patwa or Roselle	1/12 chhatak per prisoner.
or	
Tarnrind pulp (free of husk, fibre and stone)	1/12 chhatak per prisoner.

Notes.- (1) Unless the Medical Officer considers it necessary antiscorbutics except 1/ 6" chhatak of chatni issued every Monday, Wednesday and Friday, need not be given from the 1st November to 31st March, when fresh vegetables are usually plentiful.

- (2) Amchur should be given instead of tamarind if it is cheaper.

(3) The chatni can be improved by soaking the ingredients forming it before hand in an earthen vessel or glazed acid Jar.

(4) When there is a tendency to scurvy or loss of weight among the prisoners molasses, or fresh gur is preferable to salt in the morning meal.

(5) An extra quantity of salt at 1/ 16th chhatak per prisoner shall be issued and passed round on meal parade to enable prisoners to help themselves, if they desire so.

(6) Sambhar salt shall ordinarily be used, provided that in the rainy weather, the Superintendent may authorise the purchase of rocksalt (i.e. Sendha namak) instead.

(7) In accounting the issues of petty rations such as oil, chillies, turmeric, salt, etc., fractions upto one-half should be disregarded and those in excess of one-half should be shown as one chhatak and entered accordingly in the Diet Register and. stock-book of rations, provided that the total issue does not exceed the scale fixed.

33. Condiments.- The condiments shall consist of the following article in the proportions as stated below:—

Tamrind pulp or amchur free of husk fibre and stone	1/16 chhatak -
Turmeric	1/64 chhatak
Chillies	1/64 chhatak
Onions or garlic or both	3/128 chhatak
Coriander (dhaniya)	1/128 chhatak
	1/8 chhatak

34. Scale of fuel.- The authorised allowance of firewood is 8 chhataks per prisoner when the population is above 100 prisoners, 10 chhatak per prisoner when the population, is 100 and below, but above 50, and 12 chhataks per prisoner when the population is 50 and below.

35. Proportional: diet scale for labouring and non-labouring.- Of the scales for labouring convicts, etc, half the total quantity, and of the scale for non-labouring convicts, etc., half the quantity remaining after furnishing of the early morning meal will be given at the mid-day and evening meals, respectively.

36. Diet for convict warders.- Convict warders will receive rations according to the scale laid down for labouring convicts and will be allowed to take meals separately from, but in front of, and facing the other prisoners during the feeding Parades, and shall sleep in a place allotted to them within the jail walls. Convict warders who are sick or in failing health will be allowed such extras and hospital diet as the Medical Officer may consider necessary.

37. Diet for mothers with children confined along with them.- Mothers, with children confined along with them, shall have a diet allowance as follow:-

- (a) For nursing mothers.- Two chhataks of rice or wheat flour and half a chhatak of mustard oil in excess of the ordinary ration;
- (b) For children under 12 months.- When the milk of the nursing mother is scanty, it may be supplemented with cow's milk, mixed with one third of water, at the discretion of the Medical Officer of the Jail;
- (c) For children between 12 and 18 months- Six chhataks of milk, two chhataks of rice or flour and half a chhatak of dal;
- (d) For children between 18 and 24 months-Four chhataks of milk, four chhataks of rice or flour, and half a chhatak of dal. The above may be supplied in two or three meals, as may seem necessary;
- (e) For children above 24 months, according to the discretion of the Medical Officer.

38. Diet for weakly prisoners and those losing weight or in poor condition.- The principle on which the diet scale for weakly prisoners and those losing weight or in poor condition is based, is that the prisoners in failing health should be given better, more nutritious and more digestible food than is provided in the ordinary diet scales. The variation need not necessarily be great but should be adjusted to the requirements of the prisoner's health. Prisoners on any particular form of diet should feed together, and on Sundays parade together for the Medical Officers inspection:-

Early morning and late evening meals at each meal	Mid-day and evening meals	Total
<p>1. Clean rice, 2 chataks, boiled with pure milk 3 chhataks, sweetened with coarse sugar 1/4 Chhatak.</p> <p>or</p> <p>Clean rice, boiled, 2 chs., salt 1/16 chs.</p> <p>C O N D I M E N T S</p> <p>Chillies Onions and garlic Coriander</p>	<p>Chhataks</p> <p>1. Wheat flour 8 1/2 or 2. Weat flour 5 and Clean rice 4</p> <p>3 Dal 3 or Dal with Meat 2 or fish or Dahi or milk 4 Vegetables 3</p> <p>Oil 1/16 Salt 1/16</p> <p>Tamaring pulp 7/16 Turmaric 6/64</p> <p>1/18 1/64</p> <p>3/128 1/128</p>	<p>Wheat flour, 5 chs. or 8 1/2 chs. Rice, 4 chs., or 8 chs.</p> <p>Dal, 3 chs. or less according to the amount of meat, fish or dahi issued. Vegetables 3 chs. Oil, 7/16 ch. Salt 6/16 or 8/16 chs. if 1/16 ch.</p> <p>is given at their early morning and late evening meals.</p> <p>Milk, 6 chhataks or more if issued in lieu of a portion of dal.</p> <p>Condiments, 1/8 chhatak, Sugar, 1/2 chhatak if given instead of salt at the early morning and late evening meals.</p>

39. Further instructions with regard to diet of weakly prisoners.- The prisoners in these gangs should sleep in the same special ward or wards. The late evening meal should be distributed after the evening meal, and each prisoner will take it with him into the ward, meat, fish or dahi shall be given three times a week in lieu of the portion of dal.

40. Variation of condiments, etc., in certain cases.- In damp districts, where the consumption of chilies amongst the free population is large, a larger proportion of this item may be allowed and given with the early morning or other meals. The allowance of chillies and also fresh vegetables may be increased on the order of the Medical Officer to any reasonable extent that can be supplied from the Jail gardens. The allowance of salt may be temporarily increased by order of the Medical Officer, likewise the allowance of oil when there is unusual sickness and tendency to loss of weight amongst the prisoners, especially in the colder weather. The antiscorbutics should be varied from day to day, but roselle should not be issued more than twice in any week. They should be mixed with the food, and not put separately on prisoners plates, so as to ensure that they shall be consumed.

41. Food to be varied.- It is of great importance that the dietary shall be varied as much as possible. In the "C" class diet scales, the quantity and description of food are the same daily, but such variation as the occasional issue of animal food and a difference in the kind of pulses, vegetables, and antiscorbutics will permit, shall be made. Whenever the Medical Officer considers it desirable, one or two chhataks of meat or fish, or a nutritive equivalent of dahi, shall be given from two to four times a week, instead of half or one chhatak of dal. The dahi should be prepared or obtained the day before it is required for issue. The solid curd should be obtained by straining the dahi through a muslin bag, and should be issued in full weight according to the allowance ordered. The whey should be added to the curd after its distribution at the feeding platform, and be issued as an extra on account of its wholesome properties. Under the following circumstances, however, no option will be allowed in regard to issuing animal food of which two chhataks or such quantity as is of fully equivalent nutritive value must be substituted for one chhatak of dal four times a week:-

- (a) If the fortnightly weighments indicate than unusual proportion of the healthy prisoners have lost weight;

- (b) If there is any general tendency to scurvy with ulceration of the gums.
- (c) If the number of admission into hospital from dysentery is on increase and the disease is of a severe or scorbutic type.

42. Food of prisoners travelling by rail or on transfer.-

- (1) Prisoners travelling by rail should be allowed cooked food as follows:-

	Chhataks	Chhataks
Flour (made into chapaties)	10 Parched rice	14
Gur	1 (for the morning included)	
Parched gram or rice for morning meal	2 Gur	1
Salt	1/4 Salt	1/4

Chura, the least digestible form parched rice, should not be given.

- (2) Prisoners on transfer or about to be sent to Court shall receive a meal of cooked rations before starting.
- (3) If the journey exceeds 12 hours, but is less than 18 hours, each prisoner may receive 8 chhataks of parched gram and two chhataks of gur to eat in transit as an alternative the diet prescribed in clause (1).
- (4) Should the Journey exceed 18 hours, the warder-in-charge, of the officer-in-command of the police escort, as the case may be, shall receive subsistence allowance or each prisoner at the rate of '[sixty paise] for "C" class prisoners and ¹[Rupee one] for "A" and "B" class prisoners per day for the purchase of food. All advances for subsistence allowance or for contingent requirements shall be accounted for by the officer to whom the money is entrusted. In the case of a long journey, arrangements may be made before hand with any Jail, which is conveniently situated on route, for the supply of cooker rations.

1. Subs. by Noti. dated 7.6.1973 (Pub. in Raj. Gaz., Pt. IV-C, dated 27.12.1973)

43. Diet of civil prisoners.- Civil prisoners who are supplied with prison diet shall unless the scale of subsistence allowance (if any) permits of a more liberal scale, provided with diet on the non-labouring scale.

44. Diet of ordinary undertrial prisoners.- All ordinary undertrial prisoners shall receive the diet of "C" class non-labouring convicts during such time as they remain under trial. No ordinary undertrial prisoner shall receive the extra early morning meal sanctioned in paragraph 22 for labouring convicts, but an early morning meal may be given by deducting the required food from the regular scale laid down in paragraph 22. They shall have their food cooked in the regular cook-house by convicts of equal or superior castes to themselves or with the sanction of the Superintendent they may be allowed to cook for themselves. The Medical Officer at his discretion may order any special diet that is necessary for individual cases, from the point of view of health.

45. Diet for special class undertrial prisoners.- All special class undertrial prisoners shall receive the diet of "B" class non-labouring convicts during such time, as they remain undertrial.

SECTION II

Preparation of Food

46. Inspection of food supplies.- On equal importance is the quality, proper preparation & cooking of the food and its issue in full quantity. The Superintendent and Medical Officer shall therefore exercise the utmost vigilance in the supervision of food supplies, and when the food is cooked and ready for issue, and also after distribution into the prisoners plates, it shall at least, once in every week, be inspected without previous notice by the Superintendent of the Jail and by the Medical Officer, to see that it is properly prepared. At this inspection, the weight of the food distributed to several of the prisoners should be tested.

47. Weighment of uncooked rations.- The uncooked rations shall be weighed out to the cooks in the presence of the jailor, Deputy

Jailor or clerk. These officers shall be responsible for seeing that flour rations are of proper quality and weight. Rations for the hospital shall be drawn by the Medical Officer. Full allowance for any loss which must occur in preparations by the cooks must be made.

48. Treatment of grain before grinding.- All grains shall be carefully cleaned and mixed in proper proportion before issue to the mill house for grinding. The flour, if kept in bins, shall be covered with dosuti sheets.

49. Mill stand and grain troughs.- Mill Stands shall be so constructed as to prevent dust getting mixed with the flour. The grain troughs and channels for flour shall be well cemented and kept clean. The flour shall be received in a wooden boxes (pallis) or iron receptacles placed under the channel.

50. Sifting of flour.- The flour shall be sifted through fine wire gauze with 22 to 25 holes to the inch.

51. Reserve stock of flour.- The Jailor shall see that there is always a reserve stock of flour for four day's consumption in the Grain Expense Store.

52. Cleaning and grinding losses.- A schedule of losses in cleaning, grinding etc. of grains and pulses shall be prescribed by the Inspector-General.

53. Issue of raw-rations.- The time for the issue of raw rations from the grain storage shall be fixed by the Superintendent and shall be strictly adhered to. The whole day's ration shall be issued once in the morning.

54. Issue of condiments.- Condiments for the whole day shall be issued once in the morning. The Medical Officer shall have them weighed and kept in separate boxes for each meal. These boxes shall be sent to the cookhouse in the morning duly locked. The Medical Officer shall keep the keys of the boxes in his possession.

55. Method of kneading flour and making chapaties.- The flour shall be issued to cook houses fresh and free from adulteration. It shall be soaked in water for half an hour and then slowly and

thoroughly kneaded by hand. In a dough of proper constituency. if a finger is dipped, no atta should stick to the finger. After kneading, the dough should be rolled out thin on a table by means of rolling pin. The chapatis shall be cut by a cutter of 9 1/2 inches diameter. Cooking shall be done slowly so that the surface may not get burnt and to ensure thorough breaking up of starch granules throughout the cakes. The raw chapati is first put on the part of the iron plate which is least hot and after a few seconds turned. It is then pushed on to the hotter part of the plate. The inflated chapati is turned over once or twice taking care not to injure the surface so that the gas generated does not get out until the chapati is properly baked. It is essential for the proper cooking of chapatis that they puff up to the size of a round ball like the halwa's poori and every attempt should be made to see that cakes are neither over nor underbaked.

56. Method of cooking vegetables.- In cooking vegetables, the following method shall be adopted.

Put mustard oil in the pot and bring it to the boiling point. Then put in chillies cut into small pieces. When they are fried, turmeric finely powdered and mixed with water should be added and stirred for a few minutes till the colour of the turmeric turns to red. The vegetables should now be put into the pot and well stirred for about 10 minutes and thereafter the required quantity of water should be added and the pot covered up. During the course of cooking, the vegetables should be stirred up twice or thrice.

57. Vegetables.- Only succulent vegetables shall be issued. They shall be freed from stalks, fibrous portions and rotten leaves or parts and shall be cut up ready for the pot before they are weighed out to the cooks.

Light-labour or special gang prisoners may prepare the vegetables. Arrangements must be made to ensure a sufficient supply during the hot weather and rains of succulent, nutritious, and antiscorbutic vegetables; sags should be given only at intervals and when young and tender; issue of chaulai and other sags shall be restricted to four meals in a week; successive crops of country radish should be ready

at this time, and Chine cabbage should be largely cultivated. Brinjals, melons, cucumbers and sags are of little nutritive or antiscorbutic value. Onions, yams, kutchu, sukkerkand and potatoes should be specially grown and stored or issue at this season.

Potatos and onion when issued may be spiced with oil and chillies and given in the form of raita. Unless there is an abundance of other succulent vegetables available. Superintendents should endeavour to arrange that atleast half the vegetables ration supplied by the jail garden consists of esculent roots possessing antiscorbutics properties. The vegetables should be examined daily by the Medical Officer, and the quantity supplied daily from the jail garden must be entered in the Gate Register.

58. Vegetables to be varied.- As far as possible only one vegetable shall be issued at one meal and to give variety to the food, there shall be a change in the kind of vegetables issued at different meals.

59. Condiments to be given in jail garden.- Turmeric, chillies and other condiments be grown in the jail garden and their purchase from market restricted as far as possible.

60. Authority for their purchase from, market.- When the quantity of vegetables grown in the jail garden is insufficient, the Inspector-General may authorise their purchase from the market for such period, as may be necessary. This should not be necessary, if the jailor looks after the garden properly.

Note.- For the storing of antiscorbutic vegetables, refer to the chapter of Jail Gardens.

61. Variety of dals.- Gram dal shall be issued to prisoners at two meals in a week, and arhar, masoor, urd, moong or some other variety at the remaining meals at the discretion of the Superintendent, provided that one and the same dal shall not be issued for both the principal meals in a day.

In the months when the varieties of vegetables in the jail garden are few, vegetables for the two meals, may, at the discretion of the Superintendent be given at one meal and dal at the other.

62. Manner of issuing dals.-

- (a) Gram and arhar shall be split before issue for use as dal and the husk shall be carefully removed. Masoor, urad and moong shall ordinarily be issued whole. The Superintendent may at his discretion, authorize by an order written in his order-book, the issue of crushed urd, moong and masoor to be used as dal. This may become necessary at the end of the season when these pulses are liable to attack by weevils. When massor is issued after crushing, all husk shall be carefully removed.
- (b) Programme of innng dals. — In arranging the programme of issue of different kinds of dal, the Superintendent shall pay special regard to their prices and the custom of fire locality. Dals witch are cheaper or which are the stable food of the locality shall be issued oftener than other dals. The programme showing the days of the meals at which a particular dal is to be issued shall be hung up in the jail office, the grain expense store and the cook-house.

63. Fish.- Fish, when issued, shall be weighed exclusive of fins, scales heads and tails. When meat is issued, and allowance of 25% extra shall be given for bones, except in the case of "A" and "B" class prisoner as specified in the rules laying down their diet scales.

64. Jailor responsible for issue of full ration.- The Jailor shall be always held responsible for seeing that the full quantity of uncooked ration is issued. The official in charge of the godown shall not issue mustard oil until it is required to be put into the cooking pot. He shall be careful that oil is put into the cooking pot in his presence.

65. Brass vessels to be used in cook house.- No iron vessels shall be used in the cook-house. Hand, lotas, bathes, trays, spoons, etc., used in a cook house shall all be made of brass, and the jailor shall be responsible for seeing that all cooking parts and other vessels are kept scrupulously bright and clean. The cook- house shall at all time, be kept neat and tidy.

66. Cook-house.- There shall be only one cook-shed in the

criminal prisoner's division of each jail. Muhammadan as well as Hindu cooks shall be appointed as required.

67. Selection of cooks, and cooking of food.- The cooks shall be of the non-habitual class. Any Brahmin or sufficiently high caste Hindu prisoner from this class is eligible for appointment as cook. Ally prisoner who objects on account of high caste to eat food prepared by the existing cooks shall be appointed a cook and be made to cook for the full complement of men. Individually criminal prisoners shall, under no circumstances, be allowed to cook for themselves. The cooks shall perform all preparations and processes necessary for issue of the jail supplies to them and shall cook the food with due care and attention. All food shall be carefully protected from flies.

68. Separation of labouring and non-labouring diets.- Labouring and non-labouring diets shall be kept separate both in the cook-house and at distribution. In the cook house, separate spaces for the two kinds of diets shall be marked off and the words "Scale No. 1 Ration" and "Scale No. 2 Ration" clearly printed on the walls. The two kinds of diets should be taken out of the cook-house for distribution in separate receptacles.

69. Scales, weights etc.- Correct and well made beam scales and weights shall be used in every jail, both for weighing supplies in bulk and for weighing the food after distribution, and shall frequently be tested by the Superintendent, the scales shall be kept properly adjusted. Proper measures, carefully and frequently tested, shall be kept for distribution of all food that has to be given out by measure. All complaints of prisoners respecting the quantity, quality, or cooking of the rations shall be at once brought to the notice of the Superintendent, and promptly enquired into, and if the complaint be found true and irregularity is due to the fault of any jail-official, the Superintendent shall record his orders in his minute book. The Jailor shall be responsible for seeing to the correctness of the scales and weights. At the food distribution parade, cooks, shall carry light scales and weights with, them so that prisoners desiring to test the weight of their ration may do so.

All food shall be distributed from brass or wooden trays With handles and served hot.

70. Proportions in grain rations.- The numbers and weights of cooked chapaties for the two scales at each meal are given below:-

	Weat gram combination		All wheat diet	
	Number	Wight (Chhataks)	Number	Weight (Chhataks)
Scale No. I (5½ chhataks of flour)	6	Wet. 7	6	Wet. 7
Scale No. II (5 chhataks of flour)	5	7-1-12	5	7

71. Charge of the cook-house.- Each cook-house shall be under the charge of a warder who shall be held responsible for any irregularity detected in connection with the preparation of food. A receipt shall be obtained from him when raw rations are issued to the cook-house from the store. This shall not absolve the Jailor and other officers from responsibility in connection with the weight and quality of rations as detailed in the preceding paragraph.

72. Distribution of food.- The Superintendent shall prescribe the times at which meals are to be served to prisoners and the manner in which the place at which the distribution of food is to take place.

73. Shelter from rain and heat during meals.- Prisoners shall be protected from rain and intense heat during meals and allowed to have meals in verandahas or other sheltered places, as necessary.

74. Responsibility of jail officers.- (1) In central prisons-

- (a) the Jailor shall be responsible for the proper cleaning of grain and other articles in the grain store and their correct issue to the cookhouse, and
- (b) the Deputy Superintendent and Jailors shall be responsible for the grinding of the grain in the mill-houses, the proper

preparation of food in the cook-house, and its correct distribution to prisoners in strict accordance with the scales laid down for any prisoner or class of prisoners.

(2) In district prisons, the responsibility for all these arrangements shall rest with the Jailor of the Assistant Jailor, as the case may be.

SECTION III

Procuring and Storing of Food Supplies

75. Responsibility for purchase and storage.- The Superintendent and Jailor shall be held responsible for making arrangements in due time for storing at the cheapest season grain of such kind as is required in sufficient quantity to last (with what may be at the time in stock) until the following year's crop can safely be used.

76. Purchase of grain.- The Superintendent and Jailor must exert themselves to ascertain which is the cheapest market accessible to the Jail, and must not be content with purchasing in the local bazar, through the modi. or in small quantities at retail prices. or in other than the cheapest season. The responsible officers of each jail should make their own arrangements and must not be dependent on neighbouring Jails for obtaining supplies, but Superintendents of Jails are expected to render each other, all the assistance in' their power in the purchase of foodstuffs or -other articles that may be procurable at their stations at favourable rates: the District Magistrate should be consulted and enquiries should be made from the Tehsildars of the district or of neighbouring districts, both as to the cheapest market and Facilities for cheap carriage. These officers should also be asked to afford assistance in arranging contract with land-holders and others who have the command of large crops to take over their produce at reasonable rates. The Jailor may be deputed to visit the large markets, ascertain the prices of wholesale dealers, and make arrangements for weighment and transport and trustworthy Jail officer may be sent to superintendent the weighment, despatch of the grain to the Jail. The travelling allowances of these officers will be passed according to rules.

77. Examination of grain-Prompt payment to be made.- The Jailor shall be responsible for the weighment of all supplies and their safe-keeping after delivery, and he shall cause all articles purchased for the use of jail to be produced for the inspection of the Superintendent, who shall examine a portion of every delivery of grain brought into the Jail and satisfy himself that it is of good quality and suitable for its purpose before it is stored. When the Superintendent has passed the articles, they shall be at once made over to the official in-charge of the stores, who shall enter their description in the Stock Register. There should be no delay between delivery and weighment and payment must be made at once after weighment and approval by the Superintendent.

78. Storage and subsequent care of grain.- Grain should not be finally stored until thoroughly dry; if very new and damp, it should be spreaded out to dry in the sun for two or three days before it is stored. During this time, it should be frequently turned over by light labour prisoners. It must not be left lying in the open air at night. While in store, it should be protected from the depredation of birds and vermin, and as far as possible be inaccessible to prisoners other than those employed in its preparation. If grain is stored in bundas, or in any place the walls or floor of which liable to become damp, at least a foot of chaff or paddy-husk should intervene between the grain and the walls and floor. The roofs must be water-tight and the grain should occasionally be turned over and exposed to the sun and dried.

79. Grains, pulses etc. to be kept in gunny bags.- Grains, pulses and flour shall be kept in the grain store in gunny bags, each containing a uniform weight of provisions (the weight being marked on each bag) or in biris with the capacity marks printed on them. The weight of the containers in which condiments and oil, and ghee and other articles are kept, shall be marked on them to facilitate checking of stock by superior officer and visitors.

80. Storage of paddy or rice.- Superintendents in consultation with Medical Officers, should use their discretion in storing either

paddy or rice, according to the circumstances of each jail, having regard to the labour available and the profit to be obtained. It is not expedient always to husk paddy in Jails when the labour can be more profitably employed for the benefit of Government. The boiling and drying of paddy preparatory to husking shall not be carried on during the rainy season i.e. during the 4 months from 1st July to the 15th October, Arrangements must be made to complete the boiling and thorough drying of the paddy during the dry season. If the labour available is not sufficient to prepare in the dry season the whole of the paddy required for the years supply, rice must be purchased and stored for issue during the rains.

81. Husking of paddy.- Great care must be exercised in husking paddy that the rice is not damaged by over-boiling or steeping, that the grain is thoroughly freed from the outer husk, and that excessive waste is not caused by breaking the grain. Every batch of rice produced should be examined by the Superintendent and Medical Officer, and any rice damaged should be condemned and used for cattle; if the rice is imperfectly husked, it shall be returned to the convicts to be properly cleaned. Those in fault either in respect of damage or waste should be punished, and the quantity damaged or lost as waste should be written off the accounts. Where female convicts are available, these should be employed in husking paddy in preference to males, as many of them are accustomed to such work, the Jailor must himself supervise the work, and will be held responsible that due care is taken to obtain clean, and good rice.

82. Utilisation of prison labour comparison of out-turn with materials issued.- So far as possible articles of diet required for feeding prisoners shall be raised on jail land and be prepared by jail labour. Pulses required for consumption in a jail shall invariably be husked by prisoners and both in regard to these and the manufacture of flour and mustard oil for food, the Superintendent should frequently compare the amount of the out-turn with the grain issued and see that a full return is obtained.

83. Superintendent to check weight of unchecked ration

issued from grain expenditure.- The Superintendent shall at least once a month check the correctness of the weight of un-checked ration issued from the grain expense store and make a note of having done so in the Stock Book. Any deficiency or excess should be noted in the register and enquired into and a report sent to the Inspector-General as to who is responsible for it and the punishment that he recommends.

SECTION IV

Bedding and Clothing

84. Supply of clothing and bedding-prisoners not to use or possess any other.- (1) Subject to the provisions of section 31 and section 33 of the Prisons Act, and the rules made under the former section as to civil prisoners and un-convicted criminal prisoners, who are permitted and able to provide themselves with clothing, bedding and other necessities and subject further to the rules made, as to "A" and "B" class prisoners, every convicted criminal prisoner and un-convicted criminal prisoner and every civil prisoner who is supplied with clothing and bedding under the provisions of section 33 of the said Act, shall wear such clothing and use such bedding as is supplied to him by or under the orders of the Superintendent and no other.

(2) No prisoner to whom any clothing at bedding is supplied under clause (1) above shall receive, possess or use, or be permitted to receive, possess or use, any article of clothing or bedding other than an article so supplied or an article, the receipt, possession or use of which the Superintendent may, at any time, sanction in respect of any such prisoner.

85. Clothing for children residing with their mothers in jail.- The Superintendent shall provide children permitted to reside with their mothers with such suitable clothing as may be approved by him.

86. Convicts to wear prison dress.- Every convict shall ordinarily wear the prescribed prison dress :

Provided that the Superintendent may, at any time, in his discretion, by general or special order in that behalf relax the provisions of this rule in respect of any prisoner or class of prisoners under sentence of simple imprisonment, subject to such conditions (if any) as he may think fit to impose in that behalf.

87. Clothing for simple imprisonment and under trial prisoners.- Convicts sentenced to simple Imprisonment and under-trial prisoners as are unable to provide themselves with the necessary clothing shall be supplied with sufficient clothing from the jail stores, and (b), convicts sentenced to simple imprisonment who elect to labour and are employed extramurally, shall be supplied with and required to wear the same clothing as supplied to convicts sentenced to rigorous imprisonment.

88. Military prisoners not permitted to wear uniform in jail.- The Military prisoners shall on no account be allowed to wear military uniform in jail.

If a military prisoner is entitled under the rules to wear his own clothing, but possess nothing except his uniform, he should be provided with the necessary clothing from the jail stores.

89. Jailor responsible for supply of clothing.- The Jailor is responsible for seeing that all prisoners are provided with articles of clothing and bedding in accordance with the prescribed scales of the special instructions, if any, given by the Superintendent of the Medical Officer.

Power to fix scales, dimensions and patterns of prison clothing and bedding.- The Inspector-General shall fix the scale of clothing and bedding and other necessities of equipment to be provided in respect of each class of prisoners, and may, from time to time-

- (a) Vary the scales of clothing and bedding generally or that prescribed in respect of prisoners of any class;
- (b) Prescribe a special scale in respect of prisoners confined in any jail, or in the Jail constituted within any specified local area;

- (c) Prescribe special scales in respect of any period or periods of the or during any season of the year; and vary the shape, size, material or quality of any article prescribed in' any scale of clothing or bedding.

91. Provisions to be made in prescribing clothing, bedding etc. Exhibition of Scales.- (1) The scales of clothing and bedding and other necessities of equipment, from time to time prescribed shall contain provision in respect of prisoners of each of the following classes, namely:—

- | | |
|---|--|
| (A) "A" and "B" class | Convicted criminal prisoners and unconvicted |
| (B) "C" class | criminal prisoners who do not provide or only partially provide their own clothing, bedding and other necessities of equipment. |
| (1) Males | (a) Summer wear.
(b) Winter wear. |
| (2) Females | (a) Summer wear.
(b) Winter wear |
| (3) Convict officers in respect of each class of such officers. | (a) Summer wear
(b) Winter wear |
| (C) "A" and "B" class | Civil prisoners (1) Males-Winter and summer wear |
| (D) "C" class | who do no provide or only partially Provide their own Clothing and Bedding etc. (2) Females Winter and summer wear respectively. |

(2) Provision shall also be made in, the scales prescribed under clause (1) for the clothing, bedding and other necessities to be allowed in respect of any infant permitted to reside in jail with its mother (who is a prisoner) or after the death of its mother.

(3) Copies of the scales of clothing, bedding and other necessities of equipment for the time being in force in the jail shall be exhibited in the manner provided in regard to the exhibition of the rules, in section 61, of the prisons Act.

92. Prisons to conform to orders as to the care, etc. of articles.-

Every prisoner to whom any article of clothing or bedding or other equipment is, at any time, supplied, shall conform' to all such orders as to the care, custody and use, as the case may be, thereof, as may from time to time be issued by the Superintendent, subject to the directions (if any) in that behalf of the Inspector-General.

93. Powers reserve to Medical Officer to order extra clothing.-

Nothing in the foregoing rules contained shall, be deemed in anyway to limit or restrict the power of the Medical Officer, in his discretion, at any time to direct, on medical grounds and for the benefit of the health of any prisoner or class of prisoners, the issue of extra clothing to any such prisoner or class of prisoners for any specified period or during any season of the year.

94. Supervision of supply of clothing and bedding.- It shall be the duty of the Superintendent, the Medical Officer and the jailor at all time to satisfy themselves respectively that-

- (a) Every prisoner is provided with sufficient clothing and bedding to secure his health;
- (b) Every prisoner entitled to prison clothing and bedding is duly supplied therewith according to the prescribed scale applicable to the class to which such prisoner belong;

All clothing and bedding supplied is of the prescribed description and quality, clean, in good condition and in all respect suitable for use by prisoners;

All articles of clothing or bedding, at any time obtained and stored in the Jail are frequently inspected and that all articles which are to be inspected, unsuitable or inferior to the prescribed description and quality are forthwith rejected and not issued for the use of prisoners.

95. Duty of Inspector-General with regard to clothing, etc.- It shall be the duty of the Inspector-General from time to time to take all such measures as may be necessary to ensure that every prisoner is at all time supplied with clothing and bedding as to preserve him in reasonable comfort and good health.

96. Responsibility of prisoners regarding clothing, etc.- (1) No prisoner shall destroy, damage or in any way make away with any article of clothing, bedding or other equipment at any time supplied to him or in his possession and every prisoner shall take reasonable and proper care of every such article.

(2) The manner in which the articles of clothing, bedding and other equipment, as the case may be, supplied to prisoners are to be kept in use by such prisoners, shall be prescribed by the Superintendent, subject to the directions (if any) in that behalf of the Inspector-General.

SECTION-V

Clothing and Jail Equipment

97. Prisoners to wear prison-dress of uniform pattern.- All prisoner's clothing shall be of one uniform pattern which has been prescribed for all Jails. Clothing will be supplied by the jails appointed for the purpose from time to time.

98. Superior class prisoners to be given clothing and bedding as issued to "B" class prisoners.- "A" and "B" class prisoners shall be supplied at Government expense with such clothing, bedding and other necessities as prescribed in Chapter on "classification and Separation of Prisoners."

99. Scale of clothing for "C" class convicts.- "A" "C" class prisoners scale of clothing and bedding will be as follows:-

Cotton clothing

(a) For male convicts	For female convicts
2 kurtas 28" long, half sleeve	2 saris- 5 yards each & 36" broad or 2 skirts (ghaghra) 38" long and 32" circumference at the top and 84" circumference at the bottom and 2 odhanies 54" x 9"
1 Janghia	2 kurtas-34" long
1 pyjama reaching to 6' above ankle	2 kurties
1 langot (to be used to those convicts only who use them)	2 towels 1 chadder
1 cap-Jodhpur pattern with flaps	1 towel-26" square
1 tikoni	
1 chaddar 7' x 3'	

(b) Every male Sikh convict shall be given one garha safa 6' x 3' in lieu of a cap.

Woollen clothing

(c) Summer (from 1st April to 30th September) One blanket. Winter (from 1st October to 31st March) Two blankets, and one grey blanket-coat 30" long, full sleeve with buttons and without collar. But when it is excessively cold, a third blanket shall be supplied to every prisoner confined in the jail. It should not however, be necessary to issue this extra blanket for more than three months in winter.

100. Bedding of "C" class prisoners.- Each "C" class prisoner shall be provided with a moonj or aloe bedding. Prisoners confined in cells shall be provided with a blanket instead of a moonj or aloe bedding. Convicts under sentence of death shall be provided with a felt bedding.

101. Supply of clotting, bedding, etc.- Every male convict shall on admission into the jail be supplied with clothing and bedding according to the scale and the season. All prisoners will also be provided with a plate and katori of uniform pattern, one tumbler for drinking water and a sleeping mat 2' x 6'.

102. Clothing issued as required.- Articles of clothing shall be given out as they are required and not on any fixed date. They shall be issued on indents received from the officers in charge of wards and barracks. The issue shall be authorised by or superintendent by an order written in the order book.

In case of all prisoners, sentenced to more than 3 months' imprisonment, the jail register number of the prisoners and the date of issue shall be carefully affixed to each article of his clothing and bedding.

103. Issue of warm clothing and blankets.- Coats and caps for summer wear shall be made of dosuti, for the cold weather woollen coats shall be issued. It shall be within the discretion of the Medical Officer to direct the issue of the extra blanket or the substitution of one kind of cloth for the other, at any time, but ordinarily the winter season shall be considered as lasting from the 15th of October to the 5 of March.

104. Pattern of caps.— The convicts shall wear a hot cap of Jodhpur pattern with flap. The marking and colour of the caps will be in accordance with the specifications given in paragraph 110.

105. Pattern of kurtas for convicts.- Kurt/as will be of round collar without buttons. Casual convicts will have two blue lines 1/4" wide running down the center of the front and the back, Habitual convicts will have two blue lines W' wide and 2" apart running down the front and the back. These lines will be one inch on either side of the middle line. Convicts who had escaped or who had attempted to escape will have a red strip 1/4" wide running down the centre of the front and back.

106. Payjamas will be of the ordinary pattern reaching upto 6" above the ankle.- The casual convicts will have a blue stripe 1/4"

wide running along the front of the thigh and the leg. Escaped convicts or those who attempted to escape will have a red stripe 1/4" wide running along the front of the thigh and leg. Hospitalised convicts will wear white kurtas and white pyjamas of dosuti, marked "H". The clothing for all "C" class prisoners will be convict ueza cloth.

107. Supply of towels.- Convicts shall be supplied with towels square.

108. Winter coats.- Winter coats shall be of full sleeves with buttons and without collars.

Note.- 1. Stripes shall be woven into the material. Blanket clothing will be similarly distinguished by stripes.

2. The distinctive marking and colouring of the clothing must be strictly adhered to.

109. Colouring of caps to Indicate class of labour.- The labour according to which prisoners are classed will be distinguished by the colour of the caps worn by them, so that it will not be necessary for the Superintendent or an inspecting Officer to refer to the labour ticket of a prisoner in order to ascertain the class of labour to which the belongs. It will also be possible to see at glance that prisoners are only employed on the labour for which they are classed. The following distinctive colouring of the caps shall therefore, be as follows:-

Prisoners of 1st class labour	White caps.
Prisoners of 2" class labour	Blue caps
Prisoners of 3" class labour	Yellow caps
Prisoners in the infirm-gang	Yellow caps with blue tops.
Prisoners who have escaped	Red caps with white blue or yellow or attempted to escape taps according to the class of labour allotted to them.

Prisoners in Hospital will wear a white cap with "H" in red in front At all inspecting parades the prisoners should parade as classed for labour.

110. Extra clothing for convicts employed on particular works and in the rainy season.- (a) Every convict employed on labour which soils the clothing shall be supplied with an extra serviceable suit for wearing during working hours; cooks shall be provided with an apron coat and an extra janghia and a white cap, and shall not wear their ordinary clothes while at work.

(b) Convicts working in open in the rainy weather shall be provided with an additional serviceable blanket-coat for protection from rain.

111. Clothing for convict officers.- The uniform and clothing of convict officer shall be in accordance with the following scales.

Male

Convict Night Watchmen.- The same clothing as prescribed for ordinary convicts except that a brass badge bearing the letter "C.N.W." shall be worn on the front of the cap, which shall be circular and provided with a canvas stiffening.

Convict Overseers.- The same clothing as prescribed for ordinary convicts except that they shall be provided with 2 yellow dosuti coats without collars and trousers instead of 2 kurtas, one janghia & one payjama, and instead of ordinary caps, with forage caps of an approved pattern, yellow for casual convict overseers and black for habitual convict overseers.

They shall also be provided with a brass badge bearing the letter "C.O" to be worn on the left of the cap. Convict overseers on duty at night outside the barracks shall be provided with an extra blanket in the rainy season and also in the winter including that part of the winter when a third blanket is not required to be issued to prisoners in Jails. .

During winter every male convict overseer shall also be provided with a black woollen blanket coat. The overseers will be supplied with Peshawari Chappals of black leather.

Convict warders.- The same clothing as prescribed for ordinary convicts except that they shall be provided with two yellow twill shut

collar coats with single row of plain brass buttons and two yellow twill trousers, instead of 2 kurtas, one janghia and one payjama, and their forage caps will be coloured blue. They shall also wear a brass badge, bearing the letter "C.W.:" on the left of the cap, and a leather belt. Convict wardens on duty at night outside the barrack shall be provided with an extra blanket in the rainy season and also in the winter season including that part of the winter when a third blanket is not required to be issued to prisoners in Jails. They shall also be provided with patties. Convict warders will wear half slippers of black leather.

During winter every male convict warders shall also be provided with a yellow woollen blanket coat.

When on patrol duty at night or when posted in lonely places, where assistance cannot be readily obtained, they shall carry the ordinary Warder's baton.

Female

Female convict Officers.- Female convict night watchman and convict officers shall be provided with the same articles of clothing as ordinary female convicts except that in the case of convict officers they shall be dyed yellow, they shall also wear a brass badge according to their rank on the left side of the chest.

112. Hospital clothes.- Specially marked cotton clothing, blankets, bedsheets and moonj bedding should be supplied for hospital use. All articles of hospital equipment viz., counter pans, attendants aprons, caps, moonj door mats, foot durries, stretchers, etc., shall have the letter "H" marked in red at the same place. All hospital moonj beddings will have the letter "H" woven in red in its center, in order to distinguish them from other equipment. On admission to hospital each prisoner should place his ordinary jail clothing and bedding in the store room, and should receive in exchange the suit of hospital clothing; they shall be washed before being stored. When a prisoner dies in hospital, the Medical Officer shall direct whether his clothes are to be destroyed or whether they shall be cleaned and returned into store.

The Medical Officer shall be in charge of the hospital clothing store and shall perform the same duties as are assigned to the Deputy jailor or other office in charge of the Jail clothing Store.

113. Distinctive clothing for prisoners suffering from certain disesses.- Convicts suffering from enlarged spleen. Hernia, Big Hydrocele, or other bodily infirmity, which renders them unfit for hard bodily exertion shall have the distinctive mark of the letter "I" "3" in length and 1/2", in thickness made of red cloth and stitched on the kurtas or coats, on the left side just below the wooden identification ticket.

114. Washing of clothes.- The prisoner shall wash their own clothes at least once a week, a little Sajji matti or soap nuts (reeta), if cheaper being issued for that purpose. The strictest attention must be paid to having all clothing released prisoners thoroughly washed, boiled and repaired before being placed in the store room.

Where proper bathing-platforms are supplied and a liberal supply of water allowed the washing of clothes should not take more than 20 minutes or half an hour and should be carried out immediately after the prisoners have bathed and before the mid-day meals. A prisoner washerman may be employed in washing fire clothes and bedding of those sick in hospital. Each Jail should be provided with a boiler for boiling and washing blankets and blanket coats and infected clothing. As directed above this shall be, if possible, outside Jail walls, and clothing of newly admitted "prisoners and hospital patients shall be washed and boiled there. Hospital clothing and bedding should be washed and boiled at frequent intervals. The boiling must be done thoroughly; there ought to be no vermin in the clothing.

115. Submission of cloth indents.- The annual indent for clothing shall be submitted to the Inspector-General in the prescribed form by the 5th April for cotton clothing and 1st May for woollen clothing so that the annual supplies may be ready for issue immediately after the close of the rains. Before submitting this indent the Superintendent should parade the prisoners and carefully examine

all articles of clothing in use and in store. The stock amount should be verified. All repairable clothing should be thoroughly mended and unserviceable articles condemned. All clothing condemned should be utilised for the mending of tom clothing.

116. Disposal of unserviceable clothing.- Once a month all articles of clothing considered unserviceable shall be brought before the Superintendent by the jailor, and if declared useless shall then be marked off by the Superintendent with his in the Stock Book. At the same time, the articles shall be divided into cotton and woollen stuffs and there and then be counted in the Superintendents presence and the number being recorded in the Condemnation Register as well as by a note in the Stock Book Account. A chart showing the number of articles in separate heads condemned each month and the daily average population of the month excluding civil prisoners shall be maintained in the Condemnation Register.

117. Charge of clothing godown-Protection from pests.- The clothing godown shall be placed in special charge of one of the jail officials subject to the general responsibility of the Jailor. Every care must be taken to protect the clothing from the ravages of rats and white ants.

118. Clothing of prisoners transferred, Convicts to appear in court wearing ordinary clothes.- All clothings as are with prisoners transferred will be sent back by the receiving jail. A convict appearing in court, either as a witness or as an accused person, should appear in his ordinary private clothes in case he has such clothes in the jail godown, otherwise he must appeal in his usual prison clothing.

119. Extra clothing to prisoners on medical grounds.- The Medical Officer is empowered to order the issue of extra cotton or warm clothing or bedding to any prisoner who needs them on medical grounds. A pair woollen shirts, a blanket cap and an extra blanket shall be issued to all prisoners of 50 years of age and upwards, and to all prisoners of the "convalescent" and "special gangs" and shall remain with them at all seasons. Where there is any tendency to bowel-disease a woollen cholera belt shall also be issued to such prisoners and to

any others whom the Medical Officer may declare to require them. At the discretion of the Medical Officer an extra blanket may be given to prisoners in the cold season. Care must be exercise to secure that this extra clothing and bedding is taken from every prisoner when discharged from these gangs, or when the Medical Officer declares it is no longer necessary.

120. Extra clothing for prisoners working in rain.- Prisoners who work in the open shall in the rainy season be supplied with an extra blanket coat (old), which they shall taken with them to their work leaving their own blanket coats, which will be dry, and give up the others to a head warder to be dried if necessary. If their cotton clothing becomes wet, it shall be taken from the to be dried and other clothing shall be given to them to wear in their wards, until their own clothes are returned to them dry, when the extra clothing shall be given up. All extra cotton and woollen clothing reserved for this purpose shall have a distinctive mark, and shall be kept together when not in use and entirely separate from the prisoners' ordinary clothing. Such prisoners shall also in the hot weather and rainy season each be supplied with a topa or sun-hat. The jailor shall at all times have in store stock of extra clothing sufficient to meet all demands under this and the preceding paragraph,

121. Extra clothing etc. for prisoners who work at stone-breaking.- Prisoners who work at stone breaking or at aloe pounding shall be supplied with eye protectors, gaiters and sleeves of coarse canvas to protect their limbs. Those who are employed on work which specially soils their clothes may be supplied with an extra pair of shorts or a gunny apron.

122. Responsibility of prisoners regarding clothing, etc.- Any prisoner who through want of care, or wilfully renders any article of clothing or of his equipment unserviceable before he is entitled to a new issue, shall be liable to punishment. The possession of extra clothing or portions of clothing not authorised by these rules, or other articles of jail equipment, or loss of any of those things, or exchanging them, the making of pockets, langoti or extra sleeves, and altering or

erasing the numbers on clothing should be punished in accordance with the rules on offences and punishments. On the other hand, any prisoner who makes his clothing last in serviceable condition for one, two or three months beyond the prescribed period shall be rewarded by the Superintendent by the grant of any extra remission he thinks proper within the limit allowed by the remission rules.

123. Clothing to be kept serviceable.- (a) Each prisoner's clothing and equipment shall be renewed from time to time as necessary arises; no date for the general or periodical issue of clothing, etc., is fixed; prisoners should not be allowed to remain in tattered and unserviceable clothing. The Superintendent should pay attention to this matter at his weekly parades and see that repairs are effected when damage or signs of wear appear.

(b) All issues of clothing and other articles and subsequent renewals shall be recorded on the History-tickets of prisoners under the of the issuing officer. Entries relating to new articles of clothing shall be prefixed with the letter "N" and those relating to be used but serviceable clothing with the letter "S".

124. Blankets and bedding to be aired.- At least once a week, when the weather is fine, the bedding and blankets shall be aired in the sum for full three hours. This shall ordinarily be done after the mid-day meal, and the bedding shall be left out until the prisoners return from work in the evening.

125. Charge of clothing godown.- One of the head warders shall be placed in special charge of the clothing godown, and shall be made responsible for the state of the clothes. The godown itself should be dry and well ventilated, and shall be fitted with proper shelves. The blankets and. clothing shall be arranged in these shelves either separately or in complete kits ready for use.

126. Washing of released prisoners kits.- The godown head warder, on taking over the kit of the released prisoner, shall see that all the articles have been carefully washed and dried and shall on no account store blankets and clothes in a dirty or damp state; all clothing taken back from prisoners shall be carefully examined, and any that

may be fit for further shall be amended and kept in store for re-issue to newly admitted prisoners. The blankets and clothing in store shall be aired in the sun atleast once a month, and, if possible, on Sundays.

127. Record of clothing.- Careful daily record of all clothing received and issued shall be kept by the Assistant Jailor of the Deputy Jailor under the jailor's supervision. Clothing shall not be declared to or written off the account as unserviceable until examined by the Superintendent and condemned by him as unfit for further use.

128. Supply of certain articles to simple imprisonment prisoners.- Blankets and bedding, cup and plate and brass tumbler shall be supplied to simple imprisonment prisoners as to labouring convicts, and when not in use. The Former shall be kept neatly folded, and the latter, clean and arranged in an orderly manner.

129. Supply of certain articles to prisoners admitted in hospitals.- Prisoners admitted to hospital must be supplied with an iron cot for every patient. Each cot shall be covered with a "tat-bed" or matteress and each patient shall be provided with a pillow, two bed sheets and as many blankets as the Medical Officer may consider necessary.

130. Pattern of blankets.- Blankets and blanket coats shall have in the middle white strips, 1/2" wide, the number of such strips varying as follows:—

No. of stripes	Year of manufacture
1	1951
2	1952
3	1953
4	1954
5	1955
6	1956

and so on for subsequent years.

131. Life of cotton clothing.- Cotton cloths, Janghias and pyjamas should last for one year and chadders for 2 years. All articles of cotton clothing should last for nine months.

132. Life of bedding blankets and blanket coats.- The ordinary life of blankets and blanket coats is three years. New blankets issued to prisoners for the winter season should be taken back in April, leaving with each prisoner one serviceable blanket only. The life of a bedding is two years.

133. Store of clothing in bundles.- Blankets and blanket coats shall be stored in the clothing stores according to their condition and shall be classified as (1) new, (2) in very good condition; (3) in good condition; (4) serviceable; and shall be kept in separate bundles and marked according to their classification. The bundles shall be covered with dosuti covers to protect them from dust and moisture. They shall be sprinkled over with Geigy's neocid powder. Naphthalene balls or powdered neem leaves dried in the shade shall be put in the folds of all woollen clothing stored in the godown. Stock accounts of dosuti covers shall also be kept in the clothing store.

Small articles such as ticonis and caps shall be stored in bundles of 100 each and all other articles in bundles of 25 each to facilitate the checking of stocks.

134. Storing of used condemned clothing.- (a) The Superintendent shall adopt suitable precautions to prevent articles once written off being again taken into stock. All blankets and blanket coats condemned shall be torn into four pieces and despatched under the orders of the Inspector—

General either to Bikaner or Jaipur Central prisons. Moonj and aloe bedding should be burnt immediately after they have been condemned and the fact recorded in the Superintendent, order book.

(b) Unserviceable cotton clothing shall not be stored in the clothing store but kept in a dried place in charge of an officer not connected with the clothing store. Such clothing, after being utilised for making working suits for sweepers etc., and for repairing clothes, should be preserved for use later as the Inspector-General might direct.

135. Excessive condemnation.- The 'Inspector-General shall prepare a schedule showing the average condemnation of all articles based on the average annual population and cases of condemnation

of clothing in excess of the authorised schedule shall be brought to his notice at the time of his inspection of the jail. Special cases of excessive condemnation shall be reported to the Inspector-General with full reasons.

136. Clothing for issue to convict prisoners.- Every jail shall set apart a certain number of suits of cotton clothing, blankets and blanket coats for issue to convicts on transfer. The name of fire jail shall be stenciled on such clothing to ensure their return to the transferring jail.

The leper convicts and convicts suffering from Tuberculosis shall, however, on transfer wear the clothing they are wearing and their clothing shall not be returned to the transferring jail.

137. Monthly inspection of clothing store.- The Jailer in central prisons and in district jails shall inspect and check the clothing store once a month and record in the report-book, the result of such inspection stating definitely whether there was any excess or deficiency, if at all. He shall see that a sufficient supply of new or serviceable clothing is always available for issue.

PART - 10

EMPLOYMENT, INSTRUCTION & CONTROL OF CONVICTS

(Rules under section 59 (12) of the Prisons Act)

SECTION I

Employment

1. Jail Holidays.- No work except menial and necessary work shall be done on the following days:—

¹ [S.No. Name of the holidays	No. of days
1. Sundays	One
2. Holi	One day for Dhulandi only
3. Ram Navmi	1
4. Good Friday	1 (For Christians only)

1. Subs. vide Noti. dated 9.6.1961)

5. Idul Fitar	1
6. Idul Zuha	1
7. Birth of Guru Nanak	1
8. Moharrum	1
9. Janmashtami	1
10. Dashera	1
11. Diwali	2
12. Christmas day	1
13. Republic day	1
14. Independence day	1
15. Gandhi Jayanti	1
16. Mahavir Jayanti	1 for Jains only)
17. Maha Shivratri	1
18. Sthapan Navratri (Asoj)	1

Prisoners who are not Christians should not, however, be made to spend Sundays in idleness: they shall wash and repair their clothes attend to the general cleanliness of the jail and put every thing in order against the Superintendent's inspection on Monday. The Jailor and the Medical Officer shall select prisoners at the Sunday parade whose state of health renders a change in the class of labour desirable, and they shall lay their suggestions before the Superintendent at the Monday parade.

2. Labour for convicts sentenced to rigorous imprisonment.-

The Superintendent shall provide suitable labour for every class of convicts sentenced to rigorous imprisonment under his care. Such labour may be industrial or non-industrial.

3. Jail labour shall be employed in supplying firstly.- Jail requirements secondly the wants of other consuming departments of Government, and thirdly, in the manufacture of articles for sale to the public. With a view to encouraging jail industries all departments of Government should purchase the articles manufactured in Rajasthan Jails. No purchases should be made from outside firms without obtaining the previous sanction of the Rajasthan Government,

through the head of the department. Any complaints regarding either price of the quality of article manufactured by the local jails should be brought to the notice of the Inspector-General of Prisons by the consuming department of Government.

4. Centralisation of industries.- The Inspector-General shall centralise in selected Jails the industries connected with the manufacturing of articles required for use of the convicts. ‘

5. Visits by officers of industries Department.- Officers in the industries Department may visit jail factories when on tour and record such remarks as they may think useful in the visitor’s book. They shall be afforded all reasonable facilities by the Superintendent.

6. Convicts to be on works of public utility.- The Government of Rajasthan or the District Magistrate may by general or special order, direct that prisoners may be employed on any work of public utility outside jail premises, in case prisoners are employed at long distances from the jail, accommodation should be provided for their safe custody on the spot. During such employment, care shall be taken that prisoners are protected from sun and rain.

7. Female convicts not to be employed outside the enclosure.- No female convict shall on any pretence be employed on any work outside the enclosure specially reserved for them.

8. Task Board.- When a gang of convicts is employed on any particular work, a task board shall be prominently displayed. These task boards shall be 2 feet by 1 foot in size and painted black. On these boards shall be written in chalk the prescribed task so that it may be at once apparent to the Superintendent, visitors, etc.

9. Checking of work.- (a) The Jailor or other office in charge of a work gang shall every evening check the quality of the work of the convicts and shall see that all convicts perform their allotted tasks, nothing the work done on the prescribed labour tickets. The action taken on short or bad work shall be noted on the labour tickets.

(b) In all tasked labour due allowance shall be made for beginners. Convicts should be gradually worked up to a full task which should normally be possible within a month or so.

10. Employment of prisoners as clerks.- The employment of prisoners as clerks in Jail offices is strictly forbidden. But the Inspector-General may, when there is special necessity for it sanction the employment of an educated prisoner in the copying of letters, preparing of rolls, writing of registers, which have no connection with warrants, remissions, or money transactions. The Jailor be held responsible for seeing that a prisoner so employed is provided with a place for writing quite apart from the rest of the jail officials and where he cannot have access to any jail books or records. Prisoners employed on clerical work will receive no extra remission, unless they are watchmen, convict-overseers or convict warders when they will only receive the extra remission laid down for services in those grades-vide paragraph 7 of the chapter on "remissions".

11. Employment and payment of extra warders to guard prisoners working extramurally. Rates for Jail Labour.- For each gang of twenty men employed outside the Jail walls on works other than jail works under the Public Works Department, the Superintendent may, if the permanent warder staff is not sufficient, employ an extra worker of the lowest grade, without the previous sanction of the Inspector-General. The P.W.D. shall pay in cash for extra establishment entertained under this rule but the Superintendent shall pay the warders employed.

12. Ankle ring for convicts employed outside the jail.- (a) All convicts employed outside the Jail walls shall wear an iron ankle ring on the left ankle on which shall be placed a small thick welded brass ringlet for purpose of identification ankle rings shall be double riveted and small enough to prevent removal:

¹[Provided that the Inspector-General of Prisons/ District Superintendent of jail, in his discretion can order the removal of ankle rings in case of those convicts whom he considers not dangerous.

(b) Juvenile convicts shall not be employed along with adult convicts in outgangs.

1. Added by Noti. dated 17.11.1996 (Pub. in Raj. Gaz. Pt. IV-C, dated 6.4.1967).

(c) Each gang shall be employed on one form of labour only.

13. Restriction on the employment of convicts as menial servants.- The total number of menial servants employed regularly (i.e., cooks, barbers, water-carriers, sweepers, etc.) shall not exceed 10% of the whole number of prisoners in central and "A" or "B" class district jails 12% in "C" class district jails and 15% in "D" class district Jails. When the population is below 50 menial servants up to a maximum of 20% may be employed. The Inspector-General is authorised in special cases to sanction the employment of menial servants in excess of the prescribed scale. The barber shall be a non-habitual prisoner. Sweepers shall be chosen from among those who, by the custom of the district in which they reside or on account of their having adopted the profession, perform sweepers work, when free. Any one else may also volunteer to do this work, in no case, however shall a person, who is not a profession sweeper, be compelled to do the work. The Superintendent of jail may employ such number of paid sweepers as may be absolutely necessary for the work of the jail, if he fails to obtain the necessary number of prisoners to do the sweepers work. Hospital attendants shall be selected from prisoners passed for light work or those who have completed at least half their sentences. Prisoners in the "convalescent or infirm" gang may be put to this duty under the Medical Officer's orders. If there is a large number of serious cases in hospital, the proportion of one attendant to 10 patients may be temporarily exceeded with this exception. Superintendents must see that no more than the authorised percentage of prisoners is employed as jail servants or as convict officers. If any convict employed as "a menial servant has not enough work to occupy his whole time he shall be placed upon some other - work for the remainder of his time.

14. Water-carrier and sweeper gang for official quarters.- Small detachment of the sweeper ¹[and water carrier gangs] shall, under the charge of paid warders, visit all the quarters occupied by [warders, head warders and other officers and the lines of jail warders] the Superintendents house, twice a day; each house shall in turn be

1. Subs. vide Noti. dated 30.8.1958)

cleaned [and supplied water by the gangs] which shall then be marched to the next house. No prisoner of these gangs shall be left about a house [if there is a garden attached to the house of Superintendent, a gang of not more than 2 convicts may be detailed to work in it].

15. No prisoner be allowed to visit the bazar.- The practice of allowing prisoners to go to the bazar on any pretext whatever with or without wardens, is strictly prohibited.

16. Employment of convicts or convict officers in private capacity.- The Superintendent shall not permit any convicts or convict officers to be employed in any private capacity either for himself or for any other person, except as provided in rule 14.

17. Employment of simple imprisonment prisoners.- Simple imprisonment prisoners shall keep their clothing clean and in good order, and their wards and yards clean; provided -they belong to a class of society the members of which would in their own houses perform such duties. They shall not be compelled to do any other work, or to perform any menial duties for others, or to do any work of a degrading character, such as scavengers work.

18. Work for simple imprisonment prisoners.- Any simple imprisonment prisoner who volunteers to work shall be allowed to choose such work as is available in the Jail, and shall be put to such work; provided he is physically fit to perform it, of which the certificate of the Medical Officer shall be obtained on his history-ticket. If he does a reasonable amount of work he shall be supplied with Jail diet according to the labouring scale in appropriate paragraph. Should he fail to do so, the Superintendent may punish him by the alteration of his diet from the labouring to the non-labouring scale but in no other way. In case the prisoner wishes to cease working, and to return to his original position, he shall be allowed to do so.

19. Employment of female prisoners.- Female prisoners shall not be allowed to cook for themselves. Cooked food shall be brought to them by a convict cook accompanied by the warder incharge, and

shall be placed outside the enclosure gate. The menial duties connected with the female wards shall, if possible, be carried out by the female prisoners themselves and all refuse matter etc., shall be placed at stated times outside the enclosure to be carried out by male convicts. If there are no female prisoners of suitable caste for conservancy work, two or three specially selected male convict mehtars may be taken into the enclosure by a paid warder under the conditions prescribed in paragraph but shall be kept together and shall not be allowed to go out of the warders sight or to hold any communication with the females.

20. Work for under trial prisoners.- Under-trial prisoners shall be subjected to as little interference as possible but cleanliness of person and clothing shall be rigidly insisted on, and proper provision shall be made for ablution. They shall not be compelled to work except that they shall keep their wards, yards and bedding clean, if accustomed to do so in their own houses, but shall not be required to perform duties of a degrading character. Should any under-trial prisoner desire to work the Superintendent should give such light labour as he was available but there should be no task and no obligation for the prisoner to do any portion of it nor should the prisoner accept payment for such work. He shall however not be employed on making articles for jail consumption. In no case should undertrial be employed outside their yard.

21. Exercise for non-labouring prisoners undergoing simple imprisonment.- Non-labouring prisoners undergoing simple imprisonment shall be compelled to take walking exercise for not more than an hour in the morning and an hour in the evening, if the Superintendent and Medical Officer consider it advisable.

22. Exercise by "A" and "B" class prisoners.- Every prisoner of "A" or "B" class shall take such exercise daily in the open air as the Medical Officer considers necessary and under such regulations as the Superintendent shall prescribe.

23. Religious books for "A" and "B" class prisoners.- Every prisoner placed in the "A" and "B" classes shall, if he so desires and if he is able to read it, be allowed a religious book like the Bible,

Quaran or Ramayan and if it is possible and if he so desires he may be allowed a copy of the prayer book, if any, commonly used by members of the religious body to which he professes adherence.

24. Rules regarding discipline, etc. to be placed in cell or ward.- The Superintendent shall cause an extract of the rule relating to discipline and conduct rewards and punishments affecting prisoners to be placed in each cell or ward.

25. Employment of domestic duties.- All officers are prohibited from employing convicts in attending to animals which do not belong to Government. The employment of convicts as house servants of any description is strictly prohibited. Any officer who wilfully disregards these rules will render himself liable to dismissal.

SECTION II

Instruction

26. Instruction of convicts in handicrafts.- The Superintendent shall see that vegetable are instructed in some suitable handicrafts in order to help them to earn their livelihood after release. Prisoners coming into jail with an acknowledge of certain handicrafts shall be kept at those handicrafts as far as possible.

The Inspector-General of Prisons may from time to time prescribe the course of instruction which prisoners shall be required to undergo.

¹[26A. Education of convicts in public institutions.-

- (1) The Inspector General may, on the recommendation of the superintendent and having regard to the antecedents, character and educational qualifications of juvenile or youthful offender or a prisoner under the age of 21, permit him to continue his education at any school, college, polytechnic or any other educational institution run by the Government or in an University established under an Act of the State legislature situated at the headquarters of the prison in which he is confined.

1. Ins. by Noti. dated 17.10.1968 (Pub. in Raj. Gaz. Pt. IV-C, dated 14.11.1968).

- (2) Permission to carry on education in educational etc., outside the Jail shall be given only to prisoners, who undergo sentences in a Central Jail or a District Jail.
- (3) Such permission shall not ordinarily be granted to a -prisoner lodged in a lockup. If the Inspector-General of Prisons for special reasons, permit any prisoner in a lockup also to prosecute the studies the prisoner concerned shall be shifted to a Central "or any District Jail.
- (4) The Officer in charge of the jail in which a prisoner is so allowed to prosecute studies is confined authority shall be the supervisory authority in the matter of prisoners education and he shall submit quarterly report to the Inspector-General of Prisons regarding the progress and conduct of such a prisoner after obtaining a certificate from the head of the concerned educational institution.
- (5) The prisoner allowed to prosecute studies outside jail shall furnish security and personal bond for the amount to be determined by the Inspector General of Prisons for his good conduct and not absconding.
- (6) The Inspector-General of Prisons may also, at his option attach such conditions regarding conduct of such a prisoner as he may deem fit. It will be however always be open to Inspector-General of Prisons to add to or to subtract from these conditions from time to time.
- (7) Expenditure on education outside Jail shall be borne by the prisoner or by some one in behalf. It shall however, be open to the Inspector-General of Prisons to give such assistance as may be admissible and deemed fit towards the cost of education out of the Prisons Welfare Fund.
- (8) It shall be in the discretion of the Inspector-General on receiving any adverse report from the Superintendent, to discontinue the educational facility so extended to any prisoner.

27. Religious ministration.- On the application of a prisoner, a

known minister of his own persuasion as declared by the prisoner at the time of his admission to the jail, may be admitted to the jail for religious ministration to such prisoner, on special festivals and any Sunday or any one appointed day of the week; provided that-

- (1) The Superintendent may refuse to admit any minister whose admission be considers inconsistent with the maintenance of discipline in the Jail.
- (2) The religious ministration shall be subject to such conditions as to time, "place, duration etc., as the Superintendent considers necessary but a separate room or place not accessible to other prisoners shall, if possible be provided.

On other days than those specified above, a minister shall have access to a prisoner of his persuasion only if he is dangerously ill or under sentence of death and desires to see a minister. On such desire being expressed, the Superintendent shall, if possible, arrange for a minister of the prisoner's persuasion to visit him.

No minister should be allowed to have access to any prisoner who does not belong to his own denomination unless the prisoner voluntarily and spontaneously expresses a wish to see such a minister, in which case the matter should be reported to the Inspector-General of Prisons for orders.

SECTION III

General Control

28. Every prisoner to obey lawful orders.-Every prisoner shall obey every lawful order issued to him by any officer of the Jail or officer of superior rank.

29. Removal from wards, etc.- (1) Prisoners, other than those who may at any time be law fully confined in cells by way of punishment, shall be removed from their sleeping wards, cells and other compartments, as soon after day break as possible. They shall be replaced in their proper sleeping wards and locked-up for the night before sunset.

(2) Prisoners shall be kept and shall remain under strict order, in discipline and control both by day and night.

30. Movements how to be conducted.- All movements of prisoners shall be conducted in an orderly and regular manner under strict control.

31. Power of Inspector-General to issue directions.- The Inspector-General may, in his discretion from time to time, issue detailed directions as to the , manner in which the order, discipline and control, prescribed in the preceding rule are to be maintained.

32. Every prisoner to be in charge of a jail officer.- The Deputy Superintendents and the Jailors in charge in central prisons and Jailors in district prisons shall see that every prisoner in jail shall both by day and by night be in the charge of a jail officer.

33. Vigilance over prisoner to prevent escapes.- (a) The offices in immediate charge of prisoners shall carefully watch the prisoner in their charge in all their movements and employments and use the utmost alertness and vigilance in order to prevent escapes.

(b) Convicts shall not ordinarily be employed near high standing crops of thickets or bushes or places which afford facilities for hiding or escape, No thickets or bushes shall be allowed to grow in or near the vicinity of a jail or the place where convicts usually work, when any convicts are employed to remove thickets or bushes a warder of the reserved guard armed with rifle and ammunition shall be detailed for duty at the spot.

34. Unlocking and locking-up in central prisoners.- In central prisons the Deputy Superintendent and the Jailors in executive charge shall personally supervise the unlocking and the locking-up of the prisoners in their charge and shall maintain a list of night sentries for duty inside each barrack. They shall be assisted at the unlocking and the locking-up by the Deputy Jailors. clerks or other officers detailed for this duty, who shall maintain the barrack lists and call out the names of prisoners at the locking.

35. Unlocking and locking-up in district jails.- In district jails

the unlocking and locking-up of all barracks shall be carried out under the general supervision of the Jailor by the Deputy Jailor, clerks or other officers detailed for this duty.

36. Allocation of duties at unlocking-up- The Superintendent shall detail by an order written in his order-book the distribution of duties at the unlocking and the locking-up of Jail among Jail officers and shall allot barracks to each officer. The Deputy Superintendent in central prisons and the Jailor in district Jail shall frequently visit different parts of the jail to see that the unlocking and the locking-up are carried out correctly.

37. Supervision of the jailor unlocking and locking-up of certain wards.- The Jailor shall personally supervise the unlocking and the locking up of condemned convicts.

38. Unlocking of barracks.- The barracks and cells shall ordinarily be unlocked at dawn throughout the year, and as soon as it is possible to see the movements of the prisoners distinctly outside the barracks. But the Medical Officer is allowed discretion in delaying the opening of the barracks in the cold weather for all prisoners or for infirm and special gangs.

39. Morning bell.- The main gate bell shall be sounded half an hour before sunrise throughout the year.

40. Routine before unlocking.- The convict-overseers and watchmen shall then rouse the prisoners and make them make their bedding outside, shake out and fold up the blanket or blankets (according to the season) and bedding neatly so as to show the blanket or blankets in even folds to the front, surrounded by the jute bedding folded longitudinally. The overseer shall be responsible that the bedding is properly folded and arranged in line of the beds. Having done this prisoners shall sit in pairs in file down the centre of the barrack, the leading pair at the gate, until time Jailor or other Jail officer comes to open the barrack. At the same time the overseers will ascertain if any prisoners are sick or require medical treatment and wish to see the Medical Officer or have used the night latrine. All these shall be placed at the rear of the file.

41. Counting of prisoners.- When each, barrack has been unlocked by the Jailor or other Jail officer, the prisoners shall be marched out in file and counted by the Head Warder in the presence of the Warders who will take over charge of the prisoners. The officer detailed for this duty shall verify the number of prisoners counted out of each barrack by comparison with the entries in the Barrack Register (RJ. 169).

42. Relief of night duty officers after counting.- When the prisoners have been counted and the jailor has satisfied himself that the number of prisoners unlocked is correct, the night duty warders shall be marched out of the Jail and the convict-overseers on duty at the main wall shall be put on duty.

43. Latrine parade on unlocking barracks.- After the barracks have been opened and the prisoners counted out they shall be marched to the latrine and be made sit in file at a short distance there from, whilst those who wish to so are allowed to visit the latrine in tum. During this parade those prisoners who wish to see the Medical Officer, or need outdoor treatment shall be made to sit a little apart from the rest, and shall be inspected by the Medical Officer, who shall see that they get such treatment as is necessary, but if any prisoner appears to be seriously ill he shall be sent to the Medical Officer at once. .

44. Cleaning of wards and cells.- Directly' the wards and cells are vacated, the night vessels are removed and the sweepers shall then thoroughly sweep and clean every part, all cob-webs, dust and dirt of every description being carefully removed from the roofing, corners and elsewhere.

45. Wards and cells to be ventilated 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 re-open the cells and wards in the afternoon. .

46. Time to be allowed in the latrine.- At all latrine parades every prisoner shall be allowed to remain at least five minutes in the

latrine, and longer if absolutely necessary. Each latrine parade ought not to occupy more than half an hour; every latrine should therefore contain compartments in the proportion of 1 : 6 of the number of prisoners to use it, and the washing place contiguous to each latrine should have one compartment to every four latrine seats. The latrine parades should be carefully regulated by the warder in charge, who should allow only so many prisoners to go at a time as there are vacant compartments.

47. March to the bathing platform.- After the latrine parade, they shall be marched to the bathing platform and shall be required to wash their hands and faces. Tooth sticks are charred paddy husk or other material in use in ordinary Indian households shall be provided for prisoners for the purpose of cleaning their teeth.

Note:- All "C" class male convicts shall be given for bathing purposes one ounce of soap-nut per head per week or when soap-nut is not available, soap according to regulations.

48. Distribution into gangs.- On completion of the latrine and washing parades and the early morning meal, the prisoners shall be distributed into their respective gangs according to the nature of labour on which it is proposed to employ them by or under the order of the jailor. A record of names of the prisoners made over each warder and convict officer during the day shall be kept in the gang-book (RJ. 150) and every subsequent change of a prisoner from one gang to another shall be recorded therein under the initials of the Jailor,

49. Check of gang-books.- The gang book shall be checked and daily by the Jailor and also by the Warder-in-charge in token of having received the correct number of prisoners.

50. The strength of each extramural gang.- A gang detailed for extramural work shall in no case exceed 11 prisoners, one of whom shall be a convict warder or convict officer and shall be in charge of a warder, whose signature or left thumb impression shall be taken in acknowledgment of his responsibilities.

51. Convict officer to assist warder in escorting.- It shall be the duty of the convict officer who forms a number of the gang to assist the Warder in supervising the prisoners, escorting them, to and from their places of work or to latrine and to perform such similar duties as may be assigned to him.

52. March to work, Jailor to distribute tasks.- The gangs shall then be marched to their work, the prisoner is being ranked in fours and required to keep step. The distribution of labour will be made by the Jailor in accordance with any general or special rules laid down by the Superintendent, but the Jailor should see that no prisoner is put to, or kept on work for which he is unfit or which is likely to be to his health.

53. Procedure in case of illness.- If a prisoner in a gang working outside is injured or taken ill, the whole gang shall be marched back to the jail with the sick prisoner.

54. Men who work together to sleep together.- As a general rule, 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 ward or employed in the same gangs.

55. Prisoners to be looked in work-shed.- Prisoners working extramurally shall be brought in for feeding purposes. Every prisoner shall be searched each time he leaves or enters the jail. All prisoners shall be counted and searched on return to the yard from labour.

56. Arrangement of spare clothing at work.- Every prisoner shall at all time carry his complete kit (except bedding and blankets not in use) with him. At the working places each prisoner's clothing not in use shall be carefully folded and arranged in line with that of others, blanket coat below, the other article above. If the prisoners are allowed to use a blanket to protect them from the cold during morning parades or at their work, they shall likewise each carry this blanket with them. In front of each pile of clothing shall be placed the prisoner's iron plate, cup and brass tumbler which must at all

times be kept clean and bright. The Head Warder or paid warders or convict officers under him as may be directed by the Superintendent, shall be held responsible for any articles, except the bedding and blankets not in use, found in the wards after the prisoners have left them.

57. Prisoners to be locked in work-sheet.- Where a work-shed is enclosed and provided with a gate, the gate shall be kept locked after prisoners have entered and the key of the gate shall be kept by the officer in charge of the yard.

58. Access to urinal and latrine at all hours.- A urinal shall be place in each work-shed or other place where prisoners work, and prisoners shall only be allowed to use the latrine out of hours when there is actual necessity for it. Every prisoner who uses the latrine out of hours shall be reported to the Medical Subordinate. A prisoner going frequently to the latrine out of hours may either be placed under medical observation in a segregation ward or cell, subject to such diet as the Medical Officer may direct for such cases, or, if there is good cause to believe that the prisoner has visited the latrine unnecessarily, the irregularity may be treated as a Jail offence. In the case of newly-convicted prisoners some latitude should be allowed in the enforcement of this rule.

59. Routine to be followed at mid-day bathing and food parades.- At 10-30 A.M. the main gate bell shall be ringing, when the convicts, shall stop work and march in file to the latrines and bathing platforms the middle day parades being conducted in precisely the same manner as the early morning parades, except that the prisoners at this period, bath the whole person.

60. After the mid-day parade, they shall proceed to the place appointed for distribution of meals. Here they shall sit down in a double line and the cooks shall distribute the food in the presence of a Jail officer. The Warder on duty will enquire whether there are any complaints regarding the food; should any complaints be made, they will be at once be brought to the notice of the jailor. From the feeding parade, the prisoners shall be marched to the bathing platform to

wash their hands and clean their plates and tumblers. AT the end of the platforms a tub shall be placed in which at the uneaten food is thrown as the prisoners march past it. The convicts shall then either return to their work or be locked-up in their barracks for the mid-day rest according to the season of the year,

61. Hours of rest from labour-Prisoners locking-up during hours of rest.- All prisoners shall be allowed two hours rest from 11.30 A.M. to 1.30 p.m. between the 16th March and 15th October. During the same period, prisoners in the “convalescent and infirm” gangs and in the “special” gangs shall have three hours rest from 11.30 A.M. to 2.30 p.m. & in other months of the year they shall have two hours rest from 12 noon to 2 p.m. During rest time prisoners shall be locked in their sleeping wards, except in the case of infirm and special gangs in the cold season, who may be allowed to take their rest outside the barracks. Prisoner employed on outdoor work shall not be sent out to work during rain.

62. Arousing during winter months.- From the 16th of October to the 15th of March, the prisoners will be aroused an hour later, and will be locked-up an hour earlier, during this period of the year, on mid-day rest is necessary, except for those in the “convalescent and infirm” gangs.

63. Checking of food.- The executive officer in central prisons and the officers detailed for this duty by the Superintendent in district jails shall be present when food is distributed to the prisoners in the morning, at mid-day and in the evening. They shall verify the weight of a number of rations issued and frequently test the scales & weights used & report in writing that the food distributed was correct in weight or otherwise, noting down any complaint made by the prisoners.

Note:- From five to ten percent of the diets shall be checked by the office? in the presence of the prisoners in every barrack or enclosure.

64. Resumption of work after mid-day rest.- When the bell or gong is sounded for resuming work in the afternoon the gangs shall

be marched to their work places, shall deposit their clothes, plates, cups and brass tumblers as described above, shall resume work and continue working until the evening bell rings For the cessation of work. At 4.30 p.m. in winter and 5.30 p.m. in summer the main gate bell shall be in rung for locking-up. The gangs shall then stop work, take up their clothing, etc., and march to their respective wards or appointed place where they shall be counted and the number compared with the gang-books. They shall then perform the feeding, washing, and latrine parades under the same regulations as prescribed for the mid-day parades, except that unless specially ordered to do so the prisoners shall only wash their Faces and hands instead of bathing entirely, but in cases where prisoners are put to exceptionally dirty work, such as carrying earth, in the lot weather, cleaning wool etc., certain gangs may be allowed to bath entirely at the evening parade by a written order from the Superintendent. If necessary the gangs shall then be broken-up and the prisoners shall be arranged according to their location in the sleeping barracks but as far as possible, prisoners who work together shall sleep together. They shall then be marched to their barrack gates and sit in file there until counted in and locked-up.

65. Procedure of extramural gang work.- All prisoners working in gangs outside the Jail shall stop work half an hour earlier and return, to the interior of the jail in time for their baths and meals along with other convicts. The bathing and feeding of prisoners outside the Jails is prohibited except under the written order of the Superintendent.

66. Prisoners to be moved in files and to salute on word of command. Whenever prisoners are marched from one part of the Jail to another or are sitting or standing in gangs, except when actually taking meals or at work, or when paraded for inspection, they shall be arranged in files of pairs and shall rise, move forward stop or sit down at the word of command or signal. This method shall be followed in carrying out the parades prescribed in the following paragraphs. At these parades the signal shall usually be the stroke of

bell or gong. At Central Jails the parades can be carried out simultaneously in all divisions by signal from the central tower or some central place. Whenever the Jailor or any officer of rank superior to him visits or passes a gang of prisoners the prisoners shall obey the word of command as follows:

“Ek” — To stop work or marching, if so engaged, and stand at attention.

“Do” — To resume work, continue marching, or sit.

The command will be given by the officer in charge of the gang. For “A” and “B” class prisoners and special class under trials the corresponding words of command shall be “attention” and “As you were”.

67. Relief of morning warders.- The warders placed on duty at the unlocking of the wards in the morning shall be relieved by night duty warders after the prisoners are locked-up in the barracks. Both day and night duty warders shall be present at meal time. Every long term and dangerous prisoner shall be specially pointed out to the relieving head warders and warders so that special watch may be kept on him.

68. Night duty warders.- Half an hour after the main gate bell rings as a signal to cease work, the head warden on night duty shall march the squad of night duty warders to the jail and shall put them on the duties allotted to them by the jailor.

69. Batches of night duty squad.- The night duty squad shall be divided into two batches the first to be on duty from the locking-up to an hour after midnight and the second from hour after midnight to the unlocking.

70. Provision of a night latrine for each ward.- A night latrine shall be provided for each ward, and shall be screened off for purposes of decency. Prisoners shall use the night latrine for defalcation only when actually necessary, and, as a rule, it should only be used in cases of sickness. Any prisoner who uses the latrine at night shall be reported by the watchman and dealt with, if he is found to be sick,

he shall immediately be placed under medical observation separate from other patients.

71. Prisoners to observe strict silence and not to leave their beds.- Strict silence shall be maintained at all times except when any enquiry or instruction relating to work is necessary. All talking, Singing or quarreling in the wards at night, is strictly prohibited. No prisoner shall be allowed to leave his bed for any purpose without first obtaining the permission of the watchman. No prisoner shall sit or he on any other prisoner's bed.

Exception.- Prisoners undergoing simple imprisonment will be allowed to converse together in their ward or place in a quite and orderly manner except at parades, at exercise time and at night upto 9.30 p.m. .

72. Locking-up of prisoners at night.- After the evening meal is over the prisoners shall be locked-up in the following manner:—

- (1) The prisoners shall collect their complete kits of clothing, bedding and blankets and parade in line outside their sleeping barrack and examine the gratings. On the word of command the prisoners shall stand up and advance four places in front of their beddings.
- (2) The night duty warder, convict overseers, and night watchmen of the barrack shall then carefully search every prisoner with due regard to privacy and decency and also search his clothing and bedding in the presence of the head warder on night duty and the officer-in-charge of the barrack. When the search is over the prisoners shall re-form ranks, roll up their beddings and sit in pairs.
- (3) The Deputy Superintendent and other executive officers in central prisons and the Deputy Jailors, clerks or other officers detailed for this duty by the Superintendent in district jails, shall call out the names and hours of duty of the convict officers and satisfy themselves that they know the hours of their duty. The prisoners shall then stand up and march in

pairs to the gate of the barrack where the Deputy jailor, clerk or other officer detailed for this duty shall call out and mark on the barrack-list the names of each prisoner, who shall enter the barrack on his name being called and shall repeat his berth number.

- (4) The prisoners shall sit in pairs in the middle of the barrack and the head warder, warder and the officer in charge shall count . the prisoners.
- (5) The jail officer shall then go out of the barrack and lock the door, but shall remain present till the convict overseer on the first watch has counted the prisoners and reported the number of prisoners to be correct. The prisoners shall then go their berths. The number locked-up in the barrack shall be written by chalk on a black board standing outside the barrack near the door. The officer in charge shall record the number locked-up in the lock-up report book R.J. 151 and take the signature of the head warder on night duty. The time at which the jail is locked-up shall be entered in the lock-up report book above the jailor's signature. Reading may be permitted with the permission of the Superintendent and under proper supervision in accordance with such regulations as may be prescribed in this behalf by the Inspector-General of the Rajasthan Government.
- (6) Lock-up of prisoners shall be over before sun-set.

73. Locking of cooks.- Where it is necessary to let the cooks out before the general body of convicts, they shall be locked up together in a single ward, the key of which shall be entrusted to the patrolling officer, who may unlock this ward at the prescribed hour.

74. Berths.- (a) The berths in every barrack shall be numbered, the even number one, one side and the odd numbers on the other. A berth shall be entered on the barrack-list and the prisoners history-ticket. As far as possible, Hindus and Muslims should be indiscriminately-mixed together in the barracks, in like manner, prisoners of one caste should not be grouped together. Prisoners shall

not be transferred from one barrack to another without the orders of the Jailor.

(b) The berths should be raised and measured 6 1/2 feet long and 2 1/4 feet broad and 20 to 40 inches high -in ground floor and 6 inches high in an upper story for each prisoner to sleep on. The berth should be cemented on the surface and the head end should be slightly raised so as to forma pillow. The raised head ends which for the pillow should be alternatively placed so that the head end of number 1 is towards wall, the head end of number 3 will be towards the centre of the room and that of No. 5 against the wall and so on. Similarly if head end of berth Nos. 2 and 6 are towards the centre of the room that of No.4 will be towards the wall and so on.

75. Long term and dangerous convicts.- An adequate number of berths upto six or eight in each barrack shall be reserved for newly admitted long term convicts and convicts classified as dangerous by the Superintendent or courts. Such prisoners shall be locked-up in different barracks every night under the direct orders of t:he Deputy Superintendent or other executive officers in central prisons and the Jailor in district jails. The word "dangerous" shall be marked on the wall above these berths. Ordinarily alternate berths viz., numbers 1, 2, 5 and 6 at one end and similarly the other end of each barrack shall be reserved for their propose to facilitate checking by officers patrolling or remarking round. Convict overseers and convict night watchmen shall be evenly dispersed throughout the barracks and the berths allotted to them marked on the wall with the device "C.N.W." and "C.O." In order to establish and fix the responsibility for discipline at night in each barrack, as far as may be practicable, convicts working in the same barrack or circle. Convicts working in outgangs should as far as possible be locked-up separately from others.

76. Segregation of convicts of the same case.- Convicts sentenced in the same case shall, as far as possible be confined in separate barracks and work in separate gangs.

77. Lights.- (a) One or more lamps according to size of ward suspended from, an iron rod eight or nine Feet from the ground

shall be kept binning in every sleeping ward. The lamp shall be placed in position by means of a book attached to the end of a bamboo. This bamboo rod shall be kept outside the ward in the charge of the warder guard, and shall only be passed into the ward to the convict watchman inside when the lamp requires to be taken down to be trimmed or re-lighted. The use of naked light is prohibited.

(b) It is the duty of the patrolling officer and of both the warder and convict-officer to see that all the night lamps are kept burning brightly. Any prisoner wishing to visit the night latrine must obtain the permission of the convict-watchman, who will next morning report any prisoner who uses the latrine for defalcation. In case of apparently serious-sickness the matter should be at once reported to the warder patrol and to the Head Warder on duty.

(c) A list showing the numbers and distribution of lamps and lanterns in use in the jail shall be maintained and copies of it kept in the lamp room and the Superintendent's office.

78. Cellular barracks.— Rules regarding the watch and ward and the lighting of association barracks shall also apply to cellular barracks with, central corridors in which a convict overseer and a convict watchman shall be on duty.

79. Prisoners in cells to answer to calls.— A prisoner confined in a cell shall answer to a call at midnight or at any other time when an officer on rounds or patrol duty has any suspicion in regard to his presence.

80. Duties of head warder on night duty.— The duties of every head warder on night duty are-

- (1) to see that night sentries both inside and outside the barracks are on the alert;
- (2) to go round each barrack or cell block, examining locks, gratings, doors, walls and roofs in order to satisfy himself fully that they are intact;
- (3) to get the prisoners counted by the watchman on duty at least once in every two hours and to satisfy himself that the number is correct;

- (4) to see that every association barrack containing prisoners is well lighted;
- (5) to report immediately any serious cases of sickness to the Medical Officer and the Jailor;
- (6) to raise alarm and send immediate information to the rounds officer and the Jailor of any occurrence requiring prompt action, such as an, escape, riot, fire, etc.

81. Duties of warders on night duty.- The duties of every warder on night duty are-

- (1) to watch the prisoners and the premises vigilantly in order to reserve silence, order and security;
- (2) see that convict-watchman never sit down but patrol the barracks constantly during their watch, and the convict overseers are on the alert while on duty;
- (3) to be constantly on the move, examining each barrack to see that every prisoner is on his berth, and that the ward is properly lighted;
- (4) to examining frequently bolts, locks, gratings and door in order to satisfy himself fully that they are intact;
- (5) to get the prisoners counted by the watchman on duty at least once in every hour and to satisfy himself that the number is correct;
- (6) to give immediate alarm by blowing his whistle and continuing to blow it until the alarm bell is sounded on the happening of any occurrence requiring prompt action, such as. an escape, riot or fire. etc.

82. Duration of night duty.- Head warders and warders on night duty shall not leave the jail from the time the prisoners have been locked up until they have been counted and made over to the day duty warders correctly.

83. Use of cost by warders on night duty.- All head warders and warders doing night duty inside the Jail, who may have to stay

there for a portion of the night when off duty, shall be permitted to use their cots. The cots shall when not in use, be secured by a" chain and locked-up and placed in a place of security inside the jail at night, and shall be removed from the jail in the morning.

84. Mid-night change of duty.- At the mid-night change of duty head warders and warders shall duly hand over and take over charge and make a careful count of the prisoners on their berth. The identification and counting of each, prisoner shall be carried out by convict overseers on duty inside each barrack. The head warden who has been relieved shall report the fact to the gate-keeper on duty in district jails or to the Jailor on duty in central prisons. The relieving head warden shall sign the night duty book of the gate -register in token of having taken over charge from the relieved each watch.

85. Division of night watch for convict night watchmen.- The night watch between 6 P.M. and 6 A.M. for convict night watchmen is divided into six watches of two hours each and two convicts night watchmen shall be on duty inside each barrack throughout each watch. The change of duties of convict night watchmen should not coincide with the change of duties of head warders and warders, but shall fall between the change of duties of the paid staff.

86. Duties of convict night watchmen.- The duties of a convict night watchman on duty inside a barrack are-

- (1) to maintain order and discipline;
- (2) to prevent prisoners heaving their berths without sufficient cause and without permission;
- (3) to acquaint himself with the appearance of all dangerous and important prisoners in the barrack and keep a special watch on them;
- (4) to allow no prisoner to approach the gratings unnecessarily or to sleep on the floor between the sleeping berths or close to the gratings;
- (5) to keep a careful watch over any prisoner who visits the night latrine;

(6) to patrol up and down the barrack and be on the alert throughout his period of duty;

(7) to report immediately to the head warder of the warder on duty any serious cases of sickness.

87. Division of night watch for convict overseers.- There shall be two night watches each of six hours for convict overseers and one convict overseer shall be on duty inside each barrack throughout each watch.

88. Defies of convict overseers.- The convict overseer is responsible for maintaining discipline and order inside the barrack under his charge. He shall remain alert throughout, his period of duty and see that convict night watchmen on duty are also on the alert. When a rounds officer visits the barrack, the convict overseer in charge shall count the prisoners for him and report all correct.

89. Day rest to night duty Overseers.- Convict overseers on night duty shall be allowed six hours' rest during the day.

90. Relief of convict night watchman and convict overseers.- The relief of convict night watchmen shall take place in the presence of a convict overseer, and of convict overseers in the presence of a warder or convict warder on night duty.

91. Night rounds.- The Superintendent shall detail for night rounds duty-

- (a) in central prison- three officers, one from executive staff, one from the office staff and. one from the head-warder's staff.
- (b) in district jails- two officers, one from the superior staff and one from the warder's staff.

One round only shall be made before 12 O'clock while the other round shall be made after Mid-night :

The Deputy Superintendent in central prisons and the Jailor in district jails shall also visit the jail at night at uncertain hours out of his turn.

92. Duties of officer on night rounds.- An officer on night rounds shall-

- (1) visit all parts of the jail and all posts and sentries;
- (2) demand reports from all sentries regarding, the condition of gratings, bolts and locks and the counts of prisoners, and shall satisfy himself that all lamps are burning brightly;
- (3) check some of the prisoners on their berths from the barrack list;
- (4) check a few control watch keys and report in the night duty book the number of keys checked and whether they were found intact;
- (5) check the discs in the disc register of the gate-keeper and the convict overseer on main wall duty and report in the night duty book whether he found them correct;
- (6) on the termination of the round, record a detailed report in the night duty book stating the actual time of commencement and termination of the round and stating that he has carried out these duties and noting down any untoward occurrence or irregularity that may have come to his notice.

93. Night rounds officers to sleep inside the jail.- In central prisons one executive officer selected in rotation for night rounds duty shall sleep inside the jail before and after doing his rounds. The Deputy Superintendent is, however, exempted from sleeping inside the jail before and after doing his rounds and when the Deputy Superintendent does night rounds duty, the chief head warder shall sleep inside the Jail.

94. Precaution about locks and keys.-

- (a) The locks of the doors of all sleeping barracks and cells shall be so arranged that the prisoners cannot reach them from the inside.
- (b) The keys of all barracks and cells shall be kept in the key chest at night. Special night locks shall be provided for all barracks, locks shall not be used during the day, but shall be collected with their keys and stored in a chest kept at the main gate, The inner gates of all enclosures within circles shall

be kept open at night, but both gates of the circle shall be securely locked. One set of keys of these locks shall remain with the warder on control check duty while the other shall be kept at the main gate for the use of the officer on night rounds duty.

- (c) Locks on cells shall be changed twice weekly.
- (d) The loss of a prisoner key shall be reported at once to the Superintendent.
- (e) A lock, the key of which has been lost or mislaid, shall be destroyed in the presence of the Superintendent and written off from the lock and key register.
- (f) All enclosure gates shall be kept locked up during the day time.
- (g) On each bunch of keys there shall be a brass disc showing the number of the bunch and number of keys on that bunch, and the key chest shall be provided with books serially numbered to correspond with the number on the bunches of keys.
- (h) The keys shall be placed on a ring the ends of which shall either be soldered or revitted so that no key may be removed therefrom.
- (i) The register of locks and keys shall contain the descriptions and the numbers of all locks and keys by bunches and the names of the barracks, cells, or store rooms, where they are in use.

95. Opening of barracks at night.- No barrack shall be opened during the night except in cases of urgent necessity, and then only in the presence of the Jailor who shall see that a sufficient number of warders and convict officers is present to repel any possible attempt at an outbreak on the part of the prisoners locked-up in the barrack. Before any barrack is so opened, a chain shall be passed through the door post and the grating of the door, and secured with a lock so as to allow only one person to get out of the barrack at a time and to make it impossible for the prisoners to attempt a rush.

96. Convict overseers on main wall duty.-

- (a) In every Jail, a chain of specially selected convict overseers shall be posted along the inside of the main wall by day and night. Each convict overseer shall -patrol a beat of about 120 yards at night but during the day time, these beats may be enlarged. A duty roster showing the names of convict overseers employed on this duty and the posts that they occupy shall be kept and written up daily by the Jailor. The Jailor shall give each convict overseer on main wall duty on the first watch a brass disc with the number of his post stamped on it and each convict overseer on the second watch a similar iron disc. The posts of these convict overseer should be changed daily.
- (b) At the time of the unlocking and the locking up, the strength of the cordon of convict overseers on the main wall shall be doubled.
- (c) The reliefs and postings of these convict officers shall be carried out according to military discipline under the supervision of a head warder, warder or convict warder.

97. Eligibility of convict overseers for main wall duty.- It is very essential that only those who have first been tried with success in barracks and enclosures for some time and have not long periods to serve or have done at least one-half of their sentences including remissions or in case of life conflicts have served twelve years including remissions, shall be entrusted with the guarding of the main wall. Prisoners with aggregate sentence of more than 20 years imprisonment shall not be employed on the main wall duty. Deputy Superintendents in central prisons and Jailors in district jails shall report in their report books on the suitability of convict overseers for employment on main wall duty and they shall not be so employed until the proposal has received the sanction of the Superintendent.

98. Specially dangerous convicts.- Convicts shown as specially dangerous in the classification form shall on no account be employed on main wall duty.

99. Watchman's control clock.- Head warders and warders on night duty shall, if possible, be provided with watchmans controls clock.

100. The following rules are prescribed for the care and use of watchman's control checks-

- (1) The Superintendent shall fix the control clock stations at such points, as he considers most important in the beat of a head warder who is to carry the clock. They shall be so arranged that in proceeding from one post to another the head warder or warder cannot avoid visiting the places he is required to visit. Keys should be placed at the end of the cell passage on the furthest end of the cell blocks.
- (2) At each of these stations a small iron box shall be sunk in the wall of a barrack or other building. Each box shall have a lock and one key should open all boxes belonging to one clock. Inside the box, the control key of the station shall be fixed, first by screwing the chain of the key to the box and then by placing a seal over the head of the screw.
- (3) The Superintendent shall fix the number of rounds to be made by the head warder or warder in one hour ordinarily, fire posts shall be so arranged that a head warder or warder may make not more than two rounds in one hour.
- (4) The Jailor shall time the control clock by the Jail clock and adjust it every evening at five o'clock. Rounds shall commence at the locking-up and cease at the unlocking. The clocks have a double case so that the mechanism is fully protected and can go out of order only by in usage or wilful damage, for which the warder shall be held responsible. These clock should be handled very carefully and over-winding must be avoided.
- (5) To avoid the possibility of control clocks being tempered with, the Jailor shall wind a tape round them and seal them every evening before issue to warders and shall report in his report book every morning that he found the seals intact.

- (6) As the control clocks are time by the Jail clock, it is imperative that the jail clock must give correct time. The Jailors should check time clocks with the railway or post office time at least once a week. reporting this fact in their report-book and noting any correction in time made by them in the gate-keeper's book.
- (7) On reaching a station, the head warder or warder carrying the clock shall open the box, take out the key, apply it to the keyhole and turn it half round. The key will impress on the record paper inside the clock the station number. The impression should run from the centre to the circumference as the good working of the clock to some extent depends on centrifugal force.
- (8) When one round is completed, the impressions for the next round should commence on the next five minute line. If the warder has continued his round properly no gaps should appear between the end marking of one round and first marking of the next round.
- (9) On relief, the relieving warder shall satisfy himself that the clock is going and is in proper order.
- (10) Every morning the Jailor shall open the clocks, minutely examine the records and paste them in the control check register. He shall record in his report book the condition in which the clocks were made over to him. In case of damage, the officer at fault may be required by the Superintendent to pay all charges for repairs.
- (11) The Superintendent shall scrutinize and sign the watchmen control records daily.
- (12) The Deputy Superintendent in central prisons and Jailors in district jails shall satisfy themselves that the control watch stations have been found at the most suitable places. They shall visit each station personally once a week and report in their report—books that they have examined the control boxes'

and that the keys and chains at each station were found securely fixed and had not been tampered with.

- (13) On receipt from the head office each control clock should be entered on a separate page of the register of control clocks.
- (14) (a) Watchman's control clocks shall not be repaired locally but shall be sent for repairs to the office of the Inspector-General.
 - (b) All Jails have one or more spare clocks. Extra clocks should, therefore, be asked for only when more than one clock is out of order and has been sent to the head office for repairs. When any clock is sent for repairs, the defect should always be clearly stated to facilitate repairs.
 - (c) When a clock is returned a second time for repairs, the number and date of the correspondence in connection with the-previous repair should always be quoted.
- (15) When returning to head office the clocks received from it on loan, Superintendents shall satisfy themselves that they are in working order. The defects, if any, should be fully described.
- (16) Superintendents shall satisfy themselves that the orders contained in this paragraph are fully carried out in their jails. All warders should be warned that they shall be liable to severe punishment if any damage to the clocks is caused by any' carelessness or mishandling on their part or if they are found tampering with the clocks, station-keys, etc., in any way.
- (17) Superintendent shall submit on April 1 each year a report on the prescribed form regarding control watches in their charge.

101. Superintendent and jailor to hold weekly parades.- The Superintendent shall hold a parade of all prisoners on one morning, in the week. Monday morning if possible being selected, when all prisoners will have the opportunity of making any complaint to him. The Jailor, at a parade to be held on Sunday, shall inspect the clothing of all the prisoners and see that it is properly washed. etc. In the winter months, this parade may be held in the open air in the sum,

but in the hot weather and rainy season, the prisoners shall be paraded under shelter. At the Superintendents parade, the prisoners shall be arranged in line, each class in its own division. Before each prisoner shall be spread in neat order his tat-bed, blankets, blanket coat and spare clothing, brass tumbler, cup, plate and history-ticket. All prisoners losing weight shall be paraded separately for the inspection of the Superintendent and Medical Officer. On arrival of the Superintendent at the word of command all prisoners shall stand up and take up the history ticket which shall be held in the left hand by convict-officers and in the right hand by other prisoners. The Superintendent shall then pass down in line, listen to complaints and requests of every description and pass orders thereon: satisfy himself that remissions have been duly awarded and communicated to the prisoners, and that the prisoners know what remission they have earned; see that the classification rules are carried out: note that history-tickets are supplied to all prisoners and written up: that weighments are carefully considered by his subordinates in the distribution of labour, and that prisoners losing weight are duly set apart for medical inspection: see that prisoners clothing, bedding and kit are provided in full and are clean and in good order, properly marked with prisoners numbers, and that the prisoners are cleanly in person; and pick out any sickly looking prisoners who he thinks should be brought, to the Medical Officers notice (or if he is a Medical Officer, that the thinks should be placed under observation). In central jails where the numbers are large, and where it is not possible to hold this parade of all the prisoners at one time, half of the prisoners shall be paraded one week, and the other half the following week. Convict-Officers shall be paraded separately from ordinary prisoners. Petitions regarding the removal of fetters, letter-writing, etc., should as a rule be made at the Superintendent's parade.

102. Parade of female prisoners.- At the weekly parade held by the Superintendent, under the preceding paragraph, female prisoners shall be paraded with bare head and hair flowing.

103. Prisoners not to leave their places to make complaints.- No prisoner shall leave his work or his line to make any

representation to the Superintendent or jailor. The Jailor or octagon officer shall at least once in the day visit all the prisoners and give them the opportunity of making representations and complaints on any urgent matter, such as appealing, assault or ill-treatment. Any prisoner wishing to appeal or making such a complaint shall be brought by the jailor or octagon officer before the Superintendent, but minor complaints and petitions should as a rule await the Superintendents general parade. In district Jails. Superintendents shall see each prisoner every day, and in central jail once every two days.

104. Criminal complaints by prisoners.- If a prisoner desire to file a criminal complaint against a person outside the Jail, his statement or petition shall be received by the Superintendent and forwarded to the District Magistrate concerned for necessary action. The prisoner shall be allowed facilities for the purpose in accordance with the rules contained in the Chapter on “Appeals and Petitions” in so far as they may be applicable. He cannot, however, be permitted to attend the court unless an order for his attendance has been received by the Superintendent.

105. Prisoners to instructed what to do and what to avoid.-
Prisoners are bound -

- (a) to obey the orders of all jail officers;
- (b) to remain strictly with their gangs and within the part/of the jail in which they are confined unless ordered by proper authority to leave it; to keep, in file when not at work, and strictly carryout the regular parades;
- (c) to abstain from talking when at file or at unlocking or at latrine, bathing or other parades, or at any time when ordered by an office of the prison to desist; also to abstain from abuse, singing, quarreling, loud laughing, loud talking and indecent behaviour at any time;
- (d) to hold no communication with outsiders, female, civil, or undertrial prisoners or prisoners of a different class from their own; and to hold no communication with the guards beyond what is absolutely necessary;

- (e) not to smoke or receive or possess implements for smoking, or tobacco (except when authorised; not to receive or possess ganja or other drugs or money or Jewellery, any article of food or clothing prohibited by the jail rules, or books, papers, or writing materials of any description unless specially authorised by the Superintendent or Jailor, or rope or any knife, or other implement (except in working hours, and when the implement is required for their work), and, when they find any of these articles or know of any other prisoner having any such article to report the matter or know of any other prisoner having any such article to report the matter to the Jailor or warder;
- (f) to report any plot or conspiracy, and any attempt to escape or preparation for an escape or for an attack upon any prisoner or jail official;
- (g) to help the jail officers in case any attack upon them;
- (h) to keep their clothes, blankets bedding, history-tickets -fetters, brass tumblers and iron cups, clean and in proper order;
- (i) to keep their persons clean;
- (j) to perform their allotted tasks willingly and carefully and to take proper care of any property of Government entrusted to them for the purpose;
- (k) to orderly in their behaviour; to march two and two when they move about the jail, and when addressing or addressed by a jail officer or visitor to stand at attention with their hands down, to salute when ordered;
- (1) not to remove provision from the cook-room or feeding platforms without authority, or conceal any article of food in the wards or cells;
- (m) not to remove any unconsumed food from the place where the meal is taken;
- (n) to keep to the bed, the ward, the yard, and the seat at meals or at work which have been assigned to them;

- (o) not to loiter about the yards, or in the wards after the doors have been opened, or bath or visit the latrine out of hours;
- (p) not to commit any nuisance or make water in any part of the jail which has not been assigned for that purpose, or to dirty or injure any part of the jail or any article in the jail in any way;
- (q) to show respect to all officers, not to strike, assault, or threaten any officer or prisoner;
- (r) not to gamble or barter or play any game (unless specially permitted by Superintendent of jail) within the jail nor keep animals, birds or other pets;
- (s) to wear the clothing given to them, and not to exchange it or any part of their, jail kit for that of any other prisoner;

Disobedience to the above or any jail rules of any lawful order will subject the offender to punishment.

Note.- All privileges such as interviews, letters, facilities or reading etc. are contingent on good behaviour in jail and the Superintendent of jail is empowered to withdraw or postpone Individual privileges for unsatisfactory conduct on the part of any prisoner.

106. Civil prisoners how to behave.- Civil prisoners must be properly dressed when. leaving their rooms or wards during the day they must stand up when any inspecting officer or authorised visitor visits the civil Ward, must answer any questions put to them by such officers or visitors in the discharge of their duty and otherwise treat them with respect and they must comply with the regulations of the jail and the Superintendents order.

107. Instructions about washing of clothes.- All prisoners shall wash their own clothing at the bathing parade on the day preceding the Superintendent weekly parade. For this purpose in each division of the jail at the bathing platform a tub shall be placed filled with a solution of alkaline earth (saji matti) of sufficient strength, into this solution each prisoner as he passed in file shall dip his clothes so as to saturate them. Dry saji matti shall not be given to the prisoner.

The blankets, coats and bedding shall be boiled and washed once in three months, and the hospital clothing and bedding at short intervals by a "gang of sweepers specially set apart for this work and when possible, in the outer grounds of the jail, where a boiler may be erected and platform made for the purpose.

108. Routine to be observed on holidays.— The daily routine prescribed in the foregoing rules shall be observed also on Sundays. New-Year's Day, Til Sankrant, Holi, Ramnavni, Good Friday, Id-ul-Fiter, Id-ul-Zuha, Moharrum (2 days, 8th and 10), Janmashtami, Dashera, Diwali (2 days, 1st and 3rd day) and Independence Day, Republic Day, Gandhi Jayanti, Birthday of Guru Nanak Dev, Tithi of Mahatma Gandhi, except that no prisoner shall be required to work on those days otherwise than in performing menial offices and other necessary work, including cleaning up and tidying the Jail premises. The prisoners shall on Sunday be allowed to take exercise in the yards in gangs till 10 a.m. and again for an hour before the evening parades. In the intermediate time they shall sit down in file either in their wards or, if the weather be cool enough, in the yards, Jews shall not be compelled to work on Saturdays.

109. Garden or brickfield to be enclosed by a thick hedge.— A jail garden or permanent brickfield shall always be enclosed either by a thick hedge, preferably of aloes or cactus, planted in several rows on a bank with a ditch on either side, or a mud wall protected by tiles, so that the prisoners may not be able to see outsiders or be seen by them. No gaps should be allowed and the hedge or wall should be impossible to thieves or cattle. The number of openings should be strictly limited to those absolutely necessary for purposes of ingress and egress, and should be provided with efficient gates or doors.

110. No undue interference with religion or caste prejudices shall be permitted. Prisoners shall be allowed to wear their religions symbols such as sacred thread etc. and renew them, if necessary, and shall be allowed to perform their devotions in quiet and orderly manner without undue interference with jail routine and discipline.

111. Water for ablution and a mat shall be provided in cells or wards where Mohammadan prisoners are confined and facilities shall be given to them for saying their prayers individually four time a day viz., at 5 a.m; midday recess, 6 p.m. and for eating food kept over night according to the custom in the month of Ramzan, if they desire it. They shall be allowed a recess of two hours for saying prayers on Friday and on the two Mohammadan festivals viz., Bakra-id and Shab-I-Barat, if these days do not happen to be Fridays or holidays.

112. Sikh prisoners shall be permitted to wear in jail a pagri of suitable size and Kachh (short drawers) to reach to the knees and a miniature kirpan (dagger) made of steel, one inch in length, and to retain their religious Zymblolis, viz. (1) the kes (long hair), (2) Kanga (comb), and (3) Kara (Iron bangle).

Notes:- 1. Every Sikh prisoner should be supplied once a week with oil and soap or soap nut, whichever he prefers for his hair.

2. Ihatka meat, whenever possible, should be provided for sikh prisoners requiring meat.

113. No gathering together of prisoners for performing any religious function or caste ceremony shall be permitted.

114. Every prisoner who expresses a desire to keep a religious fast and in the opinion of the Medical Officer is in fit state of health to observe it, may be permitted to do so. As far as possible, the conveniences of such prisoners shall be met with regard to the disposal of the food and time hours of its distribution.

115. The festivals during which alone religious fasts, may be permitted are:—

(a) In the case of Hindus-

Mahashivratri

Vaikunth Ekadasi

Shri Ramnavmi

Janmashtami

(b) In the case of Christians-

All Fridays during Lent

Christmas Eve

Assumption Eve

(c) In the case of Mohammedans

Ramzan period (30 days)

Muharram (10th day)

Shab-E-Barat (15th day of Shaban)

Bakra-id (9th day of Lihaj).

116. Use of books and periodicals by prisoners.- Every jail shall be provided, according to its size & importance, with an ample library of approved books and periodicals in Hindi and in English for the use of literate prisoners.

The Deputy Jailor shall have charge of the library and shall allow the use of books, periodicals and journals to literate prisoners, subject to such rules as the superintendent may prescribe. Any book introduced otherwise than in accordance with these rules, may be destroyed.

117. Recreation Room.- A compartment in each barrack shall, if possible, be set aside as a Recreation Room, for prisoners after locking-up and an educated convict shall be allowed to read aloud to the other prisoner: between 6.30 and 8.30 p.m.

118. (a) Religious and moral lectures to all convicts in jails shall be allowed only on condition that no proselytizing carried on under the cloak of religious and moral instruction and that lectures confine their attention to prisoners of their own faith.

(b) The selection of lecturers shall be made by the Inspector—General in consultation with the District Magistrates in the mofussil towns and the Inspector-General of Police in the Capital.

(c) Superintendent must endeavour to secure the services of honorary lectures and in their absence, part-time lecturers on allowance to lecture weekly to the prisoners.

(d) Any lecturer who, for any reason finds himself unable to attend the jail for a period of three month 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. The Inspector-General may remove from the list, the name or any lecturer without assigning any reason.

119. Change of religion in jails.- (a) 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 a wish to such a minister, in which case the matter shall be reported to the Inspector-General of Prisons for order.

(b) Before permitting any prisoner to see a minister of religion, who belongs to a denomination of persuasion other than his own, great caution shall be exercised to avoid all outside suggestions 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 fulfillment even though it extends to a change of religion.

SECTION IV

Control in Matters affecting Persons of Prisoners

120. Prisoners to wash their clothing weekly.- Every prisoner shall be required to wash his clothing at least once a week, usually on Sunday morning and at such, other times as the Superintendent may direct. The Superintendent may detail prisoners to wash the clothing of "A" and "B" class prisoners and any special portion of prison clothing and may authorise the issue of necessary washing and ironing materials for the purpose.

Note.- Washing soda shall be supplied for washing the clothing of "C" class prisoners in the following scale:-

Male prisoner: at 3/4 oz. each per week.

Female prisoners at 1.1/2 oz. each per week.

121. ¹[omitted]

122. Fortnightly weighments.- Care shall be taken that the fortnightly weighments recorded under Section 35(2) of the Prisons Act are made under the same conditions as regards meal-time & the like so as to obviate, as far as possible, the variations that naturally take place throughout the day.

Note:- Owing to the suspension of labour on Sundays, these days will be found most convenient for taking weighments, and when the number of prisoners is large, half 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.

123. Record of weighments.- (1) the initial weighment on admission to jail and the 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 prisoner's history-ticket and weighment chart.

(2) Before recording prisoner's weighments it shall be ascertained that the weighing machines are accurate.

124. Treatment of prisoners losing weight.- (1) All prisoners who have lost more than 3 lbs. weight since the last fortnightly weighment, or more than 7 lbs. since admission to jail shall be paraded with their weighment charts for the inspection of the Superintendent and Medical Officer, at the general parade next following the day on which the weighments were made.

(2) Special care shall be taken with regard to prisoners of poor physique on admission and in whom a small loss of weight may be of serious import.

125. Check by Medical Officer.- The Medical Officer shall, as soon after the fortnightly weighments as possible, check the weights

1. Omitted by Order dated 30.3.1957

of a dozen or more prisoners taken haphazard with a view to satisfying himself that they have been correctly made, and shall record briefly in his Journal the circumstance that he has done so, with any remarks he may consider necessary.

Note.- The body weight varies to a certain extent from time to time, under normal conditions, so small, differences of weight upto a couple of pounds would not necessarily indicate that the weighment were carelessly done.

126. Hunger strike.- (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 they are liable to any jail punishment other than whipping or to prosecution under Section 52 of the Prisons Act After sufficient warning and before the refusal to take food has, adversely affected them, if any other punishment appears unlikely to deter them, they may be prosecuted under Section 52 of the Prisons Act. The usual concessions in the matter of interview and letters shall be withdrawal from prisoners who are on hunger strike.

(2) In case of mass hunger striking which amounts to mutiny the prisoners should be isolated as far as possible from each other and other prisoners.

(3) When prosecutions are instituted under Section 52 of the Prisons Act, the proceedings should be held within the jail and should be begun and completed with as little delay as possible.

127. Hair Cutting.-

- (i) All male criminals (other than convict officers) sentenced to rigorous imprisonment for any period exceeding one month shall, on the final confirmation of the sentence, or on the expiration of the period of appeal without an appeal being preferred, have their hair cropped short, and the operation shall be repeated on alternate Sundays by prisoners set apart for the duty, who shall not, however, be excused from other labour on weekdays. If under sentence of rigorous imprisonment. The Hindus will retain chutiah, of a reasonable length, The beards and moustaches of all prisoners shall be

trirruned, the beard of Muhammadans being left an inch in length. All prisoners to whom this proceeding would be justly offensive or degrading shall, at the discretion of the Superintendent be exempted from it.

- (ii) "A" and "B" class prisoners will have their hair cropped and moustaches trimmed like "C" class prisoners and when do not wear beards and whiskers, they shall be shaved by a selected "C" class prisoner, or, if a suitable "C" class prisoner is not available, they may be shaved at suitable intervals by an outside barber selected by the Superintendent of the jail, provided that, at the discretion of the Superintendent any such prisoner may be, permitted to keep a safety razor and other shaving materials his own expenses.
- (iii) The hair of female prisoner shall not be cut.
- (iv) The 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 purposes of health and cleanliness.
- (v) Undertrial prisoners shall not be allowed to cut or remove hair on their heads or faces, or in any way to alter their appearance as to make it difficult recognize them. A prisoner who has 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 does not so alter his appearance as to make identification difficult. This process may be repeated once a month.
- (vi) Convict watchmen and convict overseers are exempt from having heads shaved and beards trimmed;
- (vii) The hair, beard, whiskers, and moustaches of all prisoners shall, if they desire it, be allowed to remain uncut during the last month of imprisonment.

Proviso.- If on account of vermin, dirt or any disease the Medical Officer deems it necessary to cut the hair or shave the head of any prisoner, this shall be done on his written order entered in the prisoners history ticket.

Notes.- 1. The short cropping of hair referred to in these rules shall be optional except on medical grounds.

2. Sikhs shall not have their hair cut or removed in any way.

3. Members of Police Force imprisoned under Section 29 of the Police Act (V of 1861), for mere departmental offences, shall not have -their hair cut or removed in any way.

4. All prisoners who are permitted to grow their hair long should be allowed 1/8 inch of mustard oil every Sunday and 1/2 inch of country washing soap ¹[and Sikh prisoners may be given 1/2 chhatak oil instead of 1/8 chhatak and 1/2 chhatak of country washing soap every Sunday.

5. A depilatory powder consisting of Barium Sulphate one part, zinc oxide one part, and Starch two parts and made into a paste may be used for prisoners requiring to remove hair from arm-pits etc.

6. Prisoners who are more than 45 years of age, may on the recommendation of the Medical Officer, be permitted to grow their hair to the extent necessary for the maintenance of their health.

PART - 11

PROHIBITED ARTICLES

(Rules under Section 59(13) of the Prisons Act)

1. Prohibited articles defined and punishment for introduction thereof.- Under Section 59 (3) and (27) of the Prisons Act, the followings are declared to be prohibited articles, within the meaning of Section 42 and clause (12) of Section 45 of the said Act, the introduction or removal, or attempted supply of which to any prisoner outside the limits of a prison, without due authority, are prohibited:-

- (1) Alcohol or spirituous liquors of any kind.
- (2) Materials For smoking, chewing or snuffing, such as tobacco, pipes. chilums etc.
- (3) Ganja, opium, or any other drug or poisonous article.

1. Added by Noti. dated 17.11.1957.

- (4) Poisonous materials, materials for making fire, or materials which would cause disfiguration.
- (5) Money, currency notes, valuable securities, jewellery or ornaments of any kind.
- (6) Books, printed matter, letters or writing materials of any kind not authorised by the Superintendent.
- (7) Knives, arms, ropes, strings, bamboos, ladders, sticks, any article likely to facilitate escape or implements of any kind, except those issued for use in the performance of work, and those excepted only during work hours, and at such places as they are required for jail work.
- (8) Any article which has not been issued for the use of prisoners from the jail stores and supplies.

Note:- The above list of prohibited articles applies to undertrials and civil prisoners.

2. Exceptions.- Though the material for smoking, chewing or snuffing, such as tobacco, pipes, chilums, etc. are prohibited articles, the following are the exceptions:

- (1) Undertrial prisoners may at their own expenses be permitted the use of a reasonable quantity of cigarettes or tobacco under the strict condition that they do not give any away.
- (2) Civil prisoners may be allowed to smoke but cigarettes, biris or tobacco shall not be purchased out of Subsistence allowance.
- (3) "C" class prisoners ¹[..... ..] who have behaved well may, out of their earnings in jail, be permitted to smoke or chew tobacco subject to following rules.
- ²[(4) The permissions of smoking or chewing tobacco is a privilege and is entirely at the discretion of the officer in charge, Jails. No prisoner should be allowed the privileges of smoking or chewing tobacco, unless his jail conduct is exemplary and as

1. Deleted by Noti. dated the 30.03.1957.

2. Ins. by Noti. dated the 30.03.1957.

smoking or chewing tobacco is a vice and not a necessity, it should be discouraged and in no case it should be allowed to the prisoners below the age 21 years.

Note:-

- (i) All "C" class convicts (smokers and chewers) after each meal, be collected inconvenient batches at suitable safe places for the purpose of smoking biris and chewing tobacco, as the case may be. Each, smoker shall ordinarily be given one biri to smoke at a time, and each chewer shall be provided with a reasonable quantity of tobacco to chew after each of the three jail meal parades in the morning, mid-day and evening. When the smoking is over, suitable precautions shall be taken to see that no biris or stumps are removed or concealed. The stumps shall be burnt in the presence of a responsible jail officer. The smoking and chewing shall be supervised by a responsible officer in Central and "A", "B" and "C" class District Jails and by the Head Warder in "D" class District Jails and look-ups. The biris or tobacco purchased for the convicts shall be kept in the custody of the Jailor and issued daily according to requirements.
- (ii) The privilege of smoking and chewing tobacco is contingent on good behavior and convict whose behavior is subsequently found to be not good is liable to be removed from the list of convicts eligible, for the privilege and the biris or tobacco purchased on his account, shall be confiscated.
- (5) Any convict who conceals or attempts to conceal or parts with it or attempts to part with all or any portion of tobacco or biris given to him, shall be removed permanently or for such period as the Superintendent may, direct, from the list of convicts eligible for the concession.
- (6) Not with standing anything contained in the foregoing rules, no convict who has, in his gratuity account, less than the necessary amount required for smoking or chewing for a period of at least one month, shall be eligible for the privilege. Convicts in Hospital or transit shall not be allowed to smoke or chew tobacco.

- (7) The officers in charge of jails shall ascertain from the convicts who have gratuity to their credit and who in his opinion, have behaved well as to whether they are willing to avail themselves of the privilege. He shall maintain a list of convicts who have expressed their willingness to smoke or chew tobacco and shall arrange to purchase monthly the biris and tobacco required for them.
- (8) An account shall be maintained in each jail of the gratuity earned by the convicts and the amount spent on their account towards smoking and chewing tobacco.
- (9) "A" and "B" class prisoners may, at their own expenses out of their private cash, be permitted the use of a reasonable quantity of cigarettes or tobacco under the strict condition that they do not give any away. Not more than Five cigarettes or six biris a day may ordinarily be allowed to them. They may be allowed to smoke in their own barracks or yards but only at hours prescribed by the officers incharge of the jail.
- (10) Female prisoners may be allowed to have supari (batel nuts) out of their jail earnings, if they so desire.

3. Publication of penalties.- The Superintendent shall affix outside the jail in a conspicuous place, a notice setting forth the acts prohibited under Section 42 of Act IX of 1894 and the penalties incurred by their commission.

4. Further rules defining and regulating prohibited articles.- Every article, of whatever description, shall be deemed to be a prohibited article within the meaning of Section 42 and clause (12) of Section 45 of the Prisons Act, in the case of-

(1) A prisoner- If introduced into or removed from any jail, or received, possessed or transferred by such prisoner, and such article has-

- (a) not been issued for his personal use from jail stores or supplies, under proper authority;
- (b) been so issued, is or used at a time or place other than such as is authority; or

- (c) not been placed in his possession for introduction, removal or use, as the case may be, by proper authority.
- (1) A Jail official-** If introduced into or removed from any jail, or supplied, to any prisoner, and such article-
 - (a) has not been issued or sanctioned, for his personal use by proper authority;
 - (b) is not an article of clothing necessary for his personal wear; or
 - (c) has not been placed in his possession by proper authority for introduction into or removal from the jail or for the purpose of being supplied to any prisoner
- (2) A visitor-** If introduced into or removed from any jail, or supplied to any prisoner, and such article-
 - (a) is not required for his personal use while within the jail and has not been declared by him before entering the jail, and the introduction into or removal from the jail, or possession of which while in the jail, has not been permitted by proper authority;
 - (b) is introduced, with or without authority, and is not retained in his possession until he has left the jail premises; or
 - (c) comes into his possession while within the jail, and is subsequently removed by him from the jail.
- (3) Any other person-** If introduced into or removed from the jail, or supplied to any prisoner, whether within or without the jail.

PART - 12

FORMS OF LABOUR AND PERIODS OF REST

(Rules under Section 59(14) of the Prisons Act)

1 Intramural and Extramural labour.- Labour in a jail may be-

- (i) Intramural, i.e. within the outer walls, or

- (ii) Extramural, i.e. beyond the outer walls of the jail but not beyond the limits of the Jail precincts.

2. All labour exacted from prisoners shall be classified as “hard”, “medium” or “light” labour according to the amount of physical exertion required for the performance of a fixed task, and the maximum tasks which shall be exacted from any prisoner shall be fixed. No general reduction of the tasks fixed, shall be allowed in any jail without the sanction of the Inspector- General. Every Superintendent shall be acquainted with the tasks to be exacted from his prisoners.

3. Employment of dangerous works.- The Superintendent shall not employ convicts or work which is likely to endanger life or limb.

4. Hard labour.- On admission every convict who is physically and mentally fit, shall be put on hard labour such as grinding grain or pounding aloe or moonj. If he knows a trade carried out in the Jail, he should be put on that trade at once to utilize any skill he may possess. Long-term convicts should after six months be put in factories to enable them to learn trades or professions.

5. Restrictions in employment of convicts on labour.-

- (a) convicts below 100 lbs. in weight-shall not be employed on grinding corn.
- (b) Convicts shall not be employed on grinding corn for more than three months at a stretch. They may be re-employed on mills after an interval of three months if this is absolutely necessary, but except by way of punishment not after any shorter interval. Convicts working on aloe or moonj pounding shall be transferred to a lighter task or industrial labour after three months.
- (c) Convicts shall not be employed singly on mills.
- (d) Lubricating castor oil, at the rate of 1/ 12th chhatak per man per diem may be issued for rubbing on their hands and arms to all convicts working on aloe pounding as a precaution against dermatitis.

6. Time to be given to acquire skill.- Every convict on being first put to do any kind of work shall be allowed a reasonable time in which to acquire the skill necessary for the performance of the prescribed task, and if during this time, he shows due diligence and makes satisfactory progress he shall be allowed the remission for industry. The time necessary for working up to a full task will depend upon the nature of the work. At such work an oil-pressing, grinding breaking metal, yarn reeling or twisting etc., a few days experience will be sufficient and a full task shall then be exacted in industries needing greater skill, such as weaving, carpet or durrie making, it may be three months before a prisoner can give a full task, according to his intelligence; and care must be taken to make due allowance in estimating a convict's progress for differences of mental and physical capacity. In every case when allotting to a prisoner new work (whether on admission or subsequently) the Superintendent, or subject to his control the Deputy Superintendent or jailor or octagon officer, shall note on the prisoner's history-ticket, the exact task he is to begin with, and subsequently every increase required up to the full task. Frequent change of work except on medical grounds should be avoided, but the harder forms of labour, oil-pressing, etc, should not be continued indefinitely without variation, and sedentary work should occasionally be changed for work involving more general movement.

7. Hours of rest from labour prisoners locked-up during hours of rest.- All prisoners shall be allowed two hours' rest from 11.30 am. to 1.30 p.m., between the 16th March to 15th October. During the same period, prisoners in the "Convalescent and Infirm" gangs and in the "Special" gangs shall have three hours rest from 11.30 a.m. to 2.30 p.m. and in other months of the year they shall have two hours' rest from 12 noon to 2 p.m. During rest time prisoners shall be locked in their sleeping wards, except in the case of infirm and special gangs in the cold season, who may be allowed to take their rest outside the barracks. Prisoners employed on outdoor work shall not be sent out to work during rain.

From the beginning of November to the 15th March, the daily routine will be similar to that described in the section on general control, except that the prisoners will be roused an hour later, and will be locked-up an hour earlier, during this period of the year, no mid-day rest is necessary.

At both the mid-day and evening lock-ups, the prisoners shall be counted carefully into their barracks by the Jailor or octagon officer, assisted by the Head Warder.

8. Tasks to be measured or weighed.- Whenever the material given to a prisoner to work upon admits of weighing or measurement, the task he is to perform in the course of the day shall be measured or weighed out to him before he commences the work, in order that both the prisoner and the warder in charge of him may see how the work progresses as the day advances, Prisoners on such work as digging, road repairing, etc., shall have the plot they are to complete, measured out for them before they begin work. so far as possible.

9. Work done to be measured and entered daily.- Before the prisoners leave their workshops or places of work on stoppage of work in the afternoon, the Jailor or octagon officer shall go round and measure the work done, at the same time carefully noting it in the work sheets opposite the name of each prisoner. Every prisoner who has done less than the task allotted to him shall be brought before the Superintendent.

10. Distribution of Industries in jails and labour to be deterrent.- The numbers of industries in a jail must be limited as much as possible and must be deterrent in their character, specially in district jails. Large industries shall be concentrated in central jails. The main object of prison labour shall be the reformation of the criminal, non productive labour should be avoided; short term prisoners must necessarily be employed on unskilled labour while the principal mode of employment for long term prisoners should be intra-mural. Greater benefit to the prisoner is conferred by giving

him the best available instruction in up-to-date methods or labour and so fitting him for free living under modern conditions.

11. How jail labour may be utilized.- Jail labour may be utilized-

- (a) for the preparation of building materials within the jail premises;
- (b) for the construction of large works under the Public Works Department, such works being either within the jail premises or so close to them as to render the provision of separate accommodation for the prisoners unnecessary;
- (c) for the execution of any work of public utility outside jail premises.

12. Hiring out of convict labour.- Hiring out the labour of convicts to private persons, contractors of firms shall not ordinarily be allowed. The hiring out of labour to a Government Department such as the Government Press of the Public Works Department shall only be permitted with the previous sanction of the Inspector-General.

13. Convict labour on jail buildings.- Jail labour shall be utilized to the fullest possible extent in the erection and repair of all buildings connected with jails. It shall also be used, as far as possible, in the preparation of materials, within the jail premises for the Public Works Department, Municipalities, District Boards, and private individuals, and on the construction of buildings under the Public Works Department at such a distance from the jail as will admit of the prisoners taking their food at, or receiving it from the jail, and of being similarly supplied with water. When they are so employed, care should be taken that they are properly protected from the sun and rain, and that they do not use other than boiled water for drinking purposes.

14. Training in skilled labour.- (a) The Jailor shall keep suitable convicts under training in all forms of skilled labour in order to replace artisan convicts on release. The proportion of such convicts shall not

be less than 20% in each department of the factory.(b) In central prisons and first class district jails an additional 20% of such convicts shall be trained as are well conducted and are eligible to transfer to smaller jails on the termination of the period of training. (c) When an artisan convict is transferred, the Director of Jail industries or Factory Manager or Art Factory Manager, or Deputy Superintendent or circle officer or Jailor, as the case may be, of the transferring jail shall certify on the history-ticket of the convict transferred that he is thoroughly conversant with the work for which he is being transferred, Such convicts shall not ordinarily be transferred to the jails in the districts of their residence and care shall be taken that convicts imprisoned in the same case are not sent to one and the same jail.

15. Checking of tools.- (a) The Jailor of the other ofcer in charge of a factory shall check all tools every evening and' cause them to be collected and stored in a place or security and enter in the tools lists the number of tools so stored.

(b) Warders incharge of workshops and factories shall be responsible for the tools and other property kept therein.

16. Specification of extra-mural labour.- Convicts on extra-mural labour shall be employed solely for jail purposes and on the following kinds of labour-

- (i) brick and the making;
- (ii) Work in jail gardens and farms and in the garden and ground attached to the house of the Superintendent; when he is provided with a residence on the jail premises;
- (iii) building, repairs and alterations of the quarters of the jail officers, of roads and of other works;
- (iv) cleaning, conservancy and water-supply arrangements of the lines of jail warders and other officers; and
- (v) trenching night-soil removed from the jail.

17. Convicts who are not to be employed on extra-mural

labour.- The under-mentioned class of convicts shall not be employed on extra-mural labour:—

- (i) dacoits; including persons previously convicted for dacoity;
- (ii) convicts who have previously escaped or have attempted to escape from lawful custody;
- (iii) poisoners;
- (iv) specially dangerous criminals who have been convicted of organized crime;
- (v) residents of foreign territory;
- (vi) convicts who have any other charge or charges pending against them or those for whom an order of surveillance under sec. *[565], Zode of Criminal Procedure, 1898]’, has been passed;
- (vii) convicts who have no fixed place of residence or are of a bad or dangerous character;
- (viii) convicts imprisoned under Section “[109], Code of Criminal Procedure, 1898]¹, who are not police registered convicts;
- (ix) convicts convicted under the Rajasthan Excise Act, 1950;
- (x) convicts in whose cases the sentence of whipping remains to be executed;
- (xi) military deserters.

Note:- When in compliance with requisitions for convicts for extra-mural labour, transfer rolls are submitted to the Inspector-General a note shall be made against the names of convicts imprisoned under Section 109, Criminal Procedure Code, 1898]’, whether they are police registered.

18. Convicts who may be employed on extra-mural labour.— Subject to the provisions of the above rule, the following convicts may be employed on extra-mural labour with the sanction of the Superintendent-

- (a) convicts sentenced upto six months’ imprisonment or less who have completed one-third of their term;

1. Please see the Section *[356] and **[109], Code of Criminal Procedure, 1973 (2 of 1974).

- (b) convicts who have been sentenced to imprisonment for more than six months but not more than a year, and have completed one-fourth part of their sentence (minimum two months);
- (c) convicts sentenced to imprisonment for more than a year but not more than three years, who have completed one half of their sentences;
- (d) convicts sentenced to imprisonment for more than three years but not more than seven years, who have not more than a year and half to serve.

Note:- In calculating the period of eligibility, the remission earned, shall be taken into account.

19. Certificate of fitness for extra-mural labour.- Before any Convict is employed on extra-mural work, the Jailor shall certify on his history-ticket after examining the conviction warrant that he is fit for extra-mural employment under the rules contained in this chapter.

20. Sanction for employment on extra-mural labour.- The convict shall then be brought up before the Superintendent who shall, after satisfying himself that the convict is eligible for such employment and that there is nothing in his previous conduct to indicate that it would be imprudent to trust him outside, sanction his extra-mural employment. If the convict has not completed the prescribed period of his sentence he shall not be employed extra-murally without the previous sanction of the Inspector-General.

21. Form of labour for prisoners in cells.- In labouring prisoners in separate, cellular or judicial solitary confinement shall be supplied with suitable work according to their capacity grain grinding, oakum picking and bagsewing are appropriate forms of labour for cells. Pounding aloe bre and breaking stones are unsuitable. The grindstones should be so placed as to make the prisoner stand upright at his work. The lower stones of the grindstones shall be fixed to masonry pillars or wooden blocks or tables in the cells, the upper stones being removed after the day's work is done.

22. Rules regarding labour to apply to female prisoners.- The rules regarding labour shall be applicable to female convicted

prisoners, the labour exacted being apportioned according their to strength and ability.

23. Labour by "A" and "B" class prisoners, etc.- Convicted prisoners of "A" and "B" classes shall be given the kind of labour referred to in paragraph 58 of the chapter on "Classification and separation of prisoners". They shall be allowed soap for washing their persons and clothes.

24. Light labour prisoners to be employed in repairing Jail clothing.- One or more light labour Prisoners, according to the size of the jail, shall be kept constantly employed in repairing clothing which should be taken up gang by gang under the supervision of a Head Warder.

25. Temporary warder not to be placed in charge of out-gangs.- A warder in the temporary list shall not ordinarily be placed in charge of a gang of convicts working outside the jails walls, but may be employed to assist a permanent hand.

26. A Gang detailed for extra-mural work shall in no case exceed 10 prisoners, one of whom shall be a convict warder or convict ofcer and shall be in charge of warder, whose signature or left thumb impression shall be taken in acknowledgment of his responsibilities. It shall be the duty of the convict officer who forms a member of the gang to assist file warder in supervising the prisoners, escorting them to and from their places of work or to latrine and to perform such similar duties as may be assigned to him. The convict officer shall be equally responsible with the warder for the safe custody of the convicts of the gang.

27. Dunes of warders in charge of extra-mural gangs.- (a) Every warder in charge of an extra-mural gang shall keep his convicts well in view at all times. On no account whatever is a convict to be allowed to strangle away From his gang.

(b) If any convict declares urgency, the gang shall be marched to the nearest urinal or latrine; A convict shall not be allowed to separate himself from his gang for this purpose. If there is no latrine outside the jail walls where he can be properly watched, the whole gang shall be marched to the interior of the jail. No prisoner or any other

person shall be permitted to urinate or answer the call of nature in the open or in the drains on the jail grounds. Every extra-mural gang shall report at the jail gate as soon as the sentry strikes the hour.

28. When the number of convicts in an extra-mural gang is large or several gangs are working at one place or chose by, a head warder shall be appointed. In addition to the warders in charge, and he shall be responsible for the general arrangements for the custody of the convicts and for carrying on the work in safety. The warders, or as many of them as are considered necessary shall be posted so as to form a ring around the convicts at work, beyond which none of them shall be allowed to go. Arrangements for supplying water to convicts, as well as for a latrine, shall be made within the ring of sentries.

29. Use of reserve guard armed with breech-loading muskets and ball cartridges.— When more than 40 prisoners are taken beyond jail precincts, two of the reserve guard armed with breech loading muskets and ball cartridges shall be told off to follow the gangs and station themselves in a suitable position for rendering assistance, if it is required.

30. Surprise visits to outgangs by Superintendent.— The Superintendent shall pay surprise visits to the outgangs at least once a month and satisfy himself that the rules are duly complied with and shall, record the fact in his order-book.

¹[31. Wages.— (1) All prisoners sentenced to rigorous imprisonment and such other classes of prisoners who volunteer to labour, shall be entitled to the wages as specified by the Government from time to time after deducting the expenses on food, clothing and other maintenance items of such prisoners. The wages shall be paid on the basis of actual work done according to prescribed task.

(2) There shall be two categories of prisoners.—

- (i) skilled; and
- (ii) unskilled.

Prisoners who are working in factory work a place of work where various items like Dari, Niwar, Cloth, Fumiture are manufactured or Tailoring work done by prisoners shall be called as skilled prisoners.

1. Subs. by Noti. (Pub. in Raj. Gaz., Pt. 4(Ga), dated 27.9.2001)

All other prisoners doing work other than factory work i.e. maintenance of Jail Services shall be called as unskilled prisoners.

(3) Amount received by prisoners as above shall be distributed in the following manner:— 75% amount of the wages shall be given to the prisoners and rest 25% of the wage shall be deducted and paid to the victims or his legal heirs.

(4) A Committee of the following shall decide the identification and entitlement of payment of compensation to the victim or his heirs as the case may be:-

1. Inspector-General of Prisons, Rajasthan Jaipur Chairman
2. Assistant Legal Remembrancer, Prisons, Member Rajasthan Jaipur
3. Superintendent/ Deputy Superintendent of Member the concerned Jail
4. This committee shall hold its meeting quarterly for identification and entitlement of the victims or their legal heirs and arrange payment of compensation amount to the victims or their legal heirs, if there are more than one victim or his legal heirs. The Committee shall also determine distribution of the compensation amount proportionately amongst the victims or their legal heirs, as the case may be.

32. Forms and registers for account of wages.- The Inspector—General shall prescribe the forms and registers for maintaining the account of wages earned and may frame subsidiary rules not inconsistent with these instructions, to carry out the scheme. The minimum daily tasks will be exhibited on the task boards in factories and a copy of the rules for the “Wage Earning Scheme” shall be hung up in the factory or work shop and in the jail office.

33. In the following table, an attempt is made to show standard tasks for each class of labour on the most important of the various kinds of taskable work prescribed in the jails of Rajasthan. The standard task should be understood to be hard task, which is equivalent to full task, and medium task is equal to 3/4 of the full task, and light task is equal to half of the full task, with the exception of tasks in tailoring, winding, drafting, folding and envelop making sections.

DYEING INDUSTRY

Washing Clothes	50 nos.	per labour.
Ironing Clothes	50 nos.	per labour.
Finishing Thans	15 nos.	per 2 labour (thans of 24 yds. each)
Dyeing Fast colour	4 payas	per 4 labour (paya of 4 lbs. each)
Boiling clothes	2 payas	per labour (paya of 80 lbs. each)
Bleaching	60 thans	per 2 labour (paya of 160 lbs. each)
Folding	60 thans	per labour (than of 24 yds. each)
Dyeing Brenthols	50 lbs. yarn	per 3 labour.

WARPING & BEAMING SECTION

Drum warping 200 yards twisted yarns of 2000 ends to 3000 ends	1 warp per 3 labour.
Drum warping 300 yards twisted yarns of 1800 ends to 2000 ends	1 warp per 2 labour.
Drum warping 150 yards singles 8s to 16s ends 900 ends to 1000 ends	2 warp per 3 labour.
Drum warping 900 yards singles 30s to 40s and 400 to 500 ends	1 warp per 2 labour.
Drum warping 900 yards singles 30s to 40s and 500 to 900 ends	1 warp per 3 labour.
Drum warping 400 yards singles 30s to 40s and 1600 to 1800 ends	1 warp per 3 labour.
Peg warping 60 yards twisted yarn of 1600 ends to 1800 ends	1 warp for 2 labour.
Beaming 200 yards warp of 2000 ends to 3000 ends twisted yarn	1 beam per 4 labour.
Complete drafting of the above warp	1 beam per 2 labour.
Beaming 300 yards warp of 1800 ends to 2000 ends twisted	1 beam per 4 labour.
Complete drafting of the above warp labour.	1 beam per 1½
Beaming 150 yards warp of 900 ends to 1000 ends 8s to 16s	1 beam per labour.
Beaming 900 yards warp of 400 ends to 500 ends 30s to 40s counts	1 beam for 3 labour.
Complete drafting of the above warp	1 beam per 2 labour.
Beaming 900 yards warp of 500 ends to 900 ends 30s to 40s counts	1 beam per 3½ labour.
Complete drafting of the above warp	1 beam per 2 labour.

Beaming of 400 yards warp of 1600 ends to 1800 ends 30s to 40s counts	1 beam per 6 labour.
Complete drafting of the above warp	1 beam per 2 labour.
Beaming of peg warped of 60 yards twisted yarn 1600 ends to 1800 ends	1 beam per 4 labour.
Complete drafting of the above warp (Tapestry cloth)	1 beam per 3 labour.

CARPENTER'S WORK

Making tent wooden pegs	30 nos. per labour
Making tent wooden rings	2 nos. per labour
Making tent wooden mallets	2 nos. per labour
Making tent wooden poles	3 nos. per labour
Making prisoners' wooden body tickets	50 nos. per labour
Making wooden office chairs out of ruddy pieces	1 no. per two labour
Making wooden Berrely type chairs out of ruddy pieces	1 no. per three labour
Making wooden stools-ordinary out of cut pieces	2 nos. per one labour
Making office table-ordinary 5'x3'x2½ out of cut pieces	1 no. per four labour, (with 2 drawers).
Making almirah 6'x4'x1½	1 no. per 12 labour (with 4 shelves).
Making tea-tray - 18"x12"x4"	2 nos. per labour.
Making side rack- 3'x1 ½'x2½'	1 no. per 3 labour (with 3 parts)
Making school black boards	1 no. per 2 labour.
Making desks - 6'x1 ½'x3	1 no. per 4 labour
Making benches - 6'x1 ½'x1½'	1 no. per 2 labour.

BLACKSMITH'S WORK

Making tent iron pegs	20 nos. per labour.
Making tent iron rings and bends	10 nos. per labour.
Making tent ends spikes	20 nos. per labour
Making tent iron sockets	1 no. per labour.
Making tent iron hinges	1 no. per labour
Making conservancy drums	1 no. per 2½ labour.
Making privy pans- 18"x9"x6"	1 no. per labour
Making dal drums	1 no. per 2 labour.

Making iron rivets	100 nos. per labour
Making angle rings	20 nos. per labour
Making bar fetters	6 nos. per labour
Making chain fetters	3 nos. per labour

CANE INDUSTRY

Recaning of chairs in ordinary way	1 labour for 1 seat
Recaning of chairs with strips	1½ labour for 1 seat
Recaning of chairs-mat weave	3½ labour for 1 seat
Recaning easy chairs-any size-ordinary	1 labour for 18"x18" of the seat.
Dhakolas 8' circumference	1 labour for 1 no.
Odas bamboos 8' circumference	1 labour for 1 no.
Waste paper basket-ordinary	1 labour for 6 nos.
Waste paper basket-cane superior	1 labour for 1 no.
Waste paper basket bamboo fine	1 labour for 1 no.
Waste paper basket serkandas	1 labour for 1 no.
Paper Tray Cane	3 labour for 1 no.
Paper tray serkandas	3 labour for 1 no.
Tiffin basket-cane or serkandas 2'x1½'x8	6 labour for 1 no.
Fancy box cane-10"x8"x6"	10 labour for 1 no.

No light and medium task is given in any of the above industries.

PRESS SECTION

Envelop making	400 per labour
Impression by power	5,000 per labour
Impression by treadle	3,000 per labour
Composing ens	6,000 per labour
Folding	5,000 per labour
File pad preparation	25 per labour
Perforating	20,000 per labour
Ruling	6,000 per labour
Numbering	15,000 per labour
Wire stitching	10,000 per labour

No light and medium task is given in folding and ruling, numbering, perforating, wire-stitching, file pad preparation, composing, envelope making.

TAILORING SECTION

Woollen chester	1 for 2 labour
Woollen hunting coat	1 for 2 labour
Woollen ordinary coat	1 for 1½ labour
Woollen convict coat	3 for 1 labour
Woollen Achken	1 for 2 labour
Cotton coat ordinary	2 for 1 labour
Cotton hunting coat	1 for 1 labour
Cotton pant	2 for 1 labour
Cotton half pant Warders or police	4 for 1 labour
Cotton half pant-belt type	3 for 1 labour
Cotton Breeches	2 for 1 labour
Cotton full shirts	2 for 1 labour
Cotton Scout shirts	3 for 1 labour
Cotton half shirts	4 for 1 labour
Cotton police shirts	2 for 1 labour
Cotton Patient's kurtas	5 for 1 labour
Cotton patient's Knickers	12 for 1 labour
Cotton Aprons	2 for 1 labour
Cotton Convict kurtas	10 for 1 labour
Cotton Convict pyjamas	12 for 1 labour
Cotton Convict Jangias	12 for 1 labour
Cotton Convict napkins	100 for 1 labour
Cotton Convict langots	20 for 1 labour
Cotton Convict tikoni	30 for 1 labour
Cotton Convict caps	20 for 1 labour
Cotton Convict O.C. forage caps	4 for 1 labour
Cotton Convict female kurties	12 for 1 labour
Hemming of towels	100 for 1 labour
Hemming of pillow covers hospital type	20 for 1 labour
Straight hemming	150 yds. for 1 labour.

SPINNING SECTION

Cording raw wool	10 lbs. per 1 labour.
Cording cotton	10 lbs. per 1 labour.
Spinning wool 4 to 6 counts	1 lb. per 1 labour
Spinning wool 2 to 4 counts	1½ lbs. per 1 labour
Spinning wool 4 to 6 counts	11 lb. per 1 labour
Spinning wool 6 to 12 counts	½ lb. per 1 labour
Scoring raw wool	80 lbs. per 1 labour.

CHICK & MOONJ SECTION

Bamboos-fine splitting-per four bamboos	10'x12' Length x 140 splits. 1 labour.
Bamboos-coarse splitting-per five bamboos	10"x12" Length x 120 splits, 1 labour
Chick - making fine 6'x4	2½ labour for 1 chick.
Chick - making coarse 7'x4	2 labour for 1 chick.
Moonj pounding	1 labour for 15 seers.
Moonj rope making	1½ labour 1 mooda.
Moonj mats making 6 x 2½	1 labour for 1 mat.

ROPE MAKING SECTION

Twisting threads for rope cotton yarn 1 to 1½ seers.	1 labour
Twisting threads for rope cotton yarn thicker size 3 seers	1 labour
Twisting 4 to 5 ply threads for other work of 8 to 10 counts 2¼ lbs.	1 labour

WINDING SECTION

Bobbin winding grey yarn 2/20 count	1 labour 9 lbs.
Bobbin winding grey yarn 2/40 count	1 labour 6½ lbs.
Bobbin winding sized yarn 8 to 10 count	1 labour 16 hanks.
Bobbin winding grey yarn 20 to 40 count	1 labour 40 hanks.
Bobbin winding grey yarn 2/10 count	1 labour 12 lbs.
Prin winding course counts	1 labour ½ lbs.
Prin winding-finer counts	1 labour 25 lbs.
Opening yarn 4 to 5 ply count from 8 to 10	1 labour 10 lbs.
Opening yarn 8 to 10 ply count from 8 to 10 (1st 4 ply then doubled)	1 labour 8 lbs.
Yarn coloured opening 5x6 ply yarn count from 8 to 10 counts.	1 labour for 6 lbs.
Cotton yarn opened for carpet warp 14s. counts to 20s counts in 10 ply to 15 ply	1 labour 5 lbs.
Twisting the above plied yarn	1 labour 2 lbs.
Making gola of the twisted yarn	1 labour 3 seers.

KNITTING SECTION

Frills yellow 3 (complete)	3 yds. per labour.
Money bag knitting for holding 1000 Rupees	1 no. per labour
Knitting nets	2000 knots per labour.
Knitting socks-woollen	12 pairs per labour.

Knitting hose-tops	16 pairs per labour
Knitting round jersey cloth	10 yds. per labour
Eye fringes	1 no. per labour

CHEMICALS SECTION

Soap making cold process	200 cakes per labour
Phenyl making	100 gallons per 2 labour
Oil making (sewing machine)	1 gallon per 1 labour.

DURRIES AND CARPETS SECTION

Making gola of 4 or 5 ply twisted yarn of 8 to 10 counts.	7 lbs. per labour
Making durry warp 12 to 14 threads per inch and 28' to 36' length by 3 to 4½ wide.	3 warps per 3 labour
Durry warp of 12 to 14 threads per inch and length from 28' to 36'	12 ft. width per 3 labour.
Durry warp for asan of the above length and 1½' to 2 wide	6 nos. per 3 labour.
Durry warp spreading and healding and spacing (of 3' to 4½' wide)	1 warp per 3 labour.
Durry weaving-plain (2' of durrie width per labour distributed)	3" per 1 labour
Durry with border	2½" per 1 labour
Durry asans with border	1¾" per 1 labour.
Durry asans plain	3' per 1 labour.
Durry flowered 2' width per labour & "Deri" between 3 to 5 per 2' of durry	1½' per labour
Durry flowered between 5 to 10 per 2' of durry	1' per labour.
Durry flowered between 10 to 20 per 2' of durry	6' per labour.
Durry flowered between 20 to 40 per 2' of durry	3½' per labour.
Durry flowered between 30 to 45 per 2' of durry	2' per labour.
Durry flowered between 45 to 60 per 2' of durry	1¾' per labour.
Durry flowered between 60 to 100 per 2' of durry	1' per labour.
Woollen pile carpet ornamental weaving stitches 12 to 20	9000 piles per labour.

Woollen pile carpet plain stitches 4 to 12	9000 piles per labour.
Woollen pile carpet plain 12 to 20 stitches	9600 piles per labour.
Woollen pile carpet ornamental stitches 4 to 12	8800 piles per labour.

N.B.- Durries of wider size will be distributed at 2' width per labour and the task would be 2½'.

NIWAR & WEBBING SECTION

2" niwar 3/6 warp yarn and 2/10s or 6s or 8s weft	60 ft. per 1 labour
4" webbing 2/10 warp and 2s weft-twill weave	40" per 1 labour
Tape 1" 220 warp and 2/20s or 10s. weft	50" per 1 labour.

WEAVING SECTION

	Reed width	Reed count	Warp count	Weft count	Picks per inch	Yardage per labour
Surgical gauge (Htt. loom)	30"	14	40	40	14	28
— do —	45"	14	40	40	14	18
Pugri cloth (Ht. loom)	30"	16	40	40	48	14
— do —	30"	40	40	40	36	20
Sheeting (F.S.L.)	60"	32	2/10	2 ends 14½	32	6
Twill (Ht. loom)	30"	60	2/42	20½	48	16
Plaster cloth	30"	40	40	40 & 4	30	11
Power loom surgical gauge	30"	14	40	40	14	110
— do —	45"	14	40	40	14	80
Power loom sheeting	60"	32	2/10	2 ends 14½	32	38
Power loom twill	30"	60	2/40	20½	48	30
Drill No. 1	30"	60	2/20	8½	48	8
Drill No. 2 (Fly. S.L.)	30"	96	2/40	14½	60	6

	Reed width	Reed count	Warp count	Weft count	Picks per inch	Yardage per labour
Long cloth (Fly. S.L.)	30"	60	2/40	20½	48	9
Long cloth (Fly. S.L.)	36"	60	2/40	20½	48	7
Dosuti (Fly. S.L.)	27"	32	2 ends 14½	2 ends 14½	30	12
Dosuti (Fly. S.L.)	36"	32	2 ends 14½	2 ends 14½	30	9
Convict reza (Fly. S.L.)	26"	32	2 ends 14½	2 ends 14½	26	12
Duster pocha (Fly. S.L.)	26"	12	2	2 2	12	12
Duster medium (Fly. S.L.)	26"	40	2/20	14½	46	12 (26" sq.)
Duster medical (Fly. S.L.)	30"	40	2 ends 20½	2 ends 8½	32	12 (30" sq.)
Duster Kitehan (Fly. S.L.)	24"	36	2 ends 8½	2 ends 8½	32	12 (24" sq.)
Towel hucka back & honey comb	28"	36	2 ends 10½	2 ends 10½	36	6 (46" long)
Towel sponge (F.S.L.)	28"	36	2/10 or 2/20	2/10 or 6	36	8 (46" long)
Curtain cloth throw shuttle (tapestry)	60"	32	2/10	4	40	5'
Counterpan (tapestry)	60"	32	2/16	2 ends 8½	30	5'
Counterpan (tapestry)	60"	32	2/20	2 ends 14½	36	3½
Terrey towel	28"	32	2/10	1½	36	1½ (46" long)

Note:- For every increase of 2 to 4 read count and picks, the tasks would be 5/6 of the scheduled yardage. Likewise it would be increased by 1/6 of the scheduled task. if the rate count and Rick lightened as above.

Note:- For every increase of 2 to 4 read count and picks, the tasks would be 5/6 of the scheduled yardage. Likewise it would be increased by 1/6 of the scheduled task. if the rate count and Rick lightened as above

PART-13

DISPOSAL OF PROCEEDS OF EMPLOYMENT OF PENSIONERS

(Rules under Section 59(15) of the prisons Act)

1. Contracts for disposal of jail produce.- Contract may, with the approval of the Inspector-General, be made with mercantile firms or individuals for the disposal of article of jail produce or manufacture.

2. Responsible officer to keep manufactory accounts.- All accounts relating to jail manufacture shall be kept by a responsible official, under the supervision of the Factory Manager or Deputy Superintendent.

3. Disposal of proceeds of employment of prisoners.- No officer of any Jail shall at any time retain in his possession, or otherwise than under proper authority, dispose of-

- (a) any article at any time supplied for use in any industry carried on in any jail, or manufactured by any prisoner;
- (b) any sum of money realised from or received on account of the sale of any such article or of the earnings of any prisoner, and the whole amount of every sum of money so realised or received shall as soon as may be, be paid to the credit of the Government in the nearest public treasury.

Note:- No expenditure is to be met from or payment made out of any sum of money realised by the sale of articles on account of the earning of prisoners. All sums of money so realised or received are to be credited, as soon as possible, in the public treasury; expenditure being met from sums supplied, under proper authority, by the public treasury for the purpose. All jail earnings are to pass intact into the public treasury and accounts, so that every item of receipt and the

disbursement that appear in those accounts and be subjected to proper scrutiny and control.

4. Adjustment of accounts with other departments.- Payment for all articles received from, or supplied to, any public department irrespective of the amount, should be adjusted by book transfer.

Note:- The cost of waste paper purchased from officers administering Local Funds should be paid for in cash.

5. How money is to be paid into treasury.- All money should be paid into the treasury under their appropriate beings and accompanied in each case by the form prescribed for the purpose properly filled in.

PART - 14

CONFINEMENT IN FETTERS OF TRANSPORTATION PRISONERS

(Rules under section 5906) of the Prisons Act)

1. Connement in fetters, of prisoners sentenced to transportation.- Under Section 57(1) of the Prisons Act, transportation prisoners may be confined in fetters for three months from the date of admission to jail; ordinarily after admission to a central jail, safe custody fetters will be removed. They will not in any case be imposed in a central jail, for a longer period than one month without the special sanction of the Inspector-General. As such Prisoners will be detained in district and subsidiary jails for only short periods, it will not usually be necessary to keep them in fetters, for so long as three months. Fethers intended for the security of these prisoners must be the sanctioned weights.

PART - 15

CLASSIFICATION AND SEPARATION OF PRISONERS

(Rules under Section 59(17) of the Prisons Act)

SECTION 1

1. Classes of prisoners.- A prisoner confined in a jail may be-

- (a) a criminal prisoner, which term includes-
 - (i) an undertrial prisoner; and
 - (ii) a convicted prisoner.
- (b) a detzenu or a prisoner to be detained in prison without trial under any law relating to preventive detention; and
- (c) a civil prisoner.

Note:- Lunatics may also be temporarily detained in jails under the orders of the Magistrate.

2. ¹[(a) [.....]]
- (b) Classes of convicted criminal prisoners.- Convicted criminal prisoners shall be divided into three classes: (i) "A", (ii) class "B" and (iii) class "C".

3. ¹[..... ..]

4. (a) The High Court, Sessions judges, Additional Sessions Judges and District Magistrates may, in accordance with rules 6 and 7, make a recommendation to the Government for the admission either to class 'A' or class 'B' of a convicted criminal prisoner, including a prisoner who has been required to execute a bond to keep the peace or to be of good behaviour who is an accused either in an original case or in an appeal or in a revision before them.
- (b) Other Magistrates may make such a recommendation through the District Magistrate, who shall forward it to the Government with his opinion.
 - (c) The District Magistrate, may make a recommendation in any case when a Magistrate subordinate to him has not done so, if he considers that recommendation should be made.

5. Trying courts will, in the Jail Warrant, describe prisoners under the classification which they have recommended. This classification shall be observed by the jail authorities unless altered by the Government. Provided that in the case of prisoners convicted by a

1. Omitted by Noti. No. GSR 7/F. 9(74), dated 22.2.1975 (Pub. in Raj. Gaz. Pt. IV-C(i), dated 10.4.1975).

court subordinate to the District Magistrate, the District Magistrate shall have authority to instruct the jail authorities, to observe the classification recommended by him pending the decision of the Government.

6. Special class prisoners conditions to be fulfilled.- A convicted criminal prisoner may be recommended for class 'A', if-

- (a) he is non-habitual prisoner of good character;
- (b) he, by social status, education and habit of life, has been accustomed to a superior mode of living; and
- (c) he has not been convicted of-
 - (i) an offence involving elements of cruelty, moral degradation or personal greed;
 - (ii) serious or premeditated violence;
 - (iii) a serious offence against property;
 - (iv) all offence relating to the possession of explosives, fire-arms or other dangerous weapons with the object of committing an offence or of enabling an offence to be committed; and
 - (v) abetment or incitement of offences falling within the above sub-clauses.

7. A convicted criminal prisoner may be recommended for class 'B', if by social states, education or habit of life he has been accustomed to a superior mode of living, irrespective of the offence committed. The classifying court may recommend for class 'B' a habitual prisoner also, if, in its opinion, the character and antecedents of the prisoner justify it.

8. Class 'C' will consist of prisoner and who are not classified in classes 'A' and 'B'.

9. Categories of prisoners and their separation.- In every jail, prisoners of each of the following categories shall be kept separate from those of the other categories.

- (a) Civil prisoners;

- (b) Under trial prisoners;
- (c) Female prisoners;
- (d) Male prisoners under 18 years of age, who have arrived at the age of puberty;
- (e) Male prisoners who have not arrived at the age of puberty;
- (f) Other male "habitual" prisoner;
- (g) Other male "Non-habitual" prisoner;
- (h) "Star" class prisoners;
- (i) "A" and "B" class prisoners; and
- (j) Security prisoners or detenus.

10. Prisoners of the "A" or "B" class who are accustomed to the Western mode of living shall have separate accommodation from prisoners accustomed to the Eastern mode of living.

11. If on admission of a convicted criminal prisoner into a Jail.- It appears to the Superintendent of the jail that the court has not passed any order in regard to the classification of the prisoner and that the prisoner deserves to be placed in a higher class than class "C", he may order the prisoner to be placed provisionally in class "B" and refer the matter to the District Magistrate for the orders of the Government, stating the reasons for the action taken.

12. In the case of a military prisoner convicted by Courts.- Martial, the superintendent of Jail should inform the District Magistrate whenever such prisoner is admitted to the jail and the latter should obtain the orders of Government in the matter, in case he considers that a higher class than class "C" would be suitable.

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

14. Occupation of vacant cells.- Whenever, in any jail, all the cells are not occupied by prisoners undergoing separate, or cellular confinements as a jail punishment or solitary confinement on warrant,

or by prisoner under sentence of death, lunatics or lepers, the vacant cells shall ordinarily be occupied in the following order, namely:-

- (a) 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, it is necessary 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 reasons to keep apart from others;
- (d) by prisoners convicted under Section 376 or Section 377 of the Indian Penal Code;
- (e) by prisoners of the habitual class; and
- (f) by other prisoners.

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

(ii) The age of the prisoner for the purpose of their segregation and treatment under the prisons Act should be fixed by the Medical Officer of the jail.

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

16. Separation of prisoners sentenced to simple imprisonment.- Prisoners sentenced to simple imprisonment shall remain during the day in the part of the jail assigned to them; and shall not enter the labour yard or communicate with the labouring

prisoners unless they elect to work, in which case they must remain with the gang to which allotted.

17. Seclusion of female prisoners from male prisoners etc.-

Female prisoners shall be rigidly secluded from the male prisoners, and the under trial women shall be kept apart from the convicts. As far as possible the female adolescents must be kept away from older prisoners, habituals from non-habituals, and prostitutes and procuresses from women who have hitherto lived a respectable file. The female ward shall be so situated as not to be over-looked by any part of the male-jail; and there shall be a separate hospital for sick female prisoners within or directly adjoining the female enclosure.

18. Female prisoners under sentence of death to be kept in female ward.- Female prisoners under sentence of death shall be kept in the female ward and guarded by female warders.

19. Classification of youthful offenders.- Youthful offenders shall be divided into two classes namely, juvenilm, or boys below 15 years of age, and juvenile adults or youths of 15 to 21 years of age.

20. Juvenilee and juvenile adults to be kept apart from adult prisoners and juveniles from juvenile adults.- Juveniles and juvenile adults, when confined either as under-trials or after conviction, shall at all times be kept apart from adult prisoners and juveniles shall invariably sleep apart from juvenile adult prisoners.

21. Confinement in cell of prisoner sentenced to death.- Every prisoner sentenced to death shall from the date of his sentence, and without waiting for the sentence to be confined by the High Court be confined in some place, a cell, if possible, within the jail, apart from all other prisoners.

22. Confinement of civil prisoners.- Under clause (4) of Section 3, of the Prisons Act, any prisoner who is not a "criminal prisoner" is a "civil prisoners". Every civil prisoner shall be confined in the civil ward of jail and shall not be allowed to hold communication or be associated with criminal prisoner. The law provides that civil prisoners shall be separate from criminal prisoners. Any part of a jail may be

set apart for civil prisoners, provided that it admits of the complete isolation of civil from criminal prisoners.

23. Separation of under trial prisoners.- There shall be separate accommodation for prisoners under-trial, both male and female and arrangements shall be made, where male under trial prisoner under the age of 18 are confined, for separating them altogether from other prisoners, and for separating those of them who have arrived at the age of puberty from those who have not. The under-trial wards shall be strictly segregated from the rest of the jail.

24. Habitual under-trial prisoners.- If possible under-trial prisoners who known to be habitual criminals, shall be kept separate from, those who are not.

75. Separation of under trial prisoners accused of heinous offences.— When practicable under-trial prisoners who are accused of heinous offences should not be confined with those who are accused of offences less heinous. Any under-trial prisoner who is accused of committing a crime in concert shall be kept separate from others concerned in the some case. When there are separate compartments in the under-trial ward, they should be utilized for the purpose. If there is no separate compartment, such prisoners may be kept in separate cells by day and in separate wards by night, but care must be taken that they are not kept in connement As far as practicable a confessing under-trial prisoner shall be separate from all other prisoners, if a cell is used for segregating a confessing under-trial prisoner he shall be allowed the free use of the yard in front of the cell.

Note.- A confessing under-trial prisoner is one who is codified as such by a Magistrate.

26. Habitual and non-habitual prisoners.- All convicted criminal prisoners shall be classified and placed in one or other of the following categories-

- (a) Habitual
- (b) Non-habitual

Note.- For convenience of reference, prisoners falling in first of the above categories are referred to as "habituals" and those falling in the second category are described as "non-habituals" or "Casuals".

27. Definition of habitual.- The following persons shall be liable to be classed as habitual criminals-

- (a) any person convicted of an offence whose previous conviction or convictions under chapter XII, XVI, XVII or XVIII of the Indian Penal (Iode taken by themselves or with the facts of the present case show that he habitually commits an offence or offences punishable under any or all of these chapters;
- (b) any person committed to or detained in prison under ¹[Section *[123] (read with Section 109 or 110) of the Code of Criminal procedure;
- (c) any person convicted of any of the offences specified in (a) above when it appears from the facts of the case, even although no previous conviction has been proved, that he is by habit a member of a gang of dacoits, or of thieves or a dealer in slaves or In stolen property;
- (d) any member of a criminal tribe subject to the discretion of the Government;
- (e) any person convicted by court or tribunal acting outside India of an offence which should have rendered him liable to be classified as a habitual criminal if he had been convicted in a court established in the India.

Explanation.- For the purposes of this definition word "Conviction" shall include an order made under section "[118], read with Section "[110], of the Criminal procedure Code.

28. Classification into habitual and non-habitual:-

- (a) The classification of a convicted person as a habitual or non-habitual shall 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 of the district in which the prisoner was convicted or, in the absence of an order by the convicting court or District Magistrate and pending in the

1. See the Section *[124] (sec. 109 or 110), **[119] and ***[110] of Code of Criminal Procedure, 1973 (2 of 1974).

result of a reference to the District Magistrate by the officer-in-charge of the jail, where such convicted person is confined: Provided that any person classed as a habitual criminal may apply for a revision of the order.

- (b) The convicting court or the District Magistrate may, for reasons to be recorded in writing, direct that any convicted person shall not be classed as a habitual criminal and may revise such direction.
- (c) The convicting courts as a District Magistrate as the case may be, may revise their own classification of a prisoner made by a convicting court or any other authority provided that the alteration is made on the basis of facts which were not before such court or authority :
- (d) 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 this special Jail any prisoner, not being a habitual criminal, who, for reasons recorded in writing, he believes to be of so vicious or depraved a character and to exercise or to be likely to exercise, so evil an 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 rule affecting habitual criminals.
- (e) Separate wards For habitual and non-habituals-Prisoners of the habitual and non-habitual categories shall have, wherever possible, a separate sleeping ward or wards, and during the day shall be kept separate as much as possible. If there are not separate feeding platforms, latrines and bathing platforms for each class suitable arrangements shall be made to prevent the mixture of the two classes at the different parades. No squad of prisoners working together or employed upon any one machine shall on any account include prisoners of the two classes.

29. Prisoners sentenced to simple imprisonment to be kept separate from prisoners sentenced to rigorous imprisonment.-

Habitual prisoners sentenced to simple imprisonment shall be kept separate Final prisoners sentenced to rigorous imprisonment, unless they elect to work, in which case they may work with the latter during the prescribed hours. Non-habitual prisoners sentenced to simple imprisonment shall also be kept separate from other non-habituals, if possible, but if there is no separate accommodation available for them, they may be located with the latter.

30. Character and conviction of prisoners.- In ascertaining a prisoners character, the Superintendent shall be guided by any particulars regarding the nature and circumstances of the crime, or the previous character of the prisoner, furnished to him by the convicting officer. If such particulars are in sufficient, he may place himself in communication, with the police officers of the district, it is of great importance that the Superintendent should know, as much as possible, about the previous career of his prisoners.

31. Previous conviction to appear in warrant.- Previous convictions, if any, will generally appear in the warrant. The Superintendent should not be content with this information but should endeavour to ascertain from the Jail Officers, warders, and long-term convicts, as well as from the records of his Jail, if the prisoner has been previously convicted.

32. Weekly parade of prisoners for identification by police. — To afford the police the opportunity of recognising old offenders, the Superintendent shall permit a police officer deputed by the District Superintendent of Police on the day preceding the weekly parade of prisoners to have access in the jail office to the admission registers and release diary. From these the Police Officer will prepare lists of prisoners admitted during the preceding week, of prisoners who will be discharged in the following week, and of any unidentified prisoners still under police enquiry, whom the police -will have to inspect on parade. The prisoners named in these lists shall be paraded next morning at 8.0 am, separately from others, at the general parade, and the police (not more than 20 in number) who shall be conducted

by the Jailor or the Deputy Jailor, shall be permitted to inspect all these prisoners. They shall not be permitted to hold any communication with a prisoner except such as is necessary for the purpose of identification. The Superintendent shall inform the District Superintendent of Police on what date the weekly parade of prisoners will be held, and at what hour the police officer can have access to the Jail office, Only prisoners convicted under Chapters XII, and XVII of the Indian Penal Code of offences, punishable with three years or attempts at the same under sections 328. 363 to 369, persons bound down under sections *[109] and “[110] of the Criminal Procedure Code]¹, and under-trial prisoners, need be paraded for the inspection of the Police. Female prisoners shall not be paraded for inspection by the police.

33. Classification to be explained to prisoners.- The class system shall be explained to all prisoners on admission. They shall be cautioned that they will be liable to punishment if they converse or communicate with any prisoner of a different class or one confined in a different section yard or barrack than that in which they are themselves placed, or confined or if they are found in any part of the Jail other than that in which they have been placed for work or sleeping.

34. Separation of habitual female prisoners from non-habituals.- Classification, cannot in its Integrity be applied in all Jails to female prisoners, but every such prisoner shall be classified, and habitual prisoners shall be kept separate from non-habitual prisoners.

35. Prisoners of non-habitual class not to be transferred to the habitual class.- Classification cannot in its integrity be applied in all Jails to prisoners placed in the non-habitual category, but every such prisoner shall, under no circumstances, be transferred to habitual category by the Jail Superintendent and the fact of a prisoner being police-registered shall make no difference in his classification or treatment in the Jail.

1. See the Section *[109] and ***[110] of Code of Criminal Procedure, 1973 (2 of 1974).

36. Rules regarding 'Star' prisoners.- The following rules relate to the classification of "Star" prisoners:—

(A) While the ultimate responsibility for the selection of prisoner for the "Star" class rests with the Superintendents of Jails (subject to the control of the Inspector-General of Prisons) it is open to Magistrate to make recommendations in the matter; and it is very desirable that they should do so in order to give Superintendents of jails the benefit of their knowledge, seeing that they are in a better position to learn the circumstances under which the crime was committed.

(B) It is different to lay down any hard and fast definition of the class of prisoners eligible to come within the new classification. The following classes of prisoners, however, are definitely excluded from it, viz:-

- (a) prisoners who have been classed as habituals by court;
- (b) prisoners who have been placed in the "A" and "B" class by order of the Government;
- (c) prisoners who have been sentenced to simple imprisonment;
- (d) juveniles and adolescents (special treatment having already been laid down for these);
- (e) prisoners convicted under chapters VI and VII, of Indian Penal Code.

This leaves only the ordinary non-habitual prisoners and it is from these that the "Star" class is to be formed.

(C) Among non-habitants a clear distinction can usually be made between the prisoner whose crime is due to impulse or to wrong social custom, and the prisoner whose conduct indicates a cruel or depraved mental and moral state. The former should be protected as far as possible from such contamination as might result from his conviction and connement in jail And it is to this end that non-habituals will in future be divided into two classes the "Star" class and "Ordinary" class.

(D) Prisoners for the "Star" class shall be selected on the ground that their previous conduct and character have 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. One or more previous convictions need not automatically exclude a prisoner from the "star" class, provided they were for petty offences only. Even a conviction for serious crime might possibly be not regarded as a bar if the crime was committed several years before and if during the intervening period the prisoner had led generally an honest life. The age of the offender at the date of any previous conviction and at the date of his present offence should, of course, be taken into account; in fact, the entire body of the circumstances of the case should be considered with a view to determining whether the prisoner is already of so corrupt a mind or disposition that he may contaminate others and cannot be much contaminated himself, and the question should be dealt with in a commonsense manner.

(E) Detailed instructions to classify as "Star" class.- In amplification of the general principles laid down in clause (d) the following more detailed instructions are given for the guidance of courts as well as of Superintendents of jails. References are to the Indian Penal Code:-

Chapter V-Abetment.- Deliberate or habitual abetment of a serious crime or crimes should exclude from the "Star" class.

Chapter VII-Offences against the public tranquillity.- Offenders normally should be or the "star" class but professional lathials and the like should be excluded.

Chapter IX-Offences relating to public -servants.- Normally offenders should be included in "Star" class.

Chapter X-Contempt: of the lawful authority of public servants.- Offenders normally should be in the "Star" class.

Chapter XI-False evidence and offences against public justice.- In cases triable by Magistrates-Offenders normally should be in the "star" class, in other cases offenders should usually be excluded.

Chapter XII-Offences relating to coin and Government stamps.- Persons succumbing to a sudden temptation to pass false coins should

be included; Persons in any way connected with coining or a gang of coiners excluded.

Chapter XIII-Offences relating to weights and measures.- Offenders normally should be excluded.

Chapter XIV-Offences affecting the Public Health, Safety, Convenience, Decency and Morals.- Offenders should normally be included but offenders against decency excluded.

Chapter XV-Offences relating to Religion.- Offenders should normally be excluded.

Chapter XVI-Offences affecting the Human Body.- Homicide whose crime was due to an impulse of passion should be included. Homicides who kill for gain, whether for robbery or for getting rid of rival claimants to property should be excluded. Similarly in cases of hurt, wrongful restraint and the like. Offenders convicted of habitually causing abortion of an offence relating to sex in any way should be excluded.

Chapter XVII-Offence against property.- Persons who from poverty or sudden temptation commit theft and kindred offences should be included. Persons who make their living from theft should be excluded.

Chapter XVIII-Offences relating to documents and to Trade or Property Marks.- Offenders should usually be excluded

Chapter XIX - Criminal breach of Contracts Service - Offenders should normally be included.

Chapter XX-Offences relating to Marriage.- Offenders should normally be excluded.

Chapter XXI-Defamation: Offenders should normally be included.

Chapter XXII-Criminal intimidation, insult and Annoyance.- Offenders should normally be included.

Other Laws.- Offenders should normally be included, but habitual offenders against the Opium and Excise and Drug Acts, etc. should be excluded.

37. Copy of judgment to be sent for by the Superintendent.-

On the convictions of any non-habitual prisoner, a copy of the judgment should be sent to the Superintendent Jail, to enable him to determine whether the prisoner should be classed as "Star" or "Ordinary".

38. Superintendent's duty in regard to classification and to discover and report previous convictions, if any.- On the admission of a non-habitual prisoner the Superintendent of the Jail shall take steps to obtain a copy of the judgment delivered by H18 sentencing court. He in addition to examining the Judgment received from the court as laid down in paragraph 37, shall also make enquiries as to the prisoner's antecedents and previous conduct from the police if the prisoner in-is been sentenced to one year or more, a form similar to that used in the case of candidate for promotion to the grade of convict warder being used for this enquiry. Upon receipt of this information he shall decide the classification of the prisoner. When any sentencing court has recommended any particular classification, that classification should at once be acted upon but this should be subsequently modified in the light of further information received, where no recommendation as to classification has been made the Superintendent may use his own discretion as to the class in which the prisoner should be placed pending the receipt of the information he has called for. If the Superintendent of a Jail has any difficulty in coming to a decision as to how any particular prisoner should be classified, he may refer the case to the next meeting of the Board of Visitors.

39. "Star" prisoners shall be kept separate from ordinary prisoners. This separation shall extend to sleeping accommodation and parades and as far as possible to labour. When separate cells can be provided and the prisoner who is placed in the "Star" class prefers thus to be separated, his wishes should, as far as possible, be complied with. Otherwise separate wards should be set apart for the accommodation of "Star" class prisoners only.

40. Distinctive mark of "Star" prisoners.- "Star" prisoners shall

be treated in other respects as ordinary prisoners. They shall wear a star to indicate that they belong to this class.

41. Night-watch of Ordinary prisoners by "Star" prisoner, not permitted.- Night guarding in barracks in which ordinary prisoners are confined shall be carried out by night watchmen of that class only. Similarly the night watchmen required for the barracks in which "Star" prisoners are accommodated shall be appointed from that class only. As promotion to convict officials grade is given to prisoners selected for responsibility and good conduct in jail, it is probable that the majority will be drawn from the star class, in that case it might be difficult to give effect to the order regarding segregation and the danger would arise of these prisoners becoming contaminated in the later stages of their imprisonment. This danger is more apparent than real. Convict-officials are not required for duty inside the barracks at night and it is at night that there is the greatest danger of contamination. Such duties are carried out by night-watchmen and these will be provided by the two classes for their respective barracks. Convict officials are required to take charge of prisoners in the work-sheds; it is not necessary, however, that they should be posted in the work shed; they may be posted outside the door. It will of course be necessary for convict officials to accompany out-gangs, but there is very little risk of contamination in this and the same applies to attendance at parades. Moreover, the fact that the convict-official is placed in a position of some authority should of itself tend to protect him from contamination through association with ordinary prisoners.

42. Ordinary prisoners also eligible for appointments as convict officials.- Although It is highly probable that the majority of convict-officials will be drawn from the "Star" class it is not intended that promotion among prisoners of the ordinary class. should be to the grade of night- watchmen. Those considered fit for promotion shall be promoted according to the rules in force but such convict officials shall be employed only with prisoners of the ordinary class. Supplying Jails, when meeting demands for convict-officials from

the habitual Jails, should as far as possible, send such convict-officers as have been promoted from the ordinary class.

43. The superintendent, subject to the sanction of the Inspector-General of prisons, shall have the power to transfer any prisoner from the "Star" class to "Ordinary" class whose conduct is such that there is danger of his contaminating other prisoners in the class if he continues to remain in it.

SECTION II

Rules for the Treatment of Detenus

44. **Preventive Detention Act. 1950.-** The Preventive Detention Act, 1950 lays down rules for the connement of detenus.

45. **Detenus to be confined only in Central Prisons.-** Detenus will be confined in any of the jails in Rajasthan.

46. When any person committed under the provisions of the said Act is received into any Jail, an immediate report in duplicate shall be made to the Inspector-General giving the following particulars:-

- (a) Name, residence and other particulars of the detenu.
- (b) The reason for detention.
- (c) The Law and the provision of the law under which the detention has been ordered.
- (d) Whether grounds of detention were Communicated to the detenu, if so, mention the date.
- (e) The authority ordering the detention.
- (f) The date since when the person is under detention.
- (g) The period for which the person is under detention and the date on which he is due for release.
- (h) The place where he is detained.
- (i) Any other relevant information e.g. provision made for his custody, dietary and treatment.

47. How detenues are treated.- Even detenu shall, subject to the provisions of the said Act, be treated in such manner as the warrant or order committing him to Jail may direct, and subject to the orders of the Government regarding classification and treatment.

48. When a detenu is treated as a civil prisoner.- For the purposes of the Prisons Act, unless the warrant of commitment, or other order relating to any prisoner confined under the said Act otherwise directs, every detenu shall be deemed to be a civil prisoner.

49. When to be treated as an under-trial.- If the warrant or order relating to any detenu directs that he be confined in the criminal jail, he shall, for the purposes of the prisons Act, be treated as an unconvicted criminal prisoner.

50. Inspector-General to issue orders regarding health and comfort of detenues.- The Inspector-General of Prisons shall issue such orders, as he may consider necessary and as are not inconsistent with these instructions, orders of the Government regarding treatment for the health and comfort of every detenu.

51. Transfer of detenus.- No detenu shall be transferred from any one to any other Jail otherwise than under the orders of the Government.

52. Procedure on death of detenu.- (a) On the death of a detenu a special report with particulars, shall be made in triplicate to the Inspector-General for submission to Government. The order and warrant shall at the same time be returned through the Inspector-General with an endorsement certifying the detenu's death.

(b) A report shall be made to the Inspector-General immediately after a detenu is transferred to another Jail or released under the orders of Government; in the former case the Superintendent of the receiving Jail shall on arrival of the, detenu at his jail make an immediate report to file Inspector-General of having received the detenu with his warrant and order; in the latter case the order of warrant shall accompany the report with an endorsement certifying the release of the prisoner.

SECTION III

"A" and "B" Class prisoners

53. Definition.- Classes "A" & "B" are reserved for prisoners of superior social status i.e. for those whose habits or position make connement in Jail under ordinary conditions a very much severe form of punishment than it is for those less educated or of coarser habit. The social status required for admission to class "A" will be considerably higher than that required for class "B".

54. The prisoners of B class shall be kept separate from all other prisoners. They shall ordinarily be confined in any of the Central Jails at Jaipur, Jodhpur and Bikaner, or in any other jail or jails which may be specially allocated by the Inspector General of Prisons for these prisoners from time to time. Except when this is imposed as a Jail punishment, the imprisonment shall in no case involve anything in the nature of separate or cellular confinement, subject to these conditions there is no objection to these prisoners being accommodated by themselves in a barrack or a cell, as may be available:-

2[55. Scale of diet.- 'A' and 'B' class prisoners shall receive their diet at the following scale:-

(1) For labouring male convicts-

Early morning meal

Tea	¹ [7 gram
Milk	¹ [17 grams or 233
Sugar	¹ [14 grams
Wheat flour	87 grams or 14 grams or bread loaf
Ghee	117 grams butter 14 grams or Gruel 467 grams.

-
1. Subs. by Home Deptt. Order No. F. 4(17) 27, H.B./603, dt. 23.1.1962.
 2. As per diet order of Govt. of Rajasthan F. 21(58) Home/Gr.-3/76, dated 15.11.1976.

Mid-day and evening meals

Wheat flour 496 grams

Or

Clean rice 583 grams

Or

Wheat flour 292 grams and clean rice 233 grams

Or

Wheat flour 407 grams & meat with bones 467 grams

Or

Loaf bread 583 grams

Or

Rice 408 grams

Root vegetables 233 grams

Other vegetables 233 grams

Dal 175 grams or 58 grams to those given meat

Ghee or butter 29 grams

Sweet oil 29 grams

Salt 29 grams

Sugar or gur 14 grams

Milk 117 grams

Condiments 29 grams

Amchur 7 grams

Or

Chatni 7 grams

Or

Lime Juice 29 grams

Fruits 2/- or 10.13 nP. Three times a week.

Fire wood or coal 700 grams]

for the day

Note:- 1. Meat eaters may exchange meat with eggs or fish or fowl: Provided the cost does not exceed that for 8 chattaks of meat.

2. "A" class prisoners shall be allowed additional food at their own expense subject to medical advice. The food so imported shall

be of simple character and the concession must not be made an excuse for the importation of luxuries. The cooking of imported food will be carried out in the general kitchen, but on a separate stove and by a selected cook of high caste. "A" class prisoners may be permitted to use their own feeding utensils, if they so desire.

3. Alcohol, intoxicating drugs and articles of luxury are not allowed; Tobacco, betel leaves and betel nuts are not permitted without due authority.

4. A copy of the scales fixed shall be hung up in the cells or barracks where such convicts are confined.

5. The non-labouring male and female prisoners of the "A" and "B" classes shall be given the diet as mentioned in the scale above, except that the quantities of wheat flour, loaf bread, rice, meat, ghee butter, gur and sugar shall be two-thirds of the quantities authorised.

6. Diet for 'A' and 'B' class prisoners sentenced to simple imprisonment shall be the same scale as that specified for non-labouring prisoners.

7. A special diet of halwa shall be issued to all 'A' and 'B' class prisoners on the following two occasions, viz.-

Holi, Id-ul-fiter and Diwali Days.

For preparing the special diet, the following scales of articles shall be issued:-

Wheat atta	¹ [58 grams
Sugar	58 grams
Ghee	29 grams
Fuel	233 grams]

The special diet shall be in addition to the ordinary diet prescribed in this paragraph.

56. Spinning, weaving envelope-making, book-binding, Composing, sewing, and stitching or other labour of a similar kind

1. Grams have been substituted in place of Chattaks. Home Deptt. Order No. F. 4(17) (27) H.B./60 dated 23.1.1962.

shall be given to 'A' and 'B' prisoners when sentenced to labour. They shall not be asked to perform mental duties. Convict servants of the 'C' class shall be employed to cook, sweep and store water for these prisoners. Such prisoners may, however, wash their own clothes. The gang of convict servants shall attend to perform their duties at fixed hours and an officer not lower in rank than an Assistant Jailor shall be present during these hours.

57. Prisoners of "A" and "B" classes who are not sentenced to labour, shall be permitted to take such exercise as the Superintendent thinks necessary at such time and place as he may direct. The opening of barracks, use of latrines and bathing shall be carried out in accordance with Jail routine.

58. Open air exercise.- Every prisoner placed in class "A" or "B" who is required to work in his own cell shall be allowed such exercise daily in the open air as the Medical Officer considers necessary.

59. Clothing.- The prisoners of "A" class shall be allowed to wear their own clothing, but this concession shall not cover the wearing of political symbols. if they prefer to wear jail clothing, they shall wear the "B" class clothing as specified in rule 60. Combinations of jail and private clothing shall on no account be allowed.

60. Scale of clothing, etc.- "B" class convicts shall be supplied with the following clothing and necessities-

Male

Summer scale

Two dosuti coats.

Two dosuti pants

Two garha shirts

Two garha drawers

Or dosuti tikonies

One blanket

Two handkerchiefs

Convicts

in winter only,

One brown flannel coat.

One pair brown flannel pants

Two garha shirts

Two garha drawers or

Two do suti tikonies

Three blankets and

One woollen jersy.

One Comb

One durries 6' x 3'

One Tat Patti 6'x3'

One brass mug

One aluminium plate

One spoon

One fork

One topi or cap, one pair of full slippers with socks or one pair of chappals, one pillow, two pillow cases and two dosuti sheets. One piece of dosuti cloth and two towels shall be provided in addition to these articles.

Female Convicts

Summer scale

Two dosuti dresses or

Two garha saris and

Two garha jackets

Two each necessary underclothes

Two pairs of stocking, if required

One blanket

One pillow

Two pillow cases

One pair of full slipper or

One pair of chappals

One topi, if required.

Note:- 1. Superior class convicts may be permitted to use mosquito nets at their own cost.

2. Dhoties are not absolutely prohibited but should 'be given

Winter scale

(In addition to summer scale)

Two flannel dresses or one

Woollen long coat

reaching down

to the knee.

Three blankets.

One cardigan.

with discrimination at the discretion of the Superintendent of the Jail in place of shorts, trousers or pajamas.

3. Sikh and Mohammedan prisoners should be given respectively kachha instead of langias; the kachha, if possible to reach the knees. And every Mohammedan shall be provided with the special type of pant sanctioned for such prisoners.

Furniture

61. Furniture.- Articles of furniture of the following description shall be supplied to 'A' and 'B' class prisoners:-

Cot	one
-----	-----

Chair	one
-------	-----

One Commode with pan and chamber-pot for each prisoner. One shelf for books, and a cupboard for clothes and necessities for every two prisoners and a table for every two prisoners shall be allotted in each barrack. For each cell where a higher-class prisoner is confined, not by way of punishment, a chair, a smaller shelf or a smaller cupboard and a small table and a cot and a commode with pan and chamber pot shall be allowed. Prisoners shall be allowed to supplement their furniture at their own expense, subject to the Superintendent of the Jail being satisfied that there is room for it in the quarters provided.

62. Tobacco, etc.- A prisoner of the 'A' or 'B' class be permitted to purchase for his own use and at his own cost cigarettes, cigars, biris, snuff and tobacco up to an amount not exceeding Rs. 2/- a month. This privilege may be withdrawn or suspended by the Superintendent for individual cases of bad conduct or if the convict passes on any tobacco, biris or cigarettes to any other prisoner or abuses the privilege in any other way.

63. Prisoner of 'A' and 'B' class shall be allowed the use of soap, hair oil, unction oil, tooth paste or powder and tooth brush at their own cost. One piece of soap weekly to wash themselves and four chhataks of saji and two chhataks of country soap shall be issued every week to each superior class convict for washing clothes.

64. "A" and "B" class prisoners will have their hair cropped and moustaches trimmed like "C" class prisoners and when they do not wear beards and whiskers, they shall be shaved by a selected "C" class prisoner, or, if a suitable "C" class prisoner is not available, they may be shaved at suitable intervals by an outside barber selected by the Superintendent of the Jail; provided that, at the discretion of the Superintendent, any such prisoner may be permitted to keep a safety razor and other shaving materials at his own expense.

65. Educated and literate prisoners shall be allowed to read books and periodicals from the jail library. They shall be allowed to get books from outside at their own expense provided, the books are of a non-political character and approved by the Superintendent of the Jail "A" and "B" class prisoners who have behaved well may, at their own expense, be permitted to buy such newspapers, periodicals and magazine, as may be approved by Government.

66. "A" class prisoners shall be allowed to have one interview, to write one letter and receive one letter every fortnight, and "B" class prisoners the same number every month. The subject matters of letters and of the conversation at interviews shall be limited to purely private and domestic affairs and there must not be any reference to political matters, to jail administration and discipline or to other prisoners. The publication of matters discussed at interviews and breach of other conditions given above will entail liability to the withdrawal or curtailment of the privileges, interviews shall be given in the Jailor's office or in such other part of the Jail as the Superintendent of the Jail may direct.

67. Prisoners of these classes shall not be handcuffed or fettered, except by way of punishment or when, if this is not done, there would be a danger of the prisoner's escape or of an attack being made on the jail staff and then only with the sanction of the Inspector-General of Prisons.

68. The Superintendent shall have the power to inflict- (i) any of the Minor Punishments with the exception of those specified at Nos. (V) and (XI) of the Minor Punishment List & (ii) any of the Major Punishments with the exception of those specified at Nos. (II)(f), (VII),

(VIII) and (X) of the Major Punishment List. The punishment of whipping cannot be inflicted without the previous sanction of the Government.

Note:- All privileges such as interviews, letters, facilities for reading, etc. are contingent on good behaviour in jail and the Superintendent of Jail is empowered to withdraw or postpone individual privileges for unsatisfactory conduct on the part of any prisoner.

69. In the event of a prisoner of the "A" and "B" class misconducting himself, the Superintendent shall have the power of withdrawing individual privileges, but the power of removing the prisoner from "A" to "B" class or from "A" or "B" to "C" class shall only be exercised by the Government.

70. Lights shall be allowed to all "A" and "B" class prisoners up to 9 P.M.

71. ¹[(a) In the case of journey by rail, "A" class prisoner shall be conveyed in 1st Class, "B" class prisoners and Special class under-trial in 2nd class wherever available and the rest of the prisoners in 3rd class carriages.

"A" and "B" class prisoners, special class under-trial prisoners and all female prisoners will ordinarily be given a conveyance for the journey between the railway station and the Jail.

(b) "A" and "B" class prisoners when in transit from one Jail to another or to their homes on release shall receive a subsistence allowance of annas twelve per day. 25 miles is considered as a day's journey by road for these prisoners.

72. The Government reserves to itself the power to relax any of the above rules for special reasons.

73. (a) Pending receipt of final orders from the Government regarding the classification of any prisoner as class "A" or class "B" the Superintendent of the Jail shall treat such prisoner according to the classification ordered by the convict court. if any prisoner appeals

1. Subs. by Noti. No. GSR 81(84)/F. 1(5)(4) Karagar/69, dated 07.02.1973 (Pub. in Raj. Gaz. Pt. IV-C(i) Ex. order dated 28.02.1974).

against his classification as such, his appeals should be forwarded to the Government through the District Magistrate of the district in which the prisoner was sentenced.

(b) All rules regarding letters and interviews for "C" class prisoners shall be applicable to "A" and "B" class prisoners, except as regards the frequency of letters and interviews in the case of "A" class prisoners.

PART – 16

CONFINEMENT OF CONVICTED PRISONERS

(Rules under section 59 (18) of the Prisons Act)

1. Use of cells.- Cells may be used-

- (a) for carrying out sentences of judicial solitary confinement under section 73 and 74 of the Penal Code;
- (b) for the separate and cellular confinement of prisoners under section 46(8) and (10) of the Prisons Act;
- (c) for the medical observation of lunatics;
- (d) for the medical observation and separation of prisoners supposed to be suffering from bowel complaints or other sickness or to be causing sickness or sores by the, use of deleterious substances, or who are suffering from contagious affections;
- (e) for the confinement of prisoners condemned to death;
- (f) for the confinement of convicted criminal prisoners who are in the opinion, of the Superintendent likely to exercise a bad influence over other prisoners, if kept in their association;
- (g) for the confinement of convicted criminal prisoners for whom no other suitable accommodation is available;

2. Reasons for confinement in cells to be displayed.- Outside each cell in which a convict is confined whether as a punishment or otherwise, a wooden board shall be hung up with words painted thereon indicating the reason for placing the convict in the cell, such

as "observation" "condemned prisoner", "mental patient", "infectious disease", "jail punishment", "judicial confinement" "hunger strike" and the like. The mere words "Section 28, Prisons Act" are not enough and shall be avoided. This board shall be used in addition to the ordinary cell ticket R.J. 28.

3. 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 periods laid down in section 74 of the Indian Penal Code, and such periods shall not be broken except upon the recommendation of the Medical Officer.

4. Action to be taken when prisoner is sentenced to solitary confinement.- When any prisoner is sentenced to solitary confinement under section 73 of the Indian Penal Code, the Jailor shall enter his name and particulars of the sentence in the solitary confinement register and submit the register to the Superintendent for verification of the entry. This register shall be examined by the Jailor on the 1st of every month, and he shall then see that every prisoner who has an uncompleted sentence of solitary confinement is placed in a cell for the period prescribed in section 74 of the Indian Penal Code, or, according to any order on his warrant, if not contrary to that section, provided that he has previously been certified by the Medical Officer to be fit for such confinement. If there is not a sufficient number of cells available for all such prisoners, he may place half of the number on the 15th of the month. No period of judicial solitary confinement exceeding 14 days or if the sentence of imprisonment is for more than 3 months, exceeding 7 days, can be inflicted in each calendar month. If the period of solitary confinement is stated on the warrant in months, one month's solitary confinement shall be counted as 4 weeks, two months as 8 weeks and three months as 12 weeks. The execution of a sentence of solitary confinement need not be postponed on account of an appeal having been lodged.

5. Prisoners sentenced to imprisonment under two separate warrants.- 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 first term of imprisonment. Similarly, if solitary confinement is ordered in the first term of imprisonment it shall be executed during that term, and shall not be postponed to the second term of imprisonment.

6. Sentencing court to be reported of the fact of a prisoner declared unfit to undergo solitary confinement.- It prior to any period of judicial solitary confinement a prisoner is declared by the Medical Officer to be unfit to undergo, such confinement, it becomes necessary to remove a prisoner on the ground of injury to mind or body under the Medical Officers orders, the fact shall be reported to the Country by which the sentence was passed, and shall be recorded in the solitary confinement register, if subsequently there be time without, infringing the conditions of section 74 of the Indian Penal Code, and if the prisoner then be fit, he shall serve in solitary confinement, the portion of the period which remained uncompleted. If a prisoner sentenced to judicial solitary confinement be declared by the Medical Officer to be permanently, unfit to undergo such confinement, the matter shall be reported to the court which awarded the sentence, and the order of solitary confinement shall not be carried out.

7. Punishment to prisoner undergone solitary confinement.- No prisoner who has undergone a period of judicial solitary confinement shall be punished with separate or cellular confinement for a jail offence within a period equal to the judicial solitary confinement he has undergone after the expiration of such confinement. Consequently a prisoner who has to undergo 14 days judicial solitary confinement in any month cannot be punished for a Jail offence with separate or cellular confinement during the same month.

8. Watch over prisoners in cells.- During the day—time, a paid warder shall always remain within hearing of the prisoners, and, on being called shall ascertain what the requirements of the prisoners are. A strict watch shall be kept over all the prisoners in these cells to

prevent them committing suicide or injuring themselves. With regard to the keys of the cells, see paragraph below.

9. Guarding, confinement and sickness of prisoners in cells.-

At night the guards shall be so posted and arranged that all prisoners in cells shall at all times have the means of communicating with a jail officer or sentry: and each prisoner in solitary confinement shall be inspected (ordinarily through the eye-hole in the door) at every change of guards, in case of sickness immediate notice shall be given by the guard to the Head-Warder on duty by passing the word sentry to sentry. The Head Warder shall at once report the case to the Medical Officer who shall visit the cell, and, if necessary, remove the prisoner to hospital, and inform the Superintendent of the circumstances at their next visit and the Jailor immediately, in order that the keys of the cells shall be always immediately available in case of sickness or attempted suicide, the sentry during the day shall keep them in his possession attached to a chain and wristlet and at night in Central Jails and in the District Jails they shall be suspended on hooks bearing numbers corresponding with the cell numbers in a special cupboard fixed to the octagon tower, or at the main gate, and in other District Jails in a similar special cupboard at the main gate, the keys in which in both cases shall be kept by the patrolling officer, who is authorised to open the door of any cell, at night for the purpose of rendering prompt aid to any prisoner whose life he considers is in immediate danger from an attempt to commit suicide or from sudden illness. He shall, however, send information with least possible delay to the Jailor. Two prisoners shall under no circumstances whatever be confined in one cell. If dangerous lunatics have to be watched by convicts, the watchers must be placed outside the grated door of the cell.

10. Solitary confinement register.- The Jailor or Octagon Officer shall first enter the details of the prisoners in the "Solitary Confine Register" R.J. 155v and then fill in the columns of the "Cell-door ticket" R.J. 28. The register should be signed by the Officer-in-charge, of the Jail and the cell door ticket by the Jailor acting under the orders of the officer-in-charge.

11. Admission of prisoners for separate and cellular confinement.- The Warder in charge of the cells shall receive no prisoner for separate or cellular confinement without an order from the Jailor or Octagon Officer acting under the orders of the Superintendent.

12. Search of cell and of prisoner before confinement therein.- Before being put in a cell each prisoner shall be very carefully searched, and all implements and appliances likely to facilitate escape or suicide shall be taken away: and every cell and every prisoner therein shall be carefully searched daily at lock-up time, and oftener, if necessary.

13. Visits by Superintendents and Medical Officers etc. to prisoners in cells.- (1) Every prisoner confined in a cell for more than 24 hours shall be visited daily by the Superintendent and also by the Medical Officer. A prisoner sent to a cell for medical observation shall be frequently visited by the warder on duty, who shall send information to the Medical Officer of any change which may take place in the prisoner's condition. During the time that the prisoner is under observation he shall receive such food, as the Medical Officer may consider necessary.

(2) The head warders on duty shall pay similar visits at least once in two hours during the day and the night. At each relief, the retiring officer shall satisfy himself that the correct number of prisoners in cells are present and that all is well.

14. Cells to be kept clean.- Prisoners confined in cells shall be required to keep their cells scrupulously clean and the bedding of prisoners in cells, except that of prisoners under observation for sickness or insanity shall be withdrawn from the cell during the day, and exposed to sun and air when weather permits.

15. Supply of extra blanket in place of moonj bedding.- Prisoners confined in cells shall be given an additional blanket for use in place of moonj or also bedding.

16. judicial solitary confinement.- Sentences of solitary confinement passed by the courts shall be executed as if they were

sentenced of cellular confinement as defined in the explanation to clause (10) of section 46 of the Prisons Act.

17. Responsibility for execution of sentence.- The Jailor is responsible for the due execution of sentence of solitary confinement.

18. Batches for execution of sentence.- Convicts sentenced to solitary confinement shall ordinarily be divided into four batches, and each batch shall undergo solitary confinement for one week in each month. Before being placed in cells each batch of convicts shall be paraded and inspected by the Superintendent and the Medical Officer. Any convict found unfit shall not be placed in solitary confinement.

19. Removal for cell under medical advice.- if the Medical Officer is of opinion that solitary confinement is likely to prove injurious to the mind or body of any convict, he shall forthwith order him to be removed from cell and shall record he order in his order book.

20. Remission of sentence in case of unfitness.- When a convict is declared permanently unfit to undergo a sentence of solitary confinement or any portion thereof, Superintendent shall apply to the Rajasthan Government through the Inspector-General for the remission of such sentence or the unexpired portion thereof.

21. Certificate of completion of sentence.- When a sentence of solitary confinement has been executed or remitted, the fact shall be certified on the back of the warrant.

22. Convicts not to leave cells except for bathing.— Convicts undergoing solitary confinement shall not be taken out of their cells for the purpose attending to the call of nature, but shall be permitted to leave their cells for bathing purposes under the escort of a warder between 9 and 10 A.M. before other convicts return from work. Prisoners shall not be taken out of the cell at any other time.

23. Transfer to another jail.- When a convict having any uncompleted sentence of solitary confinement is transferred to another Jail, the Superintendents shall enter on the back of the warrant, the

details of the periods of solitary confinement undergone, and shall forward his solitary cell ticket RJ. 28 with the convict.

24. Convict sweepers, cooks and watermen to enter cells.- Convict sweepers, cooks and waterman may enter the cells, when necessary, accompanied by a warder. Food shall be cooked and carried to the cells by prisoner cooks of suitable caste, under the Superintendent of a Jail officer.

25 Prisoners in cells to remain silent.- Strict silence must be maintained among all prisoners in cells.

PART - 17

PRISONERS' HISTORY-TICKETS

(Rules under section 59(19) of the Prisons Act)

1. Prisoner's History-ticket Every prisoner, whether under-trial or convicted to simple or rigorous imprisonment, shall be provided with "History-ticket" in which beside the information regarding crime section under which being tried or sentenced, as the case may be, all other particulars should be recorded against appropriate headings given in it at the time in chronological sequence and every occurrence of importance in his jail life and every order specially relating to him shall also be faithfully recorded. Every entry in the ticket shall be dated and initialled.

2. Every under-trial prisoner shall be furnished with a history-ticket R.J. 13 and every convicted prisoner with a history-ticket, RJ. 7, if sentenced to one year or less and R.J. 8 if sentenced to a term exceeding one year.

3. Certain matters in history-tickets to be filled in by the Medical Officer.- In the heading of the history-ticket; of each prisoner, the Medical Officer shall himself enter or cause to be entered under his instructions, the prisoners weight on admission and physical equivalent, his state of health, the class of labour for which the prisoner is fit, if sentenced to rigorous imprisonment, and whether he has been protected by vaccination, inoculation or small pox. He shall also subsequently enter or cause to be entered in the history

ticket the fact of vaccination having been performed in Jail and the result, the admission and discharge from hospital on every occasion, with the disease for which admitted and any special instructions for the treatment of the prisoner, change of work of food etc. other than matters for which he is solely responsible. On discharge of a prisoner from hospital on the convalescent or special gang, he shall invariably enter whether the prisoner may revert to his original work and task, or whether some other work and task should be allotted to him. He shall also see that the fortnightly weighments are duly recorded on the history-tickets.

4. Other matters to be entered on history-tickets by the Deputy Superintendents, Jailors and his subordinates.- All other particulars required to be entered in the history-ticket shall be made by the Deputy Superintendent or by the Jailor or Deputy or Assistant Jailor or Octagon Officer, as the rules or the orders issued under them by the Superintendent shall direct but remission shall only be entered by the officers empowered by the Inspector-General under rule 13 and 14 of the Chapter on Remission System made by the Government of Rajasthan under section 59 (5) of the Prisons Act.

5. Matters to be recorded on history-tickets by the Superintendents.- The Officer-in-Charge shall record on a prisoner's history ticket-

(a) Any special order he may have to give as to the treatment of the prisoner, e.g. location in juvenile ward, separation at night in cells, any particular work or duty, etc. including that of hospital attendant.

(b) The award of any punishment (including formal warning) or an admonition.

(c) Sanction for extra-mural employment.

(d) Promotion to grade of night watchmen, overseer or convict warder.

(e) The award of remission, if given by himself.

6. Weighment of prisoners to be recorded on history-tickets-

The Medical Officer, and Assistant Jailor, or compounder if deputed to assist him in weighing the prisoners, shall enter the weighments of every prisoner in his history-ticket. The Medical Officer shall also enter in a prisoner's ticket any special recommendation regarding his treatment

7. History-ticket to be kept by convict officer.- The history-ticket of each prisoner shall be kept in a proper receptacle by the convict officer, in whose charge he is placed, to be produced by him whenever required. It shall go with the prisoner whenever he is changed to another gang or work or sent to hospital. At the weekly parades each prisoner shall hold his ticket in his hand for the superintendents inspection: and it shall invariably be produced with the prisoner when he is reported for an offence or brought before the Superintendent or Medical Officer for any reason, or when remission is awarded.

8. Period of preservation of history-tickets.- The history-tickets of prisoners who die in Jail or who are released shall be kept for one year after death or release. The history-tickets of escaped convicts shall be permanently preserved.

When a prisoner is transferred to another Jail his history-ticket shall be sent with him.

PART - 18

APPOINTMENT OF PRISONERS AS OFFICERS OF PRISONS

(Rules under section 59(20) of the Prisons Act)

SECTION I

Convict Officers

1. Grade of convict officers.- There shall be three grades of convict officers, watchmen, overseers and convict warders. Prisoners who have been appointed as convict officers are public servants within the meaning of the Indian Penal Code.

2. Strength of convict officers.- The maximum number of convict officers in a jail shall in no case exceed ten percent of the daily average population thereof.

3. Convicts not eligible for appointment as convict officers.-

Convicts imprisoned under the Rajasthan Excise Act or for escape (Section 224, IPC) or attempt or escape, or for offences under sections 231-263-A (relating to coins or Government stamps), 328 (poisoning), 377 (unnatural offence), 463, 464, 466-477 (forgery and false documents), 489-A, 489-B, 489-C and 489-D (counterfeiting currency notes and bank notes), of the Indian Penal Code and convicts imprisoned under section *[109] of the Criminal Procedure Code, 1898¹, who are not police-registered and prisoners sentenced under section 400 and 401 of the Indian Penal Code, shall not be appointed convict officers.

4. Convicts eligible for appointment as convict officers.-

All convicts other than those mentioned in the preceding rule sentenced to rigorous imprisonment or to simple imprisonment if they elect to labour throughout the term of their imprisonment, are, subject to the conditions mentioned in the succeeding rule eligible for appointment as convict officers.

Note:- Military deserters may be appointed convict night watchmen and convict overseers and employed inside barracks, but should not be permitted to work on the main wall.

5. Assault or violence by convict officers.-

No convict officer shall on any pretext strike a prisoner except in self-defence or in defence of a Jail officer, or in the repression of a disturbance (in which case no more than necessary force shall be used) or use any violence except when absolutely necessary. Any convict officer proved to have infringed this rule shall be permanently degraded to the position of an ordinary convict.

6. Prosecution of convict officers.-

Any convict officer detected in introducing or conniving at the introduction of forbidden articles shall be prosecuted before a Magistrate under section 42 of the Prisons Act and whenever guilty of wilfully or negligently permitting a prisoner to escape, he shall invariably be prosecuted under sections

1. See the Section *[109] of Code of Criminal Procedure, 1973 (2 of 1974).

222 and 223 of the Indian Penal Code. Convict officers are bound to do all in their power to prevent escapes.

7. Independent charge of convict officers.- No convict officer shall have Independent of any file, gang or other body of prisoners outside the Jail walls, nor shall be 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 mehtars or water carriers or compound-sweepers.

Permanent paid warders only shall be in charge of habitual prisoner gangs and workshops.

8. Appointment of convict officers.- 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 Convict officers should not be employed to guard civil prisoners. Convict officers are not to be employed to guard prisoners condemned to death, or prisoners in huts outside the jail walls, except in cholera camps.

9. Register of eligibility of convicts for various grades.- The Superintendent shall maintain a register in form R.J. 158 showing the probable dates of eligibility of every convict for the various grades of convict officers. These dates shall be worked out and recorded in the register at the time a convict is admitted to Jail. Convicts shall be considered for appointment in strict accordance with the seniority on this register.

SECTION II

Convict Watchmen

10. Qualifications for convict watchmen.- No prisoner shall be appointed to be a convict watchman who does not possess the following qualifications-

(a) That he has completed one-fourth of his sentence excluding remission, if any;

Note:- For the purpose of this clause, a sentence of transportation for life shall be deemed to be of 14 years rigorous imprisonment.

(b) That he has been well behaved;

(c) That he is industrious;

(d) That if under the remission system, he has at the time of appointment earned at least 3/4 of the remission he can obtain.

(e) That he is physically fit to do two hours night duty in addition to his ordinary day labour.

(t) That he has not been convicted of any offences mentioned in paragraph 4 above.

Convict watchmen shall be appointed by the Superintendent. Whenever it is possible, these appointments should be reserved for prisoners who are under the remission system. Prisoners sentenced to less than a year's imprisonment should be appointed only if a sufficient number of prisoners with longer-terms are not available.

11. Promotion among prisoners of the ordinary class to be limited to the grade of night watchmen.- Although it is highly probable that the majority of convict officials will be drawn from the Star class it is not intended that promotion among prisoners of the ordinary class should be limited to the grade of night-watchmen. Those considered fit for promotions shall be promoted according to the rules in force, but such convict officials should be employed only with prisoners of ordinary class. Supplying jails when meeting demands for convict officials from the two habitual Jails, should, as far as possible, send such convict officers as have been promoted from the ordinary class.

12. Habitual prisoners as convict night watchmen.- Habitual prisoners with two or one previous conviction may be employed as convict-night watchmen in the barracks for habitual prisoners at the Jaipur Central Jail, provided they are eligible according to rule 9 above. They shall not be employed as night watchmen over prisoners of the casual class.

13. Limit of the number of convict night watchmen.— The

number of convict night watchmen shall be limited to the number actually required in addition to the convict overseers for furnishing the prescribed night watch in the sleeping wards of the Jail.

14. General duties of convict watchmen.- The general duties of a convict watchman are to assist the convict overseer in watch and ward, and in maintaining order and discipline inside the wards at night, to prevent prisoners heaving their beds except with permission and for a necessary purpose, to keep silence in the wards, and to take care that all the prisoners are present and whenever challenged by the patrol, to count.

15. Batches of convict watchmen.- One of the prisoners being locked-up for the night the Jailor, on in Central Jails the Octagon Officer, shall with the assistance of the Head Warder, arrange for the hours of watch for each convict watchman, noting the hours in the hock-up note-book for the information of all patrolling officers during the night: or the tum of watch for each ward may ordinarily be fixed every week, and the names of watchmen to come on duty for each watch may be posted up in a frame in the ward.

16. Privileges of convict watchmen.- Convict watchmen are exempted from wearing ankle rings and fetters. They shall be in the position of ordinary prisoners as regards labour and discipline by day, and shall for any irregularities or short work be punished in accordance with the rules. They shall receive five day's remission, per month if they have carried out their duties thoroughly well. For offences committed while on duty as watchmen, they shall be liable to the same punishments as convict overseers.

17. Selection of convict watchmen for convict overseers.- All watchmen shall be paraded together, apart from the prisoners, after the regular weekly parade and the opportunity should be taken to select the best men among them to fill any vacancies in the grade of convict overseers, to punish those who have committed faults during the previous week, and to issue any general orders that may be necessary for their guidance.

SECTION III

Convict Overseers

18. Convict watchmen be a convict overseers condition.-

Convict overseers shall be appointed by the Superintendent from the grade of convict watchmen on the following conditions:-

- (a) when they have served as watchmen for three months, if the sentence is one year or more, for two months, if the sentence is more than six but less than twelve months and for six weeks if the sentence is six months or less.
- (b) That they are under the remission system and have earned three fourths of their possible remission.
- (c) That they have served one-third of their sentence excluding remission.

Note:- For the purpose of this clause a sentence of transportation for life shall be deemed to one of 14 year's rigorous imprisonment.

- (d) That their work has given satisfaction.
- (e) That they are physically capable of performing such duties, as may be required of them.
- (f) That if they are habitual prisoners they shall only be employed in connection with the watch and ward of habitual prisoners in the Jaipur Central jail.

19. Appointment of convict overseers.- No prisoner shall be appointed an overseer, permanently or temporarily, in contravention of the above rules without the sanction of the Inspector-General. Every order appointing a prisoner a convict overseer shall be written by the Superintendent himself on the prisoner's history-ticket, and in district jails, it shall also be entered in the Superintendent's order-book.

Note:- In eligible convicts when appointed to act as convict officers shall be allowed the concessions given to qualified prisoners.

20. General duties of convict overseas.- The Superintendent will fix the special duties of overseers: but the assignment of individual

men for the posts may be left to the Jailor. It is the duty of all overseers:-

- (a) To obey the Superintendent, Deputy Superintendent, Jailor or any Jail official or officer of the P.W.D. under whom they may be placed unless they are ordered to do anything contrary to Jail rules, in which case, they shall report at the earliest opportunity to the Superintendent or the Jailor.
- (b) To assist the warders of their gangs in, superintending the prisoners at work, conducting them to parades, maintaining discipline and silence and keeping them in safe custody.
- (c) To share with the watchmen the duty of guarding the wards by inside patrol at night, and to be responsible for the efficiency of the watch, the safe custody of the prisons, and the maintenance of discipline in the wards at night.
- (d) To escort individual prisoners about the Jail and to take, them to the hospital, when necessary.
- (e) To carry the history-tickets of the prisoners of their gangs in a bag specially provided for the purpose.
- (f) To count frequently the prisoners made over to them, to see that the number is correct, and to search them and to prevent their receiving or retaining forbidden articles. In the event of forbidden articles being found upon any prisoner, the convict overseer in charge of the gang to which such prisoner belongs shall, unless he has reported the fact: be punished.
- (g) To give notice of any breaches of jail rules, plots or conspiracies that may come to their knowledge, whether amongst prisoners of their own or of other gangs.
- (h) To see that their prisoners industriously perform their tasks, do not leave their proper places or communicate with each other in an irregular manner and that they keep in file when moving from place to place.
- (i) To report every prisoner who uses the latrine (except for the purpose of urinating) out of regular hours: and to report all cases of diarrhoea and other sickness, especially during the prevalence of epidemics.

- (j) To see that every prisoner properly folds up and arranges his bedding in the morning before the wards are opened.
- (k) To see that their prisoners wash themselves and their clothes, and keep their leg-irons clean and bright, and that they do not barter, alter or damage their clothing.
- (l) To assist in quelling any out break, and to defend any Jail official in case of assault.

21. AH overseers shall be paraded together in order of merit, apart from ordinary prisoners after the weekly inspection of the convicts; and the opportunity should be taken to punish those who have committed faults during the previous week and to praise those who have done well. Any general orders it may be necessary to issue for their guidance, shall be carefully explained to them during this parade.

22. The privileges of overseers are freedom from penal labour, the power of earning six days' remission per month; exemption from having their heads shaved and beards trimmed; exemption from wearing ankle rings and fetters; the possibility of promotion to convict wardership when qualified; and wearing distinctive clothing.

23. Minor offences or negligence committed by overseers may be punished by loss of remission or by permanent or temporary degradation to watchmen, or by both. For serious offences an overseer may be permanently degraded to ordinary convict and may be further punished by such forfeiture of remission or by such other punishment as is allowed by the Prisons Act, and by the Government rules thereunder. But degradation shall invariably precede such other punishment, and the uniform shall be removed and the convict dress substituted before the punishment is carried into effect.

24. Whenever an overseer, received from a Central Jail, is permanently degraded, he must be retransferred to the jail from which he was received.

25. These rules and others relating to a convict overseers duties shall be translated into Hindi and printed on a separate sheet, a copy of which shall be given to every overseer on appointment and shall, if he is illiterate, be explained to him.

26. The employment of convict overseers as night guards may be allowed in any Jail with the special sanction of the Inspector-General, where, owing to the arrangement of the buildings or the numbers of wards to be guarded, the number of paid convict warders is insufficient for the secure guarding of the Jail.

SECTION IV

Convict Warders

27. Strength of convict warden.- The number of convict warders in a Jail shall not exceed two percent of the daily average population thereof.

28. Qualifications for convict warders.- Every convict overseer of the casual class who has served four months in that post, shall be eligible for a convict wardership. Habitual convict overseers shall not be eligible for a convict wardership. As it is extremely dangerous to appoint as a Convict warden, a prisoner who has no fixed abode, or whose antecedents cannot be enquired into, it is necessary before his appointment to ascertain from the prisoner particulars as to his place of abode and of his relatives and friends living there; these details should be verified by enquiry through the District Superintendent of Police of the District in which the place of abode is situated. No life prisoner will be eligible for a convict wardership until he has completed 8 year's imprisonment excluding remission. The selection, which shall in all cases be by merit, and not by seniority, shall be made personally by the Superintendent and shall be sanctioned by the Inspector-General, the Superintendent shall give his reasons for the selection that he has made.

29. Duties of convict warders.- Convict warders shall be employed within the Jail walls under the same rules and on the same duties by night as well as by day as paid warders of the Jail, except that they shall not be entrusted with the keys of locks in use at the main gates, cells, sleeping barracks, hospitals or other places where prisoners are confined for punishment or security. They shall have no arms of any kind except the baton and whistle. They shall on no consideration be allowed to go beyond the precincts of the jail, which

should be carefully defined and pointed out to them by the Superintendent, and must not be allowed to mix with the paid warders in their barracks and cook-rooms.' During all parades, they will be given charge of a section of prisoners and will be held responsible that the prisoners do not talk unnecessarily, that they walk in line, and that they promptly obey all words of command. Any complaint preferred by a prisoner in a convict warder's section during the parade should be conveyed by him to the officer on duty. At the opening and locking up of the Jail, the whole convict warder guard shall be mustered in the main enclosure, and no convict warder shall be allowed outside the main gate after lock-up.

30. Superintendent's power to degrade convict officers.- The Superintendent shall have the power to degrade convict warders to overseer or ordinary convict. In every case the enquiry must be made by the Superintendent in person. The Superintendent may also punish a convict warder for minor offence with loss of remission or temporary deprivation of the privilege of going outside the jail or of cooking his rations himself or of receiving a gratuity. For serious offences convict warders will be liable to additional punishment after degradation as in the case of overseers.

31. Appointment of female convicts as convict night watch women and overseers.- Female convicts are eligible for appointment as convict night watch women and convict overseers in accordance with the rules contained in this chapter. They shall, however, be ineligible for promotion to the rank of convict warder and shall not be employed outside the female barrack at night.

SECTION V

Miscellaneous

32. Physical training to convict warders and convict Overseers.- Convict warders and convict overseers shall receive elementary instruction in physical training exercise.

33. Fetters for convict officers.- Convict warders and convict overseers shall not be punished by the imposition of fetters.

34. Supply of whistles and umbrellas to convict overseers.- Convict overseers on duty at night outside the barracks or on the

main wall shall be provided with batons and whistles. Convict overseers in charge of gangs shall be provided with whistles only.

35. Supply of umbrellas.- All convict warders and convict overseers on duty on the main wall or elsewhere where they are exposed to the inclemency of weather, shall be provided with umbrellas to protect themselves from the sun in the hot weather and rain.

36. Privilege for convict overseers.- Convict overseers are allowed the following privileges:-

- (a) to wear at their own expense shoes of the pattern approved by the Superintendent; and
- (b) to have an interview and to write and to receive letter once a month.

Note:- Convict overseers may with the permission of the Superintendent, substitute a letter with reply for an interview or vice versa.

37. Supply of batons and whistles to convict warders.— Convict warders, shall be provided with the ordinary warder's baton and a whistle.

38. Privileges for convict warders.- Convict warders are allowed the following privileges:—

- (i) to live and sleep separately from ordinary prisoners;
- (ii) to cook their own food;
- (iii) to wear at Government expense shoes of the pattern approved by the Superintendent;
- (iv) to smoke tobacco provided at their own expense during fixed hours at such place, as the Superintendent may appoint; and
- (v) to have an interview and to write and receive a letter once a month.

Note:- Convict warders may with the permission of the Superintendent, substitute a letter with reply for an interview or vice versa.

39. Reversion of convict officer's on ground of incapacity.- Should any convict officer become permanently incapacitated to

perform all or any of the duties required of him, the Superintendent may revert him to the position of an ordinary convict.

40. Female convict overseers.- One or more female convict overseers shall be appointed in every prison where female prisoners are confined.

41. Female convict night watch-women and convict overseers.- The rule for convict night watchmen and convict overseers shall mutatis mutandis be applicable to female convicts.

PART - 19

REWARDS FOR GOOD CONDUCT

(Rules under section 59(21) of the Prisons Act)

1. Use of books by prisoners.— Educated prisoners who have behaved well may be allowed a book to read on Sunday or during the rest hour. Provided that the books shall have been approved by the Superintendent, and that the Superintendent sanctions the Indulgence. A book allowed to a prisoner should not be given to any other prisoner: if this rule is infringed the offender shall not only forfeit the privilege of having a book, but also be liable to punishment.

2. Prisoners who have behaved well may, at their own expense, be permitted to buy such newspapers, periodicals and magazines, as may be approved by Government.

3. Casual prisoners who have behaved well may be allowed to play such in-door and out-door games (except card games) as may be permitted by the Inspector-General in this behalf. Well-conducted habitual prisoners may be allowed to play the in-door game of carrom and the out-door game of volley ball subject to such restrictions, as may be imposed by the Jail Superintendent.

4. Money grant to reward industry.- A budget grant will be placed at the disposal of the Inspector-General annually for distribution to Jails, with a view to industrious convicts being rewarded.

5. Award of gratuities for industry.- (1) The Superintendent may, subject to the limits of-

(a) the grant made for the purpose by the Inspector-General in respect of the Jail, and

(b) by the maximum -monthly limit in respect of individual prisoners, prescribed by the Inspector-General, grant to any convict a gratuity, at the rates laid down below, in money in respect of extra quantity or superior quality of any work done by such convict, or of his being employed to teach any handicrafts.

Provided that no convict shall be eligible for any such gratuity, if he is under the remission system, unless he has been awarded three-fourths of the remission which it was possible for him to earn under the remission rules, during the period of sentence undergone; or if he is not under the remission system, unless he has passed at least three consecutive months in Jail without having been punished (Otherwise than by a warning) for any prison offence.

(2)(a) For 25% extra task — 1 anna per day

For 50% extra task - 2 annas per day

For 75% extra task - 3 annas per day

For 100% extra task — 4 annas per day

and proportionately for extra tasks falling in between.

(b) For superior quality work — 1 anna per day

For being employed to teach any handicraft 2 annas per day.

(3) No gratuity under this rule shall be granted to any convict warder for the time being in receipt of a gratuity under the rules regulating the grant of gratuities to convict warders.

6. Money grant to indigent prisoners on release.— A budget grant will be placed at the disposal of the Inspector-General annually for distribution to jails, with a view to enabling indigent prisoners to lead a life of honesty after release and while in quest of work.

7. Conditions for the grant to indigent prisoners.— The Superintendent may, subject to the limits of-

(a) the grant made for this purpose by the Inspector-General in respect of jail; and

(b) The maximum amount which may be granted to any convict prescribed by the Inspector-General.

grant to any convict upon his release, such sum of money as he may think necessary, for the purpose of enabling the convict to maintain himself until he can secure honest employment: provided that no such grant shall be made to any prisoner who, at the time of his release, is in possession of a sum of five rupees or more.

Note:- The amount paid to a prisoner under this rule shall be over and above any sum paid to him to cover the expense of the journey to his home and subsistence allowance for the time spent on such journey. If any convict at the time of release has less than five rupees, apart from travelling and subsistence allowance in his possession, the grant made under these rules shall not exceed an amount equal to the difference between the sum already in possession of the prisoner and the sum of five rupees. The amount granted shall always be dealt with as prescribed in paragraph 8 below.

8. Rewards to convict officers for approved services.- Convict nightwatchmen and convict overseers, convict warders. if their duties have been performed to the entries satisfaction of the Superintendent, shall be granted an allowance of annas 3, 5 and 8 annas per mensem, respectively, which shall be drawn by the Jailor, at the time of their release on transfer to another Jail under the head "other charges" money payments as rewards for recapture and service: entered in the cash book and added as part of their property. Any allowance/gratuity thus awarded to them may not be withdrawn by way of punishment, as it is intended to form a fund for their use after their release from Jail. The total amount of the allowance/gratuity earned under this rule, shall be sent along with them, if they are transferred to another jail.

9. Gratuity to prisoners employed as sweepers.- Prisoners employed as sweepers in Jail, if their duties have been performed to the entire satisfaction of the Superintendent, shall be allowed a gratuity of ¹[Rs. Two per mensem,] which shall be drawn in the manner laid down in the preceding rule. Any gratuity thus awarded to them may not be withdrawn by way of punishment, as it is intended to form a fund for their use after their release from jail. The total amount of

1. Subs. by Noti. No. F. 1(17)(39) H.B./Gr.-II/65, dated 25.03.1996 (Pub. in Raj. Gaz. Pt. IV-C, Order dated 26.05.1966).

the gratuity earned under this rule shall be sent along with them, if they are transferred to another jail.

PART - 20

TRANSFER OF PRISONERS FOR RELEASE

(Rules under section 59(27) of the Prisons Act)

1. Transfer of prisoners for purposes of release.- Every convict belonging to any of the classes specified in the table annexed to this rule shall, if confined in a Jail other than the jail of the district in which he ordinarily resides, and if fit to navel be transferred, for purposes of release, at the time and to the jail specified in the said table in that behalf.

Table showing the jail to, and the time at which, convicts of each class are to be transferred under this rule:-

Class of prisoner	Purpose of transfer	Jail to which transfer is to be made	Period prior to the expiry of the substantive sentence at which the transfer is to be made
1	2	3	4
1. Habituals of Rajasthan	For release	To the jails of the district to which they belong	Ten days
2. Previously convicted prisoners of Rajasthan in respect of whom an order has been passed by the sentencing court under section *[56 (1)] of Cr. P.C.] ¹	— do —	— do —	— do —
3. Females of Rajasthan and other prisoners	— do —	— do —	Six weeks
4. P.R./T. prisoners of Rajasthan	— do —	— do —	One month

1. See the Section *[55(1)] of Code of Criminal Procedure, 1973 (2 of 1974).

Provided that convicts who belong to wandering tribes and have no fixed abode shall be released from the jail in which they are confined, intimation of their release must be sent to the Superintendent of Police of the district in which they are convicted.

2. Ordinary release of prisoners.- All other prisoners shall ordinarily be released from the jail in which they are confined in at the time of release, but the Government may give special orders directing that prisoners confined in any jail shall be transferred to the district in which their homes are situated and released there.

3. Transfer of prisoners unfit to travel for release.- Any convict who by reason of illness is not in a fit condition to travel at the time he would ordinarily be transferred for release but who subsequently become fit to travel in time to allow him to reach his destination before his sentence expires, shall be transferred when he becomes fit to travel.

4. Transfer of previously convicted prisoners before release.-
(1) In the case of previously convicted prisoners referred to in item (2) of the above table, the court passing the order causes a copy of it to be attached to the warrant with which the prisoner is sent to Jail. The rule framed by the Rajasthan Government under sections 3 of the Code above referred to, require the Superintendent of the Jail to enquire of a convict regarding whom such an order has been received in what district he intends to reside and to transfer the convict to that district for release.(if his home is in another district), as in the case of an habitual convict. The order under section *[565(1)] of the Criminal Procedure Code]¹ shall be attached to, and an entry regarding it shall be made in the notice which is given to the police as laid down in the section in the "Release of prisoners" prior to the release of the prisoner. An entry shall be made in red ink in the register of admission in every case in which such an order is received and also of the date on which it is given or sent to the police prior to the release of the convict.

1. See the Section *[356] of Code of Criminal Procedure, 1973 (2 of 1974).

(2) With the object of avoiding unnecessary expense and trouble to the Police Department. Jail Superintendents should arrange as far as possible, that such retransfers are made once a fortnight. Care should be taken that transfer under this rule are not effected more than ten days before the date on which their release may be due, and that, on the other hand, sufficient time is allowed 10 days and subsidiary Jails to arrange the preliminaries of release.

5. Transfer of female prisoners for release.- When the home of a female prisoner, about to be released, is at any distance. from the Jail, a notice Will be sent one month before he release to the Magistrate of the district in which her home lies, asking him to intimate to the woman's relatives, the date of such release, and to urge them to come and receive her at the jail gate. In the event of no relative appearing to receive her, she shall be furnished with a railway ticket and subsistence allowance as in the case of male convicts, and cart hire for the journey that will have to be performed by road. But in exceptional cases, the Superintendent may use his own discretion as to additional measures considered necessary to protect the woman on her journey.

6. Transfer of sick P.R./T. prisoners other than habituals before release.- If a P.R./T. prisoner other than an habitual, is unfit. by reason of sickness, for transfer, one month before his release, the fact should be communicated to the Superintendent of police of the district to which the prisoner belongs and also the local District Superintendent of police. If the prisoner subsequently becomes fit for transfer in time to allowed of his reaching the Jail of his district before his release is due, he shall then be transferred. If, when ten days of the sentence remain to be served, any P.R./T. prisoner is unfit for transfer, his release notice should be sent to the local police with a note of the fact on it, and on the day of his release, he should be discharged at the Jail gate without further action being taken. Leper prisoners marked P.R/T. located in Jails, set apart for persons so diseased shall not be transferred to their native districts until only sufficient time is left for them to reach the Jail from which they are to be released on the morning of their release or the day before release.

The release notice of such prisoners shall be sent to the District Superintendent of police of their district or the Superintendents of the leper

7. Transfer of other prisoners before release.- Whenever it is intended to transfer another prisoner before release, whether with or without conditions to the jail nearest the border of the State in which he wishes to reside, the Superintendent of the transferring Jail shall report the fact of the proposed transfer to the Chief Secretary concerned through the District Magistrate at least six months before the date on which the actual release of the prisoner falls due, submitting at the same time a nominal roll in duplicate. Timely intimation of the anticipated release of another State prisoner not electing to reside in such place, should be given to the Chief Secretary through the District Magistrate.

8. Transfer of prisoners to other districts for release.- Care must be taken in regard to all prisoners who have to be transferred to other districts for release, likewise in the submission of release notices to the police that full allowance is made for all remissions of sentences such prisoners are likely to earn under the remission rules.

PART-21

TRANSFER AND DISPOSAL OF CRIMINAL LUNATICS

(Rules under section 59(23) of the Prisons Act)

Lunatics

1. Classification of lunatics.- Persons who are supposed or are known to be of unsound mind may be detained in jails and may be divided into five classes:-

(1) Persons who have not committed a crime and who are supposed to be lunatics placed-under the observation of the Medical Officer under the provisions of the Indian Lunacy Act, 1912]¹.

(2) Persons accused of a crime and supposed to be of unsound

1. Please see the provision of Mental Health Act, 1987 (Indian Lunacy Act, 1912 is Repealed).

mind placed under the observation of the Civil Surgeon under section *[464] of the Criminal Procedure Code]¹

(3) Persons accused of a crime and 'found incapable of making their defence owing to unsoundness of mind and detained under section "[466] of the Criminal Procedure Code]¹.

(4) Persons acquitted after trial on the ground of insanity who have been found to have committed an act which would but for the incapacity found, have constituted an offence [(section ***471], Procedure Code)]².

(5) Prisoners who have become insane after their conviction' and admission into Jail.

Persons of class (1) are denominated non-criminal lunatics and of classes (2) to (4), criminal lunatics and persons of (5) lunatic prisoners.

Non-Criminal Lunatics

2. Non-criminal lunatics.- When under section 16(1) of the Lunacy Act], a Magistrate authorizes the temporary detention of an alleged non-criminal lunatic in order to enable the Medical Officer to determine whether he is a person in respect of whom a medical certificate may be properly given, he shall, at the time of such authorization, or as soon after as may be practicable, send to the Medical Officer, a statement of the particulars prescribed in the appropriate form so far as they have been ascertained, together with an abstract of any information which may have been recorded by himself or acquired in the course of investigation.

3. Medical examination of non-criminal lunatic.- The alleged lunatic will at once be examined by the Magistrate with the assistance of the Medical Officer at the place where such lunatic is detained.

4. Detention of non-criminal lunatics.- Supposed lunatics are not to be detained for observation for more than ten days at a time as required by section 16 of the Indian Lunacy Act]², and the attention

-
1. See the Section *[328] **[330] and ***[336] of Code of Criminal Procedure, 1973 (2 of 1974).
 2. Please see the provision of Mental Health Act, 1987 (Indian Lunary Act, 1912 is Repealed).

of all Jail officers is invited to the undesirability of keeping persons under "observation for long periods if this can be avoided. The Medical Officer-in-charge shall, once every week, address the Magistrate or officer under whose authority in writing the person is detained, on the condition of each supposed lunatic who may be under observation.

If the maximum period of 30 days prescribed under the proviso of section 16 of, the said Act, expires before an orders for the transfer of the alleged lunatic to a mental hospital or his release is received, the Superintendent should address the Magistrate or officer under whose warrant "fire person is detained, pointing out that the authorized period of detention has expired and requesting that an order for the release of the person detained or his transfer to the mental hospital be furnished.

5. Maintenance of nominal roll and medical history sheet for non-criminal lunatics.— In every jail, where non-criminal lunatics are confined, there shall be maintained:-

(a) In respect of all lunatics so confined, a nominal roll inform R.J. 27;

(b) In respect of each lunatics so confined a medical history sheet in the prescribed form wherein the events in the medical history of the lunatic together with recorded opinions as to his mental n condition with dates shall be entered.

6. Cost of maintenance of non-criminal lunatics.- Non-criminal lunatics shall be entirely excluded from all statistical returns relating to jails and the cost of their maintenance and clothing (if supplied) and transfer to the Mental Hospital shall be recovered from the court under whose, authority they were received.

Criminal Lunatics

7. Transfer of criminal lunatic, to mental hospital.- Criminal lunatics of class (3) may, at the discretion of the Magistrate or the Sessions Judge, he detained in a Jail or in the Jaipur or Udaipur Mental Hospital: therefore when any such lunatic is detained in a jail, the Superintendent should apply to the Magistrate for an order for his transfer to a mental hospital and in any case when a lunatic of class

(2) or (3) has been detained in a jail for more than a month, the case shall be reported to the Inspector General of Prisons.

8. Certain documents to accompany a lunatic.- When under ¹[section *[466(2)] or section **[47(1)] of the Criminal Procedure Code, a Magistrate or Sessions Judge orders an accused person to be detained in safe custody in at Jail, he shall send along with the lunatic to the Superintendent of the jail to which a lunatic is consigned, the following papers:—

- (i) A statement of particulars in the prescribed form;
- (ii) A certificate in the prescribed form to be obtained from the Medical Officer to in section ***[464(1)] of the said Code]¹;
- (iii) An abstract of evidence in the case, signed by the Magistrate or the Sessions Judge;
- (iv) Copy of the findings;
- (v) In the case has been investigated or sent by the police, the more important police papers (or copies thereof) bearing on the mental condition and history of the lunatic.

A Magistrate or Sessions Judge passing the detention order may if it is deemed necessary, order the lunatic to be isolated.

9. Action when lunatic is capable or making his defence.- When a criminal lunatic detained under section *[466(2)]² of the Criminal Procedure Code is under section 473 of the said Code certified by the Inspector-General of Prisons to be capable of making his defence a copy of such certificate shall at once be sent to the Magistrate or court which forwarded the lunatic in order that immediate measure be taken for the disposal of the use while the period of sanity continues. When such lunatic is taken before such Magistrate or court there shall be sent with him, the said certificates and the following papers:-

- (a) Statement of particulars in prescribed form.
- (b) The Medical Officer's certificate in prescribed form.

1. See the Section *[330], **[47(1)] and ***[328] of Code of Criminal Procedure, 1973 (2 of 1974).

1. See the Section *[330], **[335 and 336] of Code of Criminal Procedure, 1973 (2 of 1974).

(c) An abstract of evidence prescribed in paragraph 8 above together with the copy of finding, police papers, if any, and an abstract in the prescribed form of the lunatics medical.

10. Any person ordered to be detained in safe custody in a Jail under section “[471] of the Code of Criminal Procedure, 1898]’ (4 of 1898), shall be removed to the mental hospital, Jaipur or Udaipur, for detention in safe custody at that hospital. ,

11. Documents to accompany criminal lunatics.-When the case of a criminal lunatic-detained in Jail under the provisions of section ‘[466] or “[471] of the Code]1 is reported under section 30 of the Act, by the Inspector-General of Prisons to the authority under whose order such lunatic is detained there shall be sent with the report, the following papers, namely:-

(a) An abstract of the lunatic’s medical history in the prescribed form

(b) Medical history-sheet.

In the case of lunatics, detained under the provisions of section “[471] of the Code, such authority, that is to say, the court or Magistrate, shall forward the report and these papers to the Rajasthan Government.

Lunatic Prisoner

12. Report to LC. Of cases of prisoners found in same after admission.- If any prisoner becomes insane after his admission to a Jail, a report under section 30(1) of the Prisoners Act, 1900 regarding his case, shall immediately be submitted to the Inspector-General with the view to obtaining the orders of, the Government for his removal to the mental hospital at Jaipur or Udaipur. With this report shall be forwarded :-

(a) A statement of particulars.

(b) A medical certificate.

(c) A descriptive roll, with the following particulars carefully entered:-

(i) Date of conviction.

(ii) Name of sentencing court,

- (iii) Section of offence,
- (iv) Term of sentence.

Full details of the prisoner's antecedents and connections enquired by the statement of particulars should be ascertained from the Magistrate of the prisoner's district and be carefully entered.

13. Removal of lunatics to mental hospital.- On receipt of a warrant or order for the removal of a lunatic to the mental hospital the Superintendent shall forward him to the Jaipur or Udaipur Mental Hospital with a copy of the warrant or order, a copy of the statement of particulars and a copy of the medical history record, and also, if the lunatic is a convicted prisoner, with his original warrant of imprisonment.

14. Treatment of lunatic prisoners as non-criminal lunatics.- When a lunatic prisoner cannot be transferred under a Government order so as to reach the mental hospital before his sentence expires, he shall be detained until the expiration of his sentence and then be treated as a non-criminal lunatic for whose transfer, the Magistrate's order shall be obtained.

Care of Lunatics-When Travelling

15. Transfer of lunatics to mental hospital.- No lunatic shall be transferred to a mental hospital, unless the Medical Officer certifies immediately before despatch that he is fit both mentally and physically to travel. The certificate of fitness will be sent to the Superintendent of the mental hospital by post. Every precaution shall be taken to secure that the lunatic is properly cared for as regard his food, clothing and bedding as directed in the rules relating to transfer, except that two suits of clothing shall be provided instead of one and that if the lunatic is of class (1), the clothing shall be ordinary clothing and not Jail clothing.

The jail officer who despatches the lunatic is held responsible that the escort is provided with sufficient means to purchase suitable and necessary articles of diet for the use of the lunatic during his journey to the mental hospital and that orders are given that in case the lunatic refuses food or becomes sick, he shall be taken to the

nearest hospital for advice or treatment. Fetters shall not be used unless absolutely necessary. 16. Female lunatics to be accompanied by a female attendant or relative.- Every female lunatic sent to or from the mental hospital shall be accompanied by a female attendant or relative in addition to the usual escort. The Police Department shall, in the absence of a female relation, make arrangements for the female attendant and shall bear the travelling and other expenses incurred on behalf of the attendant.

17. Despatch by recovered and unrecovered criminal lunatics by jail.- Criminal lunatics, recovered and unrecovered when sent by rail, shall not be allowed to mix with other passengers but shall be placed with their escort of attendants in a separate compartment.

Recovered or Unrecovered Criminal Lunatics

18. Treatment of recovered criminal lunatics in jails.- Criminal lunatics confined in the mental hospital who have been certified as to recovered shall be transferred to the Jaipur central Jail. They should in no case be employed as convict officers.

Within a month of the expiry of their probationary period in Jail and provided there has been no recurrence of symptoms of insanity, they should be transferred the nearest their home.

19. Transfer of recovered lunatic criminals.- Recovered female criminal lunatics will not in any case be transferred to Jails.

20. Re-transfer to Jail of recovered criminal lunatics.- Recovered criminal lunatics whose re-transfer to jail is ordered by Government, are to be dealt with on the principles contained in the appendix to this chapter.

21. Recovered criminal lunatic undergoing probation in jail-Relapse of insanity.- When a recovered criminal lunatic undergoing probation in a jail has a relapse of insanity, he should be immediately returned to the mental hospital in anticipation of the orders of the Rajasthan Government and the case should be reported to the Inspector-General of Prisons. With every lunatic transferred either from the mental hospital to jail or vice versa, full details of his medical history up-to-date should be forwarded.

General

22. Certificate of receipt of lunatic.- Whenever a lunatic is received in a Jail, a certificate of receipt shall be given by the person in charge of such jail to the person handing the lunatic over.

73. Further enquiries into the cause of insanity.- When a lunatic has been confined in a jail, if the officer-in-charge entertains any doubt as to the correctness of entry in the prescribed statement of particulars regarding him and desires to have his own opinion tested by such facts as further enquiry may elicit, he should ask the Magistrate or court to make further enquiries into the causes of the insanity or into any other point regarding which the information given in the statement of particulars previously furnished was obscure or obviously incorrect.

24. Confinement in cell of dangerous, noisy or filthy lunatics.- Whenever lunatic is found to be dangerous, noisy or filthy in his habits, he shall be confined in a cell: other wise lunatics of classes (1) to (4) inclusive may be detained either in Jail hospital or in the under-trial prisoners, ward at the discretion of the Medical Officer. Every lunatic confined in a cell shall at all times be under strict watch, a sufficient number of specially selected convict watchmen maybe told off for this duty by day and of convict overseers by night.

25. Diet for lunatics.- Every lunatic shall receive the ordinary jail dietary unless the Medical Officer otherwise directs, but non-criminal lunatic of class (1) may be supplied with food from outside the Jail under the same conditions as are prescribed in the case of under trial prisoners.

26. Certificate of discharge for lunatics.- Every lunatic on discharge shall be furnished with a certificate of discharge signed by the Superintendent of the jail.

27. Functions of Superintendent in respect of criminal lunatics.- Under section 471(2) of the Criminal Procedure Code], the Government has empowered Superintendent of Jails to discharge all the functions imposed on the Inspector-General of Prisons by

sections ***[473] and ****[474] in respect of persons confined in jails under sections *[466] or *[471] of that Code. [(See also section 30(2) of the Indian Lunacy Act (4 of 1912)]¹.

28. Reports on criminal lunatics.- On the 1st January and the 1st July, Superintendents shall forward in the prescribed form to the Inspector-General, a special report under section 30 (1) of the Indian Lunacy Act (4 of 1912)]¹, on all persons confined in the jails under the provisions of chapter-XXXIV of the Criminal Procedure Code whether as unrecovered criminal lunatics or as recovered criminal lunatics on probation before release.

29. I.G. prisons as ex-officio visitor of mental hospitals.- Under the provisions of section 28(2) of the Indian Lunacy Act, (4 of 1912)]², the Inspector-General is an ex-officio visitor of all lunatic asylums (now called mental hospitals) under the Government of Rajasthan.

30. Power and duties of Inspector-General with regard to lunatics.- Section 31 of the Indian Lunacy Act]² provides that the Inspector-General shall at least once in six months inspect and submit a report upon every person confined in a jail under the provisions of sections *[466] or **[471] of the Code and sections ***[473] and ****[474] empower the Inspector-General to grant certificates in certain cases.

APPENDIX

Principles on which the Rajasthan Government will act in disposing of the cases of criminal lunatics sent up for orders

1. Medical history-sheet to be called for in every case.- Final orders should not be issued, unless the lunatics papers are accompanied by the medical history-sheet.

A—Recovered Criminal Lunatics

2. Crime, offence against person, Cause, Ganja, etc. type Acute or chronic mania.- If the crime be against the person, the cause ganja or other intoxicant, and the type of insanity-acute or chronic

-
1. See the Section *[330], **[335 and 336], ***[337] and ****[338] of Code of Criminal Procedure, 1973 (2 of 1974).
 2. Please see the provision of Mental Health Act, 1987 (Indian Lunacy Act, 1912 is Repealed).

mania, a period of three years should be spent in a mental hospital free from all signs of insanity before any action is taken:-

- (a) At the end of that time if under 40 years of age and in good physical health, the lunatic should be transferred to the nearest central or other jail to undergo a period of probation of six years.
- (b) Age under 40 years.- If over 40 years of age, or in poor physical health, the period of probation in Jail may be shortened according to circumstances of crime and nature of security offered.

In any case, security should, if possible, be taken on the expiry of his period of probation in

3. Crimes, offence against person, Cause not Ganja, etc. Type acute, or chronic mania.- Of the crime be an offence against the person and the type of insanity be acute or chronic mania, the alleged cause not being ganja or other intoxicant a period of at least four years of complete freedom from insanity should be spent in a mental hospital before action is taken.-

(a) At the end of that time, if the lunatic be under 40 years of age and in good physical health, he may be transferred to jail to undergo probation of four years.

(b) If over 40 years of age, the period of probation in jail might be shortened according to the circumstances of lunatic's health and surety. Security should, if possible, be taken before his final release From Jail supervision.

4. Crime, not offence against person, but mental attitude aggressive Type acute or chronic mania.- If the crime be not an offence against the person, but the lunatic has at any time exhibited dangerous or violent tendencies, and the type of insanity is acute or chronic mania, he should be treated exactly as above, except that the period of probation in Jail may be shortened in accordance with the kind and degree of violence exhibited: provided that in ganja case, the period spent in Jail should not be less than three years and in non-ganja cases two years. This period should be spent free from all

signs of insanity before any action is taken, in all cases security should, if possible, be taken on final release.

5. Crime-not offence against the person, or, if so, trivial in its nature-mental attitude not aggressive.- If the crime not an offence against the person, and there be no history that the lunatic was at any-time aggressive, he may generally be treated much as if he were a non-criminal lunatic. The Rajasthan Government, will generally be guided in such cases by the recommendations of the visitors and of the Superintendent of the mental hospital in which the lunatic has been confined.

6. Crime-Murder, Type-Melancholia.- If the type of insanity be melancholia, a period of at least six year's complete freedom from insanity should be passed in a mental before action is taken. During the last year of this period the recovered criminal may be allowed access to the bazar under proper control:-

- (a) Age under 40 years- If at the end of that period, he is still under 40 years of age, he should not be released, except on satisfactory security.
- (b) If over 40 years of age, security should, if possible, be obtained.

7. Crime-Attempted suicide, Type-Melancholia.- If the crime be not murder but an attempt to commit suicide, the types melancholia, and if the lunatic has not exhibited any violent tendencies while (under observation) some relaxations of the rules may be permitted according to circumstances of age, period of detention etc. Cases of melancholia should not be sent to jail to pass a period of probation.

B—Unrecovered Criminal Lunatics

8. Crime-Offence against person.- If the crime be an offence against the person, and the type of insanity be chronic mania of the irritable aggressive kind, it will seldom be possible to release the lunatic during the continuance of insanity, except in advanced age and on exceptional security.

- (a) **Type- irritable chronic mania.-** If the crime be an offence against the person, and the type of insanity be chronic mania of the amiable kind, the lunatic may be released after passing six to ten years in that condition, but only on security.
- (b) **Type-chronic mania.-** If the lunatic be below 40 years of age, detention should generally be before ten years: if over 40 years of age, six years should suffice.

9. Crime-No offence against the person, or if so, trivial in its nature, mental attitude not aggressive.- If the crime be not an offence against the person or it be an offence of a trivial nature against the person and the lunatic has never exhibited aggressive symptoms, he may generally be treated much as if he were a non-criminal lunatic, and the Rajasthan Government, when dealing with his case under section 474, will be guided chiefly by the recorded opinion of the Superintendent of the mental hospital as to the propriety of releasing him, and by the recommendations of the visitors.

- (a) **Type-chronic mania.-** If his mental attitude be chronic mania, characterized by good humour, cheerfulness, and amiability, and he be able to earn a livelihood, he may ordinarily be released with or without security.
- (b) If it be chronic dementia or imbecility of slight degree, he may be released on similar conditions.
- (c) if he be suffering from chronic mania of the irritable mischievous type or chronic dementia of a more pronounced character he may still be released, but only on satisfactory security that he will be properly cared for and prevented from doing injury to himself or others.
- (d) If the chronic mania be of inveterate type, or the dementia or imbecility of the last degree, the lunatic can only be safely and humanely treated in mental hospital.

PART - 22**TRANSMISSION OF APPEALS AND PETITIONS AND
INTERVIEWS AND COMMUNICATIONS****(Rules under section 59(24) of the prisons Act)****SECTION I****Appeals and Petitions**

1. Information as to period within which appeal may be filed.- The Superintendent shall inform every convicted prisoner on first admission to Jail after conviction of the period within which an appeal from the order under which he has been committed to jail, may be filed.

2. Writing material to prisoners desirous of appealing.- Necessary writing materials will be furnished to prisoners desirous of appealing. For prisoners who cannot write, the jailor will write every thing requisite, that is to say, either applications for copy of judgment or order, or letters to friends or counsel concerning the appeal, or the petition or appeal, when assistance in writing it from friends or counsel is not forthcoming. These services are to be gratuitously rendered, but Jail officials shall not write petitions for convicted prisoners or their friends without the permission of the Superintendent.

3. Presentation of petitions of appeal by prisoners.- Petitions of appeal may be presented either to the Superintendent by the prisoner himself or to the court of appeal by the hands of a pleader. The prisoner should be informed that should he desire to be represented by counsel in the appellate court, the counsel must appear in that court within seven days of the filing of the petition of appeal. The term "pleader" includes a mukhtiar or other person appointed with permission of the court to act in any criminal proceedings.

4. Appointment of a pleader by a prisoner.- The appointment of a pleader must be in writing signed by the prisoner, whose signature must be attested by the Superintendent.

5. Permission to friends or counsel to communicate with prisoners; petitions of appeal.- Prisoner's friends or counsel will be allowed to communicate with prisoners for the purpose of assisting them to prepare their petitions of appeal.

6. Accompaniments of petition of appeal-Application for copy.- Except under the circumstances noted in paragraph 8 below, no petition of appeal will be accepted by the Superintendent unless it is accompanied by a copy of the judgment or order appealed against. Only a single copy of the judgment or order need accompany the petition of appeal of several prisoners convicted together at the same trial. An application by a prisoners for a copy of judgment or, order will be at once forwarded either to the District Magistrate of the District in which, or to the court of Sessions by which, the judgment or order was passed, according as, judgment or order which a copy is desired is that of a Magistrate or of a Sessions Judge. When, however, one application for a copy of judgment or order has been forwarded to the District Magistrate or court of Sessions, and application subsequently received from a prisoner who has been convicted at the same trial need not be forwarded unless the applicant wishes for a copy for his personal use.

7. Appeal to be sent without copy of judgment in the case of prisoner under sentence of death.- If a prisoner under sentence of death has applied for a copy of judgment and for some reason delivery to him of the copy is delayed so that he cannot prepare his petition or appeal thereon, and present to the Superintendent, within the period of seven days allowed to him by law, the Superintendent should, on the seventh day after sentence, enquire of the prisoner whether he desires to appeal and should forward to the High Court of Judicature a simple statement of the reply given, signed by the prisoner, and should note there on that copy of the Judgment had been applied for but had not been obtained in time. The prisoners wishes in regard to the appeal should also be noted in his history-ticket.

8. Petition of appeal; how to be drawn up.- A prisoner whom petition of appeal is written for him, shall be given full opportunity

of expressing himself and his case shall as far as possible, be recorded in his own words printed forms of appeals and petitions should not be used.

9. Transmission of appeals to appellate authority.- All appeals presented by the prisoners to the Superintendent will be forwarded by him direct to the proper appellate authority, and the cost of transmission shall be borne by the Government.

10. Date of application for copy of judgment.- When forwarding a petition of a appeal, to the proper appellate authority, the Superintendent will note upon it, the dates on which the prisoner:-

- (1) made application (if any) from the jail for a copy of judgment or order accompanying the petition;
- (2) obtained the copy;
- (3) presented the petition and copy to the Superintendent under [section *[420] of the Code of Criminal Procedure]¹;
- (4) and will certify thereon that-
 - (i) The prisoner does or does not desire to be represented at the hearing as the case may be
 - (ii) The prisoner, if he desires to be represented, has been informed of the necessity for arranging that appearance may be put in within the prescribed period.

11. Date of hearing to be send to Jail when appeal is admitted.- When an appeal is admitted, notice of the date of hearing will be sent to the jail. The prisoner's signature having been taken thereon and attested by the Superintendent the notice will be returned to the Court.

12. Appellate Court to send fresh warrant when a sentence is reversed.-In every case in which a sentence is reversed or modified on appeal, the appellate court shall prepare a fresh warrant in accordance with the terms of the order passed and shall send the same to the officer in charge of the jail in which the appellant is confined. It shall at the same time recall and cancel the original warrant and shall forward it to the original court to be attached to

the record. The fresh warrant when returned with an endorsement of execution will be similarly dealt with. Provided that if an appellant has been released on bail pending the hearing of his appeal, the fresh warrant shall not be sent to the Superintendent of the Jail until the prisoner has surrendered, and it shall be the duty of the appellate court either directly or through the court by which the order of release on bail was actually issued, to take measure to secure his surrender.

Note:- When a sentence is modified or reversed in appeal by the High Court of Judicature, the warrant shall be signed and issued by the Court of which the appellate judgment or order is certified under section 425 of the Code:

Provided that it is shown that delay in the release of a prisoner would otherwise be caused, the warrant may be issued direct by the High Court of judicature and the fact intimated to the lower Court.

13. Supersession warrant.- When a sentence is suspended remitted or commuted under section *[401] or **[402] of the Code]¹, the court which passed the sentence shall issue a supersession warrant to the Superintendent of the jail where the prisoner is confined.

14. Result of appeal.- If the result of an appeal is not communicated to the Superintendent within one month, or in the case of the High Court or Supreme Court, within ten weeks of the date on which the appeal was submitted, the Superintendent shall send a reminder to the Sessions Court or to the Magistrate of the district, as the case may be enquiring what has been the result of appeal, and there after shall repeat the enquiry at reasonable interval: provided that when the appellate court is the High Court or Supreme Court, the enquiry should be made from the Court from whose order the appeal was preferred.

15. Remand to under-trial ward.- When an appellate court annuls a sentence and directs that the prisoner shall be retired, and a warrant for the prisoner's release on bail is not received, the prisoner

1. See the Section *[332] and **[433] of Code of Criminal Procedure, 1973 (2 of 1974).

shall be remanded to the under-trial ward (unless he is undergoing some other sentence), and the Superintendent shall apply to the Court for a warrant for his custody, pending trial, if such warrant is not at the same time furnished. Such warrant should set forth the Court by which the prisoner is to be tried, and the date on which he is to be produced before the court.

16. Sentence of whipping not to be carried out until the result of appeal is known.- If a prisoner sentenced to whipping in addition to imprisonment, appeals, the sentence of whipping shall not be carried out until the result of the appeal is known.

Note:- When delay occurs in receipt of intimation of the result of appeal, and there is a fear of the prisoner being released without the sentence of whipping being carried out, inquiry should be made as to the result of the appeal, at least a week before the date on which the term of imprisonment expires and instructions asked as to the carrying out of the sentence of whipping.

17. Presentation of petition for revision of sentence from which no appeal lies.- Any petition presented by the prisoner for revision of a sentence from which no appeal lies, or from which all appeal has been made and dismissed by a court subordinate to the High Court of Judicature, shall be forwarded by the Superintendent direct to the High Court of Judicature.

The following particulars being noted on it:-

- (1) Name of the sentencing authority.
- (2) Section, under which convicted.
- (3) Date of sentence.
- (4) Term, and nature of sentence.
- (5) Whether any appeal was preferred against the order or sentence, and, if so, to whom, and with what result.
- (6) Date of decision of appeal (if any).

Such petitions must be drawn up similarly to a petition of appeal, but no copy of any judgment or order need accompany them.

18. Second petition for revision to the High Court of Judicature

not permissible.- When a petition for revision has been rejected by the High Court, no second petition in respect of the sentence shall be forwarded.

19. Court revising a sentence to communicate result to Superintendent, jail.- When a sentence is revised by the High Court, the result of the application for revision shall be notified direct to the Superintendent of the Jail by the court from whose order the petition for revision was preferred and that Court when necessary shall prepare a fresh warrant.

20. Instructions for dealing with petition for mercy from prisoners other than condemned prisoners.- Every petition for mercy from prisoners other than prisoners under sentence of death, shall be forwarded by the Jail Superintendent through the District Magistrate concerned, for the order of the Government. When once such a petition for mercy has been rejected, a second petition need not be forwarded provided that prisoners whose sentence is not less than five years shall be allowed a second petition for mercy, after half the sentence in the case of casuals, and three-fourths in the case of habituals, excluding remission, is served. The Jail Superintendent when forwarding such petitions, will state the period of remission earned and report on the conduct of the prisoner in Jail.

21. Petitions for mercy from prisoners under sentence of death.- All petitions for mercy from or on behalf of prisoners under sentence of death, shall be dealt with accordance with the instructions laid down in that behalf by the Government of India in the Ministry of Home Affairs and reproduced in the Annexure to these Rules.

22. Petitions of appeal to Supreme Court.- Notwithstanding anything in the foregoing rules, all petitions of appeal to the Supreme Court from prisoners under sentence of death and all petitions for leave or special leave to that Court shall be dealt with in accordance with the instructions issued by the Government of India in the Ministry of Home Affairs and reproduced in the Annexure to these Rules.

23. Particulars to be noted on history-tickets:- The dates of application for copy of a judgment and despatch of an appeal as well as the result of the appeal shall be recorded on the history-ticket of each prisoner.

24. Order of release.- When an order to release a prisoner who has been transferred, or a revised warrant or any communication relating to his appeal is received by the Superintendent of a Jail, he shall forward it immediately by registered post to the Superintendent of the Jail to which the prisoner has been transferred.

ANNEXURE

Instructions regarding procedure to be observed by the Stats for dealing with petitions for mercy from or on behalf of convicts under sentence of death and with appeals to the Supreme Court and applications for special leave to appeal to that court by such convicts.

I. A convict under sentence of death shall be allowed, if he has not already submitted a petition for mercy, for the preparation and submission of a petition for mercy, seven days after, and exclusive of, the date on which the Superintendent of Jail informs him of the dismissal by the Supreme Court of his appeal or of his application for special leave to appeal to the Supreme Court.

Provided that in case where no appeal to the Supreme Court has been preferred or no application for special leave to appeal to the Supreme Court has been, lodged, the said period of seven days shall be computed from the date next after the date on which the period allowed for an appeal to the Supreme Court or for lodging an application for special leave to appeal to the Supreme Court expires.

II. If the convict submits a petition within the above period, it shall be addressed:—

- (a) in the case of Part A States to the Governor of the State and the President of India;
- (b) in the case of Part B States to the Rajpramukh and the President of India; and
- (c) in the case of Part C State to the President of India. The

execution of sentence shall in all cases be postponed pending of their orders.

III. The petition shall in the first instance:-

(a) in the case of Part A States and Part B States be sent to the State Government concerned for consideration and orders of the Governor/Rajpramukh. If after consideration it is rejected, it shall be forwarded to the Secretary to the Government of India.

Ministry of Home Affairs. If it is decided to commute the sentence of death, the petition addressed to the President of India shall be withheld and an intimation of the fact shall be sent to the petitioner.

Note:- The petition made in a case where the sentence of death is for an offence against any law exclusively relatable to a matter to which the executive power of the Union extends, shall not be considered by the State Government but shall forthwith be forwarded to the Secretary to the Government of India. Ministry of Home Affairs.

(b) in the case of Part C States, be sent to the Chief Commissioner who shall forward it to the Secretary to the Government of India, Ministry of Home Affairs, stating that the execution has been postponed pending the receipt of the orders of the President of India.

IV. If the convict submits the petition after the period prescribed by instruction I above, it will be within the discretion of the Chief Commissioner or the Government of the State concerned, as the case may be, to consider the petition and to postpone execution pending such consideration and also to withhold or not to withhold the petition addressed to the President, in the following circumstances, however, the petition shall be forwarded to the Secretary to the Government of India, Ministry of Home Affairs:-

- (i) if the sentence of death was passed by an appellate court on an appeal against the convict's acquittal or as a result of an enhancement of sentence by the appellate court, whether on its own motion or on an application for enhancement of sentence, or

- (ii) when there are any circumstances about the case, which in the opinion of the Chief Commissioner or the Government of the State concerned, as the case may be, render it desirable that the president should have an opportunity of considering it, as in case of a political character and those in which for any special reason considerable public interest has been aroused. When the petition is forwarded to the Secretary to the Government of India, Ministry of Home Affairs, the execution shall simultaneously be postponed pending receipt of orders of the President thereon.

V. In all cases in which a petition for mercy from a convict under sentence of death is to be forwarded to the Secretary to the Government of India, Ministry of Home Affairs, the Chief Commissioner or the Government of State concerned, as the case may be, shall forward such petition as expeditiously as possible, along with the records of the case and or its observations in respect of any of the grounds urged in the petition, in the case of Part A States and Part B States, the Government of the State concerned shall, if it had previously rejected any petition addressed to itself or the Government/Rajprarnukh, also forward a brief statement of the reasons for the rejection of the previous petition or petitions.

VI. Upon the receipt of the orders of the President, an acknowledgment shall be sent to the Secretary of the Government of India, Ministry of Home Affairs, immediately in the manner hereinafter provided, in the case of the Government of Assam, all orders will be communicated by telegram and the receipt thereof shall be acknowledged by telegrams, in the case of other States, if the petition is rejected, the orders will be communicated by express letter and receipt thereof shall be acknowledged by express letter. Orders commuting the death sentence will be communicated by express letter in the case of Delhi and by telegram in all other cases and receipt thereof shall be acknowledged by express letter or telegram, as the case may be.

VII. A petition submitted by a convict shall be withheld by the Chief Commissioner or the Government: of the State concerned, as

the case may be, if petition containing similar prayer has already been submitted to the President. When a petition is so withheld, the petitioner shall be informed of the fact and of the reason for withholding it.

VIII. Petitions for mercy submitted on behalf of a convict under sentence of death shall be dealt with *mutatis mutandis* in the manner provided by these instructions for dealing with a petition from the convict himself. The petitioner on behalf of a condemned convict shall be informed of the orders passed in the case, If the petition is signed by more than one person it shall be sufficient to inform the first signatory. The convict himself shall also be informed of the submission of any petition on his behalf and of the orders passed thereon.

Appeal to the Supreme Court and Application for Special Leave to Appeal to the Supreme Court

IX. Whenever a sentence of death has been passed by any court or tribunal the sentence shall not be executed until after the dismissal of the appeal to the Supreme Court, at the application for special leave to appeal to the Supreme Court or, in case no such appeal has been preferred or no such application has been lodged,- until after the expiry of the period allowed for on 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 by or on behalf of the convict, execution of the sentence shall further be postponed pending the orders of the President thereon.

Note:- If the sentence of death has been passed on more than one person in the same case and if an appeal to a higher court or an application for 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 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.

X. On receipt of the intimation of the lodging of an appeal to the Supreme Court or of an application for special leave to that Court or of an intention to do so, the Chief Commissioner or the Government of the State concerned, as the case may be, shall forthwith communicate by telegram to the Solicitor to the Government of India, Ministry of Law and also to the Secretary to the Government of India. Ministry of Home Affairs :

- (i) fire name of the convict under sentence of death, and
- (ii) particulars relating to the appeal or the application.

If it is desired to oppose the appeal or the application, three copies of the Paper Book and of the Judgment of the High Court or the Judicial Commissioner's Court or the Tribunal, as the case may be, (one copy of each being a certified copy), a power of attorney in the form prescribed by the Supreme Court and instructions, if any, for the purpose of opposing the appeal or the application shall be immediately sent to the Solicitor to the Government of India, Ministry of Law. Notice of the intended appeal or application if and when served by or on behalf of the convict, shall also be transmitted to him without delay, if the intended appeal or application is not lodged within the period prescribed by the Supreme Court Rules: the Solicitor to the Government of India, shall intimate the fact by telegram to the Chief Commissioner or the Government of the State concerned, as the case may be. The execution of the sentence shall not thereafter be postponed unless a petition for mercy has been submitted by or on behalf of the convict.

XI. If an appeal or application for special leave to appeal, has been lodged in the Supreme Court on behalf of the convict, the Solicitor to the Government of India, will intimate the fact to the Chief Commissioner or flit? State Government, as the case may be, and also to the Secretary to the Government of India. Ministry of Home Affairs, the Solicitor to the Government of India will keep the aforesaid authorities informed of all developments in the Supreme Court, in those cases which present unusual features, in all cases, however, he will communicate the result of the appeal or application

for special leave to appeal, to the Chief Commissioner or the State Government, as the case may be, by telegram in the case of Assam and by an Express letter in other cases, endorsing a copy of his communication to the Secretary to the Government of India Ministry of Home Affairs. The Chief Commissioner or the State Government, as the case may be, shall forthwith acknowledge the receipt of the communication received from the Solicitor to the Government of India. A certified copy of the judgment of the Supreme Court in each case will be supplied by the Solicitor to the Government of India in due course to the Chief Commissioner or the State Government, as the case may be, who shall acknowledge the receipt thereof. The execution of the sentence of death shall not be carried until after the receipt of the certified copy of the judgment of the Supreme Court dismissing the appeal or the application for special leave to appeal and until an intimation has been received from the Ministry of Home Affairs about the rejection by the President of India, of the petition for mercy submitted, if any, by or on behalf of the convict.

Instructions relating to the duties of Superintendents of Jails in connection with petitions for mercy from or on behalf of convicts under sentence of death.

- I. Immediately on receipt of a warrant of execution consequent on the confirmation by the High Court or the Judicial Commissioner's Court of the sentence of death, the Jail Superintendent shall inform the convict concerned that if he wishes to appeal to the Supreme Court to make any 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.
- II. 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 of the convict, in the 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 seven days of the date of such intimation.

Note:- In case where no appeal to the Supreme Court or no application for special leave to it, has been lodged by or on behalf of the convict, the said period of seven days shall be counted from the date next after the date on which the time allowed for an appeal to the Supreme Court or for lodging an application for special leave to appeal to it, expires. On expiry of such time, if the convict has made no previous petition for mercy, it shall be the duty of the jail Superintendent to inform the convict concerned that if he desires to submit a petition for mercy, he should do so in writing within seven days of the date of such intimation.

III. If the convict submits a petition within the period of seven days prescribed by Instructional, it should be addressed in the case of part A States to the Governor of the State and the President of India. in the case of part B States to the Rajpramukh, and President of India and in case of Part C States to the President of India. The Superintendent of the Jail shall forthwith despatch it to the Secretary to the State Government in the Department concerned or the Chief Commissioner, as the case may be, 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 State Government or the Chief Commissioner as the case may be, drawing attention to the fact but he shall in no case carry out the execution before the receipt of the State Governments or the Chief Commissioners reply.

IV. If the convict submits a petition after the period prescribed

- by instruction II, the Superintendent of the Jail shall at once forward it to the State Government or Chief Commissioner, as the case may be, at the same time telegraph the substance of it, requesting orders whether the execution should be 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 State Government or the Chief Commissioner as the case may be, 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.
- V. 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 State Government or the Chief Commissioner as the case may be, and ask for its/his' orders and to defer execution till they are received.
- VI. The Superintendent shall at once repeat back to Secretary to the State Government in the Department concerned or the Chief Commissioner, as the case may be all telegrams communicating orders to him regarding petitions for mercy, by way, of acknowledgement of their receipt

SECTION II

Interviews & Communications

25. Facilities to new convicts.- Every newly convicted prisoner shall be allowed reasonable facilities for seeing or communicating with his relatives, friends and legal adviser, with a view to the preparation of an appeal or revision or to the procuring of bail. He shall also be allowed to have interviews with, or write letters to his friends once or twice, or if the Superintendent considers it necessary,

to enable him to arrange for the management of his property or other family affairs.

26. Facilities to convicts imprisoned in default of payment of fine or furnishing security.- Every convict committed to prison in default of the payment of fine or on failure to furnish security under Chapter VIII of the Code of Criminal Procedure, 1898]¹, shall be allowed to communicate by letter and to have interviews at any reasonable time with his relations or friends for the purpose of arranging for the payment of the fine or the furnishing of security.

27. Letters on transfer from one jail to another.— Every prisoner shall, on transfer from one Jail to another, be allowed to write special letters to his friends or relatives intimating the change of address. if the prisoner is for any reason unable to inform his friends or relatives before his transfer from a Jail, he shall be permitted to do so after his arrival to the other Jail.

28. Applications for admission to superior class.- A prisoner may write an application addressed to the Rajasthan Government through the District Magistrate for admission to a superior class. Such application should, as far as possible, contain all the necessary particulars regarding his social status, education, etc. as required by the rules.

29. Representations to Government or Government officers.- Prisoners may be permitted to address communication to the Government, the Inspector-General of Prisons or any of the Government officer in his official capacity with a view to the redress of a grievance. But such communications should be to the point and not contain any offensive or irrelevant matter, e.g. a discourse on politics. Communications from one prisoner on behalf of another or joint memorials or petitions are not permitted.

30. Interviews and letters for condemned convicts.- Every convict under sentence of death shall be allowed such interviews and the communications with his relatives, friends and legal advisers as

1. Please see the Code of Criminal Procedure, 1973 (2 of 1974).

the Superintendent thinks reasonable. In such cases, the Magistrate of the district to which the convict belongs may, when desired by the convict, be requested by the superintendent to communicate to a friend or relation of the convict, his desire for an interview.

31. Ordinary letters and interviews.- In addition to the privileges referred to in the preceding rules every convict shall be allowed to have an interview with his relatives or friends and to write and receive a letter once in two months during his term of imprisonment provided that the exercise of this privilege shall be subject to good conduct and may be withdrawn or postponed by the Superintendent, if the convict has been guilty of a serious breach of discipline.

Note 1.-A letter merely arranging an interview shall not be accounted as a letter for the purposes of this rule.

Note 2.- A convict may, with the permission of the Superintendent substitute a letter with reply for an interview, or vice versa.

32. Extra interviews and letters.- The Superintendent may at his discretion grant interviews or allow the despatch or receipt of letters at shorter intervals than provided in the preceding paragraph, or, in spite of misconduct on the part of the convict if he considers that special or urgent grounds exist for such concession, as for example, in the event of the convict being seriously ill, or on the occurrence of the death of a near relative, or if the friends or relatives have come from distance to see the convict and it would inflict all undue hardship on them to refuse an interview, or if the convict 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 convict to the superintendent who will, if he thinks it expedient, inform the convict of the substance of the Communication.

In cases of prisoners labouring under dangerous illness and in case of extreme urgency the friends should be called by letter direct.

33. Censorship of letters.- No letter shall be delivered to or sent by a prisoner until it has been examined by the Superintendent or by the Jailor or some other officer authorised by the Superintendent

in this behalf, but no unnecessary delay shall be allowed to occur in its delivery or despatch.

If a letter is written in a language unknown to the Superintendent or the officer examining the letter, he shall take steps to procure its translation before forwarding it. No letter written in cipher shall be allowed to be sent or received. The Superintendent may withhold any letter which seems to him to be in any way improper or objectionable, or may erase any improper or objectionable passages therein. The subject-matter of letters shall be limited to private and domestic matters and shall not extend to politics. Suspicious looking letters may be exposed to heat or treated in any other suitable manner as a safeguard against any unauthorised messages written in invisible ink being smuggled in or out of jail.

34. Letters to a prisoner not entitled to receive them.- If a letter is addressed to a prisoner who is not entitled under the rules to receive it, it may, unless the Superintendent decides to deliver it to the prisoner, be withheld and kept in the Superintendent's custody until the prisoner is entitled to receive or is released when it shall, unless it is improper or objectionable be delivered to him. The Superintendent may, if he thinks fit, also return such letter to the sender with an intimation that the prisoner is not entitled to receive it.

35. Retention of letters by prisoners.- A prisoner may, unless the Superintendent otherwise directs, retain any letters which may have been delivered to him or may ask that they be kept for him in the jail.

36. Writing materials for letters.- Writing materials, including service post cards, shall be supplied in reasonable quantities to any prisoner permitted to write a letter, and all letters shall be written at such time and place as the Superintendent may appoint. A fixed day of the week, preferably Sunday, shall be set apart for letter writing. Service postage stamps shall be provided at Government expense for the despatch of prisoner's letters.

37. Letters and interviews, etc. to be entered in register.- Every letter sent or received by a prisoner shall be entered in jail register

No. R.J. 119. All petitions, vakalatnamas and notices etc., sent or received by prisoners shall also be entered in this register.

Every interview shall be recorded in Jail register No. R.J. 128 and the entries shall be initiated by the Superintendent.

Interviews and letters, etc., shall also be entered on the prisoner's history-ticket under the of the Superintendent.

38. Petitions for interviews.- ¹[(1)] Petitions for interviews with prisoners may be oral or in writing, if the prisoner is not entitled to an interview, the applicant shall be informed at once written petition shall be returned duly endorsed by the Jail clerk or other officer entrusted with this duty, to the petitioner in the presence of the Superintendent as he leaves the Jail. Applications received after the Superintendent has left the Jail, or on days when he does not visit the Jail, should be referred to him for orders and should, if refused, be refused, to the petitioner in the presence of the Jailor.

¹[(2)] Before granting permission to any person for interview, the Superintendent shall satisfy himself about the relationship with the prisoner and identity of such person, who wants to interview the prisoner.

Explanation : The ration card, voter ID card or a certificate from Sarpanch, Tehsildar, or other authorities competent to issue such certificate, shall be sufficient proof of address and relationship]

39. Petition writers.- Petitions for interviews shall be written on plain paper. The Superintendent may authorise a petition writer to be in attendance outside the main gate for writing petitions and may prescribe the form in which petitions for interviews should be written by him. The charge for writing such petition shall not exceed ²[Two Rupees] irrespective of the number of relatives or friends seeking the interviews.

No Jail officer nor the relative of any Jail officer shall be allowed to engage in petition writing.

-
1. Amended by Noti. No. F. 4(1) Home-12(4), Karagar/09 (GSR 87), dated 27.01.2010 (Pub. in Raj. Gaz. Pt. IV-C(i) Ex. order dated 02.02.2010).
 2. Subs. by Noti. No. F. 7(15) Home-12, Karagar/93, dated 5.9.1997.

40. Prohibition against communicating interviews to the press.- Every person seeking an interview with a prisoner shall be required to give an undertaking not to communicate to the press anything relating to the interview, it should be explained to the interviews that a breach of such undertaking would be regarded as a sufficient ground for debarring them from further interviews with the prisoner.

41. Petition-box.- All petitions shall be deposited in a petition-box kept in a conspicuous place at the main gate of the jail. The box shall be kept locked and the key shall be retained by the Superintendent, who shall open the box at each visit to the jail and cause the contents of the petitions to be read over him at once. A notice specifying the hour at which the box shall be opened every day, shall be put up at the main gate.

42. Days and hours for interviews.- The Superintendent shall fix the days and the hours for interviews, and no interviews shall be allowed on any other day or at any other time except with the special permission of the Superintendent. A notice specifying the days and the hours for interviews shall be posted outside the jail. Ordinarily, interviews should take place on Sundays between 7 and 11 A.M.

43. Place of interviews.- (a) every interview shall take place in a special part of the Jail set apart for the purpose, if possible, at or near the main gate subject to the following conditions:—

(i) interviews with female prisoners shall, if practicable, take place in the female enclosure; (ii) if a prisoner is seriously ill, the Superintendent may permit the interview to take place in the hospital; (iii) a condemned convict shall ordinarily be interviewed in his cell;

(iv) The Superintendent may, for special reasons to be recorded, permit an interview of a prisoner at one interview.

(b) Number of persons at an interview.- Not more than three adults shall be allowed to interview a prisoner at one interview.

44. Supervision of interview.- Except as provided in paragraphs 29 and 31 every interview with a prisoner shall take place in the

presence of a jail officer, who shall see that not irregularity occurs, and shall so place himself as to be able to see and hear what passes and to prevent any article being passed between flue parties.

The conversation shall be to private and domestic matters and shall not extend to politics. 45. "Deposit of articles or' cash" at interviews.- Should the friends or relations interviewing a prisoner wish to make over any articles or cash for the use of the prisoner either in jailor on release they shall deposit them at the main gate with the permission of the officer supervising the interviews. Any articles or cash deposited under these paragraphs shall be? brought to the notice of the Superintendent at the main gate with the permission of the officer supervising registers. The prisoner shall be while in Jail, to use only such articles as he is allowed to have under the rules.

The introduction of any article or cash into jail, except in accordance with this paragraph or with the written of Superintendent, is prohibited and declared to be an offence under section 42 of the prisons Act.

46. Termination of interviews.-An interview may be terminated at any moment, if the supervising considers that sufficient cause exists. In every such case,; the for the interview, shall be reported at once for the orders present at the jail.

47. Time allowed for interview.- The time allowed fork an interview shall exceed twenty minutes, but may be extended by the Superintendent or the officer of interviews at his discretion.

48. Search before and after interview.- Every prisoner shall be carefully searched before and after an interview by a head warder or warder specially deputed for this purpose. The search shall not be conducted in the presence or within sight of the interviewers.

49. Refusal of interviews.-

(a) A Superintendent may refuse to allow an interview to which a prisoner would ordinarily be entitled under these rules, if in his opinion it is against the public interest to allow any particular person to interview the prisoner or for some other sufficient cause. In every

such case, he shall record in his order book the reason for such refusal.

(b) The Superintendent may, in his discretion, disallow ex-convicts from interviewing prisoners, unless they are related to them.

50. Abuse of privilege.- Any prisoner who abuses any privilege relating to interview or letters or communications with person outside the jail, shall be liable to be excluded from such for such time and may be subjected to such further restrictions, as the Superintendent may direct.

51. Rules regarding' interview with civil and under-trial prisoners.- 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. The Superintendent may open and examine any letter to or from an unconvicted prisoner, except as provided for in paragraph 30 and from a civil prisoner, and withhold any which appears to him to be objectionable, the prisoner is entitled to his release. Letters and interviews not concerning legal proceedings may be disallowed by the Superintendent, if the prisoner is guilty of misconduct in Jail.

52. Rules regarding interview with civil and under-trial prisoners.- 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 may be allowed by the Superintendent in the case of an interview with any near relative of the unconvicted prisoner.

53. When any person desires an interview with an unconvicted criminal prisoner in the capacity of the prisoner's legal adviser, he shall apply in writing giving his name and address and stating to what branch of the legal profession he belongs and he must satisfy the Superintendent that he is the bonafide legal adviser of the prisoner with whom he seeks an interview and that he has legitimate business with him.

54. Any bonafide confidential written communication prepared by an unconvicted criminal prisoner as instructions to his legal adviser may be delivered personally to such legal adviser without being

previously examined by the Superintendent For the purpose of this rule, the term legal adviser means a legal practitioner within the Meaning of Act (17 of 1879).

55. Civil prisoners may see the in friends and relations at such times and under such as the Superintendent may appoint and presence of a jail officer shall not be necessary. The exercise of this privilege shall be contingent on good conduct in jail and may be withdrawn or postponed by the Superintendent for bad conduct.

¹[56. With a view to facilitating the exercise of consular functions relating to national of the sending State:-

(a) The competent authorities shall, without undue delay inform the competent consulate of the sending State. If, within its district, a national that State is committed to prison or to custody, pending trial or is detained in any other manner. Any communication, detention shall also be forwarded by the said authorities without undue delay.

(b) Consular officials shall have the right to visit a national of the sending State who is in prison, custody, or detention, for the purpose of conversing with him and arranging for him legal representation. They shall also have the right to visit any national of the sending State who is in prison, custody or detention in their district in pursuance of a judgment.

(2) The rights referred to in sub-rule (1), of this rule shall be exercised in conformity with the laws and regulations of the receiving state subject to the proviso, however, that the said laws and regulations must not nullify these rights.

Explanation.- The right conferred on the consular officer under rule 56 above is merely the right of interviews and not of private interview, and does not include the light to inspect the accommodations of a national of the sending State who is in prison, custody or detention.

1. Added by Noti. No. dated 31.5.1966 (Pub. in Raj. Gaz. Pt. IV-C, dated 14.07.1966).

PART - 23**APPOINTMENT AND GUIDANCE OF VISITORS OF PRISONERS****(Rules under section 59(25) of the Prisons Act)****1. Ex-officio visitors.-**

- (1) The I.G. of Civil Hospitals, the I.G. of Police, the Director of Public Health, fire Deputy LG. Police (C.I.D.) and the Director of Industries shall be ex-officio visitors for all previous and lock-ups in the State.
- (2) [Collector and District Magistrate of the District and Distt. and Sessions Judge are ex-officio visitors of all prisons and lock-ups situated within their respective jurisdiction.
- (3) Civil and Additional Sessions Judges are ex-officio visitors of prisons in districts where there is no district and Sessions Judge.
- (4) The District Magistrate is ex-officio visitor of the Central Jail situated in his district.
- (5) The D.I.G. Police, the Sub-divisional Magistrate, the Deputy Director of Agriculture and the Inspectors of Schools Shall be ex-officio visitors of all jails within their respective jurisdiction.
- (6) The Civil Surgeon, where he is not holding medical charge, Shall be an ex-officio visitor of the prisons and lock-ups in his district except in the case of Central prison where a suitable office will be nominated by the ¹[Collector and District Magistrate of the district.]
- (7) Every member of the Rajasthan Legislative Assembly residing at the headquarters of a district or sub-division shall be an ex-officio visitor of the prison, if any, situated in such headquarters.
- ²[(8) The Chairperson and member of the Rajasthan State Human Rights Commission Shall be ex-officio visitors for all prisons and lock-ups situated in the State.

1. Subs vide Home Deptt. Order No. F. 18(225) H.B./ Grop-11/57, dt. 10.1.1962

2. Added by Noti. (Pub. in Raj. Gaz. Pt. IV-C, dated 27.9.2001).

¹[(9) The Chairperson and members of the National Commission for woman/Rajasthan State Commission for Women shall be ex-officio visitors for all prisons and lock-ups situated in the State.

2. Visits by official Visitors.- The number of visits to be paid by official visitors in the year, shall be unlimited, but shall not be less than three.

3. Non-official Visitors, power of the Government of Rajasthan to appoint.-

- (a) The Government of Rajasthan may appoint for all prisons in the State non-official visitors. Their number shall ordinarily be six for each Central prison, three for each district prison and two for each lock-up jail. These appointments shall ordinarily, be made on the recommendations of the [Collector and District Magistrate of the District], in which the jail of lock-up is situated.
- (b) No person who is unable to write an inspection not in his own hand shall be appointed non-officio visitor of a prison.
- (c) The Government pf Rajasthan may also appoint two or more lady visitors to such prisons as accommodate females. Their duties will be regulated in the same way as those of the non-official male visitors but shall be confined to the management and well being of the female prisoners. They shall not issue any orders or instructions to the matron or female warders but will communicate their recommendations in writing to the Superintendent in a visitor's book kept specially for this purpose.
- (d) The names of all non-official visitors appointed by the Government of Rajasthan shall be notified to the Rajasthan Gazette and communicated to the Inspector General and the superintendent of the jail concerned.

4. Term of office and removal of non-official visitors.-

- (a) The term of office of non-official visitors shall be two years.

1. Added by Noti. (Pub. in Raj. Gaz. Pt. IV-C, dated 27.9.2001).

- (b) The Government of Rajasthan may at any time without assignment any reasons therefore remove any non-official visitor, from the list of visitors. Any such removal shall be notified in the Rajasthan Gazette and intimation there of given to the Inspector General and the Superintendent of the jail concerned.
- (c) The Government of Rajasthan may also on the recommendation of the ¹[Collector and District Magistrate of the District] at any time direct that any non-official visitor shall not visit the prison for a specified period, if it is satisfied, that he is not using his visit for a, bonafide purpose of is using them for the furtherance of an unlawful or undesirable object.

5. Roster for monthly visits.- The [Collector and District Magistrate of the District] shall cause the names of non-official visitors for prison situated in their ¹[districts] who are not debarred from visiting a prison under sub-rules (b) and (c) of the preceding rule, to be placed on a roster and shall invite such visitors to make monthly inspections of the prisons of which they have been appointed visitors by turns in accordance with that roster. A visitor who is, for any reason, prevented from visiting the prison according to his turn in the roster may visit it in another month, provided that he informs the Superintendent before hand of his intention to do so. A non-official visitor may visit the prison at any other time only with general or special permission of the District Magistrate.

6. Duration of visits.- A non-official visitor shall not visit the prison at any time after 4 p.m. and before sunrise and shall not remain inside the prison for more than two hours at each visit as a prolonged stay is likely to hamper the jail staff in their work. Non-official visitors are requested to avoid visiting the prison after 2 p.m. as such visits are likely to interfere with the locking up.

7. Boards of visitors.-

- (a) All non-official visitors of a jail except those debarred under sub-rule (b) and (c) of rule 4 shall be eligible to be on the

1. Subs vide Home Deptt. Order No. F. 18(215) H.B./ Grop-11/57, dt. 10.1.1962

Board of visitors. A Board of visitors shall be selected biannually by the [Collector and District Magistrate of the District] from amongst the official and non-official visitors of each prison and shall inspect the prison twice a year on dates to be fixed by the Superintendent in consultation with the president and members of the Board. The Board shall consist to two official and two non-official members, on of whom shall be nominated Chairman by the [Collector and District Magistrate of the District].

- (b) In the case of lock-ups not at headquarters, the Sub-divisional Officer, City Magistrate, Extra-Magistrate or Munsif Magistrate shall be the Chairman of the Board.

8. Board Meetings and additional visit by a visitor.-

- (a) A meeting of the Board of visitors shall be held once a quarter. At the 'first meeting in the calendar year, a roster of visits shall be prepared for the ensuing twelve months. This roster will permit of a monthly visit being made to each jail by a visitor, either official or non-official. In addition to every non-official visitor may, should be so desire, visit the persons once a month at a time outside the prescribed roster, after giving due notice to the Superintendent. Should any visitor desire to pay more than one such visit, he shall be required to obtain the special permission of the Superintendent All visits shall be made between the hours of opening and 4 p.m. visits will not be permitted on Sundays or on other holidays except between 8 and 10 am.
- (b) A non-official visitor who is about to absent himself for a period of six months or more from the station where the prison of which he is a is located, shall report the circumstances to the authority who has 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.

9. Visitors to be accompanied by a jail officer and an escort.-

The Superintendent shall arrange that every visitor to the prison shall

be accompanied by a responsible jail officer and by an escort which shall consist, at Central prisons of two warders, and at District prisons, of one warder, armed with batons.

10. Names of visitors to be displayed.-The Superintendent shall have a board hung-up at the jail gate on which the names of all jail visitors official and non-official, as well as the roster for non-official visitors prepared by the '[Collector and District Magistrate of the District], under rule 5, shall be noted and no person other than those authorized to visit a jail, shall be allowed to visit.

11. Duties of visitors.-

- (a) It is the duty of a visitor to satisfy himself the law and rules regulating the management of prisons and prisoners are duly carried out in the prison, in visit all parts of the prison and to see all prisoners, and to hear and inquire into any complaints that any prisoner may make to him. He may for this purpose talk to any prisoner out of the hearing but in the full sight of the officer accompanying him. Such conversations with prisoners shall not exceed twenty minutes in all during a visit. A list of questions indicating some of the points to which a visitor may direct his inquiries is appended to these rules.
- (b) An official or non-official visitor may call for all books, papers and record other than those of a confidential nature. Which are connected with the administration of any department of the prison.
- (c) No visitor may issue any order or instruction to any subordinate jail officer.
- (d) The officer accompanying every visitor whether official or non-official shall inform him before entering the cook house that no portion of the prisoners ration shall be touched, but he can taste the food if he so desires.
- (e) Non-official visitors may not visit prisoners on hunger strike or prisoners who are ill and not allowed to be interviewed on medical grounds or those detained under the preventive Detention Act.

- (f) A non-official lady visitors shall confine her visits only to the female section of the jail and shall not enter the male portion of the jail except when it is necessary to pass through it to reach the female ward.
- (g) Non-official or official visitors shall not, without the previous sanction of the Superintendent, hold conversation with any under-trial who may happen to be their client or relation.

12. Inspection notes by visitors.-

- (a) There shall be only one visitors books for the use of official or non-official visitors. The book shall on no account be removed from the jail premises.
- (b) Every visitor shall, after he has completed the visits to the jail; record in the visitors, book prescribed by section 12 of the prisons Act, the date and hour of his visit, and may enter therein any remarks or suggestions he may wish to make with regard to the internal arrangements of the jail or the state of discipline maintained therein. But when a visitor considers that the sanctioned system of the jail administration requires of policy, he shall refer his opinion separately to the Insspector-General and shall not discuss the subject in the visitors book. Entries in the visitors book shall be made in the visitors own hand writing.
- (c) The remarks recorded by the visitor in the visitors book shall be trested s confidential and shall not be communicated to the prisoners or to any one outside the jail. A visitor, so long as he retains his official connections with the jail, is precluded from giving publicity in the press or otherwise to matters connected with its administration.
- (d) Should there be any complaints which a prisoner may make to a visitor about his own treatment or that of any other prisoner or about the conduct of any officer, or should the visitor himself observe any matter of which he feels notice ought to be taken, he should refer it to the superintendent

who is responsible for everything that occurs in his jail it is also open to the visitor if he so desires. To make a representation on the matter to the government.

- (e) The remarks recorded by a visitor in the visitor's book should include any complaint made to him by 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-Generals order will be communicated to the visitor who may then, if he thinks fit, address Government regarding the case.

13. Action on remarks of visitors.-

- (a) The Superintendent shall at once forward a copy of the Inspection notes recorded by visitors in the visitors book through the District Magistrate and the [Collector and District Magistrate of the District] to the Inspector-General who may if in his opinion it is necessary, forward the correspondence for the information and orders of the Government. A copy of orders (if any) of Government or the Inspector-General, shall be forwarded to the visitor through the Superintendent of the jail.
- (b) The Superintendent of the jail shall cause these orders to be copied into the visitors book for the information of the visitors.

14. Permission to enter jail for recording statement of prisoners.- The Superintendent shall permit judicial and Magisterial authorities and also any person provided with a written order from the High Court, the Chief Court, the District Magistrate or the Sessions Judge, to enter the jail for the purpose of recording the statement of any prisoner. The District Magistrate May specially authorise any officer named by him in writing to interview any prisoner for the

purpose of obtaining information, which may lead to detection of crime.

15. Visits by authorised persons.- A person other than an official or non-official visitor may visit a jail if he has obtained the written permission of the Government of Rajasthan or is accompanied by or has obtained the written permission of the Inspector-General, ¹[Collector and District Magistrate of the District]. The District Magistrate or the Superintendent, visits by such persons may be made on any day between the hours of 7 and 11 a.m. This restriction, however, is not intended to prohibit the Superintendent from admitting persons whom he may wish to show round the at the other time.

16. Officers of FWD may enter jail during business' hours.- The Superintending Engineer of this circle and the Executive Engineers of the District in which the jail is situated, together with their employees. Shall, during business hours, have free access to the jail to the extent necessary for purposes connected with the discharge of their official dutia.

17. Admission of police officers to the jail and the interrogation of prisoners by them.- (1) Any police officer of rank not lower than a Deputy Superintendent shall, for any purpose connected with the discharge of his duties as such police officer, be permitted to enter the jail at any time.

(2) Police officers of a lower rank than Deputy Superintendents who are in uniform and have been detailed for the duty shall be permitted to enter the jail for the purpose of recognising old offenders, or for conducting operations for the identification of prisoners during work hours on any week day.

(3) No police officer shall be permitted to interview any prisoner except in so far as may be necessary for the identification of such prisoner, without any order in writing from the District Magistrate or the District Superintendent of police, addressed to the Superintendent of jail.

1. Subs vide Home Deptt. Order No. F. 18(215) H.B./ Grop-11/57, dt. 10.1.1962

(4) Any interview permitted under an order- from the District Magistrate or the District Superintendent of police shall take place in the presence of the Jailor or other proper officer of a jail, who shall, if required to do so, keep at such a distance that he may not hear the conversation that takes place.

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

(6) The Superintendent shall arrange that every visitor to the jail shall be attended by two warders armed with batons.

(7) A person other than an official or a non-official visitor shall not, in the absence of special orders to the contrary, be permitted to put any question to prisoners or to make any enquiries either from officials or from prisoners concerning the discipline and management of the jail.

Questions on points to be noticed by Visitors

- (1) Buildings.- Are the buildings secure and in good repair?
- (2) Overcrowding. — Is there any overcrowding? If so, where are the excess prisoners accommodated, and what steps being taken to release it ?
- (3) Drainage. — Is the drainage of the jail in a satisfactory state ? If not, what are the defects?
- (4) Water supply.- Is the water supply sufficient and good and the means of carriage suitable?
- (5) Have the drinking water wells been cleaned out recently ?
- (6) Food.- Are the articles of food in the store-room and elsewhere properly kept and in good condition ?
- (7) Does the weight of vegetables agree with the calculated weight in the diet roll and are they of good quality and properly cleaned?

- (8) Is the food issued correct in quantity and properly cooked ?
- (9) Is the full number of rations for all the prisoners forthcoming?
- (10) Is the oil and condiments added to the curry in the presence of some responsible officer?
- (11) Clothing.-Have the prisoners the prescribed amount of clothing and bedding in their possession? Is it in serviceable order? Is the bedding placed in the sun every morning when the weather permits, and is the prescribed extra blanket issued during the cold months?
- (12) Bathing.- Are the prisoners require to bath regularly ?
- (13) Labour.-Are full tasks exacted from all labouring prisoners fit for hard labour? Who checks the work done in the evening? Is the out turn of each convict properly recorded on the work tickets?
- (14) Remission.- Is remission for industry given with preference to the actual tasks performed?
- (15) Are there any convicts who are not receiving remission for industry for failure to perform tasks? Is so, have efforts been made to enforce work by means of punishment?
- (16) Punishment.- Is the ratio of punishments in the jail unduly high?
- (17) Discipline.- Are convicts regularly searched for contraband ?
- (18) Are convicts prevented from wandering about ?
- (19) Are gangs of convicts marched about in proper order?
- (20) Habituals.- Are hahituals separated from others at night and is their separation from others by day carried out as far as possible?
- (21) Under-trial prisoners.- Are there any under-trial prisoners who have been detained in the jail unduly long?
- (22) Lunatics.— Are there any civil lunatic in jail who have been detained under observation longer than the period allowed by law and, if so, on whose warrant?

- (23) Are there any criminal lunatics who have been unduly detained in jail ?
- (24) Female.- Are the women prisoners thoroughly screened from view of male prisoners?
- (25) Juveniles.- Are juvenile prisoners under the age of 18 separated, both by day and night, from adults and are those Juveniles who have arrived at the age of puberty separated from those who have not, as required by section 27(2) of the prisons Act 1894? Do juvenile prisoners receive instructions?
- (26) Adolescent.- Are all adolescent prisoners of ages ranging from 18 to 22, separated at night, both from juveniles and adults?
- (27) Cells.- Is every cell utilized at night?
- (28) Appeals.- Has there been any undue delay in forwarding appeals to court, or in the receipt of Court's under on appeals?
- (29) Garden. - Is the whole vegetable supply of the jail obtained from the jail garden? If not. Why cannot this be done?

PART-24

SUBSIDIARY JAILS

(Rules under section 59(26) of prisons Act)

1. Definitions.- For the purposes of this part, a lock-up jail shall be deemed to be a subsidiary jail.

2. Under section 59, clause (26) of the prisons Act.- the provisions of the said Act are extended to subsidiary jails, and the rules framed there under shall be held to apply in all matters not specially provided for in this part.

3. Classes of prisoners to be confined in subsidiary jails.- The following classes of prisoners shall ordinarily be confirmed in the subsidiary jails:-

- (1) All persons committed to custody pending trial or preliminary investigation before the magistracy;

- (2) All criminal prisoners of the casual class sentenced to a term of imprisonment of, six months and under;
- (3) All prisoners summoned under prisoners' Testimony Act;
- (4) Civil prisoners including civil debtors and persons sentenced to confinement in a civil jail under sections *[318], **[332] or 514 of the [Criminal Procedure Code]¹ or otherwise if there is room for their reception and separation from criminal prisoners;
- (5) All persons under custody en-route through one station to another station;
- (6) All criminal prisoners of the habitual class sentenced for their months and under provided, there is a room for their reception and separation.

4. Transfer of prisoners from sub-jails.- (1) No prisoners shall be transferred-

- (a) who is unfitted by age, sickness or infirmity to stand the fatigue of the journey: or
- (b) if the unexpired portion of his sentence on the date fixed for his, transfer does not exceed one year if he is a casual or three months, if he is an habitual.

(2) The transfer of prisoners committed to the Court of Session shall be affected with the least possible delay.

5. Transfer of casual prisoners from subsidiary jails under I.G.s order.- Casual prisoner sentenced to imprisonment for a term exceeding one year shall ordinarily be transferred from the subsidiary 'jail as specified in the forgoing appropriate rules when the time allowed for appeal has expired without an appeal or when an appeal has been filed whichever is earlier.

Habitual prisoners with sentences of over three months and casual adolescent prisoners sentenced to four months and upwards, shall be transferred immediately on conviction to the appointed jails.

6. Confinement of certain prisoners in subsidiary jail under I.G.s.- The I.G. or prisons may direct that any individual prisoner,

1. See the Section *[318] and **[332] of Code of Criminal Procedure, 1973 (2 of 1974).

whatever may be his length of sentence, if not sentenced to transportation, may be imprisoned in a subsidiary jail, if the prisoners services are required for the performance of mental work, or if the state of his health is such that he cannot be removed, or if for any other reason, it appears undesirable to remove such prisoner to the appointed jail. No casual prisoner shall in any case be detained in a subsidiary jail for a period exceeding three months except the orders of the I.G. prisons.

7. "Transfer of "A" and "B" class prisoner.- If any "A" or "B" class imprisoned in a subsidiary jail, he shall be transferred at once to the nearest of the jails prescribed for the imprisonment of his class and mode of living.

8. Management of sub-jails by Superintendents.- The Superintendent of the subsidiary jail is vested with the management of the jail in all its details subject to the orders and control of the I.G. prisons and the District Magistrate as defined in Chapter II of the prisons Act. The Sub-Division Magistrate is required by rule to visit the subsidiary jail at least once a month and the District Magistrate once a quarter. The Superintendent shall report to the District Magistrate when he proposes to leave the station and the District Magistrate will then put one assistant in charge of the jail during the absence of the Superintendent.

9. Establishment of sub-jails.- The establishment of the jail shall be composed of an Assistant Jailor (or officer of higher rank) and warders according to the scale laid down. The Superintendent of the headquarter jail shall arrange that atleast the 1st grade warder and two other warders shall be picked men who have been trained to the use of arms in the Reserve Guard at the Central jail, If no convict of low caste is available to do mehtar's work a sweeper may be employed.

10. Convict, Officers.- Convict officers may be transferred from the supplying jail to aid the paid staff of the subsidiary jail in watch and ward and the Inspector-General shall fix the number (if any) of such officers, as may be necessary from time to time with regard to the number of prisoners confined or for other reasons.

11. Rules regarding duties of staff.- Rules framed by the LG. prisons specifying the hours and details of the paid staff shall be followed and a copy of these rules shall be hung up in the jail office.

12. Duties of Assistant Jailor.- The jailor appointed to the subsidiary jail shall be competent to perform any of the duties and be subject to all the responsibilities of a jailor under the prisons Act or any rule there under. During his authorised absence, the Medical Officer shall take charge of the jail.

13. Depot for recruitment of Head Warders etc.- The circle jail to which the several subsidiary jails are affiliated shall be depot for the recruitment of Head Warders. The Jodhpur and Bikaner Central Jails will supply clothing for all warders establishment and prisoners, but the bedding for prisoners will be supplied by the appointed district

14. Arrangements for the dieting of prisoners.- The Magisterial Officer in- charge of the subsidiary jail shall make his own arrangement as regards the dieting of the prisoners on the prescribed scale, and he shall endeavour to secure economy in purchasing the food supplies in' accordance with existing orders.

15. Duty of Superintendent.- It shall be the duty of the Superintendent to give effect to all sentences of rigorous imprisonment by employing, within the jail precincts, convict sentenced on such simple kinds of hard labour as may be available and best suited to the circumstances of the subsidiary Under-trial prisoners and prisoners sentenced to simple imprisonment shall not be required to work but shall be required to keep their wards, barracks and bedding clean, provided that no duty of a degrading nature shall be exacted of them.

16. Labour for male and female convicts.- Under ordinary circumstances breaking stones, chopping wood, pounding aloes for the fibre, watering trees. gardening and repairing roads in flue jail compound will afford suitable labour for male convicts. Female convicts may be employed in cleaning and grinding grain, etc. A fixed task shall be allotted and enforced in all measurable work.

PART — 25**ADMISSION, CUSTODY, EMPLOYMENT, DIETING,
TREATMENT AND RELEASE OF PRISONERS.****(Rules under section 59(27) and (28) of the Act)**

1. The term “warrant” in this part means any order of a court directing the detention or otherwise of any person.

SECTION I**Admission of Prisoners**

2. Admission of prisoners.- No prisoner shall be admitted into any jail except on a warrant signed by competent authority. All warrants should be drawn up in accordance with the orders of the High Court on the subject.

The Superintendent shall examine the warrant of every convicted prisoner and satisfy himself-

- (1) that there is a separate warrant for every convict.
- (2) that the warrant bears the date on which the sentence was passed, that the impression the Court’s seal is clear and distinct and that the signature of the presiding officer of the court is legible and in full.
- (3) that the parentage, caste, residence and occupation of the convict are duly set forth in the warrant;
- (4) that the period of imprisonment to which the convict has been sentenced is, if written in English clearly written in words in block letters as well as in figures, and if written in Hindi, is clearly legible and is written indistinct letters as well as figure;
- (6) that the orders of the court are clearly stated in the warrant, e.g.-
 - (a) in the case of a convict already undergoing a sentence, whether the sentence or sentences passed subsequently shall take effect at once or after the expiry of the current sentence, and

- (b) in the case of two or more sentences a warder on the same date whether the sentences shall run concurrently or consecutively;
 - (7) that full particulars of any further sentence of imprisonment to be undergone in default of payment of fine are recorded; and
 - (8) that in the case of persons previously convicted, a statement of their previous convictions giving the date, the nature of offence and the term of the sentence in the case of each conviction is duly recorded.
- ¹[(9) Photograph and finger prints of every prisoner shall be taken at the time of admission.]

3. Prisoners not to be admitted after lock-up, Exceptions.- The jailor shall ordinarily admit new prisoners into the jail at any time after the opening of the jail up to the hour of lock-up, which takes place at sun-set. After lock-up shall not receive any locally convicted prisoner except on the special written order of the Sessions Judge or of the District Magistrate or the Subordinate Magistrate in charge of the District Magistrate's office during his absence from headquarters or of the Magistrate trying the case in which such prisoner may be concerned. Ordinarily the Jailor shall not admit any prisoner received on transfer after lock-up. He shall, however, in special cases, on the order of the Superintendent of the jail, admit such prisoners at any hour. No newly convicted prisoner or a prisoner received on transfer shall be admitted into the convict-wards after lock-up. In the case of a convicted prisoner brought to the jail after lock-up, he shall be kept for the night in the under-trial ward, or in separate cells or kept at the main gate under proper custody. Barracks shall not be opened at night for this purpose. A prisoner condemned to death must be relegated to a cell used for the purpose. Under-trial prisoners shall not be admitted after the jail has been locked-up for the night, without the written orders of a Magistrate.

4. Warrant to be examined on admission of prisoners.- If a

1. Ins. by Noti. No. F. 4(1) Home/12/Kara/09 (GSR-87), dated 21.1.2010 (Pub. in Raj. Gaz. Pt. IV-C(i) dated 2.2.2010).

warrant is incorrect a copy of it may, in the case of minor irregularities be sent to the officer who issued it, with a request that a revised one may be forwarded and, on receipt of it, the discrepant warrant should be returned to the court. Blank forms of warrants should be kept in jails for this purpose. The receipt of the revised warrant shall be acknowledged by the jail authorities by special letter and until such letters is received, the court issuing the warrant will be held responsible by Government for any mistake that may occur, in consequence of the irregularity (if any) in the original warrant.

5. Procedure when doubts arise regarding legality of warrant.- In case the Superintendent doubts the legality of any warrant sent to him for execution, he shall follow the procedure laid down in section 17 of the prisons Act. The reference therein prescribed shall be made to the Government through the Inspector General of prisons.

6. Classification slips to accompany warrants.- The Superintendent shall satisfy himself that classification slips in the prescribed form duly filled up and signed by the Magistrate who sentenced the prisoner or committed him to Sessions, are attached with the warrant. In case these slips are not received with the warrant, the Superintendent shall at once remind the court and obtain them.

7. Sequences of sentences when they include both rigorous imprisonment and transportation.- If a warrant directs that any person shall undergo two or more sentences on separate charges, such sentences, when consisting of imprisonment or transportation, shall commence, the one after the expiration of the other, in such order, as the Court may direct unless the court directs that such punishments shall run concurrently section *[35], Criminal Procedure Code]¹. When a person already undergoing a sentence of imprisonment or transportation is sentenced to imprisonment or transportation, the sentences shall be served, one after the expiration of the other, in order of award, unless the court directs otherwise under section “[397] of the Code of Criminal Procedure, 1898].¹

1. See the Section *[31] and **[427] of Code of Criminal Procedure, 1973 (2 of 1974).

8. Prisoner to serve aggregate terms of sentences.- In case of doubt in regard to the order in which sentences shall take effect under paragraph 7 the instructions of the court imposing the latest sentence shall be taken. In whatever order the sentences are served, a prisoner is liable to serve the aggregate terms the whole of his sentences provided that under no circumstances, shall a prisoner be detained in jail beyond the period indicated by the terms of the warrant of commitment.

9. Sentences how and when to take effect.- When a prisoner is undergoing more than one sentence and the first sentence is annulled on appeal, the second sentence shall take effect from its own date.

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

11. Action after realising fines.- When a fine or portion of a fine in default of which an offender is undergoing imprisonment is realised the court which imposed the fine will send intimation to the superintendent of the jail in order to ensure the due release of the offender. The intimation will be by the prescribed intimation and receipt coupon, the latter of which will be signed and returned to the court by the superintendent. When in addition to imprisonment a person is sentenced to fine and alternative imprisonment and the fine is realised before the prisoner is despatched to the jail, the intimation of realisation will be attached to the warrant by the court, and the receipt coupon will be detached and returned to the court after signature by the superintendent.

Note:- If the fine is paid before the transfer of prisoner from the subsidiary jail in which he was first confined to another jail, the fine realization statement should be sent to the subsidiary jail.

12. Deposit of fines in the local treasury:- The superintendent (or in his absence the Jailor) is authorized to receive fines offered at the jail. The superintendent shall remit any amount received in payment of fines by or on behalf of prisoners to the local treasury, giving details of the prisoner of whose behalf the fines have been

paid as per form No. R.J. 144, in triplicate. One copy will be retained by the Treasury Officer, one copy will be forwarded to the court and the third copy will be retained in the jail, after marketing the necessary entries on the history-ticket and in the admission register.

13. Procedure on non-payment of fine.- When by the terms of the warrant under which a prisoner is confined, non-payment of a fine entails detention beyond the date on which he would be otherwise released and no intimation of the recovery of the fine has been received, the superintendent of the prison shall, one month before the date of release above referred to, cause enquiry to be made of the district magistrate as to whether the fine has been paid or not in whole or in part.

14. Receipt of realisation of fine.- In the case of a prisoner sentenced to imprisonment in lieu of fine being transferred from one jail to another, when intimation of the realisation of the fine or a portion of it is received from the court, it will be the duty of the superintendent of jail receiving the intimation to forward the intimation coupon and the receipt coupon (for the acknowledgment of the intimation) to the superintendent of the jail to which the prisoner has been transferred, under a registered cover. This should be done under a covering docket, in which the date of the transfer of the prisoner should be specified in order to ensure proper identification. The Superintendent of the later jail will then, by return post, acknowledge receipt of the intimation to the original jail, and forward the receipt coupon to the Magistrate by whom it was issued, retaining the intimation coupon in his own jail.

15. Imprisonment in default of payment of fine.- If a prisoner sentenced to a term of imprisonment is in default to payment of fine is also either at the same time or subsequently sentenced to another term or to other terms of imprisonment, imprisonment in default of payment of fine shall be kept in abeyance till the expiration of all the absolute sentences of imprisonment, and shall be annulled wholly or partially by the payment of the fine in whole or in part, before that period or so long as imprisonment continues.

Illustration.— A prisoner is sentenced on the 9th June, 1895 to two years' rigorous imprisonment and a fine of Rs. 5/- or in default six months rigorous imprisonment; on the 17th July of the same

year he is sentenced on another account to an additional imprisonment for 18 months; and on the 6th October, 1896, he is sentenced on another charge to an additional imprisonment for two years. The sentence of six months' imprisonment in default of payment of fine of Rs.5/- should begin from the 9th December, 1900 (the date of expiration of all the absolute sentences of imprisonment being the 8th December) and shall be annulled wholly or partially by the payment of the fine, in whole or in part, before that period, or so long as the imprisonment continues.

Note.- This rule covers the case of a prisoner whose first sentence of imprisonment is only in default of payment of fine. The Substantive sentence of imprisonment subsequently passed shall count from the date of the first sentence , and the imprisonment in default of payment of fine shall take effect last, although a portion of it may have been already served when the substantive sentences were awarded, unless the imprisonment is of a different denomination to that of the substantive sentence, in which case the imprisonment is default of payment of fine shall be completed before the substantive sentence of imprisonment shall take effect.

16. Sentence in default of furnishing security .- If a prisoner is sentenced to imprisonment in default of furnishing security for good behaviour under section *[118] and **[125] of the Criminal Procedure Code, and is also sentenced to imprisonment for an offence the sentence in default of furnishing security shall be served last. As imprisonment in default of furnishing security for good behaviour is a precaution for the safety of the public, and not a punishment for an offence, such cases should be brought by the Superintendent to the notice of the Magistrate of the District in order that if he saw fit he may take action under section ***[124] of the Criminal Procedure Code]¹ for the discharge of the prisoner in respect of such imprisonment.

1. See the Section *[117], **[122] and ***[123 and(1) to (8)] of Code of Criminal Procedure, 1973 (2 of 1974).

17. Additional sentence on escaped convict.- When an additional sentence of imprisonment or transportation is passed on an escaped convict who has been re-captured, such sentence shall take effect according to the following rules:-

If the new sentence is severer in its quality than the sentence such convict was undergoing when he escaped, the new sentence shall take effect immediately, and the unexpired portion of the sentence he was undergoing when he escaped shall be served subsequently. When the new sentence is not severer it shall take effect after he has served the portion of his original sentence which at the time of his escape remained unexpired.

Explanation-

- (a) A sentence of transportation is severer than one of imprisonment.
- (b) A sentence of imprisonment with solitary confinement is severer than imprisonment without solitary confinement.
- (c) A sentence of rigorous imprisonment is severer than one of simple imprisonment with or without solitary confinement

18. Prisoners sentenced to whipping only.-*(a) when a prisoner is sentenced to whipping only and does not wish to appeal, the whipping shall be inflicted as soon as practicable. But if he wishes to appeal, the whipping shall be postponed and shall be inflicted as soon as practicable after the receipt of the order of the appellate court confirming the sentence.

The execution of sentences of whipping which are not in addition to imprisonment awarded by the Magistrate must be supervised by a Magistrate whether carried out at the court or in the jail.

(b) Whipping in addition to imprisonment [section 39, Criminal Procedure Code]¹, the sentence of whipping must be carried out as soon as practicable after the expiry of 15 days if no appeal has been filed. Should the prisoner have appealed within that time, the sentence shall be carried out on receipt of the order rejecting the appeal.

1. Please see the Code of Criminal Procedure, 1973 (2 of 1974).

(c) How entry of whipping should be made.- The Superintendent shall cause an entry in blue pencil to be made in the Release Register on the page devoted to the date on which the whipping should be administered. When an appeal is made, two or three forward entries with cross reference shall also be made in blue pencil in the Release Register to ensure that the convict is brought up at the proper time for the execution of the sentence of whipping.

(d) Medical Officer's certificate.- The punishment of whipping shall not be inflicted unless the Medical Officer certifies that the offender is in a fit state of health to undergo such punishment. If during the execution of a sentence of whipping, the Medical Officer certifies that the offender is not in a fit state of health to undergo the remainder of the sentence. The whipping shall be finally stopped (vide section *[394] of the Code of Criminal Procedure, 1898)].

(e) If the prisoner be declared physically unfit for whipping, by the Medical Officer, the warrant shall be returned to the court of issue for orders under section *[325] of the Criminal Procedure Code] and the convict shall in the meanwhile be kept in custody.

(f) Superintendent to certify after whipping has been inflicted.- After whipping has been duly inflicted, the Superintendent shall endorse a certificate on the warrant to that effect, recording the date of execution.

19. Procedure when there is a sentence of imprisonment in one case and a sentence of imprisonment and whipping in another.- What a convict is sentenced to a term of imprisonment is one case and to another term of imprisonment with whipping in other case, the sentence of whipping in the second case, should be carried out as soon as practicable after the expiry of fifteen days from the date of the order, or, after receipt of the order confirming the sentence on appeal if an appeal has been made, even though fire execution of the sentence of imprisonment in the second case has under section ***[397] of the Code of Criminal Procedure, 1898]¹, been postponed until the sentence passed in the first case has been served.

1. See the Section *[394], **[325] and ***[427] of Code of Criminal Procedure, 1973 (2 of 1974).

20. Report to the District Magistrate in case of pensioners-

When a convict is found to be a military pensioner and the fact was not already known to the convicting Magistrate, the Superintendent shall inform the District Magistrate.

21. Warrant of under-trial prisoners.- On the date entered in the original warrant, or on the date fixed by any subsequent orders, under trial prisoners shall be placed in the custody of the police to be taken to court. If an under-trial prisoner has any remand warrants for his production in a court other than that before which he is to be produced that day, these warrants shall be tagged together and they shall all be sent with the prisoner to the court before which he is being produced.

The warrants shall be handed over to the officer-in-charge of the police escort, from whom a receipt shall be taken which shall specify the name of the prisoner and the number or remand warrants handed over, at the same time a memorandum shall be attached to the warrant under which the prisoner is being produced in court that day, stating that he has to be produced in another court on a particular date for the hearing to certain other charges against him. All property belonging to each under-trial prisoner except cash (which shall, if the prisoner be released in court, be delivered to him at the jail gate on his application) shall also be made over to the officer-in-charge of the police escort, from whom a receipt shall be taken.

On receipt of a warrant or order of revision, directing the release of an undertrial prisoner, he shall be at once released unless the order be received after the wards are locked up for the night, in which case he shall be released immediately after the wards are opened next morning, and the warrant of detention and order of release shall be returned to the court which issued them, with an endorsement by the Superintendent certifying that the order of release has been carried out. Any property, which has been taken possession of, shall be made over to the prisoner.

22. Entries in and arrangement of warrants.-The date of a prisoner's admission into jail and the serial number given to him

shall be endorsed on his warrant and signed by the number given to him shall be arranged according to the date of release and put together, in the monthly bundles, docketed outside, with the month and year, all the warrants of prisoners to be released in the one month being placed in the same bundle. They shall be kept in a locked chest, the key of which shall be kept by the Jailor. In all jail records and documents both the name of the crime and the section of the Penal Code, or other enactment shall invariably be given

23. Particulars to be recorded in registers within 12 hours of prisoner's admission.- Within 12 hours of the reception of a convict, the Jailor shall have the nature, the serial number and other particulars of the convict entered in the admission, release and check registers.

24. Admission register to contain full description of every prisoner.-

- (a) In the Admission Register shall be recorded, for the purpose of identification, the full description of every prisoner, giving a general account of his physiognomy, complexion and habit of body, and note of any special marks on his person. This record shall be entered by the Medical Officer. Besides this, the convicts left hand thumb impression or at the discretion of the Superintendent, in the case of a literate prisoner, his signature shall also be taken there in. The letter "P.R." shall be added in red ink against the name of all police registered prisoners in the Admission and Release Register, and on the convicts warrant and if for any other reason, a convict is required to be released in the district of his residence, then the letters P.R./T. shall be similarly noted. The check date calculated in that manner prescribed shall also be entered in the Admission Register. Any police officer deputed to take a prisoner's finger impressions shall be allowed, to do so.
- (b) The state of every prisoner's education shall be ascertained on admission, and be entered in the Admission Register.
- (1) The following registers shall be provided with all newly

admitted prisoners before the Superintendent on the morning following their admission:-

- (a) Admission Register and Warrant.
- (b) Release Register.
- (c) Property Register.
- (d) Length of time Census Register.
- (e) Remission Register (if the convict is eligible for remission of sentence under the remission system.)
- (f) History-ticket.

(2) If the prisoner's warrant shows that a fine has been inflicted in default of which imprisonment has been awarded, the Superintendent shall intimate to the court concerned the approximate value (if any) of the articles (other than wearing apparel) found in possession of the prisoner at the time of his admission.

26. Superintendent to satisfy himself as to correctness of all entries relating to convicts.- The Superintendent shall satisfy himself that the entries made in the register are correct. The entries in the registers, the history ticket and the warrant cover shall be by the Superintendent, and Jailor, in token of their having checked and found them correct.

27. Superintendent to see to necessary alteration in registers.- The Superintendent shall be responsible for seeing that necessary alterations are made in the registers and documents noted in the preceding paragraph when a convict's sentence is enhanced or reduced on appeal. The Superintendent shall similarly be responsible for seeing that necessary alterations are made on the realization of fine. The Superintendent and the Jailor shall see these alterations.

28. Information to convicts of 'alteration in their sentences.- The Superintendent shall personally inform convicts of the alterations made in their sentences on appeal or as the result of the amount of fine having been realized in full or in part.

29. Orders relating to a convict transferred to another jail.- When an order of release or an order modifying a sentence or a

notice of payment of fine is received in a jail, the superintendent shall, if the convict has been transferred to another jail, at once forward the order or notice by registered post to the superintendent of the jail concerned. It shall be the duty of the Superintendent to obtain a receipt for the order or notice from the Superintendent of the jail in which the convict is confined.

30. Report to the District Magistrate of recent injuries, etc.-

The superintendent shall report at once to the district magistrate full particulars of any recent injuries, wounds, contusions or abrasions found on the person of any prisoner which appear to be due to violence and which are not explained by the nature of the case in which the prisoner is accused or convicted.

31. Other particulars to be noted on admission.- The Superintendent shall enter in the register the particular labour on which the convict shall be employed. He shall ask the convict and record whether he elects to appeal or not. The Deputy Jailor or another officer duly authorised by the Superintendent shall read out the details of the private property taken from him and the Superintendent shall countersign the entries after satisfying himself as to the accuracy of the description of such jewellery or other valuables and the amount of cash as may have been found on the convict. The Superintendent shall satisfy himself that the convict's description, identification marks and thumb impression or at the discretion of the Superintendent in the case of a literate prisoner, his signature has been duly recorded in the Admission Register. He shall check the warrant and satisfy himself that the release date or the check date, as the case may be, has been calculated entries on the history-ticket relating to health and labour and inspect the convicts identification ticket and clothing.

32. Convicted prisoners to be provided with history-tickets.-

Every convicted prisoner shall be provided with a history-ticket in the prescribed form. The Superintendent shall cause the full information required by the columns provided in the ticket to be recorded. The superintendent and the Medical Officer shall record therein the convicts state of health and the labour on which he is to be employed, and the history-ticket throughout the period of

imprisonment should be so as to be a continuous record of the convicts conduct and employment. Entries of weighment shall be recorded fortnightly and the Superintendent shall record in his own handwriting all entries of punishment. Ennis of appeal, letters received and sent, interviews, admission tn, and discharge from the hospital and infirm gangs employment on outgangs, shall be made as occasion require and initiated by the superintendent. Entries n regard to issue of clothing and awards of remission shall be made and initiated by the jailor or other officer entrusted by the Superintendent with these duties.

33. The Superintendent shall prepare and record on the history-tickets of all convicts sentenced to rigorous imprisonment or transportation for a terms of five years or more an extract from the history of the case, setting forth the special features of the crime and the part taken by the convict, as well as his previous character and reputation.

34. Wooden table for prisoners.- Every male convict, sentenced to rigorous imprisonment, shall wear a wooden label suspended from a button on the left breast. If he is a convict officer, he shall wear the wooden label on the right breast. On the wooden label shall be stamped the register number of the prisoner, his class and in case of a habitual offender, the number of previous convictions, dates of admission and release, the term of sentence, and all sections of the mango wood, 4 inches long, 2 inches broad, and 1/2 inch thick.

35. Search of prisoners on admission and disposal of articles in their possession.-On admission into a jail all prisoners shall be thoroughly searched. From prisoners sentenced to rigorous imprisonment every article, whether clothing money, jewellery, document, or otherwise, shall betaken (but if received late or after lock-up, their clothing shall be left with them until next morning).

From simple imprisonment prisoners, money, personal ornaments, papers and letters, and any other property, other than clothes, shall be taken from under-trial prisoners, the same articles shall be taken as from simple imprisonment prisoners, except bedding, which they may retain From civil prisoners only dangerous

weapons, articles likely to facilitate escape, drugs and immoral books shall be taken. The caste-threads of Brahmins or other three-wearing castes shall in no case be removed. Civil prisoners shall not be searched in the presence of any other prisoners, and prisoners of the "A" and "B" classes shall be searched only in the presence of the Jailor. The Search of female prisoners shall be made by the matron or female Warder, and only in the presence of females. All property taken from prisoners shall be dealt with as provided elsewhere in the relevant rules under the Prisons Act. The search must be thoroughly and carefully clone as prisoners frequently conceal articles in their hair and beards and in other parts of their person.

36. Confiscation of money or prohibited articles in a convict's possession.- Any money or other prohibited article found in a prisoner's possession after admission to the jail shall be confiscated and the money so confiscated as well as the money that may be realized from the sale of any articles so confiscated shall be credited in full to the budget head "Receipts-jail". The Superintendent may award any sum, not exceeding an amount equal to one-third of the value of the cash or the money realized from the sale of the property, to any person or persons concerned in the finding or the discovery of such cash or property. The amount required for making such payment shall be debited to the budget sub-head "Rewards" under the head "Miscellaneous Special Charges".

37. Disposal of prohibited articles which cannot be stored.- The Superintendent shall cause all prohibited articles. Such as poisonous or intoxicating substances, etc., formed on a prisoner on admission to be destroyed. Article of a perishable nature, such as flour, etc., or articles of a bulky nature such as charpoys, etc., shall not be stored but shall unless they are, with the consent of the prisoner, made over to a relative or friend be sold and the proceeds placed at the credit of the prisoner.

38. Report to Magistrate of cash valuable property of a convict sentenced in default of fine.- When a convict sentenced to imprisonment in default of payment of fine possesses cash or other valuable property, the Superintendent shall intimate the amount of

cash or the approximate value of the property to the convicting court.

39. Prisoners to wash themselves and their clothing.-

Immediately after admission (or, in the case of prisoners received late or after lock-up, early next morning) all prisoners shall be made to wash themselves thoroughly, also their clothing; and convicted prisoner shall each be furnished with the full jail equipment prescribed elsewhere in this Manual. Such of the private clothing received with convicted prisoners as can be boiled without damage, shall be boiled before it is stored.

40. (a) All newly admitted convicts shall be carefully examined by the Medical Officer in the presence of the Jailor or other officer on duty. The name of the prisoner, the time of examination, and a description of any injuries, wounds, contusions or abrasions detected, shall be entered in the Jailor's Report Book, and the entry shall be signed by the Jailor or any other officer duly authorised by the Superintendent and the Medical Officer. The clothing of all prisoners shall be carefully examined and if it is found to contain any stains of a suspicious character, the District Magistrate shall be informed and the clothing' stored under lock and key.

(b) Whenever any admitted prisoner is reported as suffering from simple or grievous hurt as defined in section 319 and 320 of the Indian Penal Code, an injury report shall be completed without the least possible delay.

(c) A Medical Officer shall make or cause to be made in proper register and prisoner's history-ticket, a record in respect of each prisoner, of his or her age, health on admission with such particulars of previous illness as may be known to him. Weight on admission, any marks of wounds on the person, and (in the case of prisoners sentenced to rigorous imprisonment) the class of labour for which the prisoner is fit, with any other observations, he may find necessary.

(d) In describing a prisoner's health. If he is in bad or indifferent health, he should enter the general cause. Such as enlarged spleen, anaemia, etc. The Medical Officer shall also record whether the prisoner has been vaccinated or inoculated or has had small-box subject to any instructions laid down else when in the Manual, all

prisoners shall be vaccinated as soon as convenient after arrival in the jail.

(e) It is the duty of the jail authorities to ascertain labour is appropriate to a prisoner's strength and to put him to that only.

41. Prompt disposal of the case of juvenile or juvenile adult under-trial prisoners.- When any prisoner is admitted as an under-trial prisoner and the trial of his case appears to the Superintendent of the jail to have been unduly prolonged, he shall report such delay to the District Magistrate, and the others as per form No R.J. 14, with a view to expedite the trial.

42. Prisoners having influence in district to be transferred to another district.- The Superintendent shall submit to the Inspector-General, the descriptive roll of any prisoner having influence in the district or who is a convicted jail officer whose transfer to another district is expedient.

43. An abstract of the rules relating to the conduct of prisoners and the rules relating to appeals, offences and punishment and remission of sentences shall be read over and fully explained to every newly admitted illiterate prisoner within 48 hours of his admission to jail, and a copy of the abstract in the language of the shall be hung-up in every ward.

SECTION II

The safe Custody of Prisoners

A. Guarding of prisoners

44. Guarding of Prisoners.- The main principle to be observed in guarding a jail is that every prisoner shall at all times, both by day and night, be in -charge of some responsible officer whose responsibility for an escape resulting from negligence can be proved in a criminal court. To effect this, it shall be a strict rule that a record of the names of the prisoners made over to each officer shall be kept in algang book R.J. 150, and that every subsequent change of a prisoner from one gang to another shall be recorded therein; also that at every change of guard, a head warden shall be present to witness and verify the number of prisoners made over to the relieving officer.

45. Procedure for guarding of prisoners.- The following procedure shall be observed:-

- (a) For day work, the whole of the head warders and warders on the establishment, excluding the reserve guard and gate warders, shall ordinarily be divided into two squads. The first squad shall come on duty at the opening of the wards.
- (b) Immediately before the opening of the wards, the Jailor and Assistant Jailors and all the head warders with the warders who are to be on duty in the morning shall enter the jail together.
- (c) The Jailor (or in central jails, the Chief Head Warder) shall than let out of their ward the watchmen who are to watch the jail walls during the first turn of duty (these watchmen should be locked up in one ward, not scattered over several), one of the Head Warders shall take these convict watchment to the latrine and then shall post them round the jail walls.
- (d) When the Head Warder has reported that the wall guards are posted, the wards shall be opened and the prisoners counted out in pairs in the presence of the warders of the last watch respectively responsible for the wards and of the relieving day wardens who are to take charge of the prisoners during the morning parades. The number counted out shall be carefully verified by the Jailor by comparison with the lock-up Notebook. When this is done, the relieved warders of the fifth night will be marched out of the
- (e) When the morning parades are completed the prisoners shall be distributed into their respective gangs, and a responsible officer shall be placed in charge of each gang. The responsibility for the charge of a gang shall never be divided between two or more officers. The strength of a gang working outside the jail walls but within jail precincts shall not exceed 20 prisoners; any gang working beyond jail precincts shall not exceed 11 prisoners. Each paid warder in charge of a gang working outside the jail, shall have with him as assistants one or more convict warders or overseers, and also, if possible, one or more

convict watchman in the gang. The same system shall be followed in regard gangs inside the jail.

- (f) The first squad of warders and convict warders shall be relieved at noon by the second squad, which shall be brought in by the Head Warders for the second turn of day duty, and shall remain in charge unit all prisoners are counted into the wards and locked-up at night, at which time, the night patrol shall come on duty.
- (g) When the warders and convict officers are posted to their gangs in the morning the names of prisoners in each gang shall be called from the gang-roll in presence of the officer who is to take charge of them, and as each prisoner is called, he shall answer 'hazir' (in the case of outside gangs this may be done at the main gate). Each gang shall also be counted in the presence of the warder or officer receiving charge of it, whose name shall then be recorded in the gang book. At each subsequent change of guard during the day, the same procedure shall be followed, whether the change is made in the ordinary course or on account of sickness or other cause. The rolls of gangs inside the jail made over to the independent charge of convict warden; or overseers need not be called at noon, if these officers are not changed during the day; but their gangs should be counted and verified at the time the warder guard is changed. In central jails; there should be several gang-books for different sections of the jail, so that the rolls may be called simultaneously by the several Head Warders to save time, and convict-writers will be allowed to assist in writing-up the gang-books. In these jails in the cold season, when only one hour is allowed for the mid-day stoppage of work and parades, there is not sufficient time to call the roll at the midday change of guard, the gangs therefore, shall then only be counted.
- (h) In the evening when work is stopped, the gang shall be collected for the parades, and shall then again be counted and verified.

- (i) Warders in independent charge, and/convict overseers in subordinate charge, of extra-mural gangs must be specially careful to keep their prisoners as much together as possible, and should be warned that they are on no account to let the prisoner warder about or go out of their sight on any pretext whatever. Any prisoner temporarily detached from such a' gang for a special purpose shall be under the charge of a convict warder or overseer of the gang. The paid warders shall always accompany any of the prisoners (mehtars for instance) when they go outside the jail, leaving the prisoners remaining inside in the charge of the convict overseers. The mehtars who are to go outside should be distinctly specified in the gang book.
- (j) Extra warders should not ordinarily be employed in charge of outside gangs.
- (k) After completion of the afternoon parades, the first night patrol shall be brought in by the reserve Head Warder, and the Jailor (and, in central jails, octagon officers and their assistants and Head Warders) shall count the prisoners into their wards respectively in the presence of the warder or convict officer who is to take charge of each-ward for the first watch. When all are locked up except the convict warders and overseer night-guards who are to take part in the first watch, the total number of prisoners shall be verified.
- (l) After locking-up the keys of the wards and all other buildings with the exception of those of the cells shall be collected, in district and subsidiary jails, by the Jailor, and in central jails by the officer incharge of the lock-up in each section who shall give a receipt for the number received. The keys then shall be placed each on its labelled hook in the key cupboard at the main gate, the key of which shall be kept by the Jailor. The number of prisoners locked-up and the numbers of keys retained in each section of the jail shall be noted in the lock-up note book, so that the officer in charge of each watch may satisfy himself that he receives the correct number of both.

- (m) Guarding by night.- The night shall be divided into five watches. viz, from 6 p.m. to 9 p.m., 9 p.m. to 11 p.m., 11 p.m. to 1 a.m., 1 a.m. to 3 a.m., and 3 a.m. to 6 a.m.
- (n) For the guidance of the Superintendent, the following strength of distribution of the night watches is given. This minimum is, on no account, to be decreased.

Watches	Men to be	Patrolling on watch	Men to form reserve guard officer at night.
Central Jail			
6 p.m. to 9 p.m.	4 ordinary warders & 3 reserve warders.	Reserve Head Warder	When 10 of the reserve are on duty for 5th watch, the rest of the reserve and the 10 men of the 4th watch will form the reserve. The sentry of the main gate will be furnished by the reserve and changed at the same time, as the other men on watch.
9 p.m. to 11 p.m.	10 ordinary warders	1 Head Warder	
11 p.m. to 1 a.m.	- do -	- do -	
1 a.m. to 3 a.m.	- do -	- do -	
3 a.m. to 6 a.m.	10 reserve warders	- do -	
District Jail A & B			
6 p.m. to 9 p.m.	4 ordinary warders	Reserve Head Warder	When 10 of the reserve are on duty for 5th watch, the rest of the reserve and the 10 men of the 4th watch will form the reserve. The sentry of the main gate will be furnished by the reserve and changed at the same time, as the other men on watch.
9 p.m. to 11 p.m.	- do -	A gate keeper	
11 p.m. to 1 a.m.	- do -	A gate keeper	
1 a.m. to 3 a.m.	- do -	A gate keeper	
3 a.m. to 6 a.m.	4 reserve warders.	A Head warder	

C and D class District Prisons

- (o) The same above, except that there will be three men in each watch.
- (p) The strength and disposition of the night guards for each lockup will be two men in each watch and one in front of the lockup and the other behind.
- (q) The above recommendations should be taken as a rough guide and the Superintendents are at liberty to exceed the -strength suggested, if they can do so.
- (r) The above distribution accounts for the whole of the paid warders. When any of them are on leave, the convict warders shall take their place, but they shall be distributed over all the watches, and shall not be on duty during one watch. When, - as in central jails, these are more wards to be guarded than there are warders, the spare convict warders and overseer night guards shall be employed in guarding those buildings for which there are no paid warders available, but they must be so distributed that every convict night guard shall be under the eye of a paid warder, who shall be held responsible for seeing that he patrols properly. Convict officers shall not be employed to guard prisoners condemned to death, or prisoners in huts outside the jail walls, except in cholera camp.

46. Warders, convict warders or convict overseers to be in independent charge of gangs.- No warder, convict warder, or convict overseer in independent charge of a gang shall leave his gang on any account whatever without first being relieved by a Head Warder, who, in case such officer's presence is required by the Superintendent or other superior officer in case of sickness, shall place some other warder or officer-in-charge. No prisoner shall on any account be allowed to leave his work or place without permission: and if he has to be sent to any other part of the jail, he shall be accompanied by a convict overseer or other responsible officer.

47. Patrol of watch during night.- During the night, the watch must patrol round the outside of the barrack or barracks of which

they respectively have charge, at a smart pace and shall on no account sit down or quit their beat. They shall be always on the alert. Each shall have his great-coat and a bamboo umbrella in wet weather and no warder shall seek other shelter from the weather either by day or night. No sentry boxes shall be allowed. They shall each be armed with a baton and carry a lighted lantern; they should frequently examine the gratings and doors and see that they have not been tampered with. They should look inside the wards, if possible, to see that prisoners are in their proper places and that the convict watchmen are alert, not sitting down, or should frequently challenge them and make them report, the number of prisoners, if they cannot see them.

48. Roster showing turns of duty of warder and convict warden- Roster showing the turns of duty of each warder and convict warder shall be prepared every week by the Jailor (or in central) jails by the octagon officer or under his orders and posted up in the guard-room. If it should be necessary to change any warder's turn of duty in the course of the week, the change must be noted on the roster. Each warder's beat should be changed every night and no warder should be informed beforehand to what beat he will be put. A record shall be kept in the octagon lock-up note-book of the officers put on each beat in each watch. Of the warders off duty half shall always be on the jail premises ready for any emergent duty. Any warder not present during his turn of duty shall be liable to punishment.

49. Special systems of watch by convict overseers and watchman.- There shall be a special system of watch by convict overseers and watchmen in each ward, the changes of watch will be at 8, 10, 12, 2 and 4. In cases where the wards, require exceptional precautions, or barracks are of unusual length, there shall be two or more watchmen on duty at one time. These convict-officers whilst on watch shall keep moving inside the wards, and shall prevent any prisoner leaving his place or committing any breach of prison discipline, and also satisfy themselves, by counting, that all the prisoners in their charge, are safe. On change of watch both the

relieving and relieved convict officer shall report to the patrol or other duly authorised official-, the number of prisoner made over. In case of any important occurrence, the convict officer on watch shall give immediate notice to the patrol, which shall summon the Head warder in order that he may make enquiry into the matter and take such action, as he considers necessary.

50. The patrolling officer at night shall move about inside the jail visiting the patrolling warders, convict night-guards, and convict-watchmen during the whole time of his watch. He shall keep the lock-up note book with him and both on taking over charge, shall see that the wards and cells are secure, and that the correct number of prisoners are reported to be in custody in each ward. If follows, therefore, that when changing guard at night both the relieving patrolling officer and the one to be relieved, shall verify the numbers, see to the security of the wards and change the guards in company. The patrolling officer shall keep the key of the cells attached in company. The patrolling officer shall keep the key of the cells attached to his person by a chain. In, case of serious sickness, he shall give notice at once to the Medical Officer, and if he orders the prisoner's removal to hospital shall immediately send for the Jailor. Should any irregularity either on the part of the warders or prisoner, occur, he shall at once enter the circumstances in the lock-up note-book for report to the Superintendent or Jailor next morning; Immediate notice to the Jailor shall be given of any occurrence requiring prompt action on the part of a higher authority, such as attempt at escape, riot, fire or serious sickness. A quarter of an hour before the expiry of his term of watch he shall go to the gates entry and order him to awaken the patrolling officer who is to relieve him, and having done so, shall at once return to his duty-inside the He shall see that the main gates entry is standing at his post between the gates, the he is on the alert, and that both gates are kept closed. Punctually at the hour for change of watch, the patrolling officer who is to take then ext watch, shall bring in the warders. The patrolling officer shall frequently search the warders between the gates on entering and leaving the jails. In central jails, the Superintendent may arrange that the patrolling officer

shall be assisted in performing the charge of guard by first grade warders.

Note.- Officers visiting the jail at night should occasionally do so shortly before the time for change of watch to ascertain that the patrolling head warder does not leave the jail sooner, and remain out longer, than is necessary, on pretence of going to wake up the next watch.

51. Cooks for early morning meal.- When it is necessary to let out some of the cooks before dawn to prepare the early morning meal, the Head Warder of the 5th watch shall let out the necessary number and put them in charge of a paid or convict warder. Only prisoner with short unexpired sentences should be selected.

52. Locks and keys of inner and outer main gates.- In central jails, there shall be two locks on the wickets of the outer and inner main gates. The night sentry posted between the gates shall keep in possession, the key of one lock on each gate. The key of the second lock on the outer main gate wicket, shall be in the possession of the reserve Head Warder or officer in-charge of the gate guard, and the key of the second lock on the inner main gate wicket shall be in the possession of the Head Warder who between the gates at night. In district jails, there shall be one lock on inner main gate wicket, the key of which shall be in the possession of the night sentry posted between the gates, there shall be two locks attached to the outer main gate wicket, and the key of one lock shall be in the possession of the night sentry and the key of second lock in the possession of reserve Head Warder. In subsidiary jails, in which no night sentries are posted between the gates, the keys of the inner and outer main gate wickets shall be kept by the Head Warder who remains at night between the gates. The night sentry or in subsidiary jails, the Head warder shall not permit any person to enter or leave the jails until he has satisfied himself by examination with his lantern that the person is an official duly authorised to visit or leave the jail at night, and he shall not permit any warder to enter or leave the jail except in company with the Head Warders on duty. The officer authorised to

visit the jail at night are the Magistrate, official and Superintendent, Dy. Superintendent Jailor, Assistant jailor, Head Warders on duty and the patrolling warders in the charge of the Head Warders; also the Medical Officer and his subordinate. He shall not loudly challenge any person presenting himself at the main gate, or give notice to the Head Warder or Warders within the approach of any visiting officer, being posted behind a barred gate of the jail, he can ascertain in safety whether the person has any business at the jail or not.

53. Night sentry to be armed with breach loading musket and ammunition.- The night sentry shall be armed with a breach-loading musket and not more than five or less than three round of ball ammunition loose and ready, and is authorized, in accordance with rules to use the weapon against any person attempting forcibly to breaks through the main gate either from, within or without He shall inform there reserve Head Warder whenever any officer of the Jail visits the jail at night or of any unusual occurrence of importance during his time of sentry duty, and this Head Warder shall report the .fact to the Superintendent next morning when making his daily report.

Note:— The Superintendent is empowered to- (1) To increase the number of rounds to not more than ten, should be consider it necessary' owing to local existing circumstances.

(2) To decrease the number of 5 to 3 rounds of ball ammunition or even to substitute these by the issue of blank cartridges, should be consider this advisable for any reason

(3) An order in both cases must be recorded by the Superintendent in his order-book and a copy must be sent to the Inspector-General of Prisons reporting the necessary of such an alteration.

54. Visits of jails by Superintendent of Jails, Jailor, and Assistant Jailors.- Superintendents of central jails shall visit their jails at night after lock-up at least once a fortnight, and Superintendents of district and subsidiary jails at least once a month between the hours of 10 p.m. and 3 a.m. The Jailor and Assistant

Jailors shall visit the jail in turn at uncertain hours in accordance with detailed orders to be recorded by the Superintendent in his order-book and shall record the result of their visits in the jailor's report-book

55. Opening of wards at night.- (a) Should it be necessary to open a ward at night to take out or admit a prisoner, previous to unlocking the gate or door, a chain should be so attached to the doors or to the door and door-post: as to prevent the admission and exit of more than one person at a time : this procedure will render futile any combined attempt to break out through the door way when the door is opened.

(b) Excepting in the case of the cells and then only in cases of very grave emergency, no buildings in which prisoners are confined, shall be opened at night except in the presence of the jailor.

B. Escape and Out-breaks and Alarm Parades

56. The precautions to be taken and the procedure to be adopted to guard against and deal with cases of escape and disturbance in jails are laid down in the following rules.

57. Rules for guarding, escapes and disturbances.- All locks used for securing wards, cells and the main gates shall be thoroughly examined daily by the Head Warder, detailed for the purpose by the Superintendent of the jail, to ascertain that they are in good working order. Any lock out of order shall forthwith be brought to the Superintendent of the jail for his personal inspection and all locks, that have become unserviceable but are repairable shall be sent to the appointed dealers with whom arrangements have been made by the Inspector-General for supplies. Country locks should only be used in places of no importance, such as the securing of the lids of water drums or the locking of barrack lanterns and the like. Any locks that are condemned, as being beyond repairs shall be sent carriage paid to the Inspector-General for disposal. In the event of a key being lost or mislaid, the lock shall at once be condemned and replaced at the cost of the official responsible, the old lock being sent to the Inspector-

General. There must be no master Key or duplicate key. A register should be maintained of all lock in the jail whether in use or not in the prescribed form: and a report should be submitted to the office of the Inspector-General on the 20th April and 20th October of every year to the effect that all locks are correct and that none have been replaced by country locks. This report should be made on the half-yearly stock-taking reports at present submitted to the inspector0general under appropriate paragraph. All entries in the original register should be signed by the superintendent and the Jailor. Entries pertaining to lost or condemned locks should be scored out in red ink and initiated by the superintendent. Lover locks must not be oiled with vegetable oil, as it causes the levers to stick together and thus renders the lock easy to pick. The keys of wards, cells, godowns, or any other place of which the security must be assured shall not be put in the hands of a convict officer or of any prisoner. If convict officers are allowed to have common pad-locks keys for temporarily locking up tools or materials in their charge during the day time, the keys shall be taken from them before lock-up. In order to relieve paid warders, as far as possible, convict warders and overseers may by day, be placed in charge of the keys of the circle gates, but these keys must be taken from them before lock-up.

58. Warning to jail officials of penalties permitting on escape of prisoners.- (a) All jail officials and convict officers should be frequently warned by the Superintendent and Jailor of penalties. They incur under appropriate paragraphs for negligently or wilfully permitting an escape. Any paid officer without the sanction of the Inspector-General. All prisoners shall also be held responsible for the prevention of escapes, and any prisoner who appears to have been instrument in aiding an escape, or to have been privy to it in any way, shall be punished.

(b) Prosecution of prisoner who escapes or-attempts to escape- Every prisoner who escape, or attempts to escape, shall be prosecuted judicially. Every officer who negligently or voluntarily permits a prisoner to escape. shall be prosecuted as provided in appropriate

paragraph. On no pretext shall these offence be treated as breaches of jail rules.

(c) Prosecution of civil prisoners for escaping.- A vicil prisoner by escaping commits an offence under section 225-B of the Indian Penal Code and can be arrested by the police without warrant, under clause 5, section 54 of Act X of 1882. On the occurrence of an escape of a civil prisoner, intimation shall be given to the judgment-creditor, who may, if he be able to ascertain the where about of the prisoner, assist the jail authorities and the police in recapturing him. One recapture after escape, or on the occurrence of an attempt to escape the prisoner shall be prosecuted before a criminal court under section 225-B, Indian Penal Code.

(d) Under-trial prisoner attempting to escape.- An under-trial prisoner attempting to escape shall be brought before the Magistrate for trial under section 224, Indian Penal Code, without delay.

(e) All casa where prisoners prevent an escape or give such information as may lead to the prevention of an scape shall be brought to the notice of the Inspector-General: and if the prisoner comes, under the remission rules, extra remission may be given or recommended, as the case may be.

(f) Broken glasses not to be fixed on top of outer walls of jail.- Broken glass must not be fixed on the top of the outer walls of a jail, as it affords a hold for a blanket or for cloth thrown on to the wall, and thus facilities escape; and there shall be no cornice or projection on the top of a wall, which should be rounded or sloped to an edge. At every junction of a partition wall with the outer wall of a jail, there shall be a semi-circular addition to the outer wall of sufficient dimensions to prevent prisoner from scalling it when standing on the partition wall.

59. Steps to be taken in the event of escape or out-break.- Immediately a prisoner is found to be missing or making an attempt to escape or on any other disturbance, taking: place or appearing imminent, it is the duty of the officer, who first notices the incident, to blow his whistle continuously and send to the gate-keeper with all

possible haste such information as is known to him regarding the character of the occurrence that has taken place or is about to take place. He shall continue to blow his own whistle and continue blowing it until the alarm bell is heard ringing.

60. Duty of gate-keepers.- The gate-keeper, shall, as soon as he hears the whistle blowing continuously or receives information of any prisoner or attempting escape or of an outbreak or disturbance having area or being imminent, order the sentry to fire his musket into the air and to sound the alarm, and shall send immediate information to Jailor.

61. Duty of sentry.- The sentry at the main gate shall sound the by firing a blank cartridge and loudly ringing the alarm bell when ordered to do so by the gate-keeper, or on his own initiative if he has reason to believe that an out-break or disturbance, an escape or an attempt to escape is occurring or is about to occur.

62. Intimation of alarm.- The Jailor shall at once send intimation of the cause for the alarm to the Superintendent. He shall also give immediate information to the Superintendent of Police and the District Magistrate who shall in the case of a threatened disturbance or combined in subordination amongst the prisoners, afford all possible assistance to the Superintendent.

63. Arming of officers and staff at alarms.- On hearing the alarm, all jail officers, excepting warders on duty, shall forthwith assemble at the main gate. The warders shall fall in near the armoury and be armed as quickly as possible with rifles, bayonets and twenty rounds of buckshot ammunition. Warders for whom rifles are not available, shall be, aimed with lathis. A sufficient number of lathis and truncheons shall be kept in stock in the armoury for the office establishments and warders.

64. Convict officers to fall in.- All convict officers on duty shall on hearing the alarm, fall in at the appointed place of assembly which is usually at the centre of the jail. They shall be under the charge of the chief head warden in central prisons and the head warden in district jails.

65. Collection and securing of prisoners working in out-gangs.- If the escaped prisoner is working in an out-gang at such a distance from the jail, that the sound or the whistle cannot be heard at the Jail, the rest of the gang as well as other gangs working there shall be marched back at once to the jail gate, the whistle being sounded on the way until the alarm is taken up at the jail gate. If, however, the prisoner escaped from the out-gang within the jail out-gangs within the jail precincts or within hearing distance of the jail gate, the whistle shall be blown alone by the warder in charge. In every case of escape from an out gang, as soon as the alarm has been taken up, all the prisoners of that gang as well as the prisoners of all other out-gangs shall be at once secured by means of a bulchain in passed through their ankle-rings, and the two ends padlocked together. The key of the padlock shall be kept by the warder-in-charge.

66. Collection and locking of prisoners working inside the jail.- Warders on duty in-charge of prisoners or gangs of prisoners inside the Jail, shall collect the prisoners where they are at work and shall lock them up in the nearest barrack or factory. All prisoners locked-up in barracks or factories shall be counted by the warders in charge. The prisoners shall sit silently in file till the alarm is over.

67. Warders and convict warden to be on sentry duty on prisoners.- Warders and convict warders, after locking up, or securing the prisoners in their charge, shall, unless otherwise ordered; remain on sentry duty outside the barracks or factories in which the prisoners have beenlocked up.

68. If the prisoner escaped over the wall or from near the jail and may be lurking in the vicinity, the jailor shall despatch as many of the warders off duty as can be spared to SEARCH for him, and shall at the same time send notices to the neatest police thana, to the District Magistrate and to the District Superintendent of police with full descriptive rolls of the missing prisoner, sufficient for his identification, and stating his usual place of residence, if the prisoner is missed from a ward at night or after all the gangs are inside the jail the alarm should be at once sounded, the walls should be guarded as

in an alarm parade and the Jailor shall then the in the reserve guard and spare warders unarmed to search for the prisoner. If it appears probable that the prisoner is still lurking within the jail walls, the convict warders and night guards off duty shall also be taken out and posted round the outer walls inside. They should be furnished with lighted torches and be ordered to give notice if any prisoner approaches the walls. (Torches ready for use should be kept in stock). If it is found that the prisoner has called the wall and got away, notices to the police and Magistrate should be sent without delay, as ordered above. If the prisoner belongs to any district other than the one in which he was confined, a report in the same form shall be made to the Magistrate of the district in which the prisoner resides, and to the Magistrates of all districts which he is likely to traverse on his way to his own district, and a report shall also be furnished to the Superintendents of Railway Police if the prisoner is likely to avail himself of the railway. If it appears expedient, shall be sent by telegraph to the police of other If the Superintendent is absent from the jail, the jailor shall send immediate notice of any escape, or, attempted escape to him.

69. Duties of Jailors or deputy Jailors before arrival of Superintendent.- Pending the arrival of the Superintendent, the jailor or the Dy. Jailor shall act in accordance with the following instructions-

- (1) He shall post sentries above the main gate to observe and report the movement of the prisoners and detail a party of warders for duty around the main wall of the
- (2) If the sentries on the main gate report that the main gate is clear, he shall take the remainder of the guard inside the jail, and in the event of an out-break proceed to the scene, and if the circumstances are such as to necessitate immediate action, he shall warn the prisoners three times in a loud voice that if they do not at once submit and peacefully disperse, they shall be fired upon. If the circumstances are such as do not admit of delay, the warning need not be repeated, if, upon being

warned, the prisoners do not submit and disperse, and if there appears to be no other immediate means of quelling the disturbance, he shall order the guard to fire upon them. But the firing shall cease the moment, the prisoners disperse or yield.

70. Superintendent to assume charge of operations.- The Superintendent shall on arrival assume charge of the operations.

71.. Conclusion of alarm.- When the alarm has been concluded, the Jail bell shall be rung thrice as a signal for all officers to return to the main gate where a roll call shall be held and the names of the officers who were late in turning out or absent noted for necessary action. The reserve head warder shall collect the unexpended ammunition and render to the Jailor an account of the cartridges fired.

72. Report to the Inspector-General.- The Superintendent shall as soon as possible, report the fact of an out-break or disturbance to the Inspector- General and shall later hold an inquiry and report the result to him. He shall also request the District Magistrate to conduct an enquiry.

73. Recapture of prisoner.- On recapture, intimation of the fact shall be given to all officers who have been addressed. As escaped prisoner who is recaptured may be received back into Jail on his original warrant. The time he is at large does not count as sentence served; the date of expiration of sentence shall be calculated as prescribed appropriate paragraphs.

74. Report of escape and re-capture of prisoners to I.G.- A separate report of the escape and recapture of each prisoner shall be submitted to the Inspector-General. In the case of escapes that do not arise from mere negligence but from some defect in the building or in the jail rules, such defect shall in all cases be pointed out.

75. Rewards for apprehension of escaped prisoners.- Superintendents of jail with the concurrence of the District Magistrate, may offer an pay rewards for the apprehension of escaped prisoners up to a limit of Rs. 25 taking into consideration to circumstances of

the escape and recapture, the degree of exertion taken or danger run by the person recapturing the prisoner, the physique of the prisoner and the degree of resistance he offered and similar considerations. No rewards for the apprehension of prisoners who escape from the custody of the police shall be paid from the Jail Department Budget.

76. Whenever peculiar circumstances may render it advisable to offer a large reward than is authorised by the above rule, a special application shall be made to the Inspector-General, who is empowered to dispose of all such cases and to sanction rewards up to Rs. 250 in each case, should be consider a higher reward necessary, he shall refer the case for the orders of Government. For the re-apprehension of an escaped under-trial prisoner the amount of the reward shall be regulated by the importance of the case.

77. Entry in the cover of the current release diary or escape of prisoner not recaptured.-

- (a) The name, register number and date of escape of every prisoner who has escaped and has not been recaptured shall be entered inside the cover of the current release diary of each year. When a prisoner is recaptured, the name should be marked off and the date of recapture noted. By this means every new superintendent and Jailor can ascertain when escaped prisoners remain at large.
- (b) Action on occurrence of out-break.- In the event of any attempt to break-out of the Jail, or on any other disturbance occurring, the whole jail guard shall immediately be placed under arms with loaded muskets by the officer on duty, who shall at once despatch a messenger to the superintendent and the jailor. But in such cases the guard shall not act until the arrival of the superintendent, or the jailor, unless to rescue or save the life of any jail official towards whom the prisoners are actually committing violence, or to drive back the prisoners in the event of their forcing, or attempting to force, the gate.
- (c) If, however, the prisoner shall actually assault the jail officers, of the attempt to break-out of any particular ward of yard,

the jailor or, in his absence, the Assistant Jailor, if he considers that delay would be dangerous, shall order the guard to act, the Head Warder of the reserve guard, on arriving at the scene of disturbance, shall, in a loud tone of voice give notice to the prisoners that if they do not immediately submit they will be fired upon. If circumstances admit of the delay, this warning shall be repeated thrice, and then, if there appear not other means of quelling the disturbance, he may open fire upon the refractory prisoners: but he shall be careful to stop it the moment they rly or submit. On the arrival of the Superintendent or other superior officer of the jail the guard shall act under his orders.

- (d) When an out-break occurs, the gate sentry having given the alarm shall with his breach-loader defend the gate. As it is necessary that the forcing of the outer gate should be prevented at all risk, Hie sentry may, under the orders of a superior officer if present, or if there be no superior officer present, and matters are urgent, on his own responsibility fire upon any prisoner or prisoners attacking the gatekeeper between the gates or attempting to force the outer gate, provided that he shall not fire upon any prisoner who is neither actually using violence to the gate-keeper between the gates, nor attempting to force the outer gate, and provided also that he shall not fire upon any prisoner till he has warned him, at least once, that unless the prisoner desists and submits, he will fire.
- (e) On the alarm being sounded, two warders of the reserve guard armed with their muskets and 20 rounds of ball should be posted on the roof of the main gate buildings to observe the movements of prisoners and to warn prisoners who may be near the inner gate that they will be fired on if they do not disperse. Should they consider it necessary to save the life of any jail official that is being attacked, they shall open fire on the prisoners without awaiting orders.

- (f) On hearing the alarm every jail official who is not on duty at the time in charge of prisoners, the reserve guard and all warders off duty shall at once attend at the armoury. In central jails each warder will take his musket and accoutrements from the armoury and the packet of ball ammunition lying alongside his musket and will fall in outside the jail gate, the Reserve Head Warder will then lead the guard at the double to the scene of action. In district and subsidiary jails each Warder shall take his musket and accoutrements from the armoury and fall in outside the jail gate, and the reserve head Warder will carry slung across his shoulder the bag of ball ammunition referred in the appropriate paragraph and lead the guard at the double to the scene of action, and will there distribute the round to the guard if called upon to do so.
- (g) When the guard has entered the outer gate of the jail it shall be locked, and the inner gate shall not be opened unless the sentries on the main gate report it is clear. These sentries will then join the guard proceeding to the scene of action.

The guard shall act under the orders of the Superintendent, or in his absence the Jailor, or in his absence the senior officer present, who will take such measures to deal with the disturbance, or escape as he may think necessary.

78. Escapes at night.- In the case of an escape or attempt to escape at night, if it appears probable that the prisoner is still lurking within the jail, convict warders with lighted torches shall be posted at intervals inside the enclosure walls and the warders divided into two parties 'each with lighted torches, one to search inside and the other outside the Jail.

79. Descriptive roll also to be sent to A.I.G., C.I.D.- The Superintendent shall also forward at once a descriptive roll of the escaped convict to the Assistant Inspector-General of Police, Criminal Investigation Department, Rajasthan, Jaipur, for publication in the Criminal Intelligence Gazette, and at the same time intimate the amount of reward offered for the re-apprehension of the escaped prisoner.

80. Report of attempted escape.- Attempts at escape should also be reported to the Inspector-General.

81. Rewards for recapture.-

- (a) Superintendents may advertise and pay rewards for the apprehension of an escaped prisoner up to a maximum of Rs. 100/-.
- (b) Where circumstances justify the offer or payment of a large reward, an application should be made upto the Inspector-General, who is empowered to sanction up to Rs. 250.00 for the recapture of any prisoner.

82. Investigation by District Magistrate in case of an escape.- Immediately upon receiving intimation of an escape the District Magistrate, or, in his absence the magistrate in charge of headquarters, shall himself make an investigation into the circumstances of the escape and send a report to the Inspector-General, with such recommendation as he may think fit to take in regard to the jail officers concerned and other matters.

83. Negligence of jail officers in cases of escape.- When the reports of the Magistrate and the Superintendent indicate that the escape has been due to the negligence of jail officers, the Inspector-General shall decide whether the offence shall be dealt with in accordance with the provisions of the Indian Penal Code or as a breach of jail regulations. Important cases of escape shall be reported by the Inspector-General to the Rajasthan Government.

84. Fetters for recaptured prisoners.-

- (a) A prisoner who has effected his escape from jail shall, on recapture, be placed in fetters.
- (b) The period for which he shall be kept in fetters may be fixed by the Superintendent having regard to the circumstances of the escape. An order imposing fetters may be fixed by the superintendent having regard to the circumstances of the escape. An order imposing fetters under this paragraph shall be subject to review by the Inspector-General at the time of his inspection of the jail.

85. Documents relating to escaped prisoners.-

- (a) The conviction warrant of an escaped convict shall be retained in the jail office for a period of ten years from the date of such escape, after which it shall be returned to the issuing court and the name of the escaped convict struck off the jail records.
- (b) The remand or committal order of an under-trial or vivil prisoner who has escaped shall be returned to the court concerned with an endorsement that the prisoner has escaped from jail.

86. The property of an escaped convict shall be retained for one year from the date of his escape. If he is not recaptured within that period the property shall be sold and the proceeds with any cash belonging to the convict, shall be paid into the treasury and accounted for under the head XXII-Jails and Convicts Settlement "Jails".

87. The name and full particulars of prisoners who escape shall be entered in the escape register (RJ. 159).

88. A brief note shall be made on the history-tickets of all convicts recaptured after escape from jail. The entry in red ink should indicate the date and the nature of the escape and show whether it was from inside or, outside the jail and whether it was during the day or night; Any other important facts relating to such escapes may also be noted.

89. In order to train all jail officials in their respective duties. Which they will have to perform in the case of an out-break, an alarm parade shall be held at unexpected hours, once a fortnight in central Jails and once a month in district jails & look-ups. In carrying out the parade the procedure ordered in the above paragraph shall be strictly followed, except that warders who will have to tire shall have blank cartridge served to them, instead of hall cartridge. After the guard has been marched into the jail they should be ordered to fire one or two volleys with blank cartridge and then be marched out and dismissed. At these parades, the jailor shall make a note of the time at which each, jail official appears ready for duty after the alarm has been sounded. The date and hour at which each parade is

held shall be reported by the Jailor in his report book, likewise the time taken by the reserve guard to come to the main gate: the time taken by his subordinates and other warders to muster and proceed to their posts, the names of any who were late or absent and the time taken to complete the parade. If the parade was not carried out correctly he shall state what the defect was and who was in fault. The opportunity should be taken at these parades to instruct the jail officials as to their duty in regard to the use of fire-arms or other weapons, in the sense of the orders contained in the appropriate paragraphs in the chapter on "use of Arms against Prisoners". These orders should be fully explained to the officials at least once a month. The jailors and Assistant Jailors should occasionally give the words of command at these parades, so that the warders will understand their orders in cases of emergency.

90. Police assistance in connection with out-break.- Where the police lines are sufficiently near a jail for the alarm signal to be heard there the constables stationed at the police lines shall take part in alarm parades, and if there is an out-break they shall march to the jail to assist to quell it. The Superintendent shall make with the Superintendent of police such arrangements as seem advisable for a concerned plan of action in the case of an out-break.

91. Report to L.G. of serious assault by prisoners.- A full report shall be submitted to the Inspector-General by the Superintendent of any serious assault committed by any prisoner upon a paid or convict officer, or of any combined, out-break amongst prisoners. Convicts of a sulky, morose, or violent temperament shall on no account be allowed to have in their possession a knife or other instrument which might be used as a weapon of offence.

SECTION III

Release of prisoners

92. Name of a convict with sentence of less than 3 months to be entered in the Release Register.- On the admission to jail of a convict with a substantive sentence of less than three months his name shall be entered in the Release Register under the date on which

his sentence will expire. If special remission is awarded subsequently, the date shall be altered accordingly.

93. Check date to be fixed for convicts with sentences of three months or over.- The names of convicts whose substantive sentences are of three months or more shall not be entered in the release register (RJ. 16) at the time of admission. For every such convict a date called the "check date" shall be fixed. This date shall be the date on which the convict will complete two-thirds of his sentence. The check date shall be entered in the release check register on the page allotted, to the month within which the check date, falls, and shall also be recorded on the history-ticket, warrant or warrant cover and remission card, and all entries shall be signed by the Superintendent and the Jailor.

94. Check dates of convicts sentenced to transportation of imprisonment for term exceeding 14 years.- The check date of a convict, who has been sentenced to transportation for life or for a term of more than fourteen years or to rigorous imprisonment for a term exceeding in the aggregate fourteen years. shall be fixed as if he had been given a sentenced of fourteen years imprisonment. This date shall be revised later in accordance with the orders of Rajasthan Government on the nominal roll submitted under the fourteen year rule as laid down in the appropriate paragraph.

95. Fresh check date to be fixed in certain cases.- The Superintendent shall cause a fresh check date to be fixed whenever:-

- (a) a convicts sentence is ended, enhanced or reduced;
- (b) a convict's fines are paid in whole or in part;
- (c) a convict receives or forfeits extensive remission;
- (d) whenever the orders of the Rajasthan Government under the fourteen-year rule are received.

96. Fixation of final dates of release.- In the first week of every month, the jailor or other officer entrusted with this duty by the Superintendent shall examine the warrant, history-ticket and the remission card of every convict whose name is entered in the release check register under the month next following, and fix the final date of release after crediting the convict with the remissions already earned

and those which he is likely to earn in the interval. After the date has been checked and approved by the Superintendent the convicts name shall be entered in the release register (RJ. 16) under the date finally fixed and an entry shall also be made on the remission card :

Provided that if the release does not fall due within the succeeding three months, the Jailor or the officer entrusted with the duty shall by estimation fix a fresh check date which shall be not more than three months antecedent to the anticipated date of release, as far as it can be ascertained from the information available at the time.

The Superintendent and the jailor-or the officer entrusted with this duty shall the entry and all similar entries made in the warrant or warrant cover, remission card and history-ticket.

97. Parade of convicts to be released.- On or before the 25th day of every month all convicts to be released in the succeeding month shall be paraded before the Superintendent and informed of the dates on which they will be released.

98. Release of prisoners on Sunday and jail holidays.- If the date of release falls on a Sunday, or on any of the jail holidays the prisoner shall be released on the preceding day; but a civil prisoner¹[will not be released on preceding day. He will be released after serving the full term whether it is a Sunday or any jail holiday].

99. Notices of anticipated release of prisoner.- On the 1st and 16th of every month time District Superintendent of Police shall be furnished by the Jailor or other officer entrusted with this duty by the Superintendent with notices of the anticipated release of all prisoners convicted in cognizable cases who are to be released during the second half of the month, and the first half of the following month respectively. At the same time he shall be furnished with notices of the details of any prisoners who died during the preceding fortnight In the case of prisoners who are not police registered, these notices shall be in the prescribed form a separate notice for each prisoner, but in the case of police registered prisoners it will be sufficient to fill

1. Subs vide Home Deptt. Order No. F. 3827/F. 16(90) H.-2/54/2983, dt. 30.3.1957.

in on the police register slips such additional information as is therein provided for, and deliver them. The District Superintendent of Police shall send a police officer to the Jail for these notices, and slips. When a prisoner convicted in a cognizable case is received after the preparation of the fortnightly notices, and his release will take place before the next notices are due, or if such a prisoner is released before the expiry of his original sentence and there has been no time to include his name in the fortnightly notices, a notice of the lease shall be sent at once to the District Superintendent of Police.

100. Orders of release to be complied with promptly.- (a) An order of a court directing the release of a prisoner whether convicted or undertrial shall be carried out with reasonable promptitude and the prisoner shall ordinarily be released the same day, unless his further detention is required under some other authority. If the order is received after the Superintendent has left the jail and it is not possible to obtain his orders without deferring the release of the prisoner till the next day, the Jailor should comply with the order on his own responsibility and obtain the Superintendent's confirmation of his action on his next visit to the Jail. If, however, an order directing the release of a prisoner reaches the prison after sun-set or after the hours, when, according to the prison rules, the prisoners are shut up for the night, an entry to that effect shall be made by the jailor in his report book and the prisoner released on the following morning.

(b) All release orders received by post shall ordinarily be complied with the same day.

(c) If a prisoner is not released on the same day on which his release order has been received locally or by post, the Jailor shall record a report explaining the circumstances in his report book.

101. Release orders to be duly authenticated.- The Superintendent shall not release any prisoner on the authority of any informal document. Release orders duly signed by the presiding officer of the court and impressed with the court's seal shall alone be acted upon. Such orders shall contain full particulars in regard to the prisoner to be released, and shall be sent by the courts as far as possible, through court peons after having been duly entered in the

dark-book. All orders of release before being acted upon should be carefully scrutinised by the Jailor in order to see that the seal of the court and the signature of the presiding officer are genuine. In case of a doubt a reference should be made to the court concerned before the order is carried out.

102. Orders by telegram.- The Superintendent shall not release any prisoner on the authority of a telegram save in the case of telegram despatched by the Home Secretary to the Rajasthan Government or by the Registrar of the High Court or the Chief Court. Such telegrams should invariably be acknowledged by telegram.

103. Sick prisoners not to be released unless fit.- No prisoner suffering from any acute or dangerous disease shall be discharged from prison against his will or until, in the opinion of the Medical Officer, he can be safely discharged.

104. Report of security tendered under section 123(4) of the Cr.P.C.— If security is tendered to the Superintendent of the Jail under section *[123(4)] of the Code of criminal Procedure, 1898]¹ shall forthwith refer the matter to the court or magistrate who made the order, and shall await the orders of such court or magistrate.

115. Responsibility for correct release of prisoners.- The Superintendent and the Jailor of a central prison and the Superintendent and Jailor of a district Jail are personally responsible for the correct release of prisoners.

106. Steps to be taken by the Jailor before a convict is released.- Before a convict is released from jail the Jailor shall-

- (a) check the conditions of sentence given in the warrant and registers and satisfy himself of the title of the prisoner to release;
- (b) compare the marks of identification as given on the warrant and in the jail registers with the convict and take his thumb-impression or at the discretion of the Superintendent, in the case of a literate prisoner signature and compare it with that taken on the day of his admission so as to ensure beyond all doubt the convicts identity; and

1. See the Section *[122] of Code of Criminal Procedure, 1973 (2 of 1974).

- (c) produce the convict with his clothing and other property, history ticket; warrant and the jail registers of admission and release before the Superintendent.

107. Procedure regarding release of prisoners.- When the sentence of a prisoner expires, the jailor shall see that he is brought before the Superintendent together with his warrant, and he shall be released in the presence of the Superintendent and at the jail gate. If by noon of the day on which his sentence expires the Superintendent shall not have visited the jail, the Jailor shall direct the prisoner's release, and shall sign all endorsements and registers "for the Superintendent not present" otherwise all orders for the final discharge of prisoners are to be signed by the Superintendent of the jail in cases of release on appeal, payment of fine, furnishing security, giving bail, etc. in which the power of legal detention ceases as soon as order of the court, which should be in English, is delivered at the jail, the jailor shall release the prisoner on his own responsibility, provided always that an immediate reference to the Superintendent is, from the distance of the Jail or other causes, impracticable. The warrants of a prisoner released by the Jailor shall be signed by the Superintendent as if the prisoner was released before himself. On receipt of a warrant for the release of a prisoner who has been transferred to another jail, it shall at once be forwarded under a registered cover to the Jail in which the prisoner is confined.

Note:- The signature of the Jail Superintendent on warrants and other legal documents should be distinctly legible, and as the mere signing of an officer's name -without any addition, showing the office held is not a complete official signature it should include at least an abbreviation of the officer's official title.

108. Examination of certain registers before release of prisoners.— Each prisoner shall, before being released, be carefully compared with his personal description in the admission register and the Superintendent or Jailor, as the case may be shall satisfy himself that the proper prisoner has been brought forward and that his sentence has been duly executed except in respect of remission earned

under the remission rules. The following registers shall be produced before the Superintendent when a prisoner is released:—

- (a) Admission Register.
- (b) Release Register and warrant.
- (c) Property Register.
- (d) Remission Register (If the convict has earned remission).
- (e) Length of time Census Register.
- (f) History-Ticket.
- (g) Release Certificate.

109. Convicts identity to be verified.- The Superintendent shall cause the descriptive roll of the convict to be read out and shall satisfy himself beyond all doubt of the convicts identity. He shall then endorse the order of release on the back of the convicts identity. He shall then endorse the order of release on the back of the convicts warrant and the entries of the date of the release in the release and admission registers.

110. Delivery of prisoners property at the time of release.- At the time of releasing every prisoner, the Superintendent, or, in his absence, the jailor shall deliver to him all money and other property (if any), belonging to him. The words “property received” shall be stamped across the list of property entered in the Admission Register and the convict’s signature or left thumb impression shall be taken below it in token of receipt The Superintendent shall satisfy himself that the convict has received all his private property and countersign the entry in the Admission Register.

111. Time for release of prisoners and return of jail kits.- No prisoner shall on any account be released after lock-up. Ordinarily prisoners shall be released after they have partaken of their morning meal, and as soon after sunrise as possible. All prisoners shall, before they are released, be required to bring to the office and deliver up their jail kits. All the articles of the kit shall be clean and ready for storing in the clothing godown: Any prisoner who gives-up his kit in a dirty state, shall be made to wash and clean it before he is released. A convict about to be released shall present himself before the Superintendent in his private clothes and carry in his hand for

inspection the kit given to him on his admission to jail or at the last issue of clothing.

112. The Superintendent shall supply every convict whose clothing has been sold or destroyed or is insufficient for the of health or decency with clothing according to the scale laid down in the succeeding paragraph, the expenditure on the supply of this clothing to destitute prisoners on release shall be debited to head "28-jails and Convict Settlements - "Other patty items".

113. Scale of release to destitute prisoners on release.- The Superintendent may issue to a destitute male convict on release one kurta and one pyjama, if he has no clothes of his own. Those who do not like to wear pyjama may be given a dhoti instead. Destitute female convicts may be given one sari and one jumper on release. In severe cold whether, a serviceable blanket may be issued to really destitute and deserving convict, who are old and infirm and when the journey involves travelling by night. Clothing for issue to destitute, convicts should be obtained by indent from such Jails, as may be specified by the Inspector-General.

114. Health and weight of convicts to be recorded on release.- The Medical Officer shall record the condition of health and weight of every convict on release in the admission and release registers.

115. Certificate of completion of sentence.- Every convict on release shall be furnished with a certificate to the effect that he has completed the term of imprisonment and also a certificate of proficiency in any industry learnt-by him while in Jail.

116. Scale of diet money to be paid to convicts.- The following scale of diet moneys laid down for "C" class convicts in possession of not more than a sum of Rs. 5/- on release.-

¹[(a) Journey by road-

- (i) No allowance when the distance to be travelled by road is five miles or under;
- (ii) if the distance exceeds five miles three annas day for each day's march of fifteen miles or part thereof.

1. See No. F. 7(21) Home-12/Kara/96, dated 21.8.2006.

(b) Journey by rail or lorry-

- (i) No allowance for journeys when the distance travelled is 20 miles or under;
- (ii) When the distance exceeds 20 miles three annas a day for each day or part of the day spent on the journey
- (c) Double the above allowances for prisoners punished with whipping only, for female convicts, for old and infirm convicts. For juveniles and for journeys in the hills.

Notes:- When diet money is admissible under both a (ii) and b (ii), on any particular day, only a single payment shall be made. The following scale of diet money is prescribed for "A" and "B" class convict prisoners who are in possession of not more than a sum of Rs. '5/- on release:-

(a) journey by road:-

- (i) No allowance when the distance to be travelled by road by road is five miles or under;
- (ii) if the distance exceeds five miles 9 annas day for each day for each day's march of fifteen miles or part thereof.

(b) Journey by rail or lorry-

- (i) No allowance for journeys when the distance travelled is 20 miles or under;
- (ii) When the distance exceeds 20 miles 9 annas a day for each day or part of the day spent on the journey.
- (c) Double the above allowances for female convicts, for old and infirm convicts for juveniles, and for journeys in the hills.

Note:- When diet money is admissible under both a (ii) and b (ii), on any particular day, only a single payment shall be made.

117. Railway ticket or lorry fare to be given in certain cases.-

(a) A convict whose home is more than five miles from the jail from which he is released may be given-

- (i) a railway ticket, or
- (ii) lorry fare, according as his home is most conveniently reached by rail or by lorry.

A convict may be given lorry fare in addition to railway ticket, if his home is more than five miles from the nearest railway station and is served by a lorry route from that station. In the case of jails situated at a distance of more than five miles from the railway station, lorry fare may also be paid from the jail to the railway station :

Provided that no prisoner shall be given either a railway ticket or lorry fare after leaving a sum of Rs. 5/- with him for miscellaneous expenses :

Provided also that the gratuity earned by a convict shall not be treated as a convict's deposit for the purpose of this paragraph.

The ticket shall be third class unless the Superintendent considers that the status of the prisoner makes it desirable that he should receive an intermediate class ticket.

(b) A convict who, in the opinion of the Medical Officer is unfit to travel on foot owing to illness or physical infirmity may, in addition to being provided with a railway ticket or lorry fare, be furnished with reasonable conveyance charges for portions of the journey for which he has not been, provided with a railway ticket or lorry fare, irrespective of the distance of his home from the jail, or the nearest railway station or lorry stand, as the case may be.

118. Prisoners convicted under the Indian Railways Act, 1890]¹ not to be given railway fare.- Convicts sentenced to imprisonment for travelling without ticket under the Indian Railways Act, 1890] IX of 1890)¹, whether residents of this State or another State shall, on release, not be given any railway ticket or lorry fare to their destination. They shall, however, be entitled to subsistence allowance like other prisoners in accordance with the scales laid down in paragraph 116.

119. Railway ticket and allowance to convicts resident of other States.- A convict who is a resident of another State but was convicted in this State shall, on release, be entitled to receive subsistence and a railway ticket to his home.

1. Now see the provision of Indian Railway Act, 1989.

120. Return of writ, order or warrant after execution.- The Superintendent shall, after the execution of every writ, order of warrant by which a person has been committed to prisoner, other than a warrant of commitment for trial, or after, the. Discharge, of the person committed thereby, forthwith return such writ, order or warrant to the court by which the same was issued or made, together with a certificate endorsed thereon and signed by him, showing how the same has been executed or why the person committed thereby has been discharged from custody before the execution thereof.

If any convict is required to undergo two or more sentences under separate warrants such warrants shall be returned when the combined sentences have executed.

Warrants of commitment of escaped convicts, who remain at large and are not recaptured, should be returned to the court concerned ten years after the date of escape; with a certificate endorsed thereon and signed by the Superintendent showing the date on which the convict had escaped.

121. Return of warrants of military convicts.- After execution of the sentences, the warrant of commitment of convict sentenced by general or district court-martial shall be sent to the Judge Advocate-General at the headquarters of the or may in India and thow of convicts sentenced by summary court-martial to the officer commanding of the unit in which the court was held.

122. Return of warrants of railway thieves and swindlers.- The Superintendent shall return the warrant of every railway thief or swindler to the convicting court, through the office of the Superintendent. Government Railway Police, Rajasthan, Jaipur.

123. The following rules regulate the release of "police registered convicts", confined in and residents of Rajasthan:-

- (1) A police registered convict is a convict with a police history-sheet, for whom a P.R. slip is prepared and forwarded by the Superintendent of Police to the Superintendent of the jail in which such convict is confined. The Superintendent shall furnish the Superintendent of police with a receipt for the

P.R. slip and see that the P.R. slip is filed with the convict's warrant and send with him to any jail to which he is subsequently transferred. The letters "P.R." shall be stamped or written against the convict's name in the admission register, the release register of P.R. prisoners, R.J. 85 and the release register as well as on the history ticket and the warrant.

- (2) The Superintendent of the jail in which a P.R. convict is confined shall send information to the Superintendent of police of the district of his residence a month before the date of release of such convict and also forward to him the P.R. slip of the convict in order to enable the local police to check-up his arrival and to arrange for his future surveillance or, alternatively, to take the usual action if the man fails to return home and becomes untraced.
- (3) A.P.R. convict who is a resident of another district shall at the time of his release be paid a subsistence allowance and provided with railway ticket to the railway station nearest to his home and handed over to a police or a court, who will conduct him to the railway station. The police escort shall get a seat for the convict in the proper train and point out to the police train guard. If any, with instructions to send an immediate report to the Superintendent of police of the district of destination, if the convict leaves the train before reaching his destination. A similar procedure shall be followed in the case of P.R. convicts who are residents of other States. They will be given railway tickets to the railway station nearest to their homes and also paid a subsistence allowance.
- (4) In case of the death or escape of a police registered convict, the Superintendent of the jail shall forthwith inform the Superintendent of Police concerned.

124. P.R. Juvenile convicts.- P.R. juvenile convicts released from the central jails shall be exempted from police surveillance with the exception of-

- (a) juveniles convicted of dacoity; and

(b) juveniles whose conduct during detention has shown that they have not benefited by the course of training provided for them.

P.R. slips of all such juveniles should be returned to the Superintendent of police of the district concerned one month before the date of release, with the opinion of the Superintendent as to whether the convict is fit to be exempted from police surveillance or not. A report on the convict's behavior in jail shall also be attached to the P.R slip of a juvenile convict mentioned in clause (b) above.

155. Procedure on receipt of a release notice of P.R. Convicts.-

When the Superintendent receives a release notice of any police registered convict, he shall file it with the convict's warrant & P.R. slip. He shall enter in it everything of importance bearing on the character of the convict that transpires during the term of imprisonment, particular note being made as to the persons with whom he associates or appears to be on intimate terms. A fortnight before the release of the convict, the release notice thus brought up-to-date shall be forwarded by the Superintendent to the Assistant Inspector-General in-charge of the Criminal Investigation Department, Jaipur.

12.6. Convicts intimation of whose date of release is to be sent to superintendents of Police of the districts of their residence.-

(a) The Superintendent shall give information of the date of the release of the following classes of convicts if resident in Rajasthan to the Superintendent of police of the district to which they belong. The information shall be sent ten days before the date of release. It shall not be necessary to transfer them from the Jail where they are in confinement-

(i) All convicts who are members of criminal tribes;

(ii) All convicts against whom an order has been made under section 356 of the Code of Procedure, 1898¹.

Police registered convicts of these, classes shall be released in accordance with the rules laid down for the release of police registered convicts.

1. See the Section 356 of Code of Criminal Procedure, 1973 (2 of 1974).

(b) Convicts ordered to be released conditionally by the Rajasthan Government shall also be released from the jails where they are confined at the time.

127. Declaration of local area in which convicts on whom order under section *[565] of the Cr.P.C.] is passed are to reside.-

A convict, with reference to whom an order under section *[565] of the Criminal Procedure Code, 1898]', has been passed, shall, on the day of release, be sent under police escort together with a copy of the order to the District Magistrate or to such other officer as may be appointed by the District Magistrate in this behalf. The convict shall notify to the officer before whom he is produced the district and the local area within which he wishes to reside after release. The said officer shall enter the district and the local area notified by the convict on the copy of the order passed under section *[565] and shall give the convict a copy in Hindi or Urdu of the rules made by the Rajasthan Government relating to the notification of residence by released convicts, explaining at the same time their purport to him.

128. Application of paragraph 127 to a convict with no fixed abode.- In applying the foregoing rule to the case of a wandering man, having no "residence" in the sense of a fixed place of abode the place of residence shall be deemed to be the place where he sleeps even if he remains there only one. On his release he shall be asked under paragraph 127 where he intends to stay, and told that, if he moves about the country, he must always notify the place of his temporary abode to the police.

129. Information of release of opium and cocaine smugglers and barwar convicts.- When any convict convicted for smuggling opium or cocaine is about to be released information together with a copy of his descriptive roll shall be sent by the Inspector- General to the Commissioner of Customs and Excise to the Government of Rajasthan. Udaipur, one month previous to the date of release. When the prisoner belongs to another province, these shall send to the Commissioner of Customs and Excise of the State to which the convict belongs.

130 Ordinary calculation of date of release.- The duration of a Prisoner's sentence shall be calculated by the calendar year or month. Unless stated in days. The days on which the sentence is passed and the day of release shall both be included and considered as day's of imprisonment".

- (1) a prisoner sentenced to one year's imprisonment on the 15th January, 1895, shall be released on the 14th January, 1896,.
- (2) a prisoner sentenced on the 1st January to one month's 'imprisonment shall be released on the 31st January and not on the 1st February following;
- (3) a prisoner sentenced to one day's imprisonment must be released on the same day; but if he be sentenced to imprisonment for 24 hours, he shall be kept in confinement for that period. This rule shall apply to civil prisoners.

131. Method of calculating release on bail or escape.- The following method shall be adopted in calculating the date of release of a prisoner who after conviction is released on bail pending the hearing of his appeal, and is after wards remanded to jail to serve out his sentence, or who escapes and is at large for a certain period: Add the period the prisoner has been on bail or at large, in years, calendar months, and days, to the term, of his sentence: the date on which the sum of these periods will elapse, counting from the date of conviction, is the date of expiration of sentence. The court to which a prisoner surrenders after being at large on bail should note in the prisoner's warrant the date on which the prisoner was released on bail and the date of his recommitment to jail.

This rule will not apply to a prisoner sentenced under section *[118] or *[123] of the Criminal Procedure Code¹ to imprisonment in default of furnishing security, if the prisoner is released on bail whilst serving such sentence, pending the disposal of his appeal against

1. See the Section *[117] and **[122] of Code of Criminal Procedure, 1973 (2 of 1974).

the Sentence. The period during which he is on bail will count as part of his sentence.

Note:- (1) A Prisoner released on in court on the day he is sentenced without having been sent to jail, shall not be deemed to have served any part of the sentence.

(2) When the execution of a sentence is suspended pending an appeal but the prisoner is not released on bail, he should be treated as an under-trial prisoner and the period of suspension should not be added to the term of the sentence. The suspension of the execution of a sentence means suspension of penal labour and the period of suspension should be reckoned as part of the sentence awarded or upheld by the revisional court whether the court orders the prisoner to be detained as under-trial or not. Suspension of the execution of a Sentence when the prisoner is not released on bail does not mean that the prisoner should also be allowed the facilities and privileges of under-trial prisoners regarding food, clothes, smokes and interviews referred in the chapter on “under-trials”.

(3) When a re-trial is ordered and the accused is again convicted the second or revised sentence should be executed in absolute disregard of the period previously spent by him on jail, under the original sentence.

Illustration- (1) A re-trial is ordered & the accused (released on bail) is subsequently sentenced: the period passed by him in jail before his release on bail, will not count in calculating his release, as part of the revised, sentence.

Illustration- (2) A re-trial is ordered and the prisoners is not released on bail but ordered by the court to be treated as under-trial, the period of his stay in Jail as an under-trial prisoner not to be reckoned as part of the sentences awarded to him on reconviction.

132. Calculation of date of release when there are two or more sentences.- When a prisoner is sentenced; either on the same day or on following dates to two or more Sentences to be sarved consequentially, the date of release shall be calculated as if the sum of the terms was awarded in one sentence.

Illustration.- A prisoner sentenced on the 21st June, 1895 to one year's imprisonment is, for another offence subsequently sentenced to a further term of one year, the period to commence from the expiration of the first sentence, he will be released on the 30:11 June, 1897, not on 19th June, 1897.

133. Entries to be made in release diary when sentence includes fine.- If flue 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 or a portion of it be not immediately paid, t:he date of release shall be fixed and entered in the release diaries on such dates as shall correspond to payment as well as non-payment of the fine. When any portion of the fine is subsequently paid, the date of release shall be altered accordingly.

Illustration.- If a prisoner be sentenced on the 1st January to six months imprisonment and to fine of Rs. 300/- and it be ordered that if the fine be not paid he is imprisoned for a further period of six months then, supposing that the prisoner immediately on conviction pays Rs. 100/-, the date of release shall be first fixed at 31st October. (viz. 6 months, 4 months the equivalent of the fine un-paid) and entries shall be made in the release diary on the 30th June and 31st Oct. : if he afterwards pays another Rs. 100/-, the latter date will be charged to 31st August: and on his paying the whole, the fact shall be noted opposite the entry on the 30th June.

134. Calculation of date on release in part payment of fines.- If a prisoner who is sentenced to a are and in default to imprisonment for a certain number of months, pays any part of his fine, the remission for the payment shall be calculated in Calender months, and not in days. Any fraction of a month obtained by such calculation shall be reduced to days. A fraction of a day shall not be counted.

Illustration- If a prisoner be sentenced on the 15th July to six months imprisonment and to pay a fine of Rs. 300/ - or in default of payment to serve six month's further imprisonment, and he pays Rs. 63/ -, the calculation shall be made as follows:-

Rs. 63/300 x 6 months = 378/ 300 = 1-26/ 100 months. The date

of release, deducting one month, would fall on the 14th June. As the month preceding June has 31 days, the 26/100 of a month will be calculated on 31 days-

$$\frac{26}{100} \times 31 = \frac{806}{100} = \frac{80}{10} \text{ Here the remission for payment of Rs. 63/-}$$

is one month and eight days.

If the prisoner has been sentenced on the 15th June instead of 16th July, the calculation of the 26/100 of a month would have to be made on a 30 days' month because from any date in April to the same date in May is 30 days. as follows:-

$$\frac{26}{100} \times 30 = \frac{78}{10} = \frac{7}{1} \text{ days, so that in that case, the remission would}$$

be only one month and 7 days.

135. Release of prisoners under the 14 year rule.- When a prisoner has been sentenced to transportation for life whether or not he has been sentenced to a term of imprisonment, or when he has been sentenced to a term of imprisonment or terms of imprisonment exceeding 14 years, he shall be considered for release as soon as the term already undergone (together with any remission earned under the rules) amounts to fourteen years. His case shall be reported to the Rajasthan Government through the Inspector-General with full information regarding the character of his crime, his conduct in prison and the probability of his reverting after release to criminal habits or instigating other to commit crime, in order to enable the Rajasthan Government to decide whether he should be released, and, if so, whether he should be subjected to police supervision or other suitable conditions. If the Rajasthan Government decides that he should not be released, then, after two years from the Rajasthan Government's order his case shall be reported again for further consideration.

(2) The Superintendent of the jail in which the prisoner is undergoing his sentence shall be primarily responsible for submitting the report under sub-paragraph (1).

SECTION IV

Advisory Boards

¹[136. Constitution of Advisory Board.- An Advisory Board shall be constituted for every Central and District Jails to investigate and recommend to the Government on sentences of certain classes of prisoners confined in Central and District Jails and also in Lock-ups or Sub-Jails situated in the jurisdiction of their Districts.-

- (a) For each Central Jail, an Advisory Board shall consist of the following members:—
 - (i) Commissioner of the Division Chairman
 - (ii) District and Sessions Judge within whose jurisdiction the Central Jail is situated Member
 - (iii) two non-official persons preferably Local Members of the State legislative or parliament nominated by the Government Members
 - (iv) the Superintendent of the Central Jail concerned Secretary
- (b) For each District Jail there shall be constituted an Advisory Board consisting of the following members:—
 - (i) Commissioner of the Division Chairman
 - (ii) Two non-official persons preferably members of the State Legislature or Parliament nominated by the Government Members
 - (iii) Session Judge of the District, where District Jail is situated Member
 - (iv) Officer Incharge (Supdt. or Dy. Supdt., Jailor, Dy. Jailor, of the District Jail, concerned Secretary
- (c) A non-official member of an Advisory Board shall be appointed for a period of one year but the Government may further extend the period by one year or less.
- (d) The Chairman should be present at all the meetings of an Advisory A Board and the quorum for a meeting shall be 50% of the total number of members.

1. Subs. by Noti. No. /F. 18(215) H.B./11/57, dated 22.11.1960 (Pub. in Raj. Gaz. Pt. IV-C dated 2.2.1961).

137. The meetings of an Advisory Board shall be governed by the Chairman at least twice a year in the Central Jail or District Jail concerned as the case may be on dates appointed for the purposes, normally in the months of January and July every year.

138. Scrutiny by the Advisory Board.- An Advisory Board before recommending shortening of sentences or premature release of prisoners shall examine the following matters in full and accurate details:-

- (a) Circumstances in which offence was committed and the punishment awarded by the Court;
- (b) Details of prisoners previous history and character in the District where the prisoner was resident;
- (c) Prisoners conduct in the prison and result of imprisonment already undergone by him;
- (d) Opinion of the District Magistrate and the Superintendent of police of the District in which the prisoner was resided with special reference to the following points:-
 - (i) The reaction in the locality if the prisoner is released prematurely; it
 - (ii) The feelings of the relations of the victim or victims of the offence who suffered at the hands of the accused in case of premature release:
 - (iii) Whether the life of the accused itself will be safe if he is to be released prematurely;
 - (iv) Any other information material to be in the case of prisoner;
 - (v) Whether the prisoner can be released with safety to the Community.

139. Prisoners eligibility for consideration by the Advisory Board.- The Advisory Board shall be entitled to consider cases of the following types of prisoners only:-

- (i) A prisoner other than habitual Criminal undergoing a substantive sentence of three years or over who has completed

two, years imprisonment or half of his sentence whichever is greater, including remission.

- (ii) A prisoner being a habitual criminal who has served 21/2 years of his substantive sentence. including the period of remission or has served two-third of his sentence including the period of remission whichever is greater.
- (iii) A prisoner sentenced to more than 14 years imprisonment or transportation for life or to transportation and imprisonment for terms exceeding in the aggregate 14 years & has to serve two third of his sentence including remission. A sentence for transportation for life will be construed to be one of imprisonment for 20 years for this purpose in each 'case. The period of imprisonment shall include sentences in default or payment of fine if the same has not been paid. The remission actually earned by a person shall be taken into account by the Advisory Board not a special remission granted in celebration of public function, for example. Independence Day, Republic Day, etc.
- (iv) Prisoners awarded long term sentences by Court Material and have served two-third of their sentences including the period of remission.
- (v) Prisoners suffering from infectious diseases, such as Leprosy. Tuberculosis, provided their disease is likely to be dangerous to other prisoners and conditions prescribed in para 38 are fulfilled.
- (vi) Prisoners who have attained the age over 65 years in case of male prisoners and over 55 years in case of woman prisoners in whose case no public interest is likely to be served by keeping them in prison provided they are serving sentences for their first and only conviction.

140. Prisoners not eligible for consideration by the Advisory Board.- The Advisory Board shall not consider the cases of the following types of prisoners:-

- (i) Prisoners convicted of Rape, Forgery, Dacoity or any offence against the State involving violence for this purpose an offence punishable under section 466 to 469 and section 471 to 474 of the Indian penal Code shall be deemed to be a variation of the offence of forgery and an offence punishable under sections 396 to 402 of the Indian Penal Code shall be deemed to be a variation of the offence of dacoity and prisoners convicted of those offences as also those convicted of offences punishable under section 366, 366A, 366B, 372, 373, 489A, 489B, 489C and 489D of the Indian Penal Code shall also be excluded from reference to the Advisory Board.
- (ii) Prisoners who are habitual criminals and are homeless or having three or more convictions all of which are of such a nature as to justify their classification as "Habitual Criminals".
- (iii) Prisoners who are habitual criminals of the "Goonda Class".
- (iv) Prisoners detained under Preventive Detention Act, 1950.

141. Procedure.- In order that all necessary information might be placed before the Advisory Board the following procedure shall be adopted:-

(1) The Secretary of the Advisory Board shall collect full particulars regarding each prisoner eligible for consideration by the Board and shall place full and accurate details regarding the prisoners previous history and character. Judgment of the convicting court depicting circumstances in which the offence or offences were committed and sentences were awarded, his prison record together with the report of the District Magistrate and the District Superintendent of Police of the District containing information whether the prisoner is considered fit for premature release etc., before the Board. Any other information required by the Advisory Board shall also be made available from the record of the prison.

142. (1) The Advisory Board shall carefully scrutinise and consider the judgment of the court. reports of the Police and Magistracy on the conduct and character of the prisoner recommended for release, any conditions suggested for release and the prisoners conduct and

behaviour in the prison before coming to a decision in each case whether prisoner is entitled for release without any danger to himself and the community at large. The prisoner whose conduct has been exemplary in the prison should only deserve the consideration of the Advisory Board.

(2) Report about physical and mental conditions of prisoner fit for release will be obtained by the Secretary of the Advisory Board from the Medical Officer in-charge of the prison, concerned and the same shall be placed before the Board for consideration before final recommendation is made to the Government.

(3) The Advisory Board shall then submit its recommendations with full history of each case along with relevant papers in the Form I.R.J. No. 148(1) to the Government.

(4) In the case of prisoner convicted by Court-Martial the prisoners antecedents need not ordinarily be inquired into and it will be sufficient to enquire about his behavior in prison.

143. Date of revision.- The date on which the case of a convict becomes due for consideration by the Advisory Board is hereinafter called the date of revision. The cases of convicts whose dates of revision fall between the 1st of August and the 31st of January of the succeeding year shall come up for consideration by the Advisory Board during the winter months, while the cases of convicts whose date of revision lie between the 1st February and the 31st of July of any year shall come up for consideration by the Advisory Board during the Summer months.

144. Register of dates of revision.- The jailors shall maintain an Advisory Board Register-RJ. 143 in which they shall enter the dates of revision of all convicts at the time, of their admission. A sufficient number of pages shall be set apart for each half-year and the name and number of each convict with the date of revision shall be entered in its appropriate half-year.

145. Condition, for release.- The Advisory Board may recommend release of a prisoner conditionally or unconditionally whenever a prisoner is to be released prematurely. Stringent

conditions should be imposed on a prisoner recommended to be released conditionally and he should be made to enter into a bond in the Form 2 (R.J. 148).

146. Particulars to be carried on revision sheets.- It shall be the duty of office Jailors in Central Prisoners and of jailors in District Jails to see that forms of recommendation of the Advisory Board R.J. 148(1) are forwarded to the District Magistrate and Superintendent of Police of the District to which the prisoner belong duly completed in all respects. The Advisory Board forms R.J. 148(1) of convicts sentenced by Military Courts shall be forwarded direct to the Chief of the Staff, Army Headquarters, who will verify the same.

147. Opinion of District Magistrate.- The Magistrate of the District in which the convict was sentenced or in which his name is situated shall record his opinion as mentioned in the form R.J. 148 (1).

148. Recommendation of the Advisory Board.- The Board may in each case after considering the material before it and the effect on the convict of the period of imprisonment already undergone, either direct that the case be postponed for a definite period to be specified or make one of the following recommendations-

- (i) That the convict be released conditionally or unconditionally, and
- (ii) That the premature release be refused.

149. Scrutiny of cases of professional convicts.- Advisory Board should scrutinize cases of professional convicts i.e. convicts with more than one conviction with special case and should not recommend the premature release of such prisoners unless they are satisfied that there is no likelihood of the prisoners reforming their previous criminal activities.

150. Consideration by Government.- On receipt of the proceedings of the Advisory Board and other relevant papers, the Government shall order release of prisoner in cases for which, having regard to all the circumstances of the case, it considers that the prisoner may be released without any danger to the society. In case

of a prisoner sentenced by Court Martial, the Government shall forward its recommendations to the Government of India for necessary orders.

151. References to previous orders or recommendations.-

When the case of convict is submitted to the Government for consideration of the question of his premature release under these rules, the number and the date of any previous reference made to the Government on the subject of premature release, and in case any orders have been previously passed by the Government in the case, the number, date and substance of such orders shall invariably be noted on the convicts nominal roll or revision sheets.

152. Recommendations and orders to be entered in the Register Forms.— A note of the recommendation of the Advisory Board and the orders of the Government in each case shall be made in the Advisory Board Register R.J. 143.

FORM 1

[See Rule 10(iv)]

No

.. Date20

Forwarded to District Magistrate/Supdt. of Police for report on the following points as provided in Rule 7 of the ¹[Rajasthan Prisons (Shortening of Sentences) Rules, 1958:-

- (i) The reaction in the locality if the prisoner is released prematurely;
- (ii) The feelings of the relation of the victim or victims of the offence who suffered at the hands of the accused in case of premature release;
- (iii) Whether the life of the accused self will be safe if he is to be released prematurely :
- (iv) Any other information material to the case of the Prisoner;
- (v) Whether the prisoner can be released with safety to the community, and whether, they are of opinion that the prisoner may be released conditionally or unconditionally, if conditional

1. Now see the Rajasthan Prisons (Shortening of Sentences) Rules, 2006.

release is recommended conditions to be imposed may also be indicated.

Secretary to the Advisory Board
(Supdt. Of Central Jail.....
District
Report of District Magistrate/
Supdt. of Police
Signature of District Magistrate.

Signature of Supdt. of Police

Recommendation of the Advisory Board

No. Date.....20.....

The Advisory Board considered the case of this convict in its meeting held on (date) in prison and after careful scrutiny of the relevant record and the opinion of Supdt. Jail.

Medical Officer of Prison, District Magistrate and the Superintendent of Police of(name).

District and taking into account all the factors given in rules 7 & 8 of the Rajasthan Prisons (Shortening of Sentences) Rules, 1958 does hereby make the following recommendation for the premature release of the convict.

(Name and convict No.)

1. Circumstances in which offence was committed and sentences were awarded
2. Prisoners previous history and character in .. the district where he was resident
3. Prisoner’s conduct in the prison and result of sentence already undergone

- 4. Prisoner’s mental and Physical condition in the Prison.
- 5. Sentence undergone in years and months ..
- 6. Remissions earned..... ..
- 7. Total of 5 and ..
- 8. Age of prisoner on the date of report ..
- 9. Whether Board agrees with the opinion
of DM/SP and Superintendent Central or District Jail.
- 10. Whether conditional/unconditional release
recommended and in the former cases conditions to be
indicated.
- 11. Final remarks
Place.....,.....
Date.....20.....

Signature of the Advisory Board
.....Chairman
.....Member
.....,.....Member
.....Member
.....Secretary

FORM 2
(See Rule 11)

BOND

Whereas I (name)..... ..son of
.....inhabitant of (place)..... .. sentenced to
imprisonment for a period of.....fromand.....
have been ordered to be released by the State Government before
the date of expiry of my normal period of imprisonment on condition
of my entering into a bond to observe the conditions specified
hereafter; I hereby bind myself to the Governor of the State of
Rajasthan for the unexpired period of my sentences as follows:—

- (1) That I will present myself, within fourteen days from the date of my release, before the Supdt. of Police of the district to Which I belong or before the Police Circle officer who has jurisdiction over my place of residence and will produce copies of the order and the bond executed by me;
- (2) That I will submit myself to the supervision of the said police officer;
- (3) That I will keep the said Police Officer advised of my place of residence and means of livelihood;
- (4) That I will not quit the said district of.....without the written permission of the said Police officer;
- (5) That I will not associate with bad characters or lead a dissolute life;
- (6) That I will live honestly and peaceably and will endeavor to earn an honest livelihood; -
- (7) That I will not commit any offence punishable by any law in force in the Indian union;
- (8) That I will carry out such lawful directions as may from time to time be given by the said Police officer for the due observance of the conditions mentioned above;
- (9) That in the case of breach any of the above conditions on my part I hereby bind myself by forfeit to the Government of.....the sum of rupeesand to render myself liable to be re-arrested to undergo the unexpired portion of any sentence of imprisonment on the date of release

In witness whereof I have appended hereunto my signatures/
thumb impression this the day of

Witness:-

- (1)
- (2)

Signature/Thumb impression

FORM 1

[See Rule 10(iv)]

Recommendation of Audit or Board.....
place.....as on.....date.....20....

Convict Register No.	Name, parentage with Husbands Name If female	Age on admission	Previous occupation	Residence			
				village	Police station	District	Division
1	2	3	4	5	6	7	8

Offence with sections	Name of sentencing courts	Dates of sentences	Sentence (in years and months)	Sentence served already in years and months	Remission already earned	Total of columns 13 & 14
9	10	11	12	13	14	15

Date of expiry of sentence	Previous convictions with dates, offences and place of each	Mental and Physical condition reported by Medical Officer (jails)	Special service rendered, if any, such as detection of escape impending mutiny etc.	Character & conduct in jail with Superintendent opinion regarding release	Remarks
16	17	18	19	20	21

Checked with warrants and
 Records of remission and
 Certified as correct.

Full Signature of
 Superintendent Central/
 District.....jail

Full Signature
 of Jailer
 Date.....20....

Signature of
 Medical Officer
 Date.....20....

Date.....20....

SECTION V

Transfer of Prisoners

153. Transfer of prisoners under I.G.'s orders.- The following transfer can be made, subject to the orders of the Inspector-General of prisons:-

- (a) Transfer of prisoners of their health;
- (b) Transfer of prisoners to relieve overcrowding;
- (c) Transfer of prisoners, to act as convict-officers, sweepers, cooks, etc. in another Jail;
- (d) Transfer of prisoners to teach any special trade;
- (e) Transfer of K and B class prisoners;
- (f) Transfer of other prisoners for any special reason.

154. Transfer of certain prisoners not to be made.- No prisoner who is incapable of ordinary hard labour from age, sickness or infirmity, or who has been sentenced to a simple imprisonment shall be recommended for transfer unless under special circumstances.

155. Transfer of prisoners from one jail to another on account of infectious disease.- No transfers shall be made from one jail to another when cholera or other infectious disease is prevailing in either jail or on the line of road along with the prisoners have to march.

156. Transfer of prisoners by Superintendents of jails in anticipation of I.G.'s sanction.- For all transfers other than those under part D(of the Prisoners Act, a roll in the prescribed form shall be used. Transfer under paragraph 153, clause (c) can be made by Superintendent of jails in anticipation of sanction when considered urgent after ascertaining that accommodation is available in the jail to which it is proposed to transfer the prisoners. Transfers under clause (d)' can be made by Superintendents from time to time as required. In the case of a transfer from one Jail to another the roll must be transferred who should, in returning it to the transferring jail, record therein whether accommodation is available. The roll should finally be sent to the I.G. Prisons for information and return to the transferring Jail.

157. Transfer to another jail of prisoners or notorious Jail breakers or violent characters.— If notorious jail breakers or other violent characters are imprisoned in a district or subsidiary jail, or if any jail officer or servant be imprisoned for a period of over one month, or if any near relative of any jail officer, or any person of great local influence be imprisoned, information should at once be given to the Inspector-General with a view to the transfer of such prisoner.

158. Transfer of prisoners belonging to other provinces.— As a general rule, members of criminal tribes and police registered criminal, not being natives of Rajasthan in which they are undergoing sentence, shall be removed at any time not exceeding two months prior to the release either to the prison of the district to which they belong or to the prison nearest their native place or to the jail so appointed by the Government of Rajasthan. The Inspector-General of Prisons is authorised under section 29(1) of the Prisoners Act, 1900 (III of 1900) and the Government of India (Adaptation of Indian Laws) Order, 1937, to order the removal of such prisoner as required above and will pass a formal order sanctioning the transfer, and will at the same time give notice in each case to the Inspector-General of Prisons of the province to which the prisoner is removed.

159. Any prisoner, whose detention in a prison of the State in which he undergoing sentence is deemed inexpedient may be removed with the previous consent of the Inspector-General of Prisons of the State, which it is proposed to remove him.

160. Nominal roll of prisoners.— A nominal roll in the prescribed form of all prisoner whose transfer is necessary under paragraph 158 should be submitted by the Superintendent Jail to the Inspector-General's Office two months before their release falls due.

161. Medical examination of prisoners before removal to another jail.— All prisoners on the day previous to their being removed to another jail shall be examined by the Medical Officer, and no prisoner shall be removed unless Medical Officer is satisfied that he is in fit state to perform the journey.

162. Escorts for prisoners transferred from one jail to another.-

The duty of providing escorts for prisoners transferred from One Jail to another will devolve upon the District Superintendent of Police, who should be given at least four clear day's notice of the date on which it is proposed to despatch on convey of prisoners.

163. Necessary clothing, bedding and vessels for prisoners before transfer.- Before transfer, the prisoner shall be paraded inside the jail provided with all necessary clothing and bedding, and such drinking and cooking vessels as may be necessary for the journey: the Superintendent shall personally satisfy himself that the clothing, and bedding of each prisoner is correct in quantity and in good order.

164. Search of prisoners before police escort.- The prisoners, together with their clothing and bedding, shall carefully searched in the presence of the Jailor and of the officer in command of the police escort, the latter shall then receive charge of the prisoners, and shall be held responsible for their safe custody, until they are again made over to the jail Department.

165. Handcuffing of male convicts before leaving the jail.- Before leaving the Jail, all male convicts, should be handcuffed and connected together by a light hand-chain: all desperate characters should in addition be fettered, and the Superintendent should draw the attention of the officer commanding the escort to any prisoner who from his antecedents or conduct in jail is considered specially likely to attempt to escape.

166. Transfer of prisoners of different classes at different times.- (1) Prisoners of different classes should, if it can be so arranged, be transferred, at different time : when different classes are transferred' at the same time, they shall be so far as may be practicable, kept apart from each other,' and no prisoner of one class shall be attached to a prisoner of another class.

(2) Every military prisoner, A and B class prisoner, civil prisoner if insane, violent or dangerous, and all parties of prisoners and guards when, inclusive of guards, the party exceeds three in number, shall be despatched in reserved compartments.

(3) With the exceptions in clause (2) every party of guards and prisoners when the number of persons (guard) included does not exceed three, shall travel in ordinary carriages.

(4) "A" class prisoners and military insanes shall be conveyed in second clas. "B" class prisoners & special class under-trials in intermediate class and "C" class prisoners in third carriages. "A" and "B" class male prisoners and all female prisoner will ordinarily be given a conveyance for t:he journey between the railway station and the jail.

Note:- If intermediate class accommodation is not provided by railways on any train running on the route or part of the route by which "B" class convicted prisoners and special class under-trial .prisoners have to be sent. These classes of prisoners may be conveyed in second class on that route or on the part of that route.

167. jail official to accompany every batch of prisoners transferred.- A jail official shall accompany every batch of prisoners, transferred if the number of such prisoners exceeds ten : sufficient money for road and rail expenses and for food of the prisoners should be entrusted to him, and an account of expenditure taken on his return, if the convey of prisoners numbers ten of less, the duties which would otherwise be performed by the jail official shall be performed by the officer-in—charge of the escort. The entire responsibility for the safe custody of prisoners during transit rests upon the police who shall take special care and see that no irregularity occurs during transit. No responsibility for the custody of prisoners in transit shall be given to a jail official nor shall a jail official accept such responsibility.

168. Duties of jail official when transferring a prisoner.- The duties of the jail official are:-

- (a) to provide the daily rations and arrange for the cooking or the same;
- (b) to receive and returns safely to the jail from which the gang was despatched the clothing bedding, irons, etc. of the prisoners;

- (c) to preserve carefully the nominal and descriptive rolls, history tickets, and other paper sent with the gang;
- (d) to be responsible for the safe custody and safe delivery of property belonging to the prisoners sent on transfer;
- (e) to take receipts from the officials of the receiving jail of all prisoner's property made over by the escort:
- (f) to use every endeavour in his power to secure to the prisoners immunity from sickness and injury, e.g. by procuring shelter for them in case of heavy rain, by keeping the gaiters of fettered prisoners well softened with oil, etc.-

169. Documents to accompany prisoners on transfer.- Along with the prisoners and in charge of the jail official or of the officer in command of the escort (as the case may be shall be sent-

- (a) Descriptive rolls in the form prescribed;
- (b) nominal rolls with copy of judgment of sentencing court (for prisoners sentenced to transportation);
- (c) a list of Government clothing and property;
- (d) a sealed packet containing the warrant, history-tickets, and (in the case of P.R.. convicts) RR. slips of the prisoners carefully brought up to date;
- (e) Warrant of the appellate Court (if any) and any orders of the State Government in respect of the sentence.

170. Entry of completion of sentence on the warrant of transferred prisoners.- It is incumbent on the Superintendent to see that the completion or partial completion of any sentence is recorded on the back of the warrant of transferred prisoners and the Jailor will be held responsible that such particulars are correct.

171. Notice of loss of property of prisoners at destination.- If it be found on the arrival of the prisoners at their destination that the property received does not correspond with the list, immediate notice should be given to the Superintendent the despatching jail.

172. Clothing etc., of prisoners while travelling.- When the

prisoners have travelled by road, the clothing, etc., should be returned in charge of the return escort. When the journey has been made by rail, the articles to be returned should be carefully made up into a bale, and sent to their destination by goods train.

173. Halts and marching of prisoners in transit.- Particulars of the route to be taken and of halts to be made, shall be entered in a memorandum of instructions which shall be given to the officer in charge of the escort prisoner in transit should not be marched more than 15 miles in any one day.

174. Lantern for gang of prisoners confined at night.- A closed lantern under charge of the sentry shall be suspended in any place in which a gang of prisoners is confined at night.

175. Death of prisoner while on transfer.- When a prisoner dies in course of transfer from one district to another, the District Magistrate of the district to which the prisoner was being transferred is required to make enquiries into the circumstances attending the prisoner's death and to forward to the Superintendent of the despatching Jail a certificate of the prisoners death under his official seal and signature.

SECTION VI

Prisoner's Property

176. Property of prisoners how to be dealt with.- A list of all property of a prisoner taken from him or delivered with him or afterwards received on his account shall be entered in the admission register in the column provided for the purpose, and cash and jewellery shall also be entered in the register for the purpose kept by the Jailor. Such property shall be dealt with by the Jailor under the following rules:-

- (a) Such prohibited articles as tobacco, opium, ganja, chillums, intoxicating liquors, etc. shall be destroyed
- (b) Perishable articles such as grain or food if of any value, shall be sold and the proceeds shall be dealt with under Clause (g) below.
- (c) If the Medical Officer considers, there are sanitary objections to the retention of the clothing and bedding of any prisoner.

or if a prisoner. is suffering on admission from any infectious or contagious disease, his personal effects (excepting cash and jewellery) shall, under the written order of the Medical Officer, be destroyed.

- (d) If the clothing of a prisoner is ragged and absolutely worthless, it shall be destroyed, and the Superintendent shall enter his order for destroying it in the admission register.
- (e) In the case of every prisoner sentenced to rigorous imprisonment of Two years and upwards (not including imprisonment in default of payment of fine) his cl be sold on confirmation of sentence on appeal or on expiration of time allowed for appealing, if no appeal is made and the proceeds shall be dealt with under clause (g) below. This shall invariably be done before a prisoner is transferred to a Central Prison, if sentence has been confirmed, in other cases the clothing of a prisoner sentenced to rigorous imprisonment shall be tied in a bundle and stored. Lothas and other non-perishable articles which enable of storage shall be included in the clothing bundles. Every such bundle shall be labelled with the number and name of the prisoner, and date of release. The bundle shall be arranged in the storage godown according to the month of release for the current year, and according to the year of release for subsequent years.
- (f) Valuable jewellery shall be folded in a separate paper packed for each prisoner, on which shall be inscribed the prisoners number, name and date of release and shall be kept in a secure box in the jailor's office tinder lock and key.
- (g) Money (including sale proceeds of any article) shall be kept in a separate bag in the Jailors cash chest, if the amount accumulated is large, so much as is not required for current payment to prisoners on their release, shall be paid into the, treasury under Rule 642 (2)]¹ of the Financial Rules, Volume

1. Please see the Provisions of New G.F. & A.R. Vol. I.

- 1, and the receipt passed by the Treasury Officer shall be filed in the cash book. Whatever the balance on his account in the jail cash chest becomes less than is required to meet payments to prisoners about to be released, application shall be made to the Treasury Officer for the withdrawal of all money belonging to prisoners shall be entered in the cash book, and the date of entry of every receipt shall be noted on the prisoners warrant
- (h) A statement showing the gross receipts and payments of prisoners cash as well as net amount which is to be credited into, or withdrawn from the treasury on this account, shall be furnished by the Superintendent to the Treasury Officer for incorporation in the treasury accounts as Revenue Deposits, whenever any amount is remitted to or withdrawn from the treasury as an accompaniment to the challan or the voucher concerned.
- (i) The Superintendent shall for facility of audit furnish the following certificate through the Treasury Officer so as to reach the Accountant General's office by the 15th of the following month:-

"Certified that the amount of Rs. withdrawn from Revenue Deposits during been accounted for in jail the cash book and an amount has been disbursed to the released prisoners, and that their acknowledgments have been obtained. The balance of Rs is kept in the jail cash chest".

Such a certificate should also be recorded in the prisoners property register before it is submitted to Audit Office. The Superintendent need not furnish a stamped receipt for any amount drawn by him from the treasury in his official capacity.

177. Registered and insured articles and money orders for prisoners, how to be delivered.- Registered and insured articles addressed to prisoners in jail should be delivered to the Jailor on his acknowledgment Money orders for these persons should also be paid to them in the presence of the Jailor on his attesting their signature

or mark on the money orders and acknowledgments. The Jailor will thus be in a position to keep the money in his custody as required by Section 25 of the Prisons Act.

The sale of prisoner's property shall take place at the Magistrate's cutcherry and not at the jail gate.

178. Disposal of property of prisoner on transfer from one jail to another.-On the transfer of a prisoner from one jail to another all his property shall be sent with him; and if any property is received for a prisoner after such transfer, it shall be forwarded to the jail to which he has been sent.

179. Delivery of property or money of prisoners.- Any property or money belonging to a prisoner may at any time during his imprisonment be delivered to his friends with fire approval of the Superintendent under an authority signed by the prisoner; but no prisoner shall be allowed to make over any of his clothing if he will there by on his discharge leave himself with insufficient clothing, and no prisoner shall be permitted to make over any of his property to any other prisoner either during imprisonment or on release. Only such property shall be kept as can be stored in the jail godowns other than food godowns. If live stock or combrous articles, such as large boxes, charpoys, etc., are received with of for a prisoner, they shall be handed over to his friends, if he so desires, or shall be sold and the proceeds dealt with under rule 170(g). Any prohibited articles found on a prisoner, other than, a civil prisoner, after his admission into any jail, shall be confiscated and all money realized from the sale of any article so confiscated shall, first be lodged in full the Government treasury to be credited to the appropriate account and made part of the general treasury balance. The Superintendent may award any sum not exceeding one-third of any money or of the sale-proceeds of any property so confiscated, to any person concerned in the finding or discovery thereof and if may be drawn from the treasury on a contingent bill.

180. Disposal of property of deceased prisoners.- (a) The property of persons dying in jail will be sent to the District Magistrate

of the district in which the jail is situated, and the Superintendent shall forward with the property of the prisoners descriptive roll and a certified copy of the record relating to the prisoner's property. The wishes of any dying prisoner about his property should be mentioned to be District Magistrate in the forwarding letter. The jailor is responsible that on the prisoner leaving the jail of dying, the property made over to him, or sent to him or made over to the District Magistrate, as the case may be. corresponds with what has been retained.

(b) When, It is of trifling value it should be sold by the officer incharge of the nazarat and the proceeds after deducting the money order commission, should be remitted to the deceased prisoners relative.

(c) If, however it is sufficiently valuable to make it worthwhile for the heir to come and take it, whether he be in the same district or in another district, he should be notified to appear and take it within a month of receipt of the notice.

(d) If he fails to attend after due receipt of the notice, the property should then be auctioned and the proceeds remitted to the relative, after deducting the money order commission.

181. Disposal of property of escaped prisoner.- The property of an escaped prisoner shall be retained one year after his escape. If he is not re-captured within that period, his property shall be handed over to be dealt with in accordance with section 25 of the Police Act.

SECTION VII

Accidents and Suicides

182. Enquiry and report regarding sudden or violent death or suicide.- In all cases of sudden or violent death, or of supposed suicide, an inquest by the proper officer shall be held on the body for which purpose immediate report of the occurrence shall be made to the District Magistrate, or in his absence to the senior Magistrate at headquarters, the proper officer to hold the investigation is the Magistrate of the district or an officer deputed by him. A full report

of the circumstances attending every case of sudden or violent death shall be submitted by the Superintendent to the Inspector-General.

183. Watch over prisoners with suicidal tendencies.- Prisoners with apparently suicidal tendencies shall be carefully watched, and shall not be left alone in a cell at night. Poisonous drugs shall on no account be left within reach of prisoners. They must be kept locked up on cupboard, the key of which shall remain at all times in the possession of the Assistant Medical Officer and must on no account be entrusted to a prisoner.

184. Wells to be secured by covers to avoid accidents.- Wells in jails shall be converted by a strong waterflight wooden or iron cover sloping from the centre to prevent prisoners throwing themselves into the wells, or dirt or soiled water finding their way into them. The trap doors of such covers shall be always kept properly and securely locked, and in Central Jails, the key shall be in the possession of the octagon or section officer and the District and subsidiary jails in the possession of the Jailor. When water is to be drawn from the well, the key in Central Jails shall be made over by the octagon or section officer to the convict warder or overseer in charge of the water gang who shall close and lock the trap door before he leaves and return the key, and in District and subsidiary jails the key shall be made over to the Head-Warder who shall close and lock the trap door before he leaves and returns the key. Ordinarily, there should be only a small hole, not exceeding eight inches in diameter, through which water may be drawn by means of a pump or bucket.

185. Well ropes to be locked up. Knives, broken glass or ropes not to be left about.- Knives, pieces of broken glass, ropes etc. shall not be allowed to lie about: knives and other tools used in the work sheds and barbers and tailors implements shall be counted over and locked up by the warders at the close of the work. Well ropes shall also be locked up but chains reverted to the covers need not be removed.

186. Prisoners to be prevented from under cutting earth to avoid accidents.- All warders and overseers shall be specially warned to prevent prisoners from under cutting' when digging or moving

earth. The sides of pits found when digging bunker, Brick-making, etc., must be sloped at such an angle that the earth shall not fall on the workmen. Superintendents and Jailors shall frequently inspect such places and strictly enforce this rule: Great care shall be taken when employing prisoners to sink wells or on other dangerous work: and prisoners shall not be required to undertake work of a specially dangerous nature. Blasting may be undertaken but the Superintendent shall give detailed directions about the amount of explosive to be used and how it is to be employed and satisfy himself that all arrangements are made for the proper supervision of the work of blasting.

187. Preservation of rope ladder for accidents in wells.- A rope ladder capable of bearing the weight of three men shall be kept in the guard house of every jail to be at hand in case of accidents in wells.

SECTION VIII

Civil Prisoners

188. Classes of civil prisoners.- If there be a separate civil jail, the Superintendent of the criminal jail shall be Superintendent of the civil jail also: and the Inspector-General of prison, District Magistrate, official and non-official visitors and Medical Officer, Jailor and other subordinate jail officials shall have the same powers as regards both civil and criminal prisoners except where distinction is made in these rules.

Civil prisoners include three classes, namely:-

- (1) Civil debtors confined under a warrant in execution of a decree of a civil court.
- (2) Revenue defaulters under the Central Provinces Land Revenue Act, (No. XVIII of 1881), and the rules framed under it.
- (3) Persons sentenced to confinement in a civil jail under sections *[318], **[332] or ***[514] of the Criminal Procedure Code¹ or otherwise than as in clauses (1) and (2).

1. See the Section *[318], **[332] and ***[446] of Code of Criminal Procedure, 1973 (2 of 1974).

189. Scales of daily subsistence allowance of judgment debtors.- (a) Under the provision of section 57 of the Code of Civil Procedure, 1908, the provincial Government has prescribed the following scales of maximum daily allowances payable for the subsistence of judgment-debtors:—

Class I.- Persons who by social status, education and habit of life are accustomed to a superior mode of living — As. 12.

Class II.- Other persons of respectability generally such as land-holders and tradesmen of the better sort - As. 9.

Class III.- Persons below the preceding class, but with some status, such as inferior land-holders, petty tradesmen, etc.- As. 6.

Class IV.- All other persons not included in the above at such rate no less than 3 and not more than 4 annas per diem as the committing Judge may prescribe in each case.

Daily allowance of sick judgment-debtors.- In cases of sickness, or for other special reason daily allowances at a rate not exceeding double the above rates may be fixed.

Dieting of civil-debtors at the expense of judgment-debtors.- Under rule 39, Order XXI, First Schedule of the Code of Civil Procedure, 1908, Civil debtors shall be dieted at the expense of the judgment-creditor. In the case of revenue defaulters who are fed at the cost of Government, diet money will be recovered from the Deputy Commissioner. Civil Prisoners of class HI shall be allowed diet on the ordinary non-labouring scale (see paragraphs 7 under section 1- scale of diet Part IX) at the expenses of Government If specially so ordered by the committing officer, civil prisoners of both classes H and III shall receive the diet sanctioned for 1st class misdemeanants in paragraph 611.

Note.- The classification of judgment-debtors for the purpose of fixing their subsistence allowance is made by the court; It is however, open to the jail Superintendent to make a representation to the civil court concerned, if the allowance appears insufficient in case of sickness, or for other special reason.

190. Monthly payment of diet-money (in advance) by decree-holders.- Under rule 39, Order XXI, First Schedule, of the Code of Civil Procedure, 1908, the first Payment of diet-money shall be made to the 'proper officer of the court for such portion of the current month as remains unexpired before the judgment-debtor is committed to jail, and such officer shall send the amount paid with the Civil Prisoner to the Jailor. No civil-debtor shall be received into the jail unless the proper amount of diet money is received with him. Subsequent payments (if any become due) shall be made to the Jailor by decree-holder by monthly payments in advance to the full amount due for the ensuing month before the first day of each month. Should the decree-holder omit to pay the allowance above, the Superintendent shall, without reference to the court, release the judgment-debtor. The release shall be made on the morning of the day for which no allowance has been paid. A receipt from a counter-foil book shall be given to the decree-holders for subsistence money paid into the jail, the amount received being credited in the contingent cash book. All receipts and disbursements on account of diet-money shall be recorded at the time of receipt, or payment, in the Register of Civil and Revenue Prisoners (Register No. 8) and the daily totals of receipts and expenditure shall be carried forward, from the register, into the cash-book.

191. Discharge of judgment-debtor, Under section 58 of Act (V of 1908) Civil Procedure Code and Act IX of 1894 section 33 (2), the judgment debtors shall be discharged from jail:-

- (a) on the amount mentioned on the warrant of committal being paid to the officer-in-charge of the jail;
- (b) on the decree being otherwise fully satisfied;
- (c) at the request of the person on whose application he has been imprisoned;
- (d) on such person omitting to pay the allowance as directed;
- (e) if the judgment-debtor is declared as insolvent;
- (f) When he has fulfilled the term of

- (g) in the case of civil-debtor, 'in default of payment by the decree-bolder of the cost of clothing and bedding supplied by the Superintendent of jail under section 33(2), Act IX of IQ94.

192. Certain judgment-debtors not to be without order of the court.- In cases of (b) and (c) above, the judgment-debtor shall not be discharged without the order of the court. Such order shall be in English and in the form prescribed by the High Court. With regard to case(f), section 58 of the Civil Procedure Code directs that no person shall be imprisoned in execution of a decree for a longer period than six months, or for longer period than six weeks if the decree before the payment of sum of money not exceeding fifty rupees.

Note.- But the Legal Remembrancer has ruled, in a case where prisoner was committed by the Small Cause Court, Calcutta, to the civil jail for three months under a decree for a debt, and subsequently the same prisoner after he has served halt this term was ordered by the High Court to be confined in the civil jail under another decree for a sum exceeding Rs. 1200/-without any term of imprisonment being mentioned that the second warrant should have full effect therefore, if a civil prisoner is ordered to be confined in a civil jail under more than one warrant, each warrant shall have full effect from the date thereof, although the prisoner may thus be detained beyond six months.

193. Balance of diet money after release of civil prisoner.- After a civil prisoner has been released, if there is any balance of diet money in the Jailor hands, it shall, if received from a civil court officer, be returned to the court; but if received from the decree-holder, it shall be repaid to the decree-holder on his applying for it. If such balance remains unclaimed, for more than two months it shall be remitted to the treasury to the credit of Government. For every such refund of diet-money, receipt shall be taken and pasted into the admission register opposite the account to which it relates.

194. Disposal of article supplied by decree-holders.- All articles such as utensils, clothing etc. supplied by, or at Hie cost of the decree-holder for the use of the judgment'-debtor while detained in jail, shall, in the event of the decree-holder failing to take them back on

the judgment-debtors release from jail, be sent to the principal, local civil court for disposal. The jail Superintendent should certify with each lot of property who paid for it and why it is sent to the civil court.

195. Applications for insolvency.- A copy of the rules relating to insolvency Act (III of 1907 as amended by Act V of 1920) shall be kept up it in the civil ward of every jail and superintendent of jails shall assist civil debtors and revenue defaulters who with to be declared to be insolvents in making the necessary application under the Code. These applications may be written by a warder or other official, and such paper and writing materials as are necessary, may be supplied.

SECTION IX

Under-trial Prisoners

196. ¹[Omitted]

197. ¹[Omitted]

198. Where confined.- Under-trial prisoners shall be confined in prisons and judicial lock-ups at the places where their cases are being tried; 199. Scale of diet.- All ordinary class under-trial prisoners shall receive the diet of "C" class non-labouring convicts and all special class under-trial shall receive the diet of "B" class non-labouring convicts.

200. Ministerial officers-in-charge of lock-ups.- The Judicial lock-ups will be under the charge:

(a) of Munsif-Magistrates at Bandikui, Bari, Chhoti Sadri, Fatehpur, Gogunda, Hindoli, Indergarh, Jahazpur, Kanod, Kanpur, Kherwara, Kishengunj, Kotputli, Iachmangarh, Mangrol, Mavli, Patan, Pirawa Rajgarh (Alwar. District) Sagwara, Salumber, Sangod,

Sardar-Shahar, Sujangarh, Thanagazi and Uniara;

(b) of extra Magistrate at Nathdwara;

(d) of Sub-Divisional Magistrate at Aklera, Bali, Balotra, Bap, Baran, Barmer, Bayana, Begun, Behror, Bhim, Bhinmal, Btmdi,

1. Omitted by Noti. No. GSR 7/F. 9(74) Karagar/74, dated 28.02.1975 (Pub. in Raj. Gaz. Pt. IV-C(i) dated 10.04.1975).

Chhabra, Chechat, Chittorgarh, Chum, Dausa, Deedwana Deeg, Gangapur, Hindaun, Hurda, Jaitaran, Jalore, Jhunjhunu, Kapasan, Karanpur, Karauli, Kishengarh (Alwar District), Kishengarh (Jaipur District), Khushal Garh, Malpura, Mandalgarh, Merta, Nagaur, Nainwan, Neem-ka-thana, Nimbahera, Nohar, Pali, Perbatsar, Phalodi, Raisinghnagar, Rajgarh (Churu District), Rajsamand, Ratangarh, Sadulgarh (Hanumangarh), Sarada, Sawai Madhopur, Shahpura, (Bhilwara District) Shahpura (Jaipur District), Sikar, Sironj, Sojat, Udaipur and Unthala.

201. Officer and subordinate staff in lock-ups.- The immediate charge of the lock-ups will be under an Assistant Jailor. the will be assisted by two Head-Warders and 8 warders in the case of first class; one Head-Warder and 6 warders in the case of second class, and one Head-Warder and 4 warders obey the orders of the Assistant jailor, who will work under the Magisterial Officer who is in over all charge of the lock-up and obtain orders where necessary in its day to day administration.

202. Transfer of under-trials after convicting, responsibility of the police.- It will be duty of the local police to make arrangements for the escort of prisoners to .be transferred from a lock-up to fire appointed prison, soon after their conviction or to stand trial in the same or another case. After a convicted prisoner has been received in a prison he will be kept there or moved elsewhere in accordance with the Jail Rules.

203. Duties of an Assistant Jailor.- The Assistant Jailor appointed to a lock-up shall be competent to perform any of the duties and be subject to all the responsibilities of a Jailor under the Prison Act or any rule there under. And wherever mention is made of one officer. it must be understood that it also applies to the other officer viz., Assistant Jailor and vice versa.

204. Prisoners to be searched every time.- The Assistant jailor shall cause every under-trial prisoner, on admission. before going to an after return from the courts, on return from latrine and bathing parades and meals, to be searched and, weapons and prohibited articles to be taken from him.

205. Examination of warrant committing prisoner.- The Assistant Jailor should see that the warrant authorising the prisoner's detention in the lock-up bears the date of committal and the date on which the prisoner's to be produced before the court when a warrant is in complete or the remand granted therein is for an indefinite period, the Assistant Jailor shall as soon as possible, return the warrant for correction to the court which issued it.

206. No under-trial to be detained except on remand.- The Assistant Jailor should satisfy himself by examination of the warrant, that, except in case of persons committed for trial to a court of Session, no under-trial is detained longer than 15 days without a fresh remand as this is contrary to the provision of Section *[344] of the Code of Criminal Procedure, 1898.¹

207. Medical examination of under-trials on admission.- The Assistant Jailor shall bring the under-trials before the Medical Officer on the morning following their admission, and the Medical Officer shall then make or cause to be made, in the under-trial Register in columns 10, 11, 15 and 16, the proper entries and also on the prisoners history-ticket. A record in respect of each prisoner with such particulars of previous illness as may be known to him, record of health of prisoner and of any injury, wounds, contusions or abrasions detected, and will be signed both by the Medical Officer and the Assistant Jailor. The clothing of the prisoner shall be carefully examined and if found to contain any stains of a suspicious character, the District Magistrate shall be informed, and the clothing stored under lock and key.

208. Weighment of under-trials.- The under-trial prisoner shall be weighed on admission and-subsequently every fortnight and their weight entered on the history-tickets. The weight of every under-trial prisoner on release shall be recorded in the under-trial Register and on the ticket. In case of under-trial prisoners, who are released from courts, the last, weighment recorded on the ticket, prior to release, shall be taken to be the weight on release.

1. See the Section *[309] of Code of Criminal Procedure, 1973 (2 of 1974).

209. Under-trials not to change personal appearance.- The Assistant Jailor should not allow an under-trial prisosner to cut his hair or shave in a way that would alter his personal appearance so as to make it difficult to recognise him. Prisoners who have been more than a month in jail may, if they so desire, be allowed to have their hair cut to the length it was at the time of their admission. The hair of a under-trial prisoner may, however, be -cut, when the Officer considers it necessary, but it shall not be cut shorter than is necessary for the purposes of health and cleanliness.

210. Identification marks of under-trial: The Assistant Sailor should bring to the notice of the Medical Officer the following instructions regarding the marks of identification, two of which should be altered in column II of the under-trial Register in the case of every under-trial prisoner.-

- (a) Marks and scars.—These value must be permanent. Their size, shape, locality, and probable cause (if known) should be stated. Together with direction distance in inches from a fixed point.
- (b) The fixed point usually taken are-
 - (i) For the head and face.- The corners of the eyes or mouth, the ears or nostrils, whichever may be most convenient, for the purposes of measurement.
 - (ii) For the neck.— The seventh cervical vertebra at the back or Adams Apple at the front.
 - (iii) For the arms.-The point of the elbow.
 - (iv) For the hands.- The tip of the middle finger.
 - (v) For the front of the body.-The naval and middle line;
 - (vi) For the back.- The 7th cervical vertebra and middle line;
 - (vii) For the legs.-The middle of the bend of the knee.
- (c) In measuring marks on the front as well as on the back of the body, imaginary line is drawn down the centre of the body. Scars will be denoted as being either on the right or left of this line, above or below the navel (and below the 7th cervical vertebra on the back).

- (d) To measure distance of scars on the trunk of the body front the given point, it will be necessary to ascertain its distance in the horizontal direction on the right to the left from the imaginary line. The next step will be to measure the distance from the point where this midway vertical and horizontal line from the scar intersect to then avail, if the scar is anywhere on the imaginary line, it will only be necessary to give the distance above or below the naval to localise it.
- (e) It should invariably be stated whether the mark is on the right or left limb and if so whether it is on its interior; exterior, anterior or posterior surface.
- (f) Deformities or any kind should always be recorded. The following are the principal:-
 - (i) Head- Half-lip, loss or injury to an eye, squint, mis-shaper. ears, nose or skull, loss of teeth.
 - (ii) Body— Loss of or supernumerary fingers or toes, webbed fingers, loss of a limb or part of a limb, immovable joints, wasted muscles.
- (g) In addition to marks, scars, deformities, any peculiarity which may specially distinguish the individual under examination may prove useful, such as, unusual height, stammer in speech, peculiar gait, or attitude and the like.
- (h) To give a complete list of all the points that may possibly prove of value as a means of identification would be impracticable. The Medical Examiner must use his common sense, and note such as are likely to be most useful.

211. The Assistant Jailor should segregate under-trial prisoners under the age of 21 years from other prisoners, and separate those who arrived at the age of puberty from those who have not, but a juvenile under-trial prisoner who is in company with his father or other near relative may be allowed to stay with him in the under-trial ward.

212. Convict register.- The Assistant Jailor shall maintain a

convict register for entering the names of those under-trial prisoners who have been convicted. When a convict is received for trial in another case from another jail, his or her name shall be entered in the register of convicts as well as in the register of under-trial prisoners with cross-references in red ink.

213. Direction as to separation of under-trials.- The Assistant Jailor shall carry out any special direction as to the separation of an under-trial prisoner given by a Magistrate. Such separation shall not be accompanied by any irksome conditions beyond those necessary to secure the object in view to provide such prisoner from communicating directly or indirectly with other prisoners concerned in the same case, or other cases.

214. Separate confinement of approvers.- In all cases where after a confession has been recorded and no intimation has been received from the Magistrate that separate confinement is no longer necessary, the Assistant Jailor shall after waiting for a few days, seek His orders of the District Magistrate as to the approver's separate confinement. When an under-trial prisoner has been in separate confinement for a long time fresh orders may, if considered necessary, be obtained from the Magistrate concerned as to his continued separate confinement.

215. Report of cases of under-trial pending over a month.- Every case of an under-trial prisoner pending before a court over a month shall be brought to the notice of the District Magistrate or the Senior Judge as the case may be, as per Form R.J. 114. Detention of under-trial prisoners for over 3 months shall be reported to the Commissioners of the Division direct. These reports of long detentions to the District Magistrates, Sessions Judges and the Commissioner shall be sent on the 1st of the following months. Detention in excess of 6 months shall be specially reported to the Inspector-General direct with a view to the matter being brought to the notice of Government.

216. Magistrate's order necessary for admission of prisoner after lockup.- The Assistant Jailor shall ordinarily admit prisoners into the lock-up at any time after the opening of the lock-up to the

hour or locking-up time, which takes place at sunset. Ordinarily the Assistant Jailor shall not admit any prisoner received in transit or on transfer to' a jail beyond or to stand trial another case, after lock-up. He shall, however, in special cases on the order, of the Magistrate admit such prisoner at any hour.

217. Discharge by courts.- If an under-trial prisoner be discharged in open court, or released on bail while attending court, by the Magistrate or Sessions Judge, the Assistant Jailor should obtain a notification of the fact under the signature of the officer so discharging or releasing him on the same day.

218. Keys of doors of female wards.- The Assistant Jailor shall keep the key of the padlock on the outer door of the female ward with himself. The key shall, on no account, be entrusted to any other subordinate. No duplicate keys of these locks shall be After the opening out in the morning and the food and latrine parades are finished, the women under charge shall be locked up and be provided with a bell to ring in case anything is required. The Jailor or Assistant Jailor should take care to see that no male official shall, on any pretext, enter the female prisoner enclosure except in the company of the Jailor or Assistant Jailor, and the two shall not separate whilst in the enclosure.

219. Females not to leave this enclosure.- The Assistant Jailor should see that no female prisoner is allowed in any consideration to leave the female enclosure of the lock-up.

220. Punishment for prison offences.- An under-trial prisoner is liable to be punished for breaches of prison discipline with the same punishments as a convicted criminal prisoner.

711. Fetters.- An under-trial prisoner should not be fettered otherwise than, as a punishment, except for the purpose of security, i.e., when he is violent or in known, to have escaped or attempted to escape or is likely to escape from Jail. The main criterion by which the Superintendent shall in each case be guided in deciding whether fetters should be imposed or not, is the amount of risk that exists of escape or violence, rather than the fact that the prisoner is charged

with a particular offence. As far as possible, the use of fetters should be restricted.

Explanation 1- In the case of under-trial prisoner charged with murder, fetters should not ordinarily be imposed when in transit to courts at the headquarters of the district, unless the imposition of fetters is considered necessary because the prisoner concerned is also charged with some other serious crime involving violence, or is known to be a dangerous hardened

Explanation 2- In the case of prisoners accused of dacoity, fetters are ordinarily necessary for journeys to and from the court, but they shall not be kept in fetters in jail merely for this reason. Fetters should ordinarily be removed in all cases in which it is known that after one appearance in court, the prisoner will not be required to appear for a considerable time.

Explanation 3- under-trial prisoners above 45 or below 21 years of age should not ordinarily be fettered.

Explanation 4- Approvers kept in cells not shall be put in letters.

222 Belchains.- The use of belchains on under-trial prisoner is not permitted unless such prisoners are confined in open spaces outside the jail or in tents within the When the application of the belchains on under-trial prisoners is considered necessary for any other reason, the sanction of the Inspector-General shall be obtained.

223. Food etc. from private sources.- Every under-trial prisoner shall be permitted to purchase or receive from private sources, food, clothing, bedding, and other necessities subject to the following restrictions:-

- (a) The articles shall be examined by the Jailor or the Assistant Jailor before being introduced in to the jail or the lock-up, as the case may be.
- (b) Nothing that may be considered deleterious, to health, unnecessary, or unsuitable by the Superintendent or the Magisterial officer-in-charge of the lock-up shall be allowed. Spirituous liquors and intoxicating drugs and prohibited,

unless prescribed in writing by the Medical Officer on medical grounds in his order book.

- (c) All purchases shall be made by the Jailor or the Assistant Jailor under the order of the Superintendent or the Magistrate of the lock-up, respectively.

224. Prohibition against hiring or selling, of clothing etc.- No part of any food, clothing, bedding or other necessities belonging to an under-trial prisoner shall be given-hired or sold to any other prisoner and any prisoner transgressing this rule shall lose the privilege of purchasing food or receiving it from private sources for such time as the Superintendent or the Magistrate in charge lock-up, as the case may be, thinks proper.

225. Work for under-trial prisoners.- Under-trial prisoners may, if they so wish, be permitted to work at any trade or profession inside the jail or the lock-up, in which they are confined, provided the necessary arrangements can be made in the jail or the lock-up. He shall be allowed to receive his earning, subject to such orders as the Government of Rajasthan, may from time to time prescribe after making deductions as the Superintendent or the Assistant Jailor may consider necessary for the use of jail tools.

226. Shoes.- Under-trial prisoners with have not been convicted before and who are accustomed to wear shoes shall be allowed to wear them during the period of their trial unless the privilege is abused by them. The concession may also be extended to under-trial prisoners with previous conviction at the discretion of the Superintendent in the case of jails or the Magistrate in the case of lock-up. Shoes shall be renewed only at the expense of the prisoner concerned. In every case in which shoes are allowed, an entry shall be made on the under-trial ticket.

227. Books, newspapers, etc.- under-trial prisoners shall, with the approval of the Superintendent or the Magistrate, be allowed to possess and use their own books in addition to those available from the jail library. The number of such books shall not exceed six in the case of superior class under-trial prisoners and three in the case of

others. They may also be allowed to read at their own cost approved newspapers and to obtain from outside or purchase at their own expense and in reasonable quantities article of stationary and writing materials.

228. Daily routine.- The following routine is prescribed for under-trial prisoners and it shall be the duty of the Jailor to see that it is duly carried out by them.

	From 1st October To 31st March	From 1st April to 30th September
To perform morning ablutions, etc.	After un-locking up to 7 a.m.	After un-locking up to 6 a.m.
To be on parade in their enclosure	7 to 9 a.m.	7 to 9 a.m.
To be looked up in their barracks	9 to 10 a.m.	9 to 10.30 a.m.
To bath and take their Mid-day meal	10 to 11 a.m.	10.30 to 11.30 p.m.
To be locked up in their barracks	11 a.m. to 3 p.m.	11.30 to 5 p.m.
To take exercise have evening meal and be searched and locked-up	3 p.m. to locking-up	5 p.m. to locking-up

229. Procedure in the case of under-trial prisoners who have to be subsequently identified.- (a) when an under-trial prisoner who may have to be subsequently put up for identification by witnesses is, admitted to jail, the Superintendent of police or some police officer not below the rank of an inspector shall inform the jail in writing at the time of admission, or as soon thereafter as possible, that the prisoner will be put up for identification.

(b) When such information has been received, the Superintendent of jail shall issue instructions with a view to prevent the prisoner from disguising himself or changing his appearance in such a way as

to make recognition difficult. Such prisoners shall be required to keep their hair in the same condition until convicted or discharged, e.g. if the prisoner is clean shaven he must not be allowed to grow a beard and vice versa. At the time of the identification parade the prisoner shall wear the same clothing as he was wearing at the time of admission, if he cannot wear his over clothes he shall wear clothes of a similar kind, e.g. if he is a field labourer, he should not be dressed in white clothes of a city manor vice-versa. In all cases of doubt the orders of the Magistrate conducting the identification should be taken.

Before the proceedings begin the prosecuting inspector and counsel for the defence, who shall be permitted to be present, may satisfy themselves that all the rules in this paragraph have been fully observed. The proceedings shall also be attended by a jail officer who shall carry out any order given to him by the Magistrate conducting the identification.

(c) The prisoner to be identified shall be placed among a number of prisoners as similar to him as possible in dress, stature and appearance shall not be allowed to conceal his face or stature so as to impede recognition.

(d) When a prisoner who is wearing fetters is to be identified, the prisoners paraded with him should be selected from among those who are wearing fetters. Conversely, if the prisoner to be identified is not wearing fetters none of those paraded with him should be wearing fetters. Where this is impracticable, the method of covering up all prisoners in the parade, whether wearing fetters or not, up to the waist with blankets, may be adopted.

230. Cross references in cases of prisoners on trial in more than one case.- If an under-trial prisoner is being tried in more than one case, a cross reference, signed and dated by the Jailor or the Assistant Jailor, as the case may be, shall be made on the back of each warrant in red ink in the following form :

“Another case pending. Not to be released from court”.

231. Clothing for under-trial prisoners attending courts in camps.- Under-trial prisoners attending the court of a Magistrate in camp shall be provided. If necessary, with sufficient clothing and

blankets to protect them from cold or inclement weather, and the Jailor shall obtain a receipt from the officer-in-charge of the police escort for all such articles, which shall, be returned to the jail, as soon as possible.

232. Transfer for trial to another district.- When a prisoner either under-trial or convict is sent to another district for trial in another case, or for any officer purpose, the Superintendent ¹[of jail] shall send with the prisoner his [history] ticket and a copy of his warrant ²[.....] together with an order requiring his return. The Jailor shall take a receipt for these documents from the officer-in-charge of the police escort. The prosecuting Inspector of the district to which the prisoner has been sent shall arrange for the return of the prisoner when no longer required. ¹[While attending the courts, the history-tickets need to be sent]

¹[**232A. Search of prisoners going to courts.-** The Jailor shall obtain receipt from the Officer Incharge of the escort for the prisoner sent to the courts, and the Officer Incharge of the escort will search the prisoner and examine the fetters, if any, that they are secure and well fitting. All prisoners shall be searched again at the main gate on return from the courts or other jails before they are taken over from the police.]

233. Transfer of female under-trial prisoners under 40.- When a female under-trial prisoner under forty years of age is transferred from one jail to another, she shall be accompanied by a female under-trial prisoner. The expenditure on account of pay etc. of such female warders, shall be met from the jail budget

234. Report of previous convictions.- When the Superintendent or any jail officer receives information that an under-trial prisoner has been previously convicted, such information shall be communicated fourth with to the District Magistrate.

-
1. Subs vide Home Deptt. Order No. D-3837/F. 16(19) Home 2154/2983, dated 30.3.1957.
 2. Omitted vide Home Deptt. Order No. D-3827/F. 16(19) Home 2154/2983, dated 30.3.1957.

235. Accused sentenced to whipping only.- A convicted person who has been sentenced to whipping only by order of a court and is sent to the jail for the execution of the sentence, shall be admitted and treated as an under-trial prisoner.

236. Under trial prisoners unfit to attend court owing to sick.- In the event of an under-trial prisoners being unfit by reason of sickness to attend court on the appointed, date, the Superintendent or the Assistant Jailor, as the case may be, shall immediately send a receipt of the case to the court concerned for orders. The report shall indicate the time when the prisoners was taken ill, the nature of the illness and the opinion of

The Medical Officer as to when the prisoner is likely to be fit to attend court. The report shall be sent to the court as soon as it is clear that the prisoner will not be able appear in court on the date fixed. If in the meantime, the prisoner recovers or his illness seems likely to be prolonged, a further report or reports should be sent to the court.

237. Serious illness.- When an under-trial prisoner is serious Superintendent or Assistant Jailor shall send a report to the effect Court concerned, and such report shall be accompanied by a medical statement of the case in order to enable the court to consider the possibility of releasing the prisoner on bail.

Such under-trial prisoner may, in anticipation of the orders of the court, be transferred to a hospital or any outside the jail or lock-up where the Medical Officer considers such transfer absolutely necessary in order to conduct a surgical operation or otherwise.

The guarding of such prisoners in the hospital or asylum will be the duty of the police.

238. Death.- When an under-trial prisoner dies in jail or lock-up, the Superintendent or the Assistant Jailor, as the case may be, shall at once report the occurrence to the District Magistrate and the prosecuting Inspector. The latter shall give immediate information to the court concerned. A note shall be made in the proper column of

the casually roll showing that the orders in this end the paragraphs were complied with.

239. Rules to be exhibited.- A copy of the rules relating to under-trial prisoners contained in this chapter, shall be printed in Hindi and hung-up in each ward occupied by such prisoners.

SECTION X

Female prisoners

240. Separate cell for female under-trial prisoners.- In the female division of every jail, there shall be a block of cells in sufficient number for use as punishment cells and to afford separate accommodation for female under-trial prisoners. A female under-trial prisoner may, at the option of the Superintendent, if cell accommodation is available, have the choice of occupy a cell in the female enclosure instead of being confined in the under-trial prisoners ward provided the arrangement prescribed in rule 246 regarding the guarding of cells in the female ward and the custody of the keys of these cells can be made.

241. Female prisoners not to remain alone in female ward.- When however, there is only one female prisoner in the female ward, and there is no female warder or overseer, and the prisoner is likely to be there for more than seven days, the Superintendent shall arrange beforehand for another female friend to visit the prisoner and live with her in jail. If the female prisoner from the nearest jail to be sent to keep her company, or the send the prisoner to an adjacent jail. In extraordinary circumstances the superintendent may allow a female friend to visit the prisoner and live with her, the Superintendent shall entertain a female as an extra warder to keep her company.

242. Child with mother.- A child under the age of four years the offspring of a female prisoner, whether a convict or under-trial, shall, if it has not been weaned or if it has been weaned and no friend or relative can be found to take charge of it, be admitted to jail with its mother, a child born in jail may be permitted to remain with its mother. Any female prisoner may not be allowed to remain with her until it is four or with the approval of the Superintendent

even up to six years of age, if she so desires. As soon as any child admitted or born in jail attains the age of four or six years, as the case may be, the Superintendent shall communicate with the Magistrate of the district of which the mother is or was a resident with a view to arrangements being made for the custody of such child. For the diet scale for children, see paragraph 37 of section I scale of diet part XI Female convicts who have children with them in jail (except prisoners sentenced to transportation) shall not be transferred to central jail until the children have been made over to their friends or have otherwise been taken charge of.

243. Birth of a child in jail.- On the occurrence of a birth in jail, a statement in the prescribed form will be sent to the District Superintendent of police.

244. Pregnancy of female prisoner.- When a female prisoner (convict or under-trial) admitted in jail is certified by the Medical Officer to be pregnant, the fact shall invariably be reported to the Inspector-General of prisons with particulars as to date of admission, term of sentence and duration of pregnancy. The date of confinement (if the prisoner is confined in the jail) or the date of release before confinement should also be reported to the Inspector-General.

246. Keys of female ward.- A sparring security Brass padlock must be used to secure the outer door of the female ward and the key must remain in possession of the Jailor, or Assistant Jailor while in charge of the jail. The key shall on no account been trusted to any officer below the rank of Assistant Jailor. No duplicate keys of these locks shall be remained. A bell will be hung in the barrack of the female enclosure which can be rung in cases of sudden urgency and when immediate assistance is required. The same rules apply to the custody of the keys of the barracks and cells inside the enclosure, but though the locks must be different from those in use in other parts of the jail, they need not be Sparling Security Brass padlocks. After the opening out in the morning and the feeding and latrines parades are finished, the women shall be locked up for work in the workshed, in charge of a female convict of the casual class, who shall remain inside the workshed, and be provided with a bell to ring in

case anything is required. The matron or the female warder is primarily responsible for the female ward. The matron in a central jail or the female warder in a district jail or the Assistant Jailor in a lock-up must be present when the water incharge of the male sweepers admits them into the ward for conservancy.

247. Restriction of male officer's entrance in female ward.-

No male officer shall on any pretext enter the female prisoner enclosure without the paid matron or, if there be no matron, without the Jailor and he too shall not separate whilst in the enclosure. Should it be to enter the females enclosure at night, the Head Warder on duty shall call the Jailor, and these two officers together shall enter the enclosure, Warders acting as escorts to official visitors must remain outside the enclosure while it is being inspected etc.

248. Female prisoner not to quit female enclosure of jail.- No female prisoner shall be allowed on any consideration to leave the female enclosure of the jail.

SECTION XI

Prisoners condemned to Death

249. Warrant of condemned prisoner.- When a prisoner is sentenced to death, the police officer who attends the trial shall at once inform the Superintendent of the jail in writing of the sentence that has been passed by the court, and if the sentence is passed by a Sessions Judge, that officer will issue a warrant of commitment pending confirmation of sentence by the High Court. When the sentence has been confirmed by the High Court, or is passed by the High Court, a warrant for the execution of the sentence will be transmitted by the Sessions Judge or an Officer of the High Court, as the case may be, to the Superintendent of the jail, to the Superintendent of the jail in which the person to be sentenced is confined warrants for the execution of sentences of capital punishment should be addressed to the Superintendent of the jail.

250. Confinement of condemned prisoner in a separate cell.-

Every prisoner sentenced to death shall, from the date of his sentence, and without waiting for the sentence to be confirmed by the High

Court, be confined in some safe place, a cell if possible within the jail, apart from all other prisoners. The Jailor, shall satisfy himself of the fitness and safety, of the cell or room in which a convict condemned to death is confined and shall record the result of the examination in his report-book.

251. Search of the condemned prisoners.- Before he is placed in this cell, if the prisoner is a male, the jailor shall have him stripped and searched in his presence, shall take every article of private clothing or other property from him and shall issue three blankets (one blanket being instead of the usual tat bedding) & an iron cup, on brass tumbler and plate. If the prisoner is female, she shall be searched in private by the matron or female warder or female convict officer who shall take the same action as die Jailor in the case of a male prisoner. A prisoner shall not be put in fetters or handcuffs, unless danger to the guard or to the prisoner himself may reasonably be apprehended from the prisoner's violence. If it is deemed necessary to put on fetters or handcuffs, the circumstances and the reasons therefore shall be reported to the Inspector-General.

252. Observation by the jail warder day and night of the condemned prisoner.- From the time the prisoner is received back, from court after sentence, he or she shall be placed under the constant charge and observation of a paid warder of the jail, both day and night. Convict officers shall not be employed on this duty. As a rule the ordinary warder guard of a jail ought to be sufficient for the occasional guarding of a condemned prisoner. If however, the permanent staff is not sufficient, extra men may be entertained in advance of formal sanction of the Inspector-General. The responsible duty of guarding condemned prisoners should always be given to the most trustworthy permanent warders, the extra men who may be entertained, being placed on less responsible duties.

253. Cell of condemned prisoner.- The warder shall be armed with a regulation baton, and shall, wherever it is possible, be placed outside the grated door of the cell. The key of the cell lock shall, if the prisoner be male, be kept with the warder to enable him to prevent any attempt at suicide; but if a female, it shall be kept by the

matron when on duty in the jail, otherwise by the Jailor. The lock must be one which cannot be opened by any other key in use in the Under any circumstances, it is essential that the warder shall have a complete view of the prisoner and of all parts of the cell in which he or she is confined during the night, therefore, a lantern shall be so placed as to throw a good light on the prisoner. In the case of a male prisoner, unless the prisoner, is attempting to commit suicide, the door of his cell should be opened when there are three persons present to restrain him, if he should attempt violence.

254. Separate guard for each cells.- When there are two or more prisoners sentenced to death confined at the same time in cells situated at some distance from one another, a separate shall be placed over each sell; but if the cells are contiguous, one warder shall be posted to guard three prisoners in contiguous cells. For any number of cells in excess of there, an extra guard shall be posted, even when the cells are contiguous.

255. Frequent visit by Head Warder.- The Head Warder on duty shall frequently visit the sentries placed over such prisoners at uncertain hours during both day and night, and shall at once report to the Jailor, for communication to the Superintendent, any suspicious conduct on the part of the prisoner or any fault committed by the warders on guard.

256. Daily search of the condemned prisoners.- Morning and evening daily, the jailer shall carefully search every rule prisoner condemned to death, examine his cell and assure himself that the prisoner has no weapon or other means of affecting his escape or suicide in his possession. This duty shall under no circumstances be delegated to the warders. Female prisoners shall similarly be searched by the matron in private but their cells shall be examined by the jailor.

257. Diet of the condemned prisoner.- A prisoner under sentence of death shall be allowed the ordinary diet of a labouring prisoner. His food shall invariably be examined by the jailor or Assistant jailor before delivery to him, and shall be given to him in

the presence of one or other of these officers. He may be allowed exercise in the open air on the recommendation of the Medical Officer during stated hours and under proper precautions. During the period which intervenes between the condemned prisoner' being sentenced to death and his execution, he may be allowed all reasonable indulgences in the shape of books, tobacco, sweetmeats or extra diet.

258. Visit to condemned prisoner by his relative.- A prisoner condemned to death may be visited by his relatives, friends and legal advisers, at his request, on an order in writing from the superintendent of the All visitors shall in such cases be conducted to the prisoner's cell by the jailor, or Assistant jailor, who shall be present during the interview and see that nothing is passed to the prisoner. No other person shall have access to such prisoner except the superintendent of the jail, the Medical Officer, the jailor, prisoners who have to bring food and attend to conservancy, and if the prisoner requires it, a priest or minister of the religion to which he belongs.

259. Postponement of the execution of sentence on medical grounds.- If the Medical Officer from the jail is of opinion, which shall be recorded in writing, that a prisoner sentenced to death is physically unfit to receive the punishment on the date fixed, on account of an illness which is both serious and acute (not chronic) , the execution shall be stayed, pending receipt of orders of Rajasthan Government The superintendent of the jail shall submit at once to the Home Secretary to the Government of the Rajasthan a full report of the case, containing the medical opinion regarding the degree of physical disability of the prisoner and the probable date, if any, on which the prisoner is likely to become physically fit for execution.

260. Delay in a capital sentence.- Should any extra-ordinary or unavoidable delay occur in carrying a capital sentence into execution from any cause other than the submission of an appeal, the Superintendent of the jail shall immediately report the circumstances to the Sessions Judge, returning the original warrant either for the issue of a fresh warrant, or for the endorsement upon the same warrant of an order containing a definite date for carrying the postponed sentence in to effect

261. Pregnant female prisoner under sentence of death.- when a female prisoner sentenced to death is certified by the Medical Officer to be pregnant, the fact shall invariably be noted on the warrant, which shall be returned by the Superintendent of the jail to the Sessions Judge for endorsement thereon of an order for the suspension of execution until the orders of the High court have been taken under section *[382], [Criminal Procedure Code]¹.

262. Pregnant female prisoner under sentence of death.- When 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 state the fact in writing, and also the interval of time necessary to enable him to satisfy himself on the point, and the statement shall be attached to the warrant and forwarded therewith to the Sessions Judge for the Procedure specified in the last preceding rule.

263. Execution of sentence when suspended.- When execution of a capital sentence of a female convict has been suspended under either of the last two preceding rules, it shall not afterwards be carried into execution without the express orders of Government, for which the Superintendent shall apply through the Inspector General.

264. Evidence of a convict under sentence of death.- When the evidence of a convict under sentences of death is required, the Magistrate shall proceed to the jail for the purpose, and shall not require the convict's attendance under the Prisoner's Act, 1900.

265. Execution of the condemned prisoner.- Unless otherwise specially directed in the warrant, the execution shall take place at the headquarters of the district in which the prisoner is kept in confinement after the sentence of death has been passed upon him. The Superintendent of the jail shall, on receiving a warrant of capital punishment at once communicate the fact to the Magistrate of the district, but if he is the Superintendent of a Central Jail, or Civil Surgeon or Civil Medical Officer, he shall be solely responsible for

1. See the Section *[416] of Code of Criminal Procedure, 1973 (2 of 1974).

the proper execution of the sentence and shall make timely arrangements to engage the service of hangmen, to have the gibbet in order and to have ready the rope, cap, and straps for pinioning. A manilla rope one inch in diameter shall always be used for executions and two such ropes should be available. The ropes need not be new, provided they stand the necessary test which shall be effected by attaching to the end of the rope a weight (a sack of sand or earth is preferable) equal to one and a half times the weight of the prisoner to be executed, and dropping this weight from the gallows the distance of the drop to be given to the prisoner. The test should be made at -least a week before the date fixed for the execution, in order that if the ropes fail, new ones may be obtained in proper time. Any new rope ordered for the occasion should be tested on receipt. After being tested, the ropes should be locked up in a safe place. On the evening before the execution, the Superintendent shall have the gallows erected in his presence, and shall carefully examine the ropes to ascertain that they have received no injury since tested.

266. Presence of certain officers at the time of execution.- The Superintendent of the Jail shall be present at every execution, and likewise the Magistrate of the district or an officer of a magisterial and deputed by him. If the Magistrate so, deputed in temporary charge of the jail, and he is a magistrate of the first class, it is not necessary that another Magistrate should also attend. If the Superintendent for the time being is not a Medical Officer, a Medical Officer (who shall not be lower in rank than an Assistant Surgeon) must be present at the execution.

267. Execution to take place within the jail walls.- All executions shall take place within the jail walls in the early morning. The prisoners in the jail shall not be made to attend, and shall be kept locked up in their sleeping wards until the execution has taken place.

268. Admittance of relative during execution.- Respectable male adults spectators and adult male relatives of the prisoner. Up to a maximum of twelve, may be admitted with the permission of the Superintendent, to witness an execution. It shall rest with the

Superintendent to refuse admission altogether or to particular individuals in cases where the circumstances justify such a course. The names and addresses of these spectators shall be recorded in the gate register, so that they may afterwards, if occasion requires it, be called as witnesses.

269. Arrangements for suppressing disturbance etc.- The spectators must be kept at a distance, and reserve guard should be drawn up close at hand, ready prepared to suppress any disturbance or frustrate and attempt at rescue.

270. Scale of drop.- The following scale of drop, proportioned to the weight of the prisoner, is given for general guidance, but the Superintendent must use his discretion according to the physical condition of the prisoner, and should consult the Medical Officer, on the subject, if he be not the Medical Officer:-

For a prisoner weighting under 98 lb 6 ½ feet.

For a prisoner weighing under 126 lb 6 feet.

For a prisoner weighing under 154 lb 5½ feet

For a prisoner weighing under 154, lb and over 5 feet

271. Identification of a condemned prisoner before execution.- Before the condemned prisoner leaves his cell, the Superintendent shall read the warrant aloud in English, and the Jailor or other official shall read a translation of it in the language known to the prisoner. The Superintendent and Jailor shall then identify the prisoner as the individual named in the warrant and then lead him to the scaffold.

272. Removal of the dead body.- ¹[(1) The body of the condemned prisoner shall remain suspended till the time the medical officer, present on the spot declare him dead: the warrant of execution shall be returned to the judge who issued it with an endorsement by the Superintendent to the effect that the sentence has been carried out. The body of any prisoner dying or executed in the jail shall be made over to the friends or relatives of the deceased, if claimed by them, but if there are grounds for supposing that the taking of the

1. Subs. by Noti. (Pub. in Raj. Gaz. Pt. IV-C, dated 19.9.1996).

dead body out of the jail is likely to involve a disturbance of the public peace or a danger to public health, in the case of death from infectious disease, due notice shall -be given to the District Magistrate who may in such circumstances, make an order under Section *[144], Criminal Procedure Code]¹, upon the persons to whom the body Is delivered, directing them not to take it outside the jail but to dispose of it within jail precincts. If the relatives as a consequence of these orders decline to receive the body the jail authorities shall arrange for its burial or cremation as in the case of bodies not claimed by relatives or friends.]

(2) The bodies of any prisoners dying or executed in prison [with the exception at central jail, Jaipur and not made over to friends or relatives under the preceding clause shall be either burnt or burried³[.....] in the manner most consonant with the customs of the tribe or caste of the

²[(a) The unclaimed bodies of the dying prisoners only, at the central jail, Jaipur be handed over to the Medical College, Jaipur for dissection purposes subject to the following conditions and bodies of executed prisoners will be either burnt or burried as mentioned in para 272 (2) above:-

(i) The unclaimed dead bodies of the dying prisoners will be transferred at the expense of the college, with proper care to prevent their exposure while in transit, to the public view. The transportation will be arranged by the college in their ambulance.

(ii) After dissection, a certificate will be sent to the Superintendent Central Jail, Jaipur that the remains of the dead bodies have either been cremated or burried by the religious rites of the faith to which the prisoner belonged]

(3) There shall, as far as possible, be a burial ground attached to every prison distinctly marked off or enclosed and used only for the burial of prisoners.

-
1. See the Section *[144] of Code of Criminal Procedure, 1973 (2 of 1974).
 2. Added vide Home Deptt. Order No. D. 3827, F. 16(90) Home 54/2983, dated 30.03.1957.
 3. Omitted vide *ibid*.

273. Insane condemned prisoner.- when a prisoner under sentence of death develops insanity after conviction and sentence, the sentence shall be stayed and the case at once reported to the Deputy Commissioner.

274. Execution charges.- All charges incurred in connection with an execution shall be paid by the Jail Department.

SECTION XII

Lepers

275. Medical Officer to record on history tickets if prisoner is a leper.- When any prisoner is found to be suffering from leprosy, the Medical Officer shall record the fact on his history-ticket and shall direct his segregation from all other prisoners who are healthy.

276. Transfer of lepers to jails having leper Wards.- All male leper convicts from the Rajasthan jails shall be transferred to the jail reserved by the Inspector-General of Prisons for the purpose; except that those with sentence of 3 months and below shall be retained at the place of conviction and segregated in the jail hospital or in a cell.

Female leper convicts with sentence of 6 months and over shall be transferred to the jail reserved by the Inspector-general of Prisons for the purpose. Those with sentence of under 6 months shall be segregated in the female wards of jails where they have been committed.

277. Accommodation for lepers.- Before transfers are effected enquiry should invariably be made as to whether leper accommodation exists. If accommodation is not available, the case must be specially reported to the Inspector-General for orders, submitting at the same time the Prisoner's Descriptive Roll.

278. Segregation of leper prisoners.- Any under-trial prisoners suffering from leprosy or leper convict whose transfer to any of the above-mentioned jails is necessary, or leper convict received for release, shall, pending transfer or release, be confined in a cell, of such structure as shall be provided for the purpose but care shall be taken that such confinement is not solitary. The prisoner shall see and may converse with other prisoners, but shall be kept separate.

Cells which have been occupied by lepers shall be thoroughly disinfected, the walls scraped and lime washed and the floor, if of earth renewed, before it is used for any other purpose, Clothing and bedding that has been used by a leper should never be re-issued but burnt. When however a leper prisoner is transferred, he should retain the jail clothing and bedding which he received on first admission, the necessary I.D.R. receipts being prepared and accepted by the jails concerned. The case of any civil prisoner admitted with leprosy shall at once be reported to the Inspector-General with the view of obtaining the orders of the Government for release (see paragraph 11 or part V-Premature release of prisoners in danger of death). He shall mean" while be segregated from all other prisoners.

SECTION—XIII

Medical Administration, Hygiene and Epidemics

General Instruction

279. Medical administration.- Medical administration is one of the most important matters affecting jail management The Medical Officer shall give attention not only to the treatment of the sick but to every matter connected with the health of fire prisoners and the hygiene of the Jail and nothing will count more to the credit of the Medical Officers of jails than success in keeping down the sickness and death-rate in the jail under their care. They should help in eradicating malingering by reporting to the Superintendent every such case.

280. Excessive mortality.- Whenever the death rate in any Jail exceeds 60 per mile with more than three deaths in any year, and excessive mortality is' not due to deteriorated health before admission or to accidental or violent deaths, the Inspector-General shall specially report file circumstance to the Government in consultation with the Director of Medical & Health Services with a view to the formation of a Committee to enquire into causes of the excessive mortality, when such a step is considered advisable.

281. Medical examination of prisoners on admission.- The Medical Officer shall examine every prisoner on the day of his arrival

at the jail or at the latest by the following day and shall record, or cause to be recorded in the proper register, in which there will be the following headings:-

1. Admission Register number; 2. Name; 3. Age; 4. Height; 5. Physical equivalent; 6. Weight; 7. Fit for what class of labour; 8. Condition of gums:—(a) healthy, (b) spangy, (c) blue, 9 Protection against small pox- (a) head small pox, (b) vaccinated; (c) unprotected; 10. Prisoner's identification marks, including marks of wounds, vaccination or in occulation; 11. Initials of Medical Officer. Under-trial prisoners should be specially examined for marks of wounds, bruises, etc, and anything which may be useful to the courts, the result being reported to the Superintendent and duly recorded. He will see that the entries required by rules are noted on the history-ticket. He will satisfy himself that the private clothing of newly admitted prisoners is cleaned and disinfected, if necessary before removal to the godown.

282. Prisoners from unhealthy districts.- Prisoners admitted from unhealthy districts are pre-disposed to illness which runs a rapid and fatal course; They shall, therefore, be kept under special medical observation for a certain time after admission.

Class of Labour

283. Class of labour.- In order to determine for what class of labour prisoner is fit, it will be necessary to take into consideration:- (a) presence of disease; (b) age; (c) weight and physical equivalent; (d) physical condition; if the prisoner is suffering from fever or from any organic disease the Medical Officer will have to consider whether the disease is of such severity as to render the prisoner incapable of doing any kind of labour. Men over 55 years of age and boys under 18, would; as a rule, be unfit first class labour.

284. Average weight or physical equivalent.- It has been found from the weighment if over 5,000 men that the average weight of a man 5 feet in height is 97 pounds, and that for every additional inch of height the weight increases by about 3 pounds. This average weight

is called the physical equivalent. A man of ordinary build who is not upto this physical equivalent, is not, as a rule, in good health- it may be for want of sufficient good food, or because he is suffering from some disease which may pass undetected in an ordinary medical examination.

Weighment

285. Weighment of prisoners.- Every prisoner in the jail shall be weighed once a fortnight and his weight shall be entered in the space provided in the history-ticket for that purpose. The Medical Officer shall carry out this duty and in the central jails the Octagon Officer shall assist him. When a prisoner is put in fetters, the weight of the fetters shall be entered on his history-ticket and at each weighment allowance will be made for the weigh to the fetters. Prisoners shall be weighed only in their shorts and all other clothing shall be discarded at the time of weighment.

286. Abstract statement of weight.- After each weighment an abstract statement shall be prepared showing:-

- (a) The number who gained weight, and the total number of pounds gained.
- (b) The number who lost weight, and the total number of pounds lost.
- (c) The number who remained stationery.

287. Loss of weight.- All persons who have lost more than 2 pounds shall be specially paraded for the Medical Officer. If a man who is well above his physical equivalent has been employed on very hard work, such as the oil mill be losing weight while at the same time he is getting into better condition. Loss of weight by a man whose weight is under and not much above his physical equivalent may indicate the commencement of some disease, and when the loss is continuous from one week to another such cases shall be put in the infirm gang for special observation.

288. Food to habitual prisoners increasing in weight.- Habitual prisoners who know that increase of weight may be the cause of their being put on a harder form of labour, will some times starve

themselves for a day before the time of weighment and occasionally an extra weighment at a time when the prisoners are not expecting is should therefore be made. An excellent check in cases of this kind is to make such prisoners eat their food separately in the octagon before the octagon Officer or the Medical Officer.

Infirm Gang

289. Infirm gang.- In every jail there shall be an infirm gang in which the following classes of prisoners will be placed for special treatment-

- (a) Permanent informs.- Those who are permanently infirm owing to age or organic disease. The test for infirmity Will be a dry, shrivelled skin, loss of teeth from receding gums, failing sight, etc.
- (b) Convalescents.- Those who have been in hospital and are convalescent.
- (c) Disease pertaining to body.- Those who are suffering from a disease such as enlarged spleen; but who are not so ill as to be unfit -for light labour (See paragraph 6).
- (d) Loosing weight.- Those who are losing weight without apparent cause after the precautions mentioned in paragraph 288 have been taken.

290. Diet to infirm persons.- These will receive diet according to a special; they will not mix other gangs, they shall be weighed every week, and their weights be recorded in a special book kept for the purpose. They shall be seen daily by the Medical Officer. Aged and feeble prisoners should receive 1/8 chhatak of oil, occasionally, to be rubbed into the skin.

291. Light labour to infirm persons and their diet.- The man of the infirm gang shall be employed on light labour suitable to their condition and if necessary under cover. They shall be allowed a mid-day rest throughout the year. Meat, Fish, milk or dahee, potatoes are extra vegetable may be given to the infirm gang either as extra or in lieu of an equivalent quantity of the ordinary ration. They shall take care that they are not detained in the infirm gang longer than is necessary, to make them fit for labour.

Special Gangs

292. Special gangs.- At the fortnightly parades, men who are showing signs of commencing scurvy should be picked out, and if the Medical Officer considers it advisable, 2 chhataks of meat in lieu of dal may be issued to them, extra vegetables or pickles. Such men need not be put in the hospital or infirm gang and may continue doing their ordinary task, but at food parades they shall sit apart from the others and a special watch shall be kept to see that they take the extra ration which has been ordered. If cases of scurvy are treated at the very beginning it will seldom be necessary to put them in the infirm gang or the hospital.

293. Prisoners suffering from Ring-worm, Ring-worm, after apparently cured, is likely to recur again and again especially in the rains. A list of the names of those who have at any time suffered from this disease shall be kept so that they may be frequently examined and its reappearance detected early.

294. Prisoners suffering from enlargement of spleen.- Prisoners who have their spleens much enlarged may be put in hospital or in the infirm gang; but there will probably be a large number who have slight enlargement and who would receive benefit from treatment but who are fit to do hard labour. A list of such case shall be kept so that the Medical Officer can readily have them paraded for the issue of the necessary medicines the application of the red-iodide of mercury ointment externally and the sulphated of iron, magnesium and quinine with sulphuric acid and a carminative internally.

295. Prisoners suffering from syphilis.- There may be many suffering from syphilis and who, though able to do their work, may derive great benefit from treatment. It will be found useful to keep a list of such prisoners also so that they may be paraded from time to time for inspection by the Medical Officer.

Prophylactics

296. Prophylactics in Malaria fever.- Prophylactics may be

issued when malaria fevers are prevalent and at the times of year when they are to be feared.

297. Clothing.— The scale of clothing which is sanctioned is laid down but the Medical Officer will 'sometimes be asked as to what time the prisoners shall discard their blanket clothing. Three things are to be taken into consideration-(a) the temperature, (b) the nature of the work upon which the prisoners are employed; (c) the condition of health. A man who is employed on the oil mill or similar hard work will not require a blanket coat While he is at work, whereas a man working at book- binding may require his blanket coat till 9 or 10-O'clock. It is difficult, therefore, to lay down hard and fast rule; when prisoners are out in the open while rain is falling they should not wear their blanket coats as the wet coats are liable to cause chills after the men return to their barracks.

Exercise

298. Exercise of prisoners.- For prisoners who work in outside gangs as in the garden, no special arrangements are required to ensure that they get sufficient exercise; but in the case of man who are employed on "sitting work" in the work sheds, regular exercise is essential. The best time for this is in the early morning, when the latrine parade is going on. Those who are waiting for their turn or have been to the latrine, shall march round their barrack until the parade is over. If men are allowed to sit on parade for 1/2 hour in the cold winter mornings and without their blankets they are liable to get chill.

299. Sick report of prisoners.- It is the duty of every jail official to bring to the notice of the Medical Officer any circumstances from which it may be inferred that a prisoner is not in good health. if a prisoner be observed to visit the latrine oftener than usual, he shall be removed to a segregation ward for observation. Prisoners should be encouraged to "report sick" early so that the necessary treatment may be adopted as soon as possible. If a prisoner reports sick at night a bell-signal will be given in order that the Medical Officer may be called.

300. Examination and treatment of sick prisoners.- All prisoner reporting sick shall be brought before the Medical Officer for examination. The prisoner may be kept under observation without admission but not for longer than one day, or he may be treated as an out-door patient or he may be admitted to hospital.

301. Intimation of serious illness to District Magistrate and relatives.- Intimation of the serious illness or death or every prisoner (whether under-trial or not) shall be given to the District Magistrate of the district to which he belongs for the purpose of having the information conveyed to his or relatives. This intimation should contain such information as the jail officials may be able to in order that the prisoners relatives may be traced. The Medical Officer shall report all deaths (whether under-trial or not) at once to the Jailor and the Medical Officer shall see that the body is decently removed to the dead house; make the necessary preparations for post-mortem examination and will be responsible that the body is afterwards properly stitched and covered. He should examine the body of the prisoner so as to enable him to certify to the fact and the cause of the death. When there is any doubt regarding the cause of death, a regular post-mortem examination of the body shall be made by the Medical Officer and he shall record in the Case-Book a full account of the appearance then observed and statement of the cause of death as thereby disclosed, together with any other remarks he may wish to offer. In the event of several deaths from any prevailing epidemic, a post-mortem examination should be made in one or more selected cases. The prisoner's Hospital bed ticket (with a temperature chart, if any) shall also be kept and not destroyed for two years.

Vaccination

302. Vaccination.- The Medical Officer shall, as soon as convenient, after admission to jail, vaccinate or cause to be vaccinated, every healthy convict (including infants) who is not protected against small-pox, unless in any case he considers such vaccination undesirable or unnecessary. Vaccination would ordinarily be unnecessary in the case of prisoners who:—

- (a) are “protected” against small-pox, in the sense either of showing unmistakable signs of having’ suffered from the disease or of bearing clear and well-defined marks of previous vaccination, or
- (b) whether “protected” or not are to undergo sentences which will detain them in jail for a period not exceeding one month.

The results should be duly and carefully recorded on the history-ticket and the register maintained on the prescribed form. In the case of infants, entry may be made in the history-ticket of the mother.

303. Medical attendance to jail staff and their families.- The Medical Officer shall attend all jail officials and their familia who reside on the jail premises and afford medical aid free Medicine required for the treatment of jail officials and their families shall be supplied from the jail store. Articles of extra diet and medical comforts adjusted necessary for sick warders by the Medical Officer may be paid from the jail contingencies and charges in the monthly contingent bill against the head “Sick Diet and extras for officials Hospital charges”.

304. Medical certificate for illness and fitness.- Applications for leave on medical certificate shall be examined by the Medical Officer. The Medical Officer shall bring to the notice any facts respecting the causes of illness that may be of importance in enabling him to determine as to the fitness or otherwise of a subordinate for continued employment in the jail service.

305. Channel of communication.- The Medical Officer shall ordinarily correspond with the Inspector-General, through the Superintendent, on any matter connected with the jail or prisoners.

306. Powers of Inspector-General of Prisons with regard to Medical subordinates.- (i) The posting of Medical Officers selected for jail employment by the Director of Medical and Health Services will be in the hands of the Inspector-General of Prisons to long as they remain in the jail Department.

(ii) The period for which Medical Officer will be sent to the jail Department is fixed at three years.

(iii) The case of any Medical Officer accused of taking a bride or allowing forbidden indulgences to the prisoners shall be immediately reported to the Director of Medical and Health Services and Inspector-General for Prisons by the Superintendent of the jail.

307. Medical Officer to reside on jail premises.- If the jail is his only charge, the Medical Officer shall reside on jail premises so as to be available at all times. He will be provided with free quarters. If free quarters are not available he will draw house-rent in lieu thereof. He shall not be absent without leave and his absence shall be notified to the superintendent.

Hospital Management

308. Admittance of sick prisoner in the hospital.- No prisoner may be detained in the hospital more than 24 hours under medical observation without being brought on the hospital registers, if it is necessary to detain him for a longer period he must be admitted to hospital. And an iron coat shall be provided for every patient. Each coat shall be covered with a "Tat bad" or mattress, and each patient shall be provided with a pillow, two bed-sheets and as many blankets as the Medical Officer may consider necessary.

309. Medical history-ticket of the prisoners.- Over every occupied bed in hospital shall be placed a ticket wherein shall be recorded the medical history and progress of the case and in case of fever lasting more than a few days a temperature chart shall be prepared.

310. Diet of sick prisoners.- The diet of prisoners in hospital is entirely under the control of the Medical Officer; the scale of hospital diet is given in appropriate chapter; he may order in each individual case such diet as he considers necessary, and may fix the hours at which the food shall be distributed. As a rule, all sick persons shall receive 4 meals a day.

311. Arrangement for sago, etc.- Utensils of suitable size and capacity shall be provided, and arrangements should be made for having Sago or other in valid food ready at times when it may be

required. In large jails there shall be a separate cook-house in the hospital enclosure for the preparation of food for the sick, and a special convict-cook shall be appointed.

312. Medical frequently required.- It will be found convenient to keep in "stock bottle" those medicines which are frequently used as diaphoretic, coughmixture, etc. The stock medicines in common use have been printed and a copy of these shall be hung-up in the hospital compounding room.

313. Light work to sick prisoners.- As a certain amount of physical exertion is an important factor in the maintenance and improvement of health in many cases, and helps to keep the mind occupied, Prisoners who are not too ill shall be provided with some light work without any definite task being exacted, such as spinning thread or the like. The Medical Officer shall record an order in writing in such cases.

314. Daily visits to hospitals and duties with regard to sick prisoners.- The Medical Officer shall visit the patients in hospital daily as soon after sun-rise as he can conveniently do so. This duty shall not be delegated to any other subordinate. He shall also examine prisoners complaining of illness, and admit them, if necessary, to hospital, or, if it seems suitable, recommend any variation of diet, or that he may be placed on light labour or exempted from work. In cases of malingering, he shall at once report the guilty person to the Superintendent for punishment. In the interests of discipline, the Medical Officer should not encourage malingering convalescents or infirms to prolong their period of convalescence or their stay in the infirm gang, respectively.

315. Additions or alterations to sick diet.- (a) The Medical Officer may order any addition to, or alteration of diet for the sick, infirm gangs, convalescents, the aged and infants. He shall satisfy himself that the food of the prisoners is of good quality and properly cooked, that the vegetables issued are of the kinds prescribed and that the weight of the vegetables reported as supplied is correct. He may substitute 2 chhataks of meat, fish or a nutritive equivalent of

dahee (exclusive of whey) four times a week, for one chhatak of dal, in the regular scale of diet whenever he may consider the change necessary. For special reasons to be stated by him in writing in his minute book he may at such reasons to be stated by him in writing in his minute book he may at such seasons as he thinks necessary, discontinue value.

¹[(b) When money for special diet is received for prisoners donating blood to seriously ill persons, the money so received should be credited as "PRISONERS PERSONAL DEPOSIT MONEY" and the following extra care should be taken of them at Government cost]

(1) Rest for one week.

(2) Extra to the sanctioned scale, the following diet for a week is prescribed.

(i) Early morning meal

Non-vegetarians	Vegetarians
Milk 4 chhataks and	Milk 8 chhataks and
Gur 1 chhatak or	Gui 2 chhataks
One egg and 4 ounces of milk and	
Fruit 4 chhataks	

(ii) Mid-day meal

Non-vegetarians	Vegetarians
Meat specially liver 4 chhataks	Dahi 8 chhataks
and	and
Gur 1 chhalaks	Ghee 2 chhataks

(iii) Evening meal

Non-vegetarians	Vegetarians
Dahi 4 chhataks	Milk 8 chhataks
and	and
Gur 1 chhatak and	Gur 2 chhaiaks.
Vegetables-Spinach, tomatoes	
aonlas in all 4 chhataks.	

1. Subs vide Home Deptt. Order No. D.4474/ F. 36(267) H.B./58, dated 30.9.1959.

Note.- The following instruction regarding blood prisoners are laid down for the guidance of Medical Officer in charge jails:-

1. Prisoners should be strong and healthy.
2. They must be between the ages of 20 and 45 years.
3. Must be free from infectious disease, or communicable disease, e.g. Syphilis.
4. Hemoglobin should not be below 85%.
5. Not more than one pint of blood from those of an average build and half pint from a donor weighing less than 112 lb. to be donated.
6. Prisoners must be fasting 2 or 3 hours before the blood is taken to avoid allergic symptoms in the recipient.
7. Should be recumbent for 15 minutes after donating blood and be given cold tea, coffee or milk with sugar.
8. If becomes dizzy after assuming erect posture recumbency to be continued.
9. If signs of psychical shock observed, Sal Volable or some suitable form of alcohol should be given.
10. Interval of two or three months between two consecutive blood donations.

316. Duties with regard to medicines, medical stores and indent.- The Medical Officer shall.- (a) submit for the sanction of the Inspector- General an yearly indent on the prescribed form for medicine and Medical stores, (b) keep or cause to be kept a proper account of medicines instruments and appliances which shall be available at any time for the check or inspection of the stock; (c) satisfy himself that poisons are kept separate from other medicines, properly labelled and under lock and key according to rules issued by the Director of Medical and Health Services; (d) from time to time examine the medicines kept in store to assure himself that they are in fit condition for use; (e) regularly check the amounts of bazar medicines; and (f) be responsible that all foreign medicines, instruments and appliances debited to the jail and all bazar medicines

and medical stores charged in the jail accounts are faithfully and solely expended in the service of the jail. Orders for diet and all other articles required in the Medical Department shall be signed by him.

317. Responsibility for medicines.- He shall be responsible that all medicines are correctly prepared, he shall on no account delegate the duty of distributing medicines to the prisoners to a prisoner. He will write the hospital minute book and make the necessary indents on the proper jail officers and will see that the food is properly prepared and distributed to the sick.

318. Indents for medicines, instruments and hospital necessities.- (1) Foreign, medicines, instruments and hospital necessities required for the use of jail hospital are supplied by the Director of Medical and Health Services Rajasthan. Indents for such stores must be prepared in the prescribed form and in quadruplicate and submitted to the Inspector-General of prisons for check and countersignature on the date given in the following list- Central jails and A class district jails on 1st of march 'B', 'C', 'D' class district jails on the 1st of September.

(2) The quantity of any article required should be entered in the indent, taking into account the quantity remaining in the store.

(3) Medical Officer must estimate their probable annual requirements with care so as to obviate the necessity for the submission of supplementary indents, which should seldom be necessary, Supplementary or emergent indents, which may be submitted at any time, must be prepared on the proper form and sent in quadruplicate. These forms are scheduled forms and are obtainable from the Inspector-General of prisons. The emergent indents, however, should be restricted to cases of unavoidable necessity. The Inspector-General of prisons will, before passing the indents, in every instance, insist on an explanation of the circumstances which render the requisitions necessary. The quantity of drugs indented for should be strictly restricted to probable requirements for the period intervening between the dates of submission of the emergent indent and of the next annual supply. The period intended to be covered by

the requisition should be started at the head of the indent and the balance in hand of the last supply should be shown in the proper column thereof

(4) Medicines or hospital necessities not included in the authorised list in force for the time being must not be included in the Inspector-General of prisons monthly and other returns, and be generally responsible for the hospital records.

319. Hospital registers.- He shall keep all the hospital registers written up-to-date, shall punctually prepare and submit to the Inspector-General of prisons monthly and other returns, and be generally responsible for the hospital records.

320. to be kept in good order.- He shall be responsible that the surgical instruments are kept in good order, and for the safe-keep and cleanliness of clothing, bedding, blankets etc., issued for use in the hospital. Any deficiency in stock should be reported to the Superintendent of the jail and through him to the Inspector-General.

321. Maintenance of cleanliness and order etc. in the hospital.- He shall be responsible for the maintenance of cleanliness order and discipline in the hospital, that all jail rules are strictly observed in it, that the compounders and the hospital attendants do their duty, and also that any want or excess of hospital attendants is brought to notice.

322. Treatment of Bowel complaints.- He shall arrange that all cases of bowel complaints are treated in a separate ward, that evacuations in such cases are destroyed in the "Cholera Destructor" as soon as after they are passed and that they are passed into vessels containing sufficient quantity of antiseptic solution or of lime or ashes, and then covered with the same material to prevent fly-infection. When the Medical Officer visits the jail, the compounder shall accompany him on his round and take down notes of any order given by him regarding the treatment of the sick or the sanitation of the jail, in a special register meant for the purpose.

Duties of Medical Officers and Compounders

323. General duties of Medical Officer.- The duties of a Medical

Officer embrace every matter connected with the health of the prisoners, their treatment when sick and the hygiene of the

Note.- In this connection see section 8, 13, 14, 15, 24(2) and 24(3), 26, 29,35,39,46(9),50,53 and 54 of the prisonsA ct.

324. Daily visits to jails and attendance as weekly inspections.- The medical Officer shall visit the jail daily; and every part of it and the premises belonging or attached thereto at least once in every week, and oftener in times of sickness; and shall satisfy himself that nothing exists therein which is likely to be injurious to the health of the prisoners that the system of drainage is satisfactory and in good working order, that the water supply is pure and unpolluted and is not liable to pollution from any source; that adequate precautions are taken against over crowding in wards, cells and other compartments and that the ventilation and cleanliness of barracks, cells and other provided for and attended to. He shall also frequently inspect the cook-house and test the weight and quantity of the rations both before and after cooking, he shall report to the Superintendent any matter which in his opinion demands attention. He shall inspect all the prisoners in the jail once a week at the general parade or at their work and shall satisfy himself that no prisoner is employed on any work for which he is unfit. He shall see that the prisoners are clean in person, free from disease and provided with adequate clothing and bedding. He shall also see that the prisoner losing weight are prepared apart from others, so that their cases may receive special attention. Any recommendations or instructions relating to the prisoners generally or to a gang or body of them or to any matter affecting the medical administration of the jail generally, shall be entered by the Medical Officer in his minute book.

325. Procedure for the removal of prisoners.- He shall examine all prisoners previous to being removed to any other prison, and no prisoner shall be removed from one prison to another unless the Medical Officer certifies. On the nominal roll, that the prisoner is fit for transfer. He shall detain in the jail hospital after expiration of sentence, any prisoner labouring under any acute or dangerous distemper, until, in his opinion, he may safely be discharged. The

death of any prisoner so detained shall not be included in the Jail statistics of death.

326. Over-crowding.- The Superintendent and the Medical Officer shall be responsible for seeing that over-crowding does not occur. In the event of the population exceeding the capacity of the jail, the Superintendent shall arrange for the accommodation of the excess population in workshops or corridors and immediately forward transfer rolls of the extra convicts to the Inspector-General for sanction of their transfer to other In case there is general over-crowding in jails, special orders issued by the Inspector-General should be followed.

327. Supervision of jail garden.- The Medical Officer shall visit the jail garden and see that it is maintained in good sanitary condition.

328. Medical Officer to inspect grounds.- The Medical Officer shall occasionally inspect the grounds of the jail and shall satisfy himself that they are maintained in a satisfactory sanitary condition.

329. The Medical Officer to comply with all orders issued by the Inspector-General.- The Medical Officer, shall duly observe and comply with all directions issued by the Inspector-General as to the duties which he is to perform and the manner in which he is to perform them. He shall furnish periodical, statistical and other information and report, in respect of sickness and mortality among prisoners, the sanitation of the jail and other matters pertaining to his duties, as may from time to time be prescribed by the Inspector-General in that behalf.

330. Medical Officer to examine candidates for jail employment.- He shall examine all candidates for employment as subordinate officers of the jail, who may be sent to him for that purpose, and certify whether they possess the necessary mental and physical qualifications to perform the duties likely to be required of them.

331. Medical Officer to obey orders of the Superintendent.- In all matters relating to, or connected with the food, clothing and medical treatment of hospital patients, and other provisional duties, the Medical Officer will be solely responsible. In matters relating to

the maintenance of order and discipline, in, and the general management of the jail, he shall obey the orders of the Superintendent. All orders given to him by the Superintendent shall be recorded in the minute book and got initiated by the Superintendent.

332. Medical Officer to be on duty throughout the day.- In jails where there is only one Medical Officer whose sole duty is to attend to the jail, he shall be present in the jail throughout the whole day except when allowed to be absent for meals. In case where the Medical Officer's duties are part-time, he shall visit the jail early in the morning before attending to his other legitimate duties and again in the evening before lock-up time. In any case of serious disease, the Medical Officer whole time or part-time shall visit the hospital frequently at night and see that the prescribed medicines and food have been distributed and must be prepared at all times to attend when his services for attending to sessions cases are called for.

333. General duties of the Medical Officer.- At the opening of the wares the Medical Officer shall at once see any prisoner complaining of sickness. If necessary, he will send the seat once to the hospital but if he thinks it not necessary, he will examine them at once and prescribe as he deems fit. He shall also see that the medicines are distributed to prisoners of the outgoing gangs, and shall then to round the hospital and doing that is needful for him and at the same time making notes of the condition and progress of the cases, on the bed-head tickets. He shall bring to the notice of the Superintendent and Jailor, case of any prisoner who is seriously ill so that the prisoner's friends or relatives may be informed of his condition. He shall, in the event of the prisoner's death, see that notice is sent to his friends or relatives through the District Magistrate of the district to which he belongs.

334. Visit to infirm gangs.- He shall every morning visit the "infirm" and "special" gangs and prisoners kept under observation and see that medicines are distributed to those requiring them and that they get special food, clothing, bedding, and rest ordered for them. No prisoners shall be removed from the "infirm" or "special"

gangs without the authority of the Medical Officer. He shall visit all prisoners confined in cells daily and report to the Superintendent any complaints that may have been made to him. He shall carefully watch all prisoners, who may possibly be malingering and bring such cases to the notice of the Superintendent. All prisoners who are suspected to be insane shall be examined by him daily and the report of their mental condition submitted to the Superintendent. He shall frequently be present at the various parades and separate for treatment any prisoner whose appearance or manner denotes that he is not in his usual health.

335. Cases of pregnancy to be reported.- If the Medical Officer has reason to believe that any female prisoner is pregnant, he should bring the circumstances to the notice of the Superintendent and the Inspector-General of prisons, stating the date of admission of the pregnant female, the date of her confinement or if she is released before confinement, the date of such release.

336. Duties in connection with infectious diseases or serious injury.- The Medical Officer shall at once, in writing, bring to the notice of the Superintendent any case of cholera or of any other infectious disease in the prison or its neighbourhood. In case of serious injury from accident or where a major operation is necessary, he shall at once communicate with the senior most Medical Officer of the place through the Superintendent and every serious injury to a prisoner from an accident should at once be reported the Superintendent.

337. Duties as regards food. and its distribution.- The Medical Superintendent shall inspect the food godown and kitchen daily, see that all vessels for cooking or distributing food are cleaned and that all food material, vegetables, etc., are of good quality, properly husked, washed and prepared in sufficient quantity. He shall keep samples of anything he considers to be unwholesome for the Superintendents inspection. He would inspect meat, fish and milk supplied for the prisoners from several sources, and report at once for rejection anything unfit for food. He will see that the milk is properly boiled

before issue to the prisoners; and also inspect all food supplied to the prisoner who may be allowed food from outside. The Medical Officer shall examine all food before it is distributed; also see that it is properly and that the proper quantity of oil, salt and antiscorbutics have been added to each ration. He should bring to the notice of the Superintendent any prisoner who frequently leaves a considerable portion of the food supplied to him specially in cases in which it appears that this is caused by failing health or is apparently done in order to cause reduction of weight on the weighing.

338. Duties as regards water supply.- The Medical Officer, shall periodically examine the wells, tanks or other sources of waters supply; and should bring to notice any deficiency of supply or likelihood of water being polluted. He shall daily examine the filters, water boilers and all vessels in which water for drinking or cooking is stored or conveyed, and see that they are clean and in good working order.

339. Duties as regards sanitation and ventilation.- He shall daily inspect the latrines and urinals and see that they are kept clean and that all the conservancy rules are carried out and that a sufficient quantity of dry earth is used and stored. He should also see that the orders about ventilation of hospital wards, sleeping barracks and work-shops are properly attended to according to the season of the year; that the prisoners while sleeping are not exposed to direct draughts and the fall of rain and that all the batten doors are freely opened during the day.

340. Duties as regards dairy.- The sheds in which milch-cows are kept shall be examined by the Medical Officer daily. He shall see that these places are kept clean and free from smell and that vessels for boiling or holding milk are clean and fit for use. In smaller jails where there are no dairies, he shall keep a daily record of the quantity of milk obtained from the jail cows and of the consumption thereof and shall report to the Superintendent any instance in which it is not all utilised for the benefit of the sick or in improving the diet of the prisoners.

Note.- In jails where there are dairies, the milk account shall be maintained by the Store-keeper instead of the Medical Officer.

341. Weighment of prisoners.- The fortnightly weighment of all prisoners as well as weekly weighment of those who are infirm or losing weight, shall be made under the immediate superintendence of the Medical Officer who shall record with his own hand the weight of each prisoner in his history-ticket. In Central jails he may be assisted by the compounder or by an Assistant Jailor deputed by the Superintendent. All prisoners steadily losing weight should be taken notice of at once.

342. Duties in general.- The Medical Officer should exercise general vigilance over all matters which can in any way affect the health of any of the inmates of the jail, and report to the Superintendent any instance in which he believes that rules affecting the health of fine prisoners have been infringed, as for example, in such matters as the following:-

- (a) Over-crowding of wards, work-shops and other places.
- (b) Incorrect weighment of distribution of food.
- (c) Unseasonable worn out or dirty clothing.
- (d) Neglect of personal cleanliness.
- (e) Undue exposure of prisoners to wet or sun.
- (f) Unpunctuality or curtailment of meals. .
- (g) Neglect to air, dry or clean bedding.
- (h) Unsuitable tasks, especially in the case of weak prisoners. Save in emergencies the use of workshop as dormitories or vice versa.
- (i) Deficient or incorrect issue of important articles of diet such as salt, spices, oils and antiscorbutics.

Compounders

343. Compounders to be qualified.- Compounders of all jails shall be duly qualified compounders who have passed the test prescribed by the Government of Rajasthan.

344. Control of Medical Officers on compounders.-

Compounders of of jails shall serve under the immediate control of the Medical Officers shall obey all the orders of that officer and the laws and rules regarding prisoners.

345. Medical Officer to specify hours of duty.- In jails where there is only one whole-time Medical Officer and a compounder, the Medical

Officer shall specify in his minute book the hours during which the compounder shall attend in the jail and what duties he shall perform.

Epidemics

346. Destruction of gums of infectious diseases.- The germs which cause cholera, and enteric fever and some forms of dysentery are found in the stools; those of tubercle and enteric fever may be found in the urine; those of plague and tubercle may be found in the sputum. The germs which cause small pox, are due to non-microscopic germs. It is important, therefore to destroy all such dejecta to prevent the spread of such diseases and the best way of destroying them is by fire in an incinerator, or if articles of clothing have been infected, as in the case of small-pox in a boiler in a boiler.

347. Steps to be taken in case of infectious diseases.- The Medical Officer should be constantly on the alert for the early detection of infectious or contagious diseases; early isolation or segregation of such cases is, of the greatest importance, and when this step is decided upon he should give orders in writing on the Jailor on the subject for the cleansing and of any place where such disease has occurred, and for the destruction by fire or otherwise of all clothing, bedding or utensils used by them. The Jailor shall bring to the notice of the Superintendent at once and in serious infectious disease in the jail the Jailor shall at once send a report to the Inspector-General and take all necessary sanitary precautions including isolation of the patient, segregation of all contacts, disinfection of clothing and buildings and preventive vaccination or innoculation of other

inmates. Patients may be removed (a) to one of the ordinary barracks from which the healthy prisoners have been temporarily removed; (b) to a permanent isolation ward; (c) to huts or grass chhapars in the intermural space; (d) into camp outside the jail.

348. Out-break of infectious diseases.- In determining which of these methods shall be adopted, the nature and severity of the out-break must be taken into consideration, and also the number of prisoners who have been attacked:-

- (a) Influenza will probably spread rapidly among a large number of persons before the disease is distinguished from bronchial catarrh and the segregation of those suffering from it in one of the ordinary barracks until fear of spread of infection has passed would be useful. The prisoners who are only slightly affected could be employed at their ordinary work.
- (b) If there are one or two cases of small-pox or of enteric or relapsing fever or of dysentery, they might be treated in the permanent isolation ward; also measles scarlatine, mumps, etc.
- (c) Cases of apparent contagious dysentery and cases of cerebrospinal meningitis might be treated in grass-chhapars in the inter-mural space.
- (d) Diseases like cholera and plague are likely to spread very rapidly and are also likely to prove fatal. Special precautions should, therefore, be taken when such diseases occur. It may be advisable not only to remove the patients so affected into camps but also those who have been in contact with them.

349. Report cases of out-break.- (a) If more than two cases of infectious disease mentioned in above paragraphs occur, a daily report of seizure and deaths shall be submitted to the Inspector-General. The Superintendent shall also send a report of the out-break to the Director of Medical & Health Services, Rajasthan the District Magistrate, the Civil Surgeon, the nearest military authorities and all the neighbouring The transfer of prisoners from and to an infectious jail shall not be allowed till the out-break has subsided.

The District Medical Officer of Health and the Municipal officer of Health, as the case may be, shall also be, informed and his co-operation obtained in the matter of etc. die Superintendent shall comply with special directions which the Director of Medical and Health Services may issue in connection with the prevention of epidemic diseases in

350. Disinfection of barracks.- The barrack in which a prisoner suffering from infectious disease has lived shall at once be vacated and disinfected in the manner laid down in paragraph 347 (d).

351. Infectious cases not to be accommodated in jail hospital.- Prisoners suffering from any epidemic disease shall not be taken to the jail hospital, which shall be reserved for ordinary patients. But if any such prisoner has been taken there by accident before a diagnosis was made of his disease, the hospital shall be vacated and thoroughly disinfected in the manner laid down in paragraph 347 (d).

352. Cases of infection amongst prisoners.- All cases of infectious diseases occurring among segregated prisoner shall be removed to the infectious diseases camp and their clothing and bedding disinfected or burnt; as may be directed by the Superintendent or the Medical Officer.

353. Segregation of contacts.- All contacts of a prisoner suffering from an; infectious disease from the same ward shall be removed to another ward if there is a spare one, but shall not be allowed to mix with the prisoners, who are kept in other wards. They will be kept in isolation or for about 14 days for the period of incubation and shall be carefully watched. On the occurrence of a second case, all t:he prisoners, who had been locked up in the same barrack or enclosure or who were known to have been in contact with any prisoner who had been attacked by the disease shall be removed into camp. Although it will very seldom be necessary to remove the prisoners into camp for any other disease then plague or cholera, still it may be advisable to follow the same course in the case of any severe epidemics as of cerebro-spinal meningitis, small-pox dysentery, typhus fever relapsing fever, etc.

354. Instruction for the prevention of the spread of cholera.-

When case of cholera occurs, a sweeper shall be placed on duty to attend on the patients who shall be within the jail precincts and if possible, between the outer and inner enclosure walls of the sweeper shall be supplied with phenyle solution of the strength of 1 in 50 and with few coal tarred earthenware gamlas. The sweeper shall remove and disinfect the dejecta and vomit of the patients and shall also disinfect the floor and any latrine that he might have used. All clothes worn by the patient shall be burnt. Every step shall be taken for the speedy treatment of the patients. If two clinical diagnosed cases of cholera occur, the disease shall be considered as epidemic and the following measures shall be adopted:-

- (a) The sick shall be rigorously isolated;
- (b) The barracks in which fatal cases have occurred, shall be vacated and thoroughly disinfected;
- (c) The prisoners living in these barracks shall be isolated in suitable vacant barracks, if available or in tents pitched between the outer and the inner walls;
- (d) The preventive innoculation of other prisoners shall be carried out;
- (e) All latrines throughout the jail shall be carefully disinfected and all earthenware vessels under ground;
- (f) All drains shall be kept scrupulously clean and sprinkled with lime;
- (g) The cook-house shall be kept scrupulously free from flies;
- (h) All food shall be issued while hot;
- (i) All wells be treated with frah bleaching powder and if further cases of disease occur, all drinking water shall be boiled in covered tins and cooled before use.

355. Camp jail.- Some suitable Jails should be selected and arrangement should be made beforehand to keep them in order for shifting the prisoner population in case of emergency.

356. Material for huts or chhappars.- At times where there is

reason to fear an outbreak of any severe epidemic, a few chhappars and materials for the construction of others should be kept in readiness. The dimension of the chhappar in common use are given below:—

Dimensions of each chhaper:- Length 20, breadth 12, and the materials required are bamboos 70, coarse twine and grass 500-1000 pulleys according to the size of the later. At the position indicated a strong bamboo should be fastened on each side of the chhappar so as to facilitate its being carried from one place to another.

357. Plan of Camp for prisoners suffering from infectious diseases.- The Medical Officer should draw out a rough plan of the camp, making out the position for the hospital and attendant's huts, for the chhappars which the prisoners will occupy and for latrines. The chhappars are to be arranged in regular rows. Special attention will be given to the water supply, latrines and the drainage of the camps. It is important to have the camp well lighted at night so that attention may be quickly given to any one who is suddenly taken ill. The camp hospital shall be situated at least 300 yards from the chhappar in which the healthy are living. Arrangements will be made for keeping separate (a) cholera or Hague patients; (b) suspicious cases and (c) ordinary patients. Powdered fresh lime should be freely used as a disinfectant in all latrines and kachha drains.

358. Reserve of fetters and belchains.- (a) At every central prison, a reserve of tents fetters and belchains shall be maintained for use in such emergencies.

(b) when tents fetters and bel-chains, etc, have been obtained on loan from other jails, the Superintendent shall arrange to return them as soon as they are no longer required, after appropriate disinfection to avoid transportation of infection to other jails.

359. Burning of huts or chhappars.- When a fresh case has occurred in the camp, the chhappar in which it occurred shall be burnt, and every likely source of infection should be dealt with by burning or other means of disinfection. If several cases occur, the whole camp should be removed to another site.

360. Disinfectants and methods of disinfection.- The following disinfectants and methods of shall be adopted as circumstances requires:-

(a) Disinfectants

- (i) Mercuric chloride in strength of 1 in 1000 is useful for the of rooms and cloths after small-pox, measles, etlc., but is not suitable for disinfecting excreta and other discharges as it coagulates albumen and loses its power of killing bacteria.
- (ii) Cyllin and hycol are coaltar disinfectants of the emulsion type and are non-poisonous; they are when fresh stronger bacteriocides than carbolic acid. Their disadvantage is their tendency to stain clothes.
- (iii) That brand of a coaltar diainfectant of the emulsion type recommended by the Director of Medical and Health Service which may be used in place of cyllin and hycol.
- (iv) Bleaching powder is an excellent disinfectant but rapidly loses its strength in this country, specially in hot damp weather, the whole of the disinfectant power being lost in three weeks after a closed drum has been opened. It is particularly useful in the routine cleansing of well water supplies.
- (v) Kerosene or Kerosene oil emulsion is used for killing insects such as bugs flies and lice which carry infection of kala Azar, relapsing fever of Plague. In relapsing fever, kerosene mixed with mustard oil should be rubbed into the body and hair on all parts to kill lice and their nits.
- (vi) Poatassium permanganate is used for the disinfection of wells used for drinking purposes. It may also be used when cholera has broken out for disinfecting fruits or vegetables which are eaten raw.

(b) Disinfection of materials

- (i) Disinfection of materials.- Clothes, etc., should be boiled for twenty minutes.

- (ii) Silk fabrics which are liable to be infected by boiling should be placed in the sun for three periods of eight hours each.
 - (iii) Beddings, tents, carpets, etc., should be soaked some hours in an acidified mercuric chloride solution 1 in 1000.
 - (iv) Bedsteads should be washed down with cyllin or hycol, 1 in 100, or the disinfectant recommended by the Director of Medical and Health Service in the strength recommended for ordinary use, or kerosene oil where plague or kala Azar has occurred.
 - (v) Metal vessels should be washed with bleaching powder solution or boiled in water.
 - (vi) Leather goods should be carefully wiped over with formalin.
- (c) Disinfection of stools, etc.

Disinfection of stools etc.- The following methods of disposing of the excreta and vomits of patients suffering from malaria, dysentery and diarrhoea are recommended in order of preference-

- (i) They may be incinerated in a Roorkee pattern incinerator. Every jail hospital should keep such an incinerator ready for use.
- (ii) They may be evaporated to dryness in the gamla in which they are passed, over an ordinary country chulha specially kept for the purpose.
- (iii) They may be disinfected according to the following method:- Add sufficient disinfectant of the emulsion type to cover wholly the excreta or discharge in the ins and at the expiry of one hour, burn the contents outside the jail.

Disinfectants like cylling and hycol should not be used in a dilution of less than 1 in 50, Freshly made disinfectants of the emulsion type recommended for use by Government departments by the Director of Medical & Health Services are better, but care should be taken that a dilution two or

three times stronger than recommended for the ordinary use is employed. It should be noted that all these disinfectants quickly lose their disinfecting power in the warm Indian weather and should not have been stored for long periods before use.

Soiled clothes should be boiled or steeped for 24 hours in a disinfectant of the emulsion type. In using disinfectants with discharges, care must be taken to see that the working strength of the disinfectant used is If, for example, a given disinfectant is known to kill bacteria at a strength of 10 percent, it is useless to add a 10 percent solution if care is not taken to secure the presence of the disinfectant to the extent of 10 per cent of the whole volume of the material to be treated. An intimate mixture of the faecal mass with the disinfectant should be secured by means of a stout stick. The average weight of a stool is not less than eight ounces. In using a disinfectant of which the working strength 1 in 50, it is necessary to add 8 ounces of a solution of 1 in 25 to obtain a final dilution of 1 in 50.

(d) Disinfection of buildings and walls

- (i) of buildings and walls.- The walls if kachha, should be thoroughly scraped and then whitewashed. The floor should also be scraped and dry leaves or other refuse spread over the floor and burnt. When cleaned, lime should be sprinkled over the floor. All wood work should be coaltarred. Rooms and walls if pucca, should be washed down mercuric chloride 1 in 1000. when for Cholera is required, a disinfectant of the emulsion type, or bleaching powder and water should be used in place of mercury, the walls should then be white washed again.
- (ii) Floor when pucca would be treated like walls, kachha floors should be covered with lime to the depth of one inch.
- (iii) For drains, a disinfectant of the emulsion type, bleaching powder or lime should be used.

(iv) Well used for drinking purposes should be disinfected with bleaching powder of potassium permanganate, preferably the former.

(e) Receipts for preparation of solution "Recipes of disinfectants. —

(i) Mercuric chloride —	1/2 oz.
Hydrochloric acid —	2 ozs.
Water -	3 gallons

(ii) Kerosene emulsion-

Hard soap, shaved line —	1/2 lb.
Water —	1 gallon. _
Kerosene oil -	2 gallons.

Dissolve the soap' in the water, which should be kept boiling; remove from the fire and pour into the derosene while hot. Churn this with a spray pump till in changes to a creamy, then to a soft butter like mass. Keep this in stock, using 1 part with 8 parts of water for soft-bodied insects or stronger if required.

PART-26

IMPOSITIONS OF IRONS

In exercise of the powers conferred by sub-sections (6) and (7) of section 47 to the Prisons Act, 1984 of the Central Legislature as adopted to Rajasthan, the Government of Rajasthan is pleased to make the flowing rules regulating the imposition of irons:-

1. Only Superintendent is authorised to order fetters and land-cuffs.- Fetters and hand-cuffs require the orders of the Superintendent, and the Deputy Superintendent or the Jailor shall not order any prisoner to be put in fetters or hand-cuffs on his authority except in the case of urgent necessity in which case a report shall be made immediately to the Superintendent in writing.

2. Description of hand-cuffs.- Hand cuffs imposed by way of punishment (minor punishment No. 9 and major punishment No. 8) shall be iron bar hand cuffs weighing, with lock, not more than 2 pounds each or swivel with spring catch hand-cuffs, weighing not

more than 1½ pound each, or chain-cuff weighing not more than 1 pound each.

3. Imposition of hand-cuffs method and period.- (1) Hand-cuffs by way of punishment may be imposed:-

- (i) on the wrists in front, by day or night for a period of not more than 12 hours at a time, with intervals of not less than 12 hours between each period, and for not more than 4 consecutive days or nights;
- (ii) on the wrist behind, by day for a period of not more than 6 hours, in any day of 24 hours, and not more than 4 consecutive days;
- (iii) by attaching the hand-cuffs affixed on the prisoner's wrist to a staple in front of the prisoner, by day, for not more than 4 consecutive days and not more than 6 hours on each day, with an interval of at least 1 hour after the handcuffs have been so attached for 3 hours:

Provided that such staple shall not be higher than the prisoner's shoulder but not lower than his waist and that no prisoner shall be attached by hand-cuffs to a staple except in the presence of other prisoners:

Provided further that the punishment referred to in clause (iii) shall not be executed until the prisoner to whom the punishment has been awarded has been examined by the Medical Officer and pronounced to be fit to undergo the punishment:

Provided also, that this punishment shall be restricted to cases where the prisoner has been guilty of repeated and wilful violations of any prison rule, and where, in fact, his conduct is evidently due to contumacy.

(2) A prisoner while undergoing punishment in hand-cuffs shall be under complete shelter from the sun.

(3) 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, but every each imposition shall be reported to the Inspector-General.

(4) Before leaving a jail otherwise than on release, all made convicts should be hand-cuffed and connected together by a light hand-chain, all desperate characters should in addition be fettered, and the superintendent should draw from his antecedents or conduct in jail is considered specially likely to attempt to escape.

(5) The door of the cell in which a convict under sentence of death is confined shall not ordinarily be opened unless the convict has been first hand-cuffed. This precaution need not be taken if three warders and a superior officer are present.

(6) During the time a condemned convict is permitted to occupy the verandah in front of its cell for half an hour every morning and evening, the convict shall remain handcuffed.

4. Description, of fetters.- The following classes of fetters may be used in jails:-

- (a) Link fetters composed of a chain and ankle-rings. The total weight of such fetters, including the ankle-rings, shall not exceed 3 pounds, and the chain shall not be less than 2 feet in length.
- (b) Bar fetters composed of two bars joined together by a link and attached to ankle-rings. The total weight of such fetters, including ankle rings, shall not exceed 5 pounds, and each bar shall not be less than 20 inches in length.
- (c) Cross-bar fetters composed of a single bar for the purpose of keeping the legs apart of ankle-rings. The total weight of such fetters including ankle-rings, shall not exceed 2 1/2 pounds. The length of the bar shall not exceed 16 inches in the case of men who are not less than 5 feet 6 inches in height, or 14 inches in the case of men below this height.

Note:-The use of cross-bar fetters should be restricted to extreme cases of violence, and be resorted to as much as a prevention against assault as for punishment. The full period allowed for the imposition of his punishment should be awarded only in exceptional cases.

5. Period for which fetters may be imposed.- The maximum period for which fetters may be continuously imposed shall be:-

- (a) in the case of link-fetters, 3 months;
- (b) in the case of bar-fetters, 3 months;
- (c) in case of cross-bar fetters, two hundred and forty hours.

A period of at least ten days much elapse after fetters of have been imposed as a punishment for a prison offence before they can be again imposed as a punishment for another prison offence, whether of the same kind or not. .

6. Prisoners exempted absolutely.- Subject to the provisions of paragraph the imposition of fetters is prohibited in the following cases, namely:-

- (a) Female prisoners;
- (b) Civil prisoners;
- (c) Convict officers;
- (d) "A" class convicts;
- (e) Convicts who by reason of age, physical infirmity or serious illness are, in the opinion of the Medical Officer, unfit to be placed in fetters.
- (f) Political prisoners.

7. Prisoners ordinarily exempted.- Fetters shall not ordinarily and without special reasons, to be recorded by the Superintendent in his journal and to be reported to Inspector-General of Prisons, be imposed on any:-

- (a) convict, the unexpired period of whose term of imprisonment is less than six months;
- (b) convict who has under-gone three fourth of his substantive sentence of imprisonment;
- (c) unconvicted criminal prisoner above 45 or below 21 year of age;
- (d) prisoner under sentence of death;

- (e) approver kept in cells;
- (f) prisoner put to work on oil mills.

8. Jailor's responsibility for fitness of fetters and hand-cuffs.-

When fetters are imposed for safe custody the Jailor shall see that the fetters have double rivetted ankle-rings and that the link connecting the bars is welded and is of the same thickness as the bar and that the ankle-rings are small enough to prevent their being drawn over the feet: that rivets fit the holes and that the rivet heads are not rubbed off in the case of juvenile prisoners, care shall be taken that the fetters or hand-cuffs imposed on them for security fit them properly. He shall examine all fetters and hand-cuffs once a week and certify in his report book that he has complied with this rule on each occasion. Fetters and rivets for District jails and lock-ups should be obtained from the Central jails to which, affiliated.

9. Fetters for safe-custody.- (1) Prisoners who have escaped from jail or have attempted or made preparations or conspired to escape, may be placed in fetters under section 56 of the Prisons Act with the sanction of the Inspector-General. Fetters on convicts who have been imprisoned under section 224 IPC for escape or attempt to escape from Jail shall be

Distinguished by a ring of brass half an inch wide soldered around each bar at its middle. Such prisoners shall be from all other prisoners by a red cap. Superintendent shall order the removal of fetters imposed under these rules in any case as soon as they are of opinion that this can safely be done, and may allow the prisoner an ordinary cap, when by good behaviour, he has shown himself to be deserving of consideration.

(2) Prisoners sentenced to imprisonment in excess of ten years' whilst confined in a District jail, may likewise be placed in fetters under the same law, with the sanction of the Inspector-General, pending transfer to a Central Jail.

10. (1) Convicts admitted to class "A" and those admitted to class "B" who "have been, sentenced to not more than two years rigorous imprisonment shall when travelling by rail or road, wear

neither fetters nor cross-bars unless the Superintendent of Police for special reasons, to be recorded, requires either or both to be imposed. Such prisoners may on transfer be allowed to wear their own clothes in transit, if they so desire.

(2) When travelling by train or by road other convicts, except juvenile convicts on transfer to a Reformatory School, when convicted of any or the offences specified in the following list shall wear letters and, if considered necessary either by the Superintendent jail or by the Superintendent Police, cross-bars.

List of Offences

Offences punishable under sections 224, 225-B, 302, 303, 304, 307, 308, 392, 394, 395, 396, 397, 398, 399, 400, 401 and 402 IPC.

(3) Condemned convicts shall not be fettered except when in transit from one jail to another when for lack of accommodation they are confined in cells not meant for the confinement of such confinement of such convicts or under any other special circumstances.

(4) In the case of under-trial prisoners charged with murder, fetters should not ordinarily be imposed when in transit to court at the headquarters of the District, unless the imposition of the fetters is considered necessary because the prisoner concerned is also charged with some other serious crime involving violence or is known to be a dangerous hardened criminal, or has escaped or has attempted or has made preparation to escape.

(5) In the case of prisoners accused of dacoity, fetters are ordinarily necessary for journeys to and from courts, but they shall not be kept in fetters in jails merely for this reason. Fetters should ordinarily be removed in all cases in which it is known that after one appearance in court the prisoner will not be required to appear for a considerable time ¹[except in cases of dacoits on whom the imposition of fetters to avoid an escape, is felt essential which should invariably be done

1. Added vide Home Deptt. Order No. D. 2130/F. 16(7)(14) H-II/54/2095, dated 28.2.1957.

with the consultation of the local Police and it shall be the duty of the Officer Incharge Jails and of Assistant Jailors Sub-Jails to enquire on admission].

11. Under section 57 (1) of the Prisons Act, transportation prisoners may be confined in fetters for 3 months from the date of admission to Jail : ordinarily after admission to a Central Jail safe custody fetters will be removed. They will not in any case be imposed in a Central jail for a longer period than one month without the special sanction of the Inspector-General. As such prisoners will be detained in District jails for only short periods, it will not usually be necessary to keep them in fetters for so long as three months. Fetters intended for the security of the prisoners must be of the sanctioned weight mentioned in rule 4.

12. Removal of fetters of patients.- Fetters on patients admitted to hospital shall, unless, the Superintendent directs otherwise be removed, unless the prisoner is a specially dangerous person and the fact noted on his ticket under the of the Superintendent. When the Superintendent considers it necessary, he may direct the removal of the fetters from only one leg on the patient and this fact also shall be entered on the history-ticket under his initials.

13. Fetters Register. Entry in Superintendents Journal and prisoners history-ticket.- If the Superintendent considers it necessary to impose fetters on any convict or under-trial prisoner, he shall record in the fetters register the number, the name of the prisoner and the date on which the fetters are imposed, the period for which they are imposed, and his reasons for considering the use of fetters necessary and the date on which fetters are actually removed. The record, shall also be made, in the case of a civil prisoner in the Superintendent's Journal, and, in any other case, on the prisoners history-ticket. Every case of imposition of irons shall be reported promptly to the

14. Review of orders for imposition of fetters.-

- (1) The Superintendent shall review in the first week of every quarter all the cases of prisoners who have been ordered to

be fettered for safe custody and note the restrict in his order book.

- (2) The inspector-General may at the time of his inspection satisfy himself that there are sufficient reasons for the of fetters.
- (3) Fetters imposed for safe custody shall be removed immediately when the Superintendent is satisfied by the prisoners conduct or other circumstances that the necessity for imposing fetters no longer exists.
- (4) When a prisoner has been in fetters for six months and the Superintendent considers their imposition for a further period necessary, he shall report the circumstances to the Inspector-General for his orders.

15. Gaiters for fettered prisoners, whose duty to keep them brightly polished.- Fetters of every description shall always be kept bright and polished by the prisoners wearing them and soft leather, blanket or canvas gaiters shall be allowed to prevent abrasion of the skin. Link and bar-fetters may be suspended to the waist by a strip of leather, no string or-rope being allowed for the purpose. When fetters become worn or thin in any part, they shall at once be changed.

16. Bel-chains used in open confinement.- The use of bel-chains on under-trial prisoners is not permitted unless such prisoners are confined in open spaces outside the jail or verandahs within or outside the jail. When the application of the bel-chain on under-trial prisoners is considered necessary for any other reason, the sanction of the Inspector-General shall be obtained.

17. Bel-chains on dangerous prisoners and how to apply.- Prisoners in encampments who are considered dangerous or likely to escape shall be fettered for safe custody. Such prisoners shall sleep together and be secured by a bel-chain; which must be so applied that each gang may be perfectly free to walk out of the tent or other place of confinement in a body if so required. It must never be passed round a tent pole.

PART — 2

ESCORT OF PRISONERS ATTENDING COURTS

In exercise of the power conferred by section 51 of the Prisoners Act, 1900, the Government of Rajasthan is pleased to make the following rules regulating escort, custody; etc., of prisoners to and from courts in which their attendance is required:-

1. Officers I/c of jail shall be referred to as "Superintendent".- For the purpose of the Prisoners Act and these rules an officer in-charge jail, by whatever designation he may be styled, shall be referred to as "the Superintendent".

2. Police to provide escort.-The escort of prisoners under Part IX of the, Prisoners Act, shall be under taken by the police.

3. Procedure to obtain escort.- Whenever an order for the production of a prisoner to give evidence or to answer a charge is received from a competent court by the Superintendent jail, such officer shall send a copy of the court's order to the head of the local police, who thereupon shall cause the necessary police guard to be detailed in accordance with the terms of the order, and the prisoner shall be made over to the custody of this guard.

4. When court and jail are in one station.- Whenever the court and the jail are in the same station the prisoners 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.

5. Where court and jail are in different stations.- Whenever a prisoner is sent for examination or has to halt at night en-route at a station where there is a Central or District jail he shall be confined therein. When there is no central or district jail, he shall be confined in the judicial lock-up, and when there is no judicial lock-up, he shall be confined in the police lock-up.

6. Custody at night.- If the escort is unable to reach a central jail, district jail, or judicial or police lock-up before sunset, the police

shall; make the, necessary arrangements for the safe custody of the prisoner.

7. Custody when confined, in another Jail.- If the prisoner is taken to a jail, central or district or a lock-up judicial or police, the jail or police establishment, as the case may be, guarding it shall be responsible for the custody of the prisoner. Whenever the escort desires to proceed, the prisoners shall be handed over for that purpose, provided that no prisoner escorted under these rules shall be admitted into a jail after sun-set, nor handed over to escort before sun-rise.

8. 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 ward in the lock-up, the key of which shall be handed over to the escort and the prisoner shall be entirely under the charge of the escort as regards safe custody, supply of food, etc. On the departure of the escort with the 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 where he was brought, who shall defray many the cost of repairing the damage.

(2) In the event of a police lock-up being occupied by other prisoners, the prisoners shall be confined with them, the police in charge of the lockup being them 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 escort shall conform to the rules in force at lock-ups as regards hours for cooking and meals e.g., when the custody of the prisoners 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.

9. Method of travelling.- A prisoner shall ordinarily be moved about either by road vehicle, by rail or by water, but when neither of these modes of transport 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 dooly or cart according to circumstances. No prisoner shall be compelled to march on foot more than fifteen miles in twenty-four hours. When travelling by rail the accommodation to be provided shall be of the lowest class for "C" class prisoners, and intermediate class or if no intermediate' class is available 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 two miles 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.

Note 2: Women prisoners escorted by the police shall be provided with conveyance when the distance to be traversed by them exceeds one mile. Conveyance may also be provided for shorter distances in cases in which, for reasons of health or custom or other valid reason, failure to make such provision would cause undue hardship to them.

10. 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 to escape or that an attempt will be made to rescue him. The same principle shall be followed in the case of under-trial prisoners.

11. Strength of police 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 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.

12. Cost of prisoners journey.-

- (1) The cost of conveyance (if any) and of prisoners while absent from the jail shall be advanced by the Superintendent Jail to the officer-in-charge on the escort : provided that whenever possible to the escort shall be given articles of diet sufficient for the prisoners rations during his absence, instead of money. If a prisoner is admitted into any. Jail, he shall be supplied with rations by that jail during the period that he stands there.
- (2) The cost of conveyance of prisoners, to and from the' Court shall be recovered by the Superintendent Jail from the court before which the prisoner's attendance is required. No recovery need, however be made from a criminal court before which a prisoner is produced in cases where such cost is less than Rs. 2/- : nor shall any recovery be made of the expenses incurred in connection with the subsistence and transit of accused person surrendered in extradition cases from territories outside Rajasthan. Conveyance and other incidental charges of under-trial prisoners sent from Rajasthan to territories outside and vice versa should be borne by the Government of those territories sending, such prisoners.
- (3) The scale of charges for the conveyance of prisoners required to be produced to give evidence in civil or criminal courts shall be as followings:-
 - (a) All prisoners, civil or criminal, the lowest fare admissible for journeys by rail, or boat and actual expenses by road:-

¹[(a) All "A" & "B" Class prisoners -/12/- per diet.
including detenus

(b) All "C" Class prisoners -/6/- per diet.
including detenus

(4) The dietary and conveyance charges of the prisoners who are sent from a criminal court to a jail be borne by the criminal court concerned.

13. Certain prisoners not to be removed.- No prisoners shall be removed from the prison so long as the notification made and publication in the Rajasthan Gazette by the Government of Rajasthan under Part IX, section 42 of the Prisoners Act remains in force except in the case of a prisoner under sentence death whose presence is required by a Sessions or High Court for the purpose of taking 'additional' evidence in the case.

14. Documents to accompany prisoner.- When a prisoner sent from one jail to another under these rules, his or her original warrant or warrants of commitment and a Nominal Roll as perform given below shall be sent with him.

Note:- Prisoners transferred from territories outside Rajasthan for purposes of answering charges pending against them or giving evidence shall be treated as under-trial.

**NOMINAL AND DESCRIPTIVE
ROLL OF PRISONERS TRANSFERRED**

From.....Jail.....To.....Jail.....On.....20....

S. No.	Convict's number And class Of Prisoner A, B or C and casual or Habitual	Name, Father's name & caste of Prisoner	Present age marks	Occupation	Personal descriptive marks

1. Subs. vide Home Deptt. Order No. D. 3827/F. 16(90) Home 2/54/1983, dated 30.3.1957.

Residence And full Address	Sec. & Code u/w imprisoned and Police Station & crime remission number	Original sentence or order and date	Adjudicating court and calendar number of case	Unexpired term of sentence deducting remission earned

Conduct in jail and Reasons of transfer	Present state of health and fitness to undertake journey (M.O. to certify)	Result of appeal (if any)	Details of private clothing, valuables etc.	Remission earned up to end of preceding month

