

TRIPURA GAZETTE

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PART--I-- Orders and Notifications by the Government of Tripura,
The High Court, Government Treasury etc.

GOVERNMENT OF TRIPURA Home (Jail) Department

No.F.X-546/IGP/2018/6868-76

Dated : 20 / 11 / 2021.

NOTIFICATION

In exercise of the powers conferred by section 59 of the Prisons Act, 1894 (9 of 1894) and in supersession of the Bengal Jail Code, 1864, as applicable to the State of Tripura, except as respects things done or omitted to be done before such supersession, the State Government hereby makes the following rules namely:-

Chapter - I

1. SHORT TITLE & DEFINITIONS

- (1) These Rules may be called 'Tripura Sansodhanagar Rules, 2021'.
- (2) It shall extend to all sansodhanagars by whatever name called, under the Government of Tripura and the prisoners and prison staffs therein and concerned thereto.
- (3) It shall come into force on such date as the State Government may, by notification in the official gazette, appoint.
- (4) From the date of such gazette notification, the Bengal Jail Code, 1864, shall cease to be in force as the guiding principle for sansodhanagar under the Government of Tripura, save and except actions already undertaken or initiated prior to the commencement of these rules.

1. (A). DEFINITIONS AND INTERPRETATION.

The following words and expressions are used in the following sense unless a different intention appears from the subject or context: -

- (1) **'Act'** means The Prisoners Act, 1894(Act 9 of 1894).
 - (2) **'Government'** means Government of Tripura.
 - (3) **'Adult prisoner'** means any prisoner who has attained 21 years of age or above.
 - (4) **'Casual prisoner'** means a prisoner other than a habitual offender.
 - (5) **'Civil prisoner'** means any prisoner who is not committed to custody under a writ, warrant or order of any Court or authority exercising criminal jurisdiction, or by order of a court martial and who is not a detainee.
The term includes all persons imprisoned for civil debt or for performance of a civil obligation and means any prisoner who is not a criminal prisoner.
 - (6) **'Competent Authority'** means any officer having jurisdiction and due legal authority to deal with a particular matter in question.
 - (7) **'Convict'** means any prisoner under sentence of a Court exercising criminal jurisdiction or court martial and includes a person detained in Sansodhanagar under the provisions of Chapter VIII of the Code of Criminal Procedure, 1973(Act 2 of 1974) and the Prisoners Act, 1900 (Act 3 of 1900).
 - (8) **'Terminal Convict'** terminal illness which requires special care or treatment is a major concern for prison inmates who may be unable to access the same type or quality of care.
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- (9) **'Correctional Administration'** means the administration of services aimed at the reformation and rehabilitation of the offender.
- (10) **'Correctional Personnel'** means personnel engaged for correctional purposes in the Sansodhanagar department.
- (11) **'Detenue'** means any person detained in Sansodhanagar on the orders of the competent authority under the relevant preventive laws.
- (12) **'Inspector General of Correctional Services'** means an officer designated as such by the State Government.
- (13) **'Geriatric prisoner'** means a prisoner who is 60 years of age or above and medically unable to manage his/her daily affairs independently without assistance.
- (14) **'Habitual Offender'** means a prisoner classified as such in accordance with the provisions of relevant laws or rules for the time being in force.
- (15) **'High-Risk Offender'** means a prisoner with high propensity towards violence, escape, self harm, disorderly behavior and likely to create unrest in the sansodhanagar and is a probable threat to public order. Also includes persons intermittently suffering from suicidal tendencies and persons with subsistence-related & addictive disorders suffering from intermittent violent behavior.
- (16) **'History Ticket'** means the ticket exhibiting such information as is required in respect of each prisoner by the Act or these Rules.
- (17) **'Imprisonment'** means as defined in the Indian Penal Code, 1860.
- (18) **'Inmate'** means any person lawfully kept in an institution.
- (19) **'Institution'** means a place where prisoners are lawfully confined.
- (20) **'Magistrate'** means any person exercising all or any of the powers of a Magistrate under the Code of Criminal Procedure, 1973.
- (21) **'Chief Medical Officer'** means in relation to Sansodhanagars a Gazetted Officer of the Government who is qualified to be a medical practitioner and is declared by general or special orders of the Government to be the Chief Medical Officer.
- (22) **'Military prisoner'** means a prisoner convicted by court martial.
- (23) **'Offence'** means any act or omission made punishable by any law for the time being in force.
- (24) **'Prescribed'** means as prescribed by Rules.
- (25) **'Sansodhanagar'** means any place used permanently or temporarily under the general or special orders of the Government for the detention of prisoners under section 417 of the Code of Criminal Procedure, 1973 and includes all land and buildings there to, but does not include:
Any place for the confinement of prisoners who are exclusively in the custody of the police.
- (26) **'Prisoner'** means any person confined in Sansodhanagar under the order of a competent authority.
- (27) **'Prohibited Article'** means an article which is prohibited and declared as such under the Prisons Act, 1894 or Rules made thereunder.
- (28) **'Remand prisoner'** means a person who has been remanded by Court to Sansodhanagar custody, pending investigation by the police.
- (29) **'Remission Systems'** means the Rules in force for regulating the shortening of sentence of prisoners.
- (30) **'Superintendent'** means an officer who is appointed by the competent authority to be in charge of a Sansodhanagar with such designation as it may specify.

- (31) **‘Deputy Superintendent of Sansodhanagar’** means an Officer appointed as such by the competent authority to assist the Superintendent relating to sansodhanagar administration.
- (32) **‘Chief Welfare Officer’** means an officer appointed as such by the competent authority to look after the welfare of the prisoners.
- (33) **‘Jailor’** means an officer appointed as such by the competent authority and who is key man of the sansodhanagar to look after sansodhanagar administration.
- (34) **‘Deputy Jailor’** means an officer appointed as such by the competent authority to assist the Jailor in connection with sansodhanagar administration.
- (35) **‘Discipline Officer’** means an officer appointed as such by the competent authority to ensure discipline inside the Sansodhanagar.
- (36) **‘Sub-Jailor’** means an officer appointed as such by the competent authority to assist the Jailor relating to Sansodhanagar administration.
- (37) **‘Under Trial prisoners’** means a person who has been committed to judicial custody pending investigation or trial by a competent authority.
- (38) **‘Young Offender’** means any prisoner who has attained the age of 18 years and has not attained the age of 21 years.
- (39) **‘Open prison, semi-open prison and open colonies’** any place declared as such for the detention of prisoners under any Act or rules for the time being in force.
- (40) **‘Probation Officer’** means an officer appointed as such by the State Government to undertake probation work under the Probation of Offenders Act, 1958, or any other law for the time being in force. He will look after matters relating to probation services under the supervision of Deputy Inspector General of Correctional Services including after-release matter of the prisoners as and when necessary.
- (41) **‘N.G.O’** refers to all legal entities that seek philanthropic and charitable funds and utilize them towards the advancement of the society without the motive to originate profit from it.

CHAPTER - II **(INSTITUTIONAL FRAME WORK)**

2. INSTITUTIONAL FRAME WORK:

- (1) A diversified Sansodhanagar system is imperative to meet the custodial and correctional needs of various categories of prisoners. Each Sansodhanagar has to be constructed and maintained on the basis of certain well-defined norms. The Sansodhanagar structure shall be designed to provide all the necessary facilities for prisoners to be treated as human beings and subject them to an environment conducive for their reformatory treatment.
- (2) The following criteria must be adopted for the establishment of sansodhanagar: -
 - (a) The State Government will establish sufficient number of various types of Sansodhanagars, as far as possible, and provide minimum needs essential to maintain standard of living in consonance with human dignity.
 - (b) Sansodhanagar's administration will ensure that the prisoners' human rights, as far as practicable, are respected.
 - (c) Sansodhanagar's administration will ensure separation of the following categories of prisoners: -
 - (i) Women,
 - (ii) Young Offenders,
 - (iii) Undertrials,
 - (iv) Convicts,
 - (v) Civil prisoners,
 - (vi) Detenuess,
 - (vii) High Risk Offenders.
 - (d) Sansodhanagar administration will endeavour to prepare prisoners to lead a law abiding, self-supporting, reformed and socially rehabilitated life.
 - (e) Diversified institutions will be set up by the State according to its requirements.
 - (f) In order to make Sansodhanagars efficiently manageable units, norms regarding maximum population for different types of Sansodhanagar shall be laid down by the Government by notification.
 - (g) Service Conditions of Sansodhanagar personnel will be such as to secure and retain the best suited and qualified persons.
 - (h) Efforts will be made to enlist community participation in effective administration of Sansodhanagar programmes.

3. INSTITUTIONAL PATTERN:

The Government will adequately provide for the diversification of institutional resources to cater to the differential requirements of prisoners in terms of custody and correction. The factors to be considered will include age, sex, legal status of the Sansodhanagar, nature of crime, length of sentence, security requirements, state of health and correctional needs. Such a course implies the setting up of separate institutional facilities for different categories of prisoners, such as;

- (a) Annexes, yards, blocks or wards for under trial prisoners.
- (b) Maximum security annexes, yards, blocks or wards for high risk prisoners and hardened or habitual offenders.
- (c) Open Sansodhanagar, semi open Sansodhanagar and open colonies or camps.
- (d) Sansodhanagars, annexes, enclosures, blocks or wards for women prisoners.
- (e) Sansodhanagars, annexes, yards, blocks or wards for young offenders and also to take necessary measures for welfare of young offenders.

- (f) Sansodhanagars, annexes, yards, blocks or wards for those suffering from infectious diseases.
- (g) Sansodhanagars, annexes, yards, blocks or wards for drug and substance abuse offenders.

4. CLASSIFICATION OF PRISONERS

The State Government will set up a mechanism for the classification of prisoners to be housed in various types of institutions as enumerated above and will lay down the procedure to be followed. They will also specify the authorised population for each type of institution and norms with regard to area or space for prisoners as well as the number of prisoners to be housed. This may also include facilities for education, vocational training and skill development programmes and cultural activities, library and recreation, both indoor and outdoor. It may also give specification for the staff to be appointed in each type of institution. Apart from various types of Sansodhanagars for specific categories of prisoners, State Government may declare any place as temporary Sansodhanagars to deal with emergent situations.

5. SANSODHANAGAR ARCHITECTURE

Sansodhanagar architecture has to be based on the following: -

- (1) The location of a new institution will be decided on the basis of
 - (a) the functions which the institution has to perform,
 - (b) the training and treatment emphasis, and
 - (c) programme content of the institution.
- (2) New institutions will not be constructed near easily flooded and inundated areas, frontiers and international borders, sub-marginal land areas, air ports and congested urban localities.
- (3) While selecting the site for new institutions, factors like transport facilities, water supply, electric lighting, connections with high power electric transmission lines, drainage and sewage, communication facilities (such as posts, telephones and internet), climatic conditions, facilities for the purchase of institutional supplies, have to be taken into consideration. Also institutions like courts, civil hospitals, mental health centres, educational facilities for children of Sansodhanagar personnel, shall as far as possible, be within easy reach.
- (4) No building or temporary structure or any installation or any electronic towers etc., other than Sansodhanagar, will be constructed within 150 mtrs. of the Sansodhanagar wall of the Kendriya Sansodhanagar, within 100 mtrs. of the Sansodhanagar wall of a Zila sansodhanagar and within 50 mtrs. of the Sansodhanagar wall of Mahakuma Sansodhanagar.
- (5) The architecture of institutions will be governed by two principles viz.,
 - (a) Adequate protection to society through the establishment of security conditions; and
 - (b) Adequate resources which would be necessary for the successful implementation of various correctional programmes. Institutional design and architecture have to be functional.
- (6) The plan of an institution will be based on a careful analysis of inmate population, age group, custodial requirements, diversified works, educational programmes, etc.
- (7) Closed Sansodhanagars are classified into 3 (three) categories. There shall be one Kendriya Sansodhanagar in the State, one Zila Sansodhanagar in each District and one Mahakuma Sansodhanagar in each Sub-Division. Zila Sansodhanagars and Mahakuma Sansodhanagars. Authorised population for these Sansodhanagars shall not normally exceed 1000, 160 and 135 prisoners respectively.

- (8) There will be enough open space inside the perimeter wall to allow proper ventilation and sunlight. The area enclosed within the 4 walls of a Sansodhanagar will not be less than 83.61 sq. mtrs per head of total capacity. Where land is scarce, the minimum area will be 62.70 sq. mtrs per prisoner.
- (9) No building inside a Sansodhanagar complex shall be nearer than 50 metres to the perimeter wall.
- (10) The requirements of segregation of inmate groups within an institution in accordance with the prescribed principles of classification will be provided for in every building plan. The requirements of administration and supervision will also be taken into account while planning buildings.
- (11) Each region or division will have an institution for women prisoners according to local requirements. Each Kendriya, Zila and Mahakuma Sansodhanagar will have an enclosure for women prisoners. Sansodhanagar wards for women prisoners shall be situated nearer to the main entrance gate inside the Sansodhanagar, keeping in view their security requirements.
- (12) The existing enclosures for women in common Sansodhanagars will be renovated to ensure that women prisoners do not come in view of male prisoners during their passage to and from these enclosures. These enclosures will have a double lock system - one lock outside and the other inside, the keys of the latter always remaining with women guard inside. The institutions/enclosures for prisoners will have all the requisite facilities with reference to their special needs such as segregation, protection, pregnancy, child birth, family care, health care, training and rehabilitation.
- (13) Undertrials and detenues will be lodged in separate enclosures away from convicted prisoners.
- (14) All accommodation provided for use of prisoners, particularly for sleeping, will meet basic requirements of healthy living. Accommodation shall be built in a manner so as to ensure adequate cubic contents of air, floor space, lighting, ventilation and climatic protection. All constructions in Sansodhanagar department will adhere to ISI standards.
- (15) A special cell with adequate technical staff (Civil/Electrical) will be set up at the Kendriya Sansodhanagar/Sansodhanagars Headquarter to plan, monitor and supervise all constructions and repair works in the department.
- (16) CCTV cameras shall be installed in work shades, kitchens, hospitals, main gate, interview rooms, high security enclosures and in the premises of the barracks or wards for monitoring purposes.

6. NORMS FOR SANSODHANAGAR BUILDINGS:

The following norms are to be followed in construction of Sansodhanagar buildings:

(I) MAIN GATE

- (a) The minimum dimension of the main gate and second gate of all the closed Sansodhanagars will be 3 mtrs in width and 4 mtrs in height. Dimension of main and rear gates shall be wide so that in case of fire exigencies a fire tender, a bore well rig to dig bore well, a lorry to transport raw material or logs for factory and ration articles could pass through these gates. The gate will be made up of a strong steel frame having vertical round or square steel bars of 25 mm. dia or thickness. Each gate will have a wicket gate of at least 0.6 mtr in width and 1.5 mtrs in height. The main gate and the wicket- gates will have strong locking arrangements from inside. Both gates will have arrangements for easy opening and closing of shutters. The gates will be

covered with iron sheet from outside up to the height of 2.5 mtrs. The wicket- gates will have peepholes covered with lid at eye level. The main gate may be painted with colours identical to that of departmental flag, if prescribed by the State Government.

- (b) Space between two gates will not be less than 16 mtrs in length and 6 mtrs in width to facilitate gate operations and movement of fire tenders or transport vehicles. It will have the following facilities: -
- (i) a cabin,
 - (ii) gate keeper enclosures,
 - (iii) search room,
 - (iv) space for search and security equipment's.
- (c) Entry to the Sansodhanagar will only be through a single point.

(2) ADMINISTRATIVE BLOCK & OTHER UNITS

- (a) There will be a properly designed administrative block within the Sansodhanagar complex for efficient functioning of the administration.
- (b) A court room shall be set up within the Sansodhanagar complex.
- (c) The reception unit will have necessary facilities for proper implementation of admission- quarantine and orientation- classification programmes. Physical facilities will be set up in accordance with the number and type of inmates to be received and the programme to be followed for proper segregation of various types of inmates. The unit will have dormitory and single room type accommodations. Provision will also be made for following facilities: -
- (i) a building where the inmates will be initially received,
 - (ii) office room,
 - (iii) interview room,
 - (iv) store room,
 - (v) Medical Officer's examination room, and
 - (vi) exercise and recreational areas, etc.
- (d) The buildings and areas where the admission programme has to be carried out will be located in close proximity of the hospital.

(3) HOUSING

- (a) There will be three types of living accommodations as mentioned below
- (i) Barracks with accommodation for not more than 20(twenty) prisoners.
 - (ii) Single room accommodation for prisoners needing privacy for pursuing studies, etc.
 - (iii) Cells for segregation of prisoners for the purpose of security and contagious diseases.
- (b) The minimum accommodation capacity of barracks, cells and hospitals per prisoners will ordinarily be according to the following scale:-

Sleeping Barracks		Cells		Hospitals			
Sq. Mtrs. of Ground Area	Cubic Mtrs. of Air Space	Sq. Mtrs. of Lateral Ventilation	Sq. Mtrs. of Ground Areas	Cubic Mtrs. of Air Space	Sq. Mtrs. of Lateral Ventilation	Sq. mtrs. of Ground Area	Cubic mtrs. of Air Space
3.71	15.83	1.12	8.92	33.98	2.23	5.58	23.75

- (c) A plate indicating the authorised accommodations will be attached to the housing unit. Ordinarily, the number of prisoners confined in a housing unit will not exceed its authorised accommodation.
- (d) Arrangements for wash rooms and laundry shall be made for prisoners.

(4) BARRACKS & CELLS

- (a) If a barrack is flat roofed, there will be ceiling ventilation and the minimum height of roofs or ceilings will not be less than 13 feet from the floor.
- (b) The floor of the barrack or cell will be made of impermeable material such as cement concrete and appropriate flooring shall be provided to ensure habitable conditions in the barracks.
- (c) All barracks will be provided with verandas not less than 2 mtrs. in width.
- (d) Each cell will have a yard attached to it where a prisoner can have the benefit of sufficient air and light. Adequate air circulation and proper ventilation shall be maintained in the barrack or cell. Though ventilation of the sleeping barracks is of the greatest importance, prisoners will not be permitted to close the windows and ventilation openings with shutters or curtains at their discretion. The ventilation will, however, be controlled according to the season wherever necessary otherwise the barracks will be too cold and damp during winter and rainy season.
- (e) Where accommodation is overcrowded and does not meet the prescribed standards, secured corridors or verandas etc. may be used for accommodating short term prisoners and under-trials involved in minor and petty offences, during night. If at any Sansodhanagar overcrowding is likely to continue, the excess number of prisoners will be transferred to other institutions or camps as the case may be, with prior approval of the Inspector General of Correctional Services.
- (f) The structural arrangements of fittings and fixtures and locking devices of barracks will be secured enough to prevent escapes. The iron bars used in doors, windows and ventilators will be of 25 mm. dia. and clear distance between two bars will be 7.5 cm.
- (g) A barrack will have only one door of 2.2 x 1 mtrs. and will have a single shutter. The door of a barrack will have clear opening of 1 mtr. The iron frame will be made of angle- iron of minimum 10 mm. thickness.
- (h) The barrack windows and doors must be provided with fly or mosquito proof wire mesh.
- (i) All barracks or wards shall have two rows of berth only. The measurement of each berth will normally be 2 x .75 mtrs. with a height of 0.45 mtrs.
- (j) Sufficient artificial light will be provided to enable the prisoners to work and read without difficulty in their barracks after dusk.
- (k) Each barrack will be provided with a first-aid kit which will be in the custody of an authorised person. The first-aid kits supplied to each barrack shall not have any sharp-edged items, long gauze rolls or tapes or other such items.
- (l) A looking mirror may be fixed outside each barrack for use of prisoners.
- (m) Adequate fire safety systems will be installed in the barracks or cells. The barracks shall be free from tobacco, smoke and excessive noise.
- (n) Each cell or barrack will be provided with a flush toilet.

(5) TOILETS

- (a) Each barrack used for sleeping will have sufficient number of attached water closets, urinals and wash places. The ratio of such water closets will be one unit per six prisoners.
- (b) Toilets will be of the sanitary type with arrangements for flushing. The standard size shall be 5' x 5' (length & breadth). These will be placed on an impermeable base which will be higher than the surrounding ground and will be so built that the sun's rays can easily enter the toilets and rain is kept out. The partitions separating the

toilets will be high enough to provide a reasonable degree of privacy. Toilets will be so designed that all excreta and waste materials will get into the receptacles without fouling the sites. Every seat will be provided with foot rests with an impermeable surface which will be in the right position and not too far apart. The inside walls of the toilets will be fitted with glazed ceramic tiles up to the height of 1 mtr from the floor level, as far as possible.

- (c) In each barrack, where two toilets are provided, one shall be of western type. In the hospital, 50% of toilets shall be of western type.

(6) BATHING PLACES:

- (a) Every sansodhanagar will provide covered cubicles for bathing, at the rate of 1 for every 10 prisoners, with proper arrangements to ensure privacy. The standard size of each bathroom shall be 5' x 5' (length & breadth). Every prisoner will be required to have bath as frequently as necessary for general hygiene according to climatic conditions.
- (b) Taking into consideration that the daily requirement of water of an individual is about 135 ltrs., there will be an arrangement for the adequate running supply of water in every Sansodhanagar. If feasible, new Sansodhanagars will have arrangements for rain water harvesting and recycling of water, keeping in view its cost effectiveness.
- (c) Each sansodhanagar will have an independent stand by arrangement for water supply.
- (d) All sansodhanagar buildings shall have rain water harvesting system and sewerage treatment plant.

(7) KITCHEN

- (a) The general kitchen will ordinarily be located at a central place inside the Sansodhanagar so that the distribution of food among the prisoners may be finished quickly. The kitchen will not be built close to the sleeping barracks. It will be well ventilated and lighted. It must always be kept clean and tidy. The oven will be of the type in which the heat does not escape outside and the smoke is let out by a suitable chimney regardless of the type of fuel used. The kitchen will be protected by a fly proof wire mesh all around. Sufficient number of exhaust fans will be installed and artificial ventilation may be provided, if necessary. The kitchen must be provided with fly proof automatic closing doors. It will have floors made of an impermeable material. Each kitchen shed will be provided with adequate supply of pure water which will be used for both cooking and washing. The water will be collected from taps inside the kitchen. It is desirable that no single kitchen caters to more than 500 prisoners. Cooking and serving utensils will be made of stainless steel.
- (b) The minimum space requirement in the kitchen will be 150 sq. mtrs. per 100 prisoners. It will facilitate sufficient space for storage of provision articles, vegetables, dressing and cutting food, containers and cooking utensils etc.
- (c) There will be provision for covered dinning space in Sansodhanagars so that prisoners may take their meals under a roof and on a platform.
- (d) There will be 2 shifts of workers in the kitchen. Management of kitchen or cooking of food on caste or religious basis shall be prohibited in Sansodhanagars.
- (e) The kitchen complex shall have a barrack to house the inmates employed for cooking, etc.
- (f) The walls of the kitchen will be covered with tiles up to a height of 2 mtrs. for easy cleaning.

- (g) The prisoners working in the kitchen will be provided with suitable clothing, such as apron, caps, gloves, etc and also with 250 ml. each of liquid soap and detergent on a fortnightly basis for cleaning and washing utensils.
- (h) Sansodhanagar kitchens will be modernised by introducing LPG, hot plates and steam cooking. Kneading machines, chapati making machines, mixers and grinders, shall also be introduced.
- (i) Adequate fire safety systems shall be installed in the kitchen.

CHAPTER - III
(SANSODHANAGAR HEADQUARTER'S)

7. HEADQUARTER'S ORGANISATION

- (1) Sansodhanagars and Correctional Services will be under the control of the Home Department, being the department responsible for the services in this field. There will be a separate division within the Home Department for dealing with all matters connected with Sansodhanagars and Correctional Services.
- (2) State Government will appoint the Inspector General of Correctional Services and Correctional Services who will exercise general control and superintendence over all Sansodhanagars situated in the state. The Inspector General will ensure the implementation of the provisions of the Act & these Rules through other officers as appointed by the Government for assisting him at the Head Quarters, at the Sansodhanagars and at other institutions under his control. The Inspector General will have such administrative authority as is laid down in this manual and as may be determined by the Government from time to time.
- (3) There shall be two main wings at the Headquarters level:
 - (a) the Executive Wing; and
 - (b) Correctional Wing.
- (4) The Executive Wing will be headed by an officer not below the rank of Inspector General or equivalent rank and such officer may be assisted by officers of different ranks from the Sansodhanagar department.
- (5) The Correctional Wing will be headed by a Deputy Inspector General of Correctional Services, assisted by Assistant Inspector General of Correctional Services, Chief Psychologist and Chief Welfare officer. Deputy Inspector General of Correctional Services and other officers in the Correctional Wing may be appointed from amongst academicians either on deputation/transfer/transfer on deputation from academic institutions of repute.

8. COMPONENTS OF THE HEADQUARTER STAFF:

The organisational set up of the Department of Sansodhanagars and Correctional Services will be as follows: -

- (1) Inspector General of Correctional Services
- (2) Deputy Inspector General of Correctional Services.
- (3) Assistant Inspector General of Correctional Services. (Head Quarters).
- (4) One Senior Medical Officer and 3 other Medical Officers on deputation for Kendriya Sansodhanagar.
- (5) One Medical Officer on deputation for each District and Sub-Jail.
- (6) Chief Welfare Officer.
- (7) One Probation Officer for each District Jail.
- (8) Chief Psychologist on deputation.
- (9) Law Officer on deputation.
- (10) Accounts Officer (Budget & Audit Cell) on deputation.
- (11) Administrative Officers (Uniform Staff).
- (12) Senior Assistants (U.D.C).
- (13) Junior Assistants (L.D.C).
- (14) Stenographers.
- (15) Computer Operators.
- (16) Attendants.
- (17) Other supporting staff.

The State Government will fix the organisational set up of Headquarters Office in accordance with its area, number of inmates and number of institutions.

9. AUTHORITY AND POWERS OF THE INSPECTOR GENERAL OF CORRECTIONAL SERVICES

(1) The General functions of the Inspector General shall be:

- (a) To implement Sansodhanagar policies as laid down by the State Government.
- (b) To plan, organise, direct, co-ordinate and control the various Sansodhanagars and Correctional Services.
- (c) To define the functions and fix lines of authority and channels of command of the Sansodhanagar personnel.
- (d) To inspect institutions with special reference to care, training and treatment of inmates, staff training, discipline and welfare, etc.

(2) As the Head of the Department, Inspector General will have all necessary financial, administrative and disciplinary powers.

(3) The Inspector General will prepare the budget for the various services under his control. Subject to the rules and orders of the state Government and the requirements of the Accountant General, Expenditure of the Department of Sansodhanagars and Correctional Services will be controlled by the Inspector General.

(4) The Inspector General may sanction any item of expenditure provided in the budget, but the sanction of the state Government will be obtained to all special and unusual charges for which distinct provision may not have been made or which are newly entered in the budget. Subject to provisions of this Rule, an adequate grant will be placed at the disposal of Inspector General to meet expenditure of a special nature.

(5) The Inspector General will manage the personnel in the department and exercise disciplinary powers, including powers of redeployment of staff.

10. AUTHORITY AND POWERS OF THE DEPUTY INSPECTOR GENERAL OF CORRECTIONAL SERVICES:

In the absence of the Inspector General he shall, in all emergent cases, carry on the routine duties of the Inspector General, excluding exercise of statutory powers vested in him. The Inspector General's office shall be under his supervision.

11. CORRECTIONAL WING

(1) The Assistant Inspector General of Correctional Service and other sansodhanagar officers will be responsible for probation services, welfare services, educational services, vocational training/skill development, premature release, recommendation of parole/ short term parole, rehabilitation services, etc. in all Sansodhanagars in the state. All officers in the Correctional Wing will assist the Head of the Sansodhanagar Administration in all matters connected with Sansodhanagar administration and correctional services. Their powers and duties will be fixed by the State Government from time to time.

(2) The Assistant Inspector General of Correctional Services may be from uniformed Sansodhanagar cadre and he may be assisted by the administrative officers at the Headquarters. Their powers and duties will be fixed by the State Government from time to time.

12. ASSISTANT INSPECTOR GENERAL OF CORRECTIONAL SERVICE

(1) The Assistant Inspector General of Correctional Services or any other officer as the State Government may decide, will be vested with sufficient powers of direction, control, inspection, supervision and guidance through substantial delegation of financial, administrative and disciplinary powers including the following powers:

- (a) To conduct inspections and make visits of all institutions under his control.
 - (b) To transfer convicted prisoners from one Sansodhanagar to another within his jurisdiction.
 - (c) Power to accord permission to religious and moral tutors.
 - (d) Power to permit research scholars, Law and P.G students to visit Sansodhanagars for academic and research purposes at the recommendation of the Head of the Department of the academic institute.
- (2) The Assistant Inspector General of Correctional Services may be assisted by the following staff and officers:
- (a) Superintendents of Sansodhanagar-Head of unit institutional set-up.
 - (b) Chief Welfare Officer
 - (c) Probation and Aftercare Officer.
 - (d) Ministerial, accounting and other staff.

13. TRAINING OF STAFF

Training institutes shall impart training to the Sansodhanagar officers to acquire necessary knowledge and techniques. The senior and middle level officers shall be imparted basic/in service and refresher training at the regional institutes established at four regions of the country.

**CHAPTER-IV
(INSTITUTIONAL PERSONNEL)**

14. INSTITUTIONAL PERSONNEL

- (1) Each institution may have personnel in accordance with the requirements of security, discipline and programme emphasis. The personnel strength will be determined according to the duty posts, taking hours of duty per day as the basis for each category of staff. The institutional set -up will be fixed in accordance with the size of the institution, the inmate population, work load and distribution of functions.
- (2) The strength of custodial/guarding staff will be determined keeping in view the requirements of security, discipline, programme emphasis, duty posts, work load and distribution of functions. In principle there has to be one guarding staff for every six prisoners.
- (3) Institutional personnel will comprise of:
 - (a) Executive**
 - i. Superintendent.
 - ii. Deputy Superintendent
 - iii. Jailor.
 - iv. Deputy Jailor
 - v. Sub-Jailor.
 - (b) Guarding Staff**
 - i. Chief Head Warders.
 - ii. Head Warders.
 - iii. Warders.
 - (c) Medical Personnel**
 - i. Medical Officer (on deputation)
 - ii. Psychiatrist. (on deputation)
 - iii. Nursing Staff (Male & Female).
 - iv. Pharmacist (Male & Female)
 - v. GDA (General Duty Attendant)
 - (d) Welfare Units**
 - i. Assistant Inspector General of Correctional Services.
 - ii. Law Officer.
 - iii. Chief Welfare Officer
 - iv. Counsellor. (on deputation)
 - v. Probation Officer.
 - vi. Psychologist. (on deputation)
 - (e) Educational Personnel**
 - i. Teachers. (on deputation)
 - (f) Technical Personnel**
 - i. Instructors. (on deputation)
 - ii. Electricians. (on deputation)
 - iii. Plumbers. (on deputation)
 - iv. Drivers.
 - v. Motor Mechanic. (on deputation)
 - (g) Agricultural**
 - i. Agricultural Assistants. (on deputation)

Note:-Due to financial constraints if these technical posts are not created or when created are not filled up, suitable guarding personnel shall be trained for these purposes and their services shall be availed of by giving them special allowances.

(h) Ministerial

- i. Administrative Officer.
- ii. Office Superintendent.
- iii. Accountant/Head Clerks.
- iv. Store Keepers.
- v. Cashier.
- vi. Office Assistant.
- vii. Typist/Computer Operators.
- viii. Miscellaneous Staff (Peon, Sweeper)

15. DUTIES & FUNCTIONS OF INSTITUTIONAL PERSONNEL

- (1) The statutory duties and responsibilities of institutional personnel will be as per the provisions of the laws and Rules governing Sansodhanagars. The number of personnel will be determined on the basis of requirements of security, discipline and programme emphasis. The institutional set up will be fixed in accordance with the size of the institution, the inmate population, category of inmates, work load and distribution of functions.
- (2) Custody, security, discipline and preventive and control action during an emergency, are the fundamental duties and responsibilities of every staff member.
- (3) The duties, responsibilities and functions will be assigned in writing to every staff member on his initial appointment. Care will be taken to ensure that the rules, regulations and instructions to be followed by institutional personnel, are interpreted from time to time.
- (4) A well planned and properly regulated time-table of work hours shall be prepared for each category of institutional personnel and no staff member shall be required to work for more than 8 hours a day. It shall also be ensured that every incumbent gets 24 hours off- duty once a week.
- (5) The general duties, functions and responsibilities of the institutional personnel are detailed below: -

Executive

To ascertain that the human rights that the prisoners are entitled to, are not impinged upon and restricted beyond the limit inherent in the process of incarceration itself and to ensure that Sansodhanagar programmes are geared towards the overall objective of imprisonment in terms of reform and rehabilitation of prisoners.

(a) SUPERINTENDENT

The Superintendent will, subject to any order of the State Government or Inspector General of Correctional Services and regional Deputy Inspector General of Correctional Services, be in charge of the executive management of the Sansodhanagar in all matters relating to economy, discipline, labour, expenditure, punishment and control in general, among other things. The superintendent thus is responsible for developing an atmosphere i.e. conducive and correctional in nature and providing leadership in every aspect of Sansodhanagar management. He shall take care of the duties, suggestions, planning, organising, directing, guiding, co-ordinating, supervising and controlling all Sansodhanagar activities.

The Superintendent will be the head of the Sansodhanagar and will be assisted by officer's subordinate to him, including additional Superintendents, Deputy Superintendents(Jailor), Assistant Superintendents (Deputy Jailor), Sub-Jailor, Chief Head Warders, Head Warders, Warders and other technical and supportive staff. The Superintendent may supervise the Sansodhanagar, open air Sansodhanagar or such other institution, as the case may be within his territorial jurisdiction.

DUTIES OF SUPERINTENDENT

- (i) General supervision control and directions over subordinate officer and staff and prisoner's security and custody arrangements;
- (ii) Custody of secret and confidential documents;
- (iii) Supervision over care and welfare of inmates;
- (iv) Supervision over office administration;
- (v) Control over financial matters;
- (vi) Implementing state policy pertaining to correctional administration;
- (vii) Planning, organising, directing, guiding, coordinating, supervising and controlling all institutional programmes and operations;
- (viii) Inmate discipline and morale;
- (ix) Classification of Sansodhanagars, training and treatment programmes and correctional activities;
- (x) Inspection and supervision of work, employment and production programmes;
- (xi) Inspection of the Sansodhanagar activities, Sansodhanagar hospital, kitchen, canteen, etc.
- (xii) Personnel matters, staff welfare and staff discipline, allocation of duties to personnel under his control, safety of the Sansodhanagar personnel, protection of human dignity, rights and providing decent work conditions, acquainting institutional personnel with current policies of correctional administration and the role they have to play in a welfare state, organising personnel training programmes at the institutional level;
- (xiii) Reports to the Inspector General and liaison with other government agencies for the purpose;
- (xiv) Developing an institutional atmosphere conducive to the correctional role and providing leadership in every aspect of institutional management;
- (xv) Daily inspection round and weekly night inspection round;
- (xvi) Control of stocks, stores and maintenance.
- (xvii) For implementation of "FASTER" system (Fast and Secured Transmission of Electronic records) system, the e-authenticated copies of the interim orders, bail orders and records of proceedings (Order of the Hon'ble Supreme Court of India) communicated to the duty holders through the said secured electronic communication channel to be recognized by the duty holders for compliance and due – execution of the directions contained therein.

(b) DEPUTY SUPERINTENDENT:

In the absence of Superintendent of sansodhanagar, the Deputy Superintendent will perform all the functions attached to the post of a Superintendent.

- (i) Admission and release of prisoners after verification and checking of committal warrants.

- (ii) Disbursement of batta, subsistence allowance, bus and railway fares etc. To release prisoners and attesting of entries in the cash book, permanent advance register and prisoner's cash property register.
- (iii) Minor correspondence relating to prisoners.
- (iv) Checking of Appeal Registers.
- (v) Attending to release on bail, appeals, fine payment, etc.
- (vi) Attending to correction of sentence.
- (vii) Production of prisoners in courts.
- (viii) Checking the issue of raw materials to various workshops according to data.
- (ix) Checking of stock book of raw materials and stock book of manufactured articles.
- (x) Attending weekly inspection parade of prisoner along with the Superintendent.
- (xi) Checking the Ration Stock Book.
- (xii) Weighing of ration articles on purchase, subject to supervision by the Superintendent.
- (xiii) Any other work assigned by the Superintendent from time to time.
- (xiv) Visit the prison once in the forenoon and once in the afternoon every working including Sundays and Holidays and also when special circumstances render it desirable that he shall do so.
- (xv) Visit the prison at night once in a week to satisfy him that the guarding is being properly done and that everything is in order, and submit a compliance report to the Superintendent.
- (xvi) Attend to unlocking and lockup once in a week, and check all the aspects normally checked by the Deputy Superintendent on the other days. It shall be so arranged in consultation with the Deputy Superintendent under the specific orders of the Superintendent.
- (xvii) Check that all rules, instructions, etc. are being followed at locking time, that sufficient guards are posted for the security, and that there is adequate lighting.
- (xviii) Supervise once in a fortnight the lock up of high security prisoners like condemned prisoner, naxalite, terrorist prisoners, etc.
- (xix) Segregate prisoners having escape or discipline risks and prisoners of known bad character and report to the Superintendent.
- (xx) See that the walls, buildings, gates, dormitories, cells, hospital area and other places of the prison are properly secured and ensure a system of good lighting in and around the prison.
- (xxi) Ensure to place the sentry in blocks in which notorious prisoners are confined.
- (xxii) Bring it to the notice of the Superintendent, wherever the guarding arrangements are not satisfactory through his report book.
- (xxiii) Visit the prison hospital on two days each week other than those on which the Superintendent makes such visits. Such an arrangement shall be made in consultation with the Superintendent as part of duty allotment.
- (xxiv) Bring it to the notice of the Superintendent any defalcation on the part of the Prison staff, if it be shown that such defalcation was rendered possible by negligence on the part of the staff.
- (xxv) At least twice in a week he shall check the rations issued to the kitchen and satisfy him that correct quantity is issued.

- (xxvi) Go around the prison at least twice a week, at odd hours and check that the sentries are posted correctly and are alert. He will also check that other checking and supervisory officers have made proper rounds of check of these sentries.
- (xxvii) Keep a report book in which he shall
 - (A) Record the duties performed by him every day and submit the same to the Superintendent.
 - (B) Bring it to the notice of the Superintendent that his assessment in general on the discipline among the staff and prisoners.
 - (C) Record any inadequacy on the security arrangements and suggest guidelines to set right things, wherever necessary and
 - (D) Bring it to the notice of the Superintendent any other matter of importance. Supervise general supervision of the remission branch in the prison office and frequent and periodical check over all the registers and other records of the remission section.
- (xxviii) Supervise the work of his subordinate officers viz. the Jailer in respect of the executive work attached to them along with the supervision of all the registers being maintained by them and initial them in token of having checked the records.

(c) JAILOR

The Jailer is the Chief Executive Officer of the Sansodhanagar and is subordinate to the Superintendent. The Jailer shall also be subordinate to the Deputy Superintendent and assist him wherever necessary. He shall be generally responsible for observance of all prescribed rules and orders. His duties include:

- (i) Supervision over security, custody and discipline, supervision over care and welfare of prisoners;
- (ii) Supervision over personnel matters, staff discipline and staff welfare, assisting the Superintendent in all matters pertaining to institutional management;
- (iii) Inspecting kitchen and canteen, visits to the hospital;
- (iv) Admission and release work, Sansodhanagar manufactures;
- (v) Classification of prisoners and their training;
- (vi) The Jailer shall see that prisoners are clear in their persons and clothes and that they have the authorized amount of clothing and bedding and no more;
- (vii) Shall, at uncertain times but at least once a week, cause every prisoner and all clothing bedding workshops, wards and cells to be thoroughly searched;
- (viii) Shall be responsible for the execution of all orders regarding the labour of prisoners. He shall assign to each prisoner his work on the recommendation of the classifying Committee constituted in the Sansodhanagar for the purpose. The said committee shall consist of the Superintendent of the concerned Sansodhanagar, Medical Officer and the Deputy Superintendent. He shall ensure that the assigned works are performed by the prisoners.
- (ix) He shall supervise the cultivation of the garden and be responsible for the adequacy of the supply of vegetables. He shall supervise the Sansodhanagar farm and all other outside operation.
- (x) He shall jointly with the medical subordinate be responsible for the proper preparation and distribution of food to prisoners.
- (xi) He shall supervise the working of the guards. At least once a week, at uncertain time, he shall visit the Sansodhanagar after 10.00 P.M. and

satisfy himself that the standing guard is present, the sentries posted are alert, and that the rounds are properly maintained.

- (xii) He shall be responsible for custody of all warrants and for the strict enforcement of their terms and that no prisoner on any account be released before his due time or kept in Sansodhanagar beyond the termination of his sentence.
- (xiii) For implementation of “**FASTER**” system (Fast and Secured Transmission of Electronic records) system, the e-authenticated copies of the interim orders, bail orders and records of proceedings (Order of the Hon’ble Supreme Court of India) communicated to the duty holders through the said secured electronic communication channel to be recognized by the duty holders for compliance and due – execution of the directions contained therein.

(d) DEPUTY JAILOR

- (i) To assist the Jailor in studying the psychological and mental make-up of prisoners and taking steps to reform them.
- (ii) To be in charge of the ration stores as generally stated.
- (iii) To be directly responsible for the storing and custody of ration and other articles purchased and their issue from the stores.
- (iv) To place indents and get supplies of all articles of diet and articles required for the prisoners;
- (v) To attend to the day to day maintenance of stock registers and other connected records and to the proper maintenance of stock;
- (vi) To attend to the maintenance of accounts for extra articles purchased by civil debtors;
- (vii) To check the correctness of the kitchen slips, hospital indents and other indents placed on him for issue of ration and miscellaneous articles;
- (viii) To maintain separate accounts and to be responsible for the safe custody of empty gunnies and other receptacles received and disposed of;
- (ix) To weigh and issue ration and other articles for consumption;
- (x) To supervise the cleaning of grains, vegetables and other dietary articles and their grinding, if any;
- (xi) To ensure that all ration articles taken to the kitchen are actually utilised for the purpose they are meant;
- (xii) To be custodian of all civil store articles entrusted to the ration stores;
- (xiii) To assist the Jailor and to be present with him at the time of supply of food to prisoners;
- (xiv) To assist the Jailor in searching the prisoners and examining the cells where prisoners are locked up;
- (xv) To conduct interviews with prisoners;
- (xvi) To assist the Jailor in supervising the work of all guarding staff and warders in the gardens;
- (xvii) To assist the Jailor in supervision over searches, counting, opening, and closing of Sansodhanagars;
- (xviii) To assist the Jailor in all matters pertaining to institutional management;
- (xix) To attend to any other duty that may be assigned to him by the Superintendent;
- (xx) Admission and search of prisoners on their admission;
- (xxi) Custody of prisoner’s property except cash;

- (xxii) Removal of private clothing from prisoners on their admission, issue of Sansodhanagar clothing and bedding, correct marking of metal identification discs and placing of prisoners in quarantine soon after their admission;
- (xxiii) Custody of prisoner's private clothing and Sansodhanagar clothing stores and issue of fresh clothing to the prisoners;
- (xxiv) Maintenance of the clothing and registers in the prescribed form;
- (xxv) Conducting prisoner's interview, if conversant with the language spoken at the interview.
- (xxvi) Supervision over the proper maintenance of dairy and poultry units in Sansodhanagars except maintenance of accounts which shall be attended to by the live-stock assistant. The Deputy Jailor shall, however, maintain the stock and the stock register for paddy straw, grass, etc.;
- (xxvii) The charge of the quarantine and of the civil and leper annexes where such annexes exist;
- (xxviii) Censoring of letters addressed to and sent by the prisoners and disposal of such letters under the order of the Superintendent.

(e) SUB-JAILOR

- (i) Sub Jailor shall be appointed by the Inspector General of Correctional Services and shall not be dismissed by any officer subordinate to him.
- (ii) Sub Jailor shall be the Chief Executive Officer of the Mahakuma Sansodhanagar and shall control the whole Sansodhanagar establishment subordinate to him under orders of the Superintendent. He shall be responsible for the strict carrying out of all the rules mentioned in the Sansodhanagar code relating to the management of the Mahakuma sansodhanagar and Sansodhanagars. He shall keep an order book (Appendix-12) and all important matters concerning the Mahakuma Sansodhanagar shall be entered as required.
- (iii) He shall reside in the quarters provided for him or if no quarters are provided, shall live as near as possible to the Sansodhanagar so that he may be available for duty at all hours. He shall not absent himself from the Sansodhanagar premises or his quarters without the permission of the Superintendent and shall attend the Sansodhanagar at such hours as shall be fixed by the Superintendent. He shall transact all works on the Mahakuma Sansodhanagar premises.
- (iv) He shall perform all the non-medical executive and clerical duties prescribed for the Deputy Superintendent and Jailor and shall be responsible for the safe custody of Government property, cash and records appertaining to the Mahakuma Sansodhanagar. He shall secure the safe custody of Sansodhanagars and enforce discipline among prisoners and his subordinates. He shall report the sickness of any prisoner at once to the Medical Officer and if the prisoner escapes shall send immediate notice to the Superintendent and to the Police.
- (v) In absence of the Deputy Superintendent and Jailor he shall receive prisoner sent to the Mahakuma Sansodhanagar from court and shall enter receipt of the prisoner in the court hazat register in writing the name of the prisoner received; he shall likewise in the absence of the Deputy Superintendent and Jailor make over any prisoner whose attendance at the court has been ordered, and shall take receipt from the police officer

- delivery of any such prisoner. He shall furnish security and execute a penalty bond as may be prescribed by the State Government.
- (vi) He shall go round the subsidiary sansodhanagar on different nights and at different hours twice a week and see that the guards are alert and that the prisoners are quiet. Night visit and hour of visit shall not be known before hand but shall be subsequently recorded in the order book. He shall always be present when the Mahakuma sansodhanagar is opened in the morning and locked up at night, unless he is sick, in which case the cause of his absence shall be recorded in the order book which shall be produced before the Superintendent when he next visits the Sansodhanagar
 - (vii) He shall provide himself with uniform as prescribed for Sub Jailors by the State Government. He shall, when on duty, appear in uniform and shall see that the Head Warder and warders under his control are also clean and properly dressed.

(f) CHIEF HEAD WARDER

The duties of the Chief Head Warder in Kendriya Sansodhanagar are:

- (i) To see that all orders regarding the duties of the guard are duly observed and that they are known to and understood by the warders;
- (ii) To maintain a register showing the attendance and daily posting and relief of the guard or sentries under his orders, and to report to the jailor any warder absenting himself without leave;
- (iii) To inspect daily all arms and accoutrements and see that they are kept clean and fit for immediate use;
- (iv) To make a round of the outer main wall once everyday, and at least once a week at uncertain hours during the night, and to report to the jailor any suspicious circumstances or indications;
- (v) To report to the Officer on duty at the main gate, if he finds any lock, door, window or fittings thereof insecure, or any ladders, ropes, beams or any other articles likely to facilitate escape, lying about;
- (vi) To carry out any order for punishment - drill given by the Superintendent;
- (vii) To maintain an account of the receipt and expenditure of ammunition in his charge; and
- (viii) To see that armoury and guard rooms are kept clean and that their contents are neatly arranged.

Further, in absence of the Sub-Jailor, the Chief Head Warder will perform the duties of the Sub-Jailor in addition to his normal duties.

(g) HEAD WARDER

It shall be the duty of every Head Warder to

- (i) Supervise the duties of warder's subordinate to him in the discharge of their duties;
- (ii) Be responsible for the appearance and discipline of his subordinate warders. Any warder found to be improperly dressed while on duty shall be reported by the Head Warder;
- (iii) Exert strict compliance on the part of both warders and prisoners with all the rules of the department and report every breach of them that comes within his knowledge to the Superintendent or Jailor. If any Head Warder has wilfully failed to report a breach of discipline of which he has knowledge, he shall be liable to punishment;
- (iv) To assist the Jailor in all routine duties;

- (v) Open, in the presence of the Jailor and in his absence Sub Jailor, the sleeping wards, cells and other compartments each morning and count the prisoners;
- (vi) Distribute the prisoners who are liable to labour each morning to their respective work;
- (vii) Cause the name and Sansodhanagar numbers of every prisoner placed in charge of any warder to be entered in the proper gang book;
- (viii) Issue all necessary tools, implements raw materials and other articles required for the day's work and to make a record for all articles so issued;
- (ix) Collect all such articles together with the produce (if any) of the prisoners' labour after the period prescribed for work every evening;
- (x) Satisfy himself that all articles issued have been duly returned to him and accounted for.
- (xi) Measure or check the task (if any) performed by each prisoner and note the same in the prescribed task record.
- (xii) Superintend the use of the latrines and all bathing and feeding parades;
- (xiii) Check the prisoners at each change of guard;
- (xiv) See that no dirt or litter is allowed to be in the sansodhanagar and the drains are kept clean.
- (xv) See that the wards are clean and ventilated during the day time with beddings properly folded and arranged in them;
- (xvi) Cause gratings, doors and the likes to be secured and specify himself from time to time that they are secured.
- (xvii) Cause all bamboos, scantlings, Poles, ladders, ropes, well gear and other articles likely to be used for, ought to facilitate the escape of any prisoner, to be removed and placed beyond the reach of the prisoners in the places prescribed for storing and keeping the same;
- (xviii) Keep constantly moving about while on day duty amongst the prisoners, supervising the work and discipline of the sansodhanagar, and keeping Warders and convict officers on alert; and
- (xix) To count in the presence of the Jailor and in his absence Sub Jailor, search and lock up the prisoners in their respective wards, cells and other compartments at the prescribed time each evening.

(h) 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, a particular workshop or set of workshops, or a particular gang of prisoners inside or outside the jail. The posts & duties of Warders shall be frequently exchanged, so as to prevent the warders from forming permanent relations with any of the prisoners. Warders in charge of work sheds will be responsible for all tools and property kept in those work sheds.

In addition to the duties elsewhere prescribed in these Rules it shall be the duty of all Warders to: -

- (i) Count the prisoners made over to them and to declare the number to the Head Warder;
- (ii) Stand or patrol whilst on duty. On no consideration may a Warder take off his belt and lie or sit down whilst on duty.
- (iii) 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;

- (iv) 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 prohibited articles upon any of the prisoners in their charge;
- (v) Prevent the use or possession of tobacco or of any intoxicating drugs, or possession of smoking implements or of money or unsanctioned articles of food. They will see that prisoners do not steal or eat grain, vegetables, berries, or fruits and drink, except those prepared and supplied for their use.
- (vi) In the case of convicts sentenced to rigorous imprisonment to report all cases of idleness and short work;
- (vii) Prevent all loud talking, laughing, singing, playing or quarrelling and other un-seemly behaviour.
- (viii) See that the prisoners merge two by two when moving from one place to another and that they do not leave their proper places or loiter about the sansodhanagar. In the event of a prisoner being found separated from his gang the warder in charge will be punished;
- (ix) See that no prisoner leaves his own enclosure without authority or communicates with any prisoner with whom he has no proper concern or with a prisoner of another class or gang;
- (x) See that no dirt or litter is allowed to lie about the sansodhanagar premises and that the drains are kept clean and to report about sweepers who neglect their work;
- (xi) Specially to keep strict vigilance so that no prisoner can escape from the Sansodhanagar
- (xii) See to the cleanliness of the persons, clothes, bedding, ankle rings, fetters, plates and cups of the prisoners in their gangs and proper arrangement of their kits, that the prisoners bathe only at the bathing parades and that the bedding is aired according to order;
- (xiii) Bring to the notice of the Jailor any sign of sickness or any prisoner complaining of sickness;
- (xiv) Report any plots against the sansodhanagar authorities for the purpose of escaping or of assault or outbreak, or of obtaining forbidden articles and every breach of sansodhanagar Rules.
- (xv) Report any case of wilful injury to clothing or sansodhanagar property.
- (xvi) Prepare prisoners for master and for parades and to see that each prisoner comes to his proper place in proper order, behaves well and keeps silent.
- (xvii) Report at once to the Jailor and other responsible officer the fact of any prisoner being missing.
- (xviii) 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.
- (xix) Keep his arms accoutrements clean and in good order, behave well and keep silent.
- (xx) Every warder shall at all times whilst on duty be properly and cleanly dressed in his uniform and shall wear his belt and carry a baton or lathi when considered necessary by the Superintendent. The baton shall be slung on the belt with a loop or by means of a spring clip.
- (xxi) Temporary staff on casual duty.

16. MEDICAL PERSONNEL

Medical personnel will be directly responsible for the medicare and health of prisoners. They will also advise the maintenance of minimum standard of hygienic conditions in the Sansodhanagar premises. There may be four medical officers in the Kendriya Sansodhanagar and there shall be one Doctor at all times for the treatment of the prisoners. There shall also be one medical officer in the Mahakuma Sansodhanagar and Zila Sansodhanagar each for the purpose of the medical treatment of the prisoners of those Sansodhanagars. Specific duties of each of the medical personnel will be assigned by the Sansodhanagar authorities in the following areas:

(1) PREVENTIVE SERVICE

Examination of all inmates on admission and periodical re-examination, immediate provision of whatever treatment is indicated, immunisation, segregation and treatment of those having contagious or infectious condition, inspection and advice regarding diet, clothing, equipment, industrial safety, environmental and institutional sanitation and hygiene, health education for inmates and personnel.

(2) CURATIVE SERVICES

Treatment of diseases, dental care, treatment of skin ailments, correction of defects of sight, hearing, speech and posture, provision of artificial limbs, glass eyes, trusses and other prosthetic devices, prescription of special diets and exercise and physiotherapy and treatment of substance related and addictive disorders and psychological disorders.

17. GENERAL

Hospital administration, hospital discipline, classification of prisoners, assessing work and employment of potential inmates, suggesting special precautionary measures where necessary for certain types of offenders, daily visit to prisoners under punishment, prisoners under sentence of death, inspection of kitchen, canteen provisions and supplies, medical treatment of personnel, assisting the Superintendent in matters pertaining to institutional management, liaison with local officers of medical and health departments.

18. WELFARE UNIT

Welfare personnel will primarily be concerned with the well being of prisoners undertaking individualised care for those needing institutional adjustment and responsiveness through correctional programmes. There shall be one welfare officer in each district and one Psychologist or Counsellor for the Kendriya Sansodhanagar. Specific duties of welfare functionaries are mentioned below: -

(1) ASSISTANT INSPECTOR GENERAL OF CORRECTIONAL SERVICES:

He will supervise and ensure welfare activities of the Kendriya Sansodhanagar and directly report to Inspector General of Correctional Services in the Sansodhanagar Head Quarter.

(2) CHIEF WELFARE OFFICER

Chief Welfare Officer shall be appointed in Kendriya Sansodhanagar and welfare officer be appointed in each Zila Sansodhanagar to look after the welfare and reintegration programmes of prisoners.

- i. Coordinating the work of the Welfare Unit.
- ii. Helping inmates in overcoming forms of institutional adjustment.

- iii. Assisting inmates in dealing with problems faced by their families and dependents.
- iv. Correcting correctional needs of prisoners with the resources available within and outside the Sansodhanagar.
- v. Participating in the orientation, classification and reclassification programme.
- vi. Facilitating understanding between the inmate and administration.
- vii. Assisting Sansodhanagar authorities in maintaining Sansodhanagar, security, discipline, etc.
- viii. Identifying the resources for reservation of prisoners.

19. LAW OFFICER

- (1) Advising Sansodhanagar authorities on the protection of human rights of prisoners within the limitations of the Sansodhanagar.
- (2) Interpreting legal and procedural rights of prisoners.
- (3) Assisting Sansodhanagar authorities in dealing with all Sansodhanagar matters pending in Courts.
- (4) Arrangement of free legal aid for indigent prisoners.
- (5) Providing objection and appeal for deserving cases.
- (6) Assisting Sansodhanagar authorities in holding Special Court, Lok Adalat and Video Conferencing.
- (7) To advice Sansodhanagar administration in all matters having legal bearing including agreements, contracts, affidavit and Court documents keeping Sansodhanagar authorities abreast with judicial pronouncements and directives on all Sansodhanagar matters.

20. COUNSELLOR

- (1) Dealing with emotional and psychological problems of inmates.
- (2) Providing counselling to prisoners facing problems of adjustment within the Sansodhanagar and in relation to their families outside.
- (3) Helping inmates develop their self-image, self-evidence and motivation for correctional treatment.
- (4) Helping the staff in understanding the problems faced by the inmates.
- (5) Aiding the psychiatrist in related matters.

21. EDUCATIONAL PERSONNEL

Education in Sansodhanagars is to be pursued as an important means of reformative treatment. It not only implies providing literacy but also inculcates values among prisoners as are considered conducive to their social main stream. Therefore, education personnel have to offer a comprehensive programme of education to prisoners in which various educational functionaries will perform their specific duties in the following areas: -

- (1) Conducting diversified educational programmes for health academics, social and moral education
- (2) Linking Sansodhanagar education with main stream education.
- (3) Screening of individually admitted inmate for the determination of their educational aptitude, abilities and interests.
- (4) Participation in classification committees work.
- (5) Conducting literacy, social agricultural and spiritual development programme.

- (6) Arranging tests and examinations; periodically assessing educational progress of inmates, changing educational programmes when necessary.
- (7) Maintenance of a library with sufficient reading material.
- (8) Audio-visual facilities.

22. TECHNICAL PERSONNEL

Technical personnel are responsible for the development of vocational training and diversified programme of the all productive work as an important component of the reformatory process. While technically qualified and trained staff has to provide knowledge and skills for economic rehabilitation, the other technical staff will have to ensure proper maintenance of the Sansodhanagar infrastructure. Requisite staff may also be engaged for working and maintenance of Sansodhanagar management software, documentation, digitization of records and other related work. Specific duties are integrated here in below: -

23. (1) INSTRUCTORS

- (i) Conducting vocational aptitude test for inmates, interviewing and collecting data about inmate's vocational history, skills, abilities and interests.
- (ii) Suggesting work and vocational training programmes for inmates.
- (iii) Preparing plans for vocational training projects.
- (iv) Imparting apprenticeship, on-the-job and vocational training to inmates.
- (v) Utilising resources of service and maintenance unit for training purposes.
- (vi) Arranging arts and handicrafts projects.
- (vii) Arranging vocational examination for inmates.
- (viii) Training of individually admitted prisoners.
- (ix) Maintaining progress reports about the training of prisoners.
- (x) Suggesting improvements in work methods.
- (xi) Keeping the equipment's and machines in the workshops in good working conditions, custody and maintenance of workshop and factories.
- (xii) Ensuring safety measures in workshop and factory areas.
- (xiii) Maintenance of discipline in the area under their charge, attending to emergency situations.
- (xiv) Distribution of work to inmates.
- (xv) Maintaining master rolls of inmates working in various sections.
- (xvi) Supplying of tools and materials to the inmates.
- (xvii) Supervision over quality and quantity of production.
- (xviii) Maintaining work sheets.
- (xix) Measuring tasks and apportioning wages.
- (xx) Indenting raw materials from the store keeper, storing raw material, maintaining account of raw material and manufactured articles in their charge, despatch of manufactured articles to the store keeper, monthly checking of stores under their charge and reporting the same to the authorities concerned.
- (xxi) Preparing work plans for work sheds under their control and forwarding them to the Officer-in-Charge.

(2) MAINTENANCE STAFF

- (i) Maintenance and repairs of Sansodhanagar buildings.
- (ii) Maintenance and service of machines, tools, equipment's and transport facilities.
- (iii) Maintenance and service of electric lines, plumbing facilities, water supply plant and power plant.

- (iv) Periodical testing of emergency equipment like fire fighting equipment and accident prevention measures.

24. AGRICULTURAL

Keeping in view, the rural background of most of the prisoners, training and development of agriculture in sansodhanagar, the agricultural personnel have to be responsible for the up-gradation of their skills in this field. The specific duties to be performed by them are indicated as under:

- (1) Dealing with all matters pertaining to agriculture and horticulture;
- (2) Distribution of agricultural work to prisoners, maintenance of master rolls, assessing the work done and apportioning of wages;
- (3) Planning of training projects, imparting training to inmates in improved methods and practices of agriculture and horticulture;
- (4) Maintaining progress reports about the training of inmates;
- (5) Indenting of material from the Store Keeper; storing of material, maintaining and account of the equipment, material and produce, monthly stock taking;
- (6) Preparing plans for agriculture and related work;
- (7) Security and maintenance of tools, equipment's and livestock.

25. MINISTERIAL STAFF

Ministerial staff will be so organised as not to leave any scope for sharing their duties with prisoners. The members of ministerial staff will be assigned by the Superintendent as per the position he/she holds and the requirements.

(1) ACCOUNTANTS/CASHIER: -

Preparation of budget, maintenance of accounts of all branches and stores, accounts and cash, daily checking of all stores and accounts registers, financial returns, periodical and statistics, monthly stock taking of all stores.

(2) STORE-KEEPER: -

In charge of all stores that is, grain, provisions, supplies, raw material, accessories, manufactured articles, inmate equipment, dead stock and miscellaneous stores.

CHAPTER - V
(CLASSIFICATION OF PRISONERS)

26. CLASSIFICATION OF PRISONERS AND PROCEEDURE IN DEALING WITH THE PRISONERS:

In every Sansodhanagar each of the following classes of prisoners shall be kept entirely separate from each other.

- (1) Civil prisoners;
- (2) Undertrial male prisoners;
- (3) Female prisoners;
- (4) Male convicted prisoners.

(1) CIVIL PRISONERS

The term civil prisoners defined under section 3(4) of the Prisons Act, 1894, means any prisoner who is not a criminal prisoner and includes the following:

- (i) A judgment-debtors confined under a warrant in execution of decree of Civil Court;
- (ii) A revenue defaulter detained in custody;
- (iii) A judgment debtor detained under order of a Certificate Officer under the Public Demand Recovery Act, 2000;
- (iv) Prisoners other than a criminal prisoners or a detenue.
- (v) Separate room with toilet facilities for housing civil prisoners at Kendriya Sansodhanagar and Zilla Sansodhanagar.

(2) UNDERTRIAL PRISONERS

The classification of undertrial prisoners shall be done only on the basis of security, discipline and institutional programme. No classification on the basis of social status shall be attempted. The entitlement of diet, clothing, bedding and interview will be same as applicable of other categories of prisoners. Under trial prisoners shall be classified as under:

- (i) **Category – 1 (S1-Red) :** Alleged fundamentalists, naxalites, extremists and terrorists or any other individual characteristics warranting confinement in Security Zone - 1.
- (ii) **Category – 2 (S2-Blue) :** Alleged gangsters, hired assassins, dacoits, serial killers, rapists, violent robbers and drug offenders, habitual grave offenders, communal fanatics and those highly prone to escapes, previous escapees, attack on police and other dangerous offenders, including those prone to self harm, posing threat to public order, warranting confinement in Security Zone- 2.
- (iii) **Category – 3 (S3-Yellow) :** Those who do not pose any threat to the society upon release, like those involved in murders on personal motives, other bodily offences, theft, property offences, prohibition offences, other special and local laws, railway offences and other minor offences.

Note :

- (a) Persons suffering from mental ailments and young offenders shall be lodged separately.
- (b) Courts will send intimation to Sansodhanagar authorities about undertrial prisoners who have turned approvers or have made confessions.

- (c) An accused person detained under section 122(2) of the Criminal Procedure Code, 1973, must be treated as an undertrial prisoner until his case has been decided by the Sessions Court or High Court.

27. ADMISSION

Jailor and Deputy Jailor shall be in charge of all work pertaining to undertrial prisoners. No person shall be admitted into a Sansodhanagar as an undertrial prisoner unless accompanied by the following documents:

- (1) A remand warrant in the prescribed form, signed, dated and sealed by the competent authority. There shall be separate writ, warrant or order for every prisoner, even if two or more prisoners have been jointly accused.
- (2) Identification roll containing at least two specific permanent identification marks like deep scars, birth marks, moles indicating their exact location on the body ;

28. DISCREPANCIES IN REMAND WARRANT

The officer on duty is authorised to refuse admission of an undertrial prisoner in whose case the remand warrant is not sent in the appropriate form or the warrant is found to contain (1) discrepancies in name or identification, (2) omission of the signature of the competent authority. In such a case, a report shall be sent in the prescribed form to the authorities concerned.

29. PROPERTY OF UNDERTRIAL PRISONERS

The property of under trial prisoners shall remain in the court.

30. CHILDREN- CHILDREN OF WOMEN UNDERTRIAL PRISONERS

Children of woman undertrial prisoners may be admitted if suitable arrangements for their care cannot be easily made outside.

31. FOOD

If an undertrial prisoner has not been in the Sansodhanagar previously, it is the duty of the police or the escort officer to see that the undertrial prisoner is given food before he is taken to the Sansodhanagar, if he is likely to arrive there too late for the Sansodhanagar meal. If the police or escort reports that the undertrial prisoner has not been supplied with food, Sansodhanagar authorities shall make necessary arrangement for the issue of food to him. In case the undertrial prisoner is admitted after the Sansodhanagar meals have been served or after lock-up, food stuff like parched rice, parched gram, groundnuts, etc., shall be issued to him as per prescribed scale.

32. ADMISSION HOURS

- (1) Undertrial prisoners shall be admitted during usual working hours of the Sansodhanagar. Prisoners received after the lock-up hour shall be confined in a separate place specially earmarked for a such purpose.
- (2) While undertrial prisoners are being escorted, care must be taken to see that they reach the destination before the lock-up hour. If under trial prisoners are likely to reach the destination after lock-up hour, the transferring Sansodhanagar or Mahakuma Sansodhanagar, the police or escort officials must send sufficient advance intimation to the Sansodhanagar where the under trial prisoners are being escorted.

- 33. It is the duty of every Sansodhanagar officer to endeavour to ascertain whether an undertrial prisoner has been previously convicted. Such information, as and when it is available, shall be immediately forwarded to the Superintendent of police for necessary action.

34. APPROVERS

When an undertrial prisoner has been admitted by the court as an approver or a confessing accused, he shall be kept separate from others concerned in the same case. Where there are separate cells or compartment in the undertrial ward, they may 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 solitary confinement.

35. SEGREGATION

Any special direction as to the separation of an undertrial prisoner given by the Judge or Magistrate must be carried out. Such separation shall be unaccompanied by any irksome condition beyond those necessary to secure the object in view, namely, to prevent him from communicating directly or indirectly with other prisoners concerned in the same or other case.

36. IDENTIFICATION FOR COURT PURPOSES

- (1) Undertrial prisoners without the permission of the appropriate authority shall not be allowed to cut or shave their hair on their heads or faces or in any way to alter their personal appearance, so as to make it difficult to recognise them. They shall not, however, be prevented from changing their cloths, provided that their appearance is not materially altered when they are presented for identification in the Sansodhanagar when sent to court for trial.
- (2) The Police shall give intimation to Sansodhanagar authorities of cases in which identification of undertrial prisoners is to be carried out and shall give full description of growth of hair, moustache, beard, etc., which the under trial prisoners had at the time of arrest.
- (3) The Test Identification Parade (T.I Parade) shall be held as per Rules framed for this purpose.

37. POLICE INTERROGATION

Only such police officers as have been authorized by the Judge or Magistrate, shall be allowed to interrogate an undertrial prisoner while in Sansodhanagar custody. Such interviews must be held in the presence and within the hearing of a Sansodhanagar officer.

38. FACILITIES

- (1) The following facilities shall be extended to all undertrial prisoners:
 - (i) Legal defence;
 - (ii) Interviews with lawyers or family members (for legal purposes);
Note:-The Superintendent of Sansodhanagars may carefully select well-behaved prisoners to avail family interview after giving due consideration to security and other aspects.
 - (iii) Signing Vokatnama;
 - (iv) Delegation of power of attorney;
 - (v) Execution of Will;
 - (vi) Essential religious necessities as per Rules;
 - (vii) Application to courts for legal aid at Government cost as per provisions of law;
 - (viii) Other applications to courts;
 - (ix) Application to legal aid services authority for free legal aid;
 - (x) To facilitate arrangement for casting of vote as and when necessary;
 - (xi) To ensure immediate medical assistance as and when required.
- (2) Any other facilities as sanctioned by the State Government shall be extended to under trial prisoners.

39. FOOD FROM OUTSIDE

Food from outside may be allowed in exceptional cases with prior written approval of the Superintendent subject to the following conditions:

- (1) A written undertaking shall be given by the undertrial prisoner and the supplier of the food that they are entirely responsible for the wholesomeness of such food and that Sansodhanagar administration will not be held responsible for any mishap that may happen. Food for only one-time requirement of the undertrial prisoner shall be allowed in a day. Food articles will be tasted by the person who delivers the food and the same shall be examined by the Medical Officer of the concerned jail. The food will be delivered at hours prescribed by the Sansodhanagar authorities. Food shall be eaten in the prescribed area and during prescribed hours only. During emergency or epidemics or for reasons of health of the under trial prisoner, outside food may be disallowed. However, for the safety and securities of the under trial prisoners the Superintendent on the advice of the concerned medical officer has authority to disallow or discontinue this concession at any time.
- (2) Prisoners allowed to receive outside food, shall not be given Sansodhanagar food.
- (3) Undertrial prisoners shall not be allowed to cook their food separately in the institution.

40. CLOTHING

Usually private clothing to meet reasonable requirements can be allowed to under trial prisoners. Such articles of clothing as will effect the security requirements of the institution shall not be allowed. An undertrial prisoner who has no sufficient clothing of his own may be provided with the same at government cost at the prescribed scale. Such clothing may be allowed to be retained by the under trial prisoner even after his release. Private articles bearing marks or symbols of political affiliation shall not be allowed to be kept or used by under trial prisoners.

41. LETTERS

On the initial admission of a prisoner, a printed card shall be sent at Government cost to his family. This card shall contain information on the following points:

The inmate's institutional number and address, brief summary of rules regarding interviews, letters etc.,

- (1) Four letters per calendar month, two at his cost and two at government cost shall be allowed to be written by an undertrial prisoner.
- (2) Additional letters for legal purposes such as arranging defence, bail and security may be allowed normally at the prisoner's own cost.
- (3) Undertrial prisoners may be allowed to purchase from the Sansodhanagar canteen a reasonable supply of stationery and writing materials which shall be marked and serially numbered by the Sansodhanagar authority.

42. INTERVIEWS

When a legal adviser desires an interview with an undertrial prisoner, he shall apply in writing giving his name, address and profession and satisfy the Superintendent as to his bona fides. Every interview between an undertrial prisoner and his legal adviser shall take place within the sight but out of hearing of a Sansodhanagar official. One interview per calendar week with family members or relatives or close friends may be allowed. In deserving cases additional interviews for legal purposes may be granted in the discretion of the Superintendent. Undertrial prisoners shall not be granted interviews with convicted prisoners unless they are very close relatives.

43. CANTEEN

An undertrial prisoner shall be allowed to make purchases from the canteen up to amounts as may be fixed by the State Government.

44. PRODUCTION BEFORE COURT

An undertrial prisoner shall be produced before the court on the due date of hearing, in person. However, for extension of detention in custody, the prisoner may be produced before the court either in person or through Electronic Media like Video-linkage. For this purpose a court diary shall be maintained in which all relevant entries of production before various courts shall be made. These entries shall be made daily by the official concerned and shall be supervised daily by the concerned officer-in-charge.

45. REQUISITION OF ESCORT

On the basis of the court diary, requisition for police escort shall be sent sufficiently in advance. Information about women, adolescent, juvenile undertrial prisoners and as far as possible about violent, dangerous and notorious undertrial prisoner must be sent to the police authorities while requisitioning the escort.

46. SICK PRISONERS

If an undertrial prisoner is sick and the medical officer certifies the prisoner's inability to attend the court, he may not be produced before the court. In such an event the medical certificate shall be forwarded to the court.

47. FEEDING

Before undertrial prisoners are sent to the court, the usual morning meals shall be served.

48. ARTICLES ALLOWED TO BE TAKEN WHILE GOING TO THE COURT

While going to the court, the undertrial prisoner shall not be allowed to carry any other articles with him excepting the cloths on his person and papers pertaining to his case. In case the undertrial prisoner wants to take his cash for legal purposes, the same shall be forwarded to the court through the police escort. This amount may be utilized by the under trial prisoner under orders of the court for purpose like legal defence, cost of copies, etc. The disposal of this amount shall be certified by the police and the prisoner in the appropriate column of the register prescribed for such purpose. Under no circumstances, shall the undertrial prisoner be allowed to carry cash or valuable, if any, on his person.

49. SEARCH

Before being sent to the court, and after having been received back from the court, all undertrial prisoners shall be thoroughly searched and checked with dignity.

50. TRANSPORT

For transporting undertrial prisoners to and from the court and other destinations, necessary arrangements for conveyance shall be made by the police authorities. If not a separate conveyance the common conveyance shall at least have separate compartments for women under trial prisoners and young under trial offenders.

51. HANDCUFFING

- (1) Hand cuffing shall be resorted to when there is no other reasonable way of preventing escape of the prisoner in the given circumstances.
- (2) The following categories of undertrial prisoners may be handcuffed for reasons recorded in writing and with approval of the court :
 - (i) prisoners involved in serious and violent offences ,
 - (ii) prisoners having notorious or dangerous backgrounds ,
 - (iii) Violent, aggressive and refractory prisoners,
 - (iv) prisoners who have previously escaped.

- (3) Handcuffing of undertrial prisoners may be done in the court premises with the permission of the court.

52. COURT PREMISES

- (1) The police escort shall not allow any eatable or prohibited articles to undertrial prisoners during their journey between the court and the Sansodhanagar or on the court premises except with the permission of the concerned police authorities.
- (2) Undertrial prisoner shall be thoroughly searched and checked before being taken into the court room.

53. RETURN TO THE SANSODHANAGAR

- (1) As soon as the court work is over, such undertrial prisoners as have been remanded to Sansodhanagar custody shall be brought back to the Sansodhanagar immediately.
- (2) On return of an undertrial prisoner from the court to the Sansodhanagar gate, if any unauthorised article is found or a special circumstances or an irregularity or cash money is noted by the Sansodhanagar officer on duty, he shall forthwith report the matter to the senior officer on duty and if necessary, to the District Superintendent of police for action. Such case as is brought by the police escort shall be recorded in the register and deposited in the Sansodhanagar office under intimation to the undertrial prisoner.

54. PRODUCTION OF UNDERTRIAL PRISONERS TO OTHER STATE

When an undertrial prisoner is required to be sent to another State for trial, the State from where the undertrial prisoner is sent, shall arrange for the escort with the permission of the concerned court. The travel and other incidental expenses of the escort and of the undertrial prisoner shall be borne by the dispatching State.

55. PRODUCTION OF THE UNDERTRIAL PRISONER BEFORE COURT IN CIVIL SUIT PROCEEDINGS

Unless ordered by the District Judge, no undertrial prisoner shall be produced before the court for civil suit proceedings.

56. PREVENTION OF UNDUE DETENTION

- (1) An undertrial prisoner whose case is being tried by a Magistrate shall be produced before the Magistrate at least once in fifteen days for the purpose of further order. Upon the expiry of each period of remand, the prisoner shall be placed before the Magistrate ;
- (2) A statement in the prescribed form showing details of undertrial prisoners, whose case have been pending for more then three months shall be sent on the fifth day of each month to the Sessions Judge or District Magistrate with relevant extracts to the court concerned.

57. ADDITIONAL CASES

When additional case/cases are pending against a prisoner, the following action shall be taken :

- (1) Entries of additional cases in red ink on the backside of the remand/custody warrant in appropriate columns of undertrial register and court diary shall be made.
- (2) Intimation to the police escort, in prescribed form, shall be sent.
- (3) When an undertrial prisoner is wanted for trial in another case/cases for which he is not on bail, the court concerned will issue a separate remand warrants. In the event of grant of bail in the second case or other cases, due intimation shall be sent by the court to the Sansodhanagar authorities.

- (4) When an undertrial prisoner confined in a Sansodhanagar or sub-Sansodhanagar is required for another case/cases for which he is on bail, the court concerned will duly intimate to the Sansodhanagar authorities.
- (5) In the case of an undertrial prisoner having two cases pending against him, for which he is not on bail, an endorsement in red ink shall be made each time he is sent to the court.

58. DISCIPLINE

No convicted prisoner shall be kept in the same area in which undertrial prisoners are kept, or be allowed to have contact with undertrial prisoners. Except prisoners working in essential Sansodhanagar services like conservancy, etc. no convicted prisoner shall be allowed to enter the undertrial yard or block. As soon as the work is over, these prisoners shall be withdrawn from the yard or block. In all matters where under trial prisoners are concerned no convicted prisoner shall be used for supervision or similar other purpose. All such matters shall be handled by the staff members.

59. WORK

- (1) Undertrial prisoners shall clean the yards, barrack and cells where they are kept. Undertrial prisoners shall be detailed for this work. Such work may be allotted on a group basis, so that through the cumulative work of all the undertrial prisoners, the yards, barracks, cells will get cleaned up. It will also be incumbent on all undertrial prisoners to keep their own clothing, bedding and equipment properly washed, cleaned and disinfected.
- (2) The undertrial prisoners volunteer who to work, suitable work if possible, be given to them. Wages may be paid to them according to schedules of standard tasks and wages, as fixed by the State Government. Employment of undertrial prisoners on extramural work is strictly prohibited. In no case, shall undertrial prisoner be employed outside their own enclosure or in work-sheds and areas where other convicted prisoners are working.

60. TRANSFER

During an emergency or on administrative grounds the Inspector General is authorised to transfer undertrial prisoners from one Sansodhanagar to another within the state with the prior approval of the Government, provided that if a prisoner is transferred to a place outside the jurisdiction of the court concerned, prompt intimation shall be sent to the court. The prisoner shall be produced before the court on the due date.

61. SERIOUS ILLNESS

When an undertrial prisoner is seriously ill, the Superintendent shall send a report along with a medical report to the court concerned in order that if the law permits and the court thinks fit, the prisoner may be released on bail.

62. TRANSFER TO AN OUTSIDE HOSPITAL

When the Sansodhanagar Medical Officer recommends that in the interest of the health of the undertrial prisoner, he shall be transferred to a hospital outside the Sansodhanagar so as to enable to his proper treatment, immediate action shall be taken and the matter reported to the court concerned.

63. DEATH

The death of an undertrial prisoner shall be promptly reported to the court and other concerned agencies as required.

64. CONVICTION

When an undertrial prisoner is convicted, the officer in charge of undertrial prisoners shall hand over all connected papers and records together with cash and private property, if any to the officer in charge of admission of convicted prisoners who will

attend to the usual routine in this respect. On conviction, an under trial prisoner shall be transferred to the yard/block meant for newly admitted convicts.

65. RELEASE FROM THE COURT

- (1) When an undertrial prisoner is discharged or released from the court, an endorsement to that effect will be made by the court in the prescribed form. On receipt of such intimation, entries in the appropriate column of the undertrial register shall be made.
- (2) If the undertrial prisoner is released from the court he shall claim his personal property, if any from the Sansodhanagar authorities within three months, failing which the same shall be forwarded to the police for disposal.

66. RELEASE FROM SANSODHANAGAR

- (1) Release orders and bail bonds will be sent through post or through the peon of the court. If any private person brings such documents, the same shall not be accepted at the Sansodhanagar office;
- (2) On receipt of a bail bond or release order prompt action shall be taken. In a Kendriya or a Zella Sansodhanagar an under trial prisoner shall normally be released within four hours of the receipt of the bail bond or release order. In case of any confusion, instruction may be solicited from the concerned court.

67. RELEASE PROCEDURE

While releasing an undertrial prisoner the officer in charge shall attend the following points :-

- (1) Scrutiny of the bail bond or release order with relevant original papers and records
- (2) Checking whether any other case is pending against the under trial prisoner ;
- (3) Checking of the identity of the undertrial prisoner.
- (4) Handing over of the cash and property of the undertrial prisoner.
- (5) The undertrial prisoner shall be informed of the contents of the bail bond prior to his release
- (6) If the undertrial prisoner has not got sufficient money, he/she may be given travel warrant and if his/her journey home is likely to take more than 12 hours, he may be given subsistence money.
- (7) After release, the bail bond shall be duly returned to the court concerned along with a certificate of release.

68. WOMEN UNDERTRIAL PRISONERS

Women undertrial prisoners shall be escorted by woman police. As far as practicable, separate conveyance shall be provided for the transport of woman undertrial prisoners.

- (1) Women staff members shall be in charge of women under trial prisoners. The lady Sub-Jailor or Sr. Matron/ Head Warder shall be present at the time of admission and release of women undertrial prisoner. She shall attend to all work pertaining to the women undertrial prisoners.
- (2) As far as possible, women undertrial prisoners shall be handed over to their relatives after release. If it is not possible, a woman police or women Sansodhanagar guard shall escort the released woman undertrial prisoner to the nearest station or transport bus stand.

69. DAILY ROUTINE AND PROGRAMME FOR UNDERTRIAL PRISONERS

The following daily routine shall be adjusted to suit local conditions ;

(1) Early morning

Toilet, meditation,
preparation for opening,
unlocking according to condition of visibility counting,

counting,
search,
leaving the barrack or cell.

(2) Morning

Toilet,
prayers,
P.T (physical training), drill, individual and group exercise,
morning light meal,
cleaning of barrack or cells, yards, open spaces,
cleaning of equipments,
work on voluntary basis,
educational classes,
washing of clothes and baths,
meal and rest.

(3) Afternoon

Newspaper, library, books ,
educational classes,
social education,
toilet,
games and reaction for one hour according to institutional facilities.

(4) Early evening

Wash, evening meal,
preparation for lock up,
counting,
search,
lock-up at dusk.

(5) Evening

Reading news-paper, library books,
TV/Radio, music, meditation,
to bed.

70. PROGRAMMES ON SUNDAYS AND SANSODHANAGAR HOLIDAYS

On Sundays and Sansodhanagar holidays the following routine shall be followed subject to adjustment to suit local conditions:

(1) Early morning

Weekly parade.

(2) Morning

toilet,
exercise, light meal,
general cleaning of barracks, cells& open spaces,
cleaning of equipment,
washing of clothes and bath,
inspection of equipment,
meal and rest.

(3) Afternoon,

Educational films as per schedule for each group and in accordance with institutional facilities.
group music
Newspaper, library books, radio/TV,
toilet,
games (one hour).

71. SEARCHING OF INMATES:

Searches of inmates are to be conducted, in so far as possible, adhering the following, while having due regard to the privacy and dignity of the individuals:

- (a) Searches are to be conducted in separate enclosures and not within the visibility of other inmates.
- (b) Every female inmates shall be searched by female warder only and in presence of other senior female personnel and women officers.
- (c) X-Ray machine/Door Metal Detector/held Hand Metal Detector shall be available in every Sansodhanagar for searching of inmates on their admission and every in and outside moment of inmates.
- (d) If any prohibited article is found in the possession of any inmates during searching, the matter shall be brought to the notice of the concerned Magistrate, Police office of that jurisdiction forthwith.

**CHAPTER –VI
(SECURITY & CUSTODY)**

72. CUSTODIAL MANAGEMENT

To ensure custodial security of inmates is the primary responsibility of the Sansodhanagar. The overall object of reform and rehabilitation has to be pursued within the framework of custody. However, sansodhanagar custody implies certain restrictions on the basic rights of prisoners as human beings under the process of incarceration that prisoners are required to undergo.

73. SECURITY AND CUSTODY

Following norms in respect of security and custody in Sansodhanagars are given as under :-

- (1) Security measures will be adopted in accordance with the specific requirements of each Sansodhanagar ;
- (2) Demarcation of an 'out-of bound' area as sterile zone around every Sansodhanagar premises – Kendriya Sansodhanagar 150 mtrs, Zila Sansodhanagar 100 mtrs, Special Sub-Sansodhanagars and Sub-Sansodhanagars 50 mtrs;
- (3) Secured walls buildings, gates, barracks, cells, hospital areas and other places, daily inspection of the same and proper maintenance of Sansodhanagar building and premises ;
- (4) A system of good lighting inside and around the Sansodhanagar
- (5) A system of thorough searches of all incoming and outgoing prisoners, articles & vehicles. Daily searches and periodical surprise searches of all Sansodhanagars' sections and equipments ;
- (6) A central point monitoring for the control of the movement of prisoners ;
- (7) A thorough system for control of prohibited articles
- (8) A thorough system of counting prisoners ;
- (9) A system of custody and control and inspection of locks, keys, handcuffs and other security equipments, maintenance and service of all security equipments ;
- (10) A system of custody, control, inspection and counting of tools and equipments ;
- (11) A system of accident prevention and of meeting requirements during emergencies such as escapes, riots, assaults and fires ;
- (12) A system of fire arms control, quarter guard, magazine and weaponry practice ;
- (13) Adequate guarding and security measures by adopting proper norms for staff and equipments, and periodical testing and inspection thereof, by executive personnel ;
- (14) Effective systems of censoring prisoners' mail and checking of interviews;
- (15) Utilization of local intelligence branches wherever necessary and maintaining an intelligence system to collect information within the Sansodhanagar ;
- (16) Installation of close circuit television system and other electronic gadgets to effectively monitor and maintain a close watch for any breach of security inside the Sansodhanagars ;
- (17) Watch towers, wherever necessary, to watch inside and outside of the Sansodhanagar, to be constructed and searchlights and binoculars made available ;

- (18) Installing electric power line on the walls of Sansodhanagar wherever necessary to prevent escapes, ensuring, safety of the prisoners lives ;
- (19) A system of thorough search for unearthing explosives and narcotic substances among prisoners ;
- (20) Effective wireless communication system and intercoms to be established within the Sansodhanagar and also from one Sansodhanagar to another;
- (21) Constructing a second security wall in every Sansodhanagar, making the Sansodhanagar building an inaccessible area for the general public in so far as possible and also to avoid trespassing.
- (22) A good road inside and outside the main walls for better patrolling;
- (23) A modern interview room with sound absorption to ensure smooth conversation and human dignity, without overlooking the security.
- (24) Effective segregation of prisoners on the basis of security requirements ;
- (25) Installation of high pitch sirens to alert Sansodhanagar staff, public and nearby police stations about any untoward happening;
- (26) Untrained personnel must not be posted inside the Sansodhanagar, Sansodhanagar premises, under any circumstances for guarding purposes;
- (27) Electronic gadgetry may be used for guarding purposes.

74. GUARDING ESTABLISHMENT

There will be a guarding establishment in every Sansodhanagar, responsible for the guarding of prisoners, Sansodhanagar premises, gates and carrying out any other duties which may be assigned to them. The guarding establishment includes the Warder performing their duties in rotation.

75. QUICK REACTION TEAM

In all Kendriya and Zila Sansodhanagars, there may be a Quick Reaction Team who have undergone commando training, with use of modern weapons and unarmed combat. This Quick Reaction Team shall be under the charge of the Jailer/ Deputy Jailer and will always be ready in the guard room to meet any emergency.

- (1) As far as possible the Quick Reaction Team must be selected from young Warders.
- (2) The Quick Reaction Team will always be commanded by an officer during day and night.
- (3) Personnel in the Quick Reaction Team may carry the required modern weapons like pistols, carbines, S.L.R., pump action guns and authorised quality of rubber bullets, plastic bullets and live ammunition so that these can be used in emergencies.
- (4) The Superintendent will personally satisfy himself that the Quick Reaction Team is properly trained, equipped and alert at all times. When the Quick Reaction Team is detailed, each man under it will carry the authorised ammunition.
- (5) When one set of guard is relieved, all arms and ammunition will be handed over to the relieving guards. The Jailer/Deputy Jailer (Quick Reaction Team) in command will be responsible for the correct handing over of arms and ammunition.

76. ARMED SENTRY

The watch towers at the main gate may be guarded by armed sentries and other portions of the Sansodhanagar may be guarded by Warders without arms. The Warder establishment will supply sentries and guards to the internal and external posts. All these guards and sentries will perform duties in rotation.

- (1) Armed sentries will perform duties in two hourly shifts. It is the duty of sentry, both during day and night, to challenge all unknown or suspicious persons approaching his beat, forbidding them to approach nearer unless they can satisfactorily account for themselves or at night, give the correct pass-codes (generated on daily basis for internal security purpose). No convict will be permitted to approach within 5 mtrs of any sentry. It is the duty of a sentry to resist all attempts to break into or out of the Sansodhanagar or of any part of it and to prevent escapes or illicit communication with prisoners. During night time every sentry will report to the Patrolling Officer if anything suspicious or unusual comes to his knowledge. He will give the required assurance that all is well each time the Patrolling Officer passes by.
- (2) The sentry on duty will carry the required arms and ammunition, which will later be handed over to the relieving sentry.

77. RELIEF AND SUPERVISION OF SENTRIES

As a rule sentries will be relieved at the end of every two hours. During the day the Jailor/Deputy Jailor will conduct the relief, and at the same time check and satisfy himself that the sentries are alert and attending to their duties properly. To discharge these functions during the night, two Patrolling Officers will be appointed from among the senior second grade Warders. Each Patrolling Officer will record the hour of his visits by appropriate means.

78. MORNING AND EVENING MUSTER OF RESERVE GUARD

Before the Sansodhanagar is unlocked in the morning the Quick Reaction Team and Warders whose duties for the day have not been fixed will be mustered under arms outside the main gate, and the Jailor/Deputy Jailor will at once post the day sentries. The guard will be drilled and afterwards shall remain under arms till the entire team is marched out and dismissed to the guardroom. The Quick Reaction Team will again be under arms from the hour fixed for the commencement of work till the prisoners are locked for the night.

79. SALUTES BY ARMED GUARDS

- (1) Guards and sentries will necessarily salute to the persons mentioned in column (i) of the table below in the manner mentioned in column (ii) thereof :-

Person (i)	Manner of salute (ii)
The Inspector General, the Assistant Inspector General of Correctional Services and the Superintendent	By presenting arms
All other gazetted officers, official visitors and Deputy Superintendent.	By sloping arms and placing the right hand smartly on the butt, fingers extended
Jailor/Deputy Jailor/Sub-Jailor, Welfare Officers.	By coming to in attention with ordered arms

Explanation :- The Guard Officer will always bring it to the notice of the Deputy Superintendent any failure on the part of the sentry to comply with this Rule.

- (2) As a rule the guard will not be turned out under arms for saluting purposes after sunset.

80. GENERAL GUARDING DUTIES

The general guarding will be undertaken by the Warder establishment. They will carry on the internal and external guarding of the Sansodhanagar, the supervision of the prisoners during labour hour as well as the work of guarding and maintaining security

of Wards, Blocks, Workshops, Tools and Plants and other Government properties, posts and towers.

81. GUARDING REQUIREMENTS

The charter of functions of the guarding staff shall be :

- (1) The sentry or guard will on no account quit his post without being relieved. In case he finds himself incapacitated due to sudden illness or any other reason to perform his duties, he will send an intimation to the officer in charge who will make necessary arrangements.
- (2) No sentry or guard while on duty will take off his uniform.
- (3) Guards or sentries will be made to understand their duties and responsibilities. They will not hold any communication with any prisoner, unless it is required as a part of his official duty.
- (4) The officers and the guards are strictly prohibited to bring anything from outside the Sansodhanagar to any prisoner or receive anything from a prisoner to be conveyed outside the Sansodhanagar.
- (5) In case any prisoner attempts to escape, the guard will at once raise an alarm and will also prevent damage to Government property.
- (6) All guarding personnel, being part of essential services, will be deemed to be on duty round the clock and will not be allowed to leave the premises without permission of the competent authority.
- (7) The Jailor/Deputy Jailor, Chief Head Warder and Head Warder will maintain a daily report book in which they will record all important events and reports of disposals or incorporation to be shown for appropriate action.

82. MAINTENANCE OF DUTY ROSTER

- (1) A Duty Roster shall be maintained in each Sansodhanagar and institutions for guarding personnel. The authorised officer shall be responsible for the proper maintenance of this register. The register shall contain all the names of guards on duty with their hours of duty along with their signatures for having understood the duty hours. The register shall be sent to the Superintendent through proper channel every day for checking and getting his signature.
- (2) It shall be the responsibility of the Jailor/Deputy Jailor and the Deputy Superintendent to ensure that the Warders stick to their post according to the Duty Roster and any violation in this regard shall be immediately brought to the notice of the Superintendent. The Superintendent shall also verify this during his surprise visits to different parts during day and night. Care shall be taken to allot the night duties in rotation.

83. CUSTODY OF ARMS

The concerned Deputy Jailor shall be responsible to make sure that arms are never left within the reach of prisoners. All necessary arms when not in use shall be kept in the guardroom. The approach to the guard room shall be from outside the main gate.

84. CUSTODY OF ARTICLES FACILITATING ESCAPE

The Jailor/Deputy Jailor and guards shall all be responsible to ensure that no ladders, planks, bamboos and ropes, which are likely to facilitate escape, are left lying about. If such materials are to be taken inside for use, they must be properly escorted and sent out of the Sansodhanagar immediately after use. Every Warder in charge of a workshop shall be responsible to see that all such articles are properly secured and put away when work ceases and give a certificate to that effect in the lockup register.

85. USE OF WEAPONS AGAINST PRISONERS

Any officer or member of the guarding staff of a Sansodhanagar may use bayonet, or any other weapon, against any prisoner when he is found to be :

- (1) Escaping or attempting to escape if the officer or member of the guarding staff has reasonable ground to believe that he cannot otherwise prevent the escape ;
- (2) Engaged in any outbreak or attempt to force or break open the outer gate or enclosure wall of the Sansodhanagar individually or collectively, provided that he may use the weapon only if such an outbreak or attempt continues ;
- (3) Using violence against officers of the Sansodhanagar or other persons, provided that there is reasonable ground to believe that the officer of the Sansodhanagar or any other person is in danger of loss of life or limb or that serious injury is likely to be caused to such officer/person.
- (4) Before using firearms against prisoners, the officer, or the member of the guarding staff, shall give a loud and clear warning to the prisoner that he is about to fire on him.
- (5) No officer of the Sansodhanagar shall use arms of any sort against a prisoner in the presence of his superior officer, except under the orders of such a superior officer, or if it is in self defence.

In all cases requiring the use of force only minimum force, in the given circumstances, shall be used.

86. TRANSPORT OF ARMS AND AMMUNITION

- (1) All consignments of arms and ammunition sent by any means of transport shall be put in sealed boxes and escorted by appropriate armed guards. It will be the duty of the escort to guard the arms and ammunition against any contingencies.
- (2) When the arms of the Sansodhanagar Department are to be dispatched to station outside the State for repairs, they shall be entrusted to the Police Department. A Police party shall escort these arms along with arms of the Police Department, if any. When there are no arms of the Police Department to be escorted and a police party has to be provided exclusively for escorting the arms of the Sansodhanagar Department, the expenditure incurred in connection with the journey of the escort will be borne by the Sansodhanagar Department.

87. SECURITY OF LOCKS AND BARS

- (1) All locks and bars and other fastenings must be regularly checked by the Warder in charge and a report to the effect must be given to the Jailor/Deputy Jailor.
- (2) All duplicate keys for the locks must be kept in sealed lock under the custody of the concerned Jailor. No keys would be left behind unaccounted for and no prisoner shall have any access to the Sansodhanagar keys. All the block keys when not in use must be kept in an almirah or key box at the gate or at the tower in the custody of the gate keeper or Chief Head Warder (Tower), as the case may be.
- (3) Every Sansodhanagar shall be equipped with a generator with an automatic switch so that if power fails, the generator automatically switches on and all security gadgets may function without any interruption.

88. DYNAMIC SECURITY

Sansodhanagars shall be run on the basis of dynamic security. Dynamic security depends upon the use of alternative methods for which interaction with prisoners is a prerequisite to make them aware of what is going on and to ensure them that they are being kept in safe and human environment. It not only serves as a means of preventing escape but also helps in maintaining constructive relations with prisoners. The staff

shall also be made to understand that security does not merely imply guarding the walls, fences and electronic surveillances, but also include actions-guarding a sense of protection and mutual trust.

89. ADMISSION OF PRISONERS

- (1) No person shall be admitted in a Sansodhanagar as a prisoner unless accompanied by a writ, warrant or order in the prescribed form, signed and dated and sealed by the competent authority. There shall be a separate writ warrant or order for every prisoner, even if two or more prisoners have been jointly charged.
- (2) Before admitting a prisoner, the Jailor and Deputy Jailor shall examine the warrant and by questioning the prisoner regarding his name and other particulars and by verifying the identification marks of the prisoner with those mentioned in the warrant, satisfy himself that he is the person referred to in the warrant. In the event of the prisoner refusing to answer the Jailor and Deputy Jailor, or denying to the accuracy or the particulars entered in the warrant, the officer on duty shall request the police in charge of the police or the military escort to identify the prisoner, on the basis of information at his disposal, as the prisoner named in the warrant.
- (3) A manual/handbook containing rights and duties of the prisoners shall be handed over to the prisoner upon admission.
- (4) On admission every inmates shall be checked thoroughly by metal detector for metal items and free hand check-up for other prohibited articles at the gate.

90. PROCEDURE OF WARRANT

- (1) If, in any case, the Superintendent is in doubt as to the legality of any warrant or order of commitment received by him with any prisoner admitted to the Sansodhanagar, or as to the competency of the person whose official seal and signature are affixed thereto, to pass the sentence and issue such warrant, he shall proceed in the manner provided below.
- (2) If any error or omission, which in the opinion of the Superintendent is due to mere oversight or mistake, is found in any warrant or order or, if the sentence or order so passed, though within the competency of the Tribunal or Authority which passes it, is in any way defective in form or otherwise irregular, he may receive the prisoner subject to reference to such Tribunal or Authority, as the case may be, for orders.

91. EXAMINATION OF WARRANT

All warrants shall be examined to ascertain whether these conform to the Code of Criminal Procedure, 1973 and the orders of the Supreme Court of India.

Note 1 : A warrant ordering imprisonment without specifying whether it is simple or rigorous imprisonment or an undated, unsigned or unsealed warrant shall be returned for correction.

Note 2 : The amount of solitary confinement order on a warrant is dependent on the term of sentence and shall not be more than what is allowed under section 73 of the Indian Penal Code, 1860.

Note 3 : The Superintendent of a Sansodhanagar is justified in refusing to receive or detain a prisoner in Sansodhanagars on a warrant to which a signature is not affixed with a stamp.

Note 4 : All warrants shall be signed in full (not initials) by the Judge or Magistrate who issues it and shall have the seal of the court.

Note 5 : In the case of persons, on whom separate sentences are passed, care shall be taken to state the dates from which each sentence is to have effect in the warrant of commitment.

- Note 6 :** In the case of under trial prisoners, the warrant of commitment for intermediate custody shall be prepared with the greatest care possible with reference to the above instructions.
- Note 7 :** The Superintendent of a Sansodhanagar shall not refuse to admit a person where the above instructions have not been carried out, but he shall draw the immediate attention of the Magistrate concerned to the defect, and as for its rectification at once. He shall also send a copy of his letter to the District Magistrate of the District for his information.
- Note 8 :** Warrants for the release or remission of sentences of prisoners confined in Sansodhanagar and for the release of prisoners on bail and intimations of payment of fines sent to Sansodhanagar authorities shall always be prepared in the vernacular language and shall be signed in full by such an officer and sealed with the seal of his court. They shall be sent to the Sansodhanagar authorities through an official messenger of the court or through the agency of the post and not through the friends or relatives of prisoners.
- Note 9 :** There shall be a separate warrant or notice for every prisoner even if two or more prisoners have been jointly charged or convicted.

92. COPY OF WARRANT RETURNED FOR CORRECTION TO BE KEPT

When a warrant is returned for correction, a copy shall be retained in the appropriate compartment of the warrant almirah until the original is returned. Blank forms of warrants shall be kept for this purpose.

93. PROCEDURE WHEN THE LEGALITY OF A WARRANT IS IN DOUBT

- (1) When an officer in charge of a Sansodhanagar doubts the legality of a warrant or order sent to him for execution, or the competency of the person whose official seal and signature are affixed thereto to pass the sentence and issue such warrant or order, he shall refer the matter to the Government, by whose order on the case he and all other public officers shall be guided as to the treatment of the prisoner.
- (2) Pending a reference made under sub-section (1), the prisoner shall be detained in such manner and such restrictions or mitigations as may be specified in the warrant or order.

94. CHECKING OF PRISONER'S PROPERTY

The concerned Sansodhanagar Officer/Superintendent will give a receipt in a printed form to the officer who delivers a prisoner at the Sansodhanagar noting therein the property received with the prisoner, which will be carefully examined and shown to the prisoner at the time of his admission. The prisoner's acknowledgement that he has seen the property and that it is correctly recorded in the relevant register will, at the same time, be noted in the Admission Register.

95. PRISONERS TO WASH THEMSELVES AND THEIR CLOTHING

On admission to Sansodhanagar every prisoner will be required to wash his person and his clothing thoroughly. If an epidemic disease exists in the neighbourhood from which he comes, his clothing will also be disinfected. In such cases special care will also be taken to cleanse the prisoner's person.

96. SEARCH OF PRISONERS ON ADMISSION

Prisoners will be thoroughly searched by a Sansodhanagar official. Female prisoners will be searched by female staff. Prisoners shall be searched in their yard or respective cell and not in the presence of other prisoners. Searches of prisoners will be made, with due regard to decency and with reasonable privacy.

97. REMOVAL OF ARTICLES FROM PRISONERS

During the search, every article found, whether extra clothing, bedding, jewellery, money, documents or otherwise, shall taken away from the prisoners to whom Sansodhanagar clothing and bedding will be issued in accordance with the rules. Other necessities of life such as bedding will be permitted by Inspector General of Correctional Services.

98. RECEPTION WARD

Prisoners, on first admission to Sansodhanagar shall be kept in a separate ward until the initial formalities for his placement there are completed. The procedure to be adopted on their admission will be as under :

- (1) Haircut and shave, issue of soap and disinfecting lotion ;
- (2) Disinfection and storing of prisoners' personal clothes and other personal items ;
- (3) Issue of disinfected Sansodhanagar clothing, bedding and utensils ;
- (4) Issue of authorized personal belongings ;
- (5) Housing as per the principles of basic segregation ;
- (6) A thorough medical examination within 24 hours ;
- (7) Attending to immediate and urgent needs of prisoners, like letters, interviews, family welfare, immediate personal problems, etc. ;
- (8) Verification by the Deputy Superintendent/Jailor in charge of admission of committal papers, identification marks, entries in registers, prisoners' cash property, appeal and other legal matters, etc. ;
- (9) Finger printing and photograph as per rules and capturing of biometric co-ordinates ;
- (10) Identification of prisoners suffering from substance related and addictive disorder.

99. ORIENTATION

Every newly admitted prisoner will be subjected to a programme of orientation so as to inform him about the rules and regulations. His rights and duties as a prisoner will be clearly displayed at each part of the Sansodhanagar and explained to him in a language he understands. A general assessment of his background and needs will also be made by the officials to decide the appropriate placement within the Sansodhanagar.

100. PREPARATION AND MAINTENANCE OF HISTORY TICKETS

- (1) Immediately on reception of a prisoner into Sansodhanagar, a History Ticket shall be prepared for and provided to him. Such History Tickets shall be maintained in the manner here-in-after provided, throughout the period during which such prisoner remains in confinement. His records will also be entered in the digital database of the Sansodhanagar.
- (2) Every History Ticket shall contain the following particulars :
 - (a) The name, prisoner number and other particulars necessary for the identification of the prisoner ;
 - (b) A brief entry of every order passed and direction given relating to, and punishment inflicted on, the prisoner ;
 - (c) A brief record of every other occurrence of any importance, affecting the prisoner, which takes place while he remains in confinement.
- (3) The History Ticket of every convict shall also contain the following :
 - (a) The nature of the offence of which he has been convicted and the provision of the law applicable thereto ;
 - (b) The date, nature and extent of the sentence passed.

- (4) Every entry made on the History Ticket shall be done at the time of, or as soon as possible after, the occurrence of the event to which it relates, and shall be dated and signed by the officer who makes it.
- (5) A duplicate History ticket will be issued when original History Ticket is lost. The new History Ticket will be marked duplicate and signed by competent authority. The ticket will be reconstructed by registering all previous entries.

101. RECORDING OF ENTRIES BY MEDICAL OFFICER

- (1) In the heading of the History Ticket of every prisoner, the Medical Officer shall enter, or have entered under his supervision the following :
 - (a) The prisoner's weight on admission ;
 - (b) His state of health ;
 - (c) The class of labour for which he is fit, if sentenced to labour ;
 - (d) Whether he has been protected by vaccination /inoculation for smallpox.
- (2) The Medical Officer shall maintain a medical history sheet to record the following details pertaining to the day-to-day medical condition and treatment provided to prisoners in the Sansodhanagar hospital :
 - (a) Details of the vaccination given and the result ;
 - (b) Admission to and discharge from hospital on every occasion, with the disease for which admitted ;
 - (c) Admission to and discharge from the convalescent group;
 - (d) Any complaint made by the prisoner of sickness or report of his sickness ;
 - (e) The action taken on any direction or recommendation of the Medical Officer or Medical Subordinate ;
 - (f) The fortnightly or weekly measurement of weight.

102. PARTICULARS TO BE ENTERED AND THE OFFICERS TO ENTER THEM

- (1) On the History Ticket of every prisoner, the following entries may be recorded :
 - (i) The date of admission into Sansodhanagar ;
 - (ii) The number and name of every article of clothing and equipment issued on admission and later ;
 - (iii) The particular work and task in weight, number or measurement, to which the prisoner is put ;
 - (iv) Every change of work or task for reasons other than medical;
 - (v) Date and details of application for a copy of judgment, if the prisoner desire to appeal ;
 - (vi) Date and details of receipt of the copy of the judgment ;
 - (vii) Date and details of dispatch of appeal ;
 - (viii) Substance of the order of the appellate court ;
 - (ix) The fact of an appeal not having been made before the expiration of the term allowed for appeal ;
 - (x) The amount of remission awarded quarterly ;
 - (xi) The total remission in days earned up to the end of each quarter ;
 - (xii) Every Sansodhanagar offence alleged to have been committed;
 - (xiii) Every interview allowed and the receipt or dispatch of private letters ;
 - (xiv) Dispatch to a court or transfer, discharge, escape or death ;
 - (xv) Any recommendation of the Factory Manager or the Deputy Superintendent ;
 - (xvi) Action taken on any order entered by the Superintendent ;

- (xviii) The number of cells in which placed on account of warrant confinement ;
 - (xix) The total confinement undergone on warrant on each occasion of removal etc.
- (2) Entries relating to point (i), (ii), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii), (xiii), (xiv), (xvii), (xviii) above may be entered by the Jailor or Deputy Jailor. Entries relating to point (vii) may be entered by the Jailor/Deputy Jailor or any other officer authorised to award remission, and point (xviii) by the Medical Subordinate or by Jailor or Dispenser if deputed to assist him. Entries relating to point (iii) shall be entered by the Factory Manager. When there is no any officer of this grade, it shall be entered by the Jailor, but in Kendriya Sansodhanagar/Zila Sansodhanagar a portion of the duty may, under the orders of the Superintendent, be performed by the Jailor or Deputy Jailor. The duty of making entries regarding point (iv), (xv) and (xvi) shall not be delegated to any officer subordinate to the Deputy Superintendent.
- (3) Entries to be made by the Superintendent : On the History Ticket of every convict, the Superintendent shall record.
- (i) Any special order he may have to give related to any prisoner, e.g. the imposition or removal of fetters, permission to hold an interview or write a letter, separation by night ;
 - (ii) The award of every punishment ;
 - (iii) Sanction for employment on extra-mural work ;
 - (iv) Promotion to the grade of Convict-watchman, Convict-overseer or Convict-warder ;
 - (iv) The award of special remission.

103. CUSTODY AND MANAGEMENT OF HISTORY TICKETS

The History Ticket of each prisoner shall be kept in safe custody of the in-charge Sansodhanagar officer, and shall be produced by him whenever required by senior officers. The History Ticket shall accompany the prisoner whenever he is transferred from one group to another, or from one kind of work to another or is sent to a hospital.

At the weekly parades, each prisoner shall hold his ticket in his hand for inspection. The History Ticket shall be produced, with the prisoner, whenever he is reported for an offence, or is brought before the Superintendent or Medical Officer for any reason.

104. RETENTION OF HISTORY TICKET AFTER RELEASE OR DEATH

The History Ticket of every prisoner shall be retained in safe custody.

- (1) In the event of his escape, for one year ;
- (2) The event of his release, for one year ;
- (3) In the event of his death, for two years after it occurs, and
- (4) In the event of release on bail, for a year after the result of appeal is known.

105. ADMISSION REGISTER

There shall be an Admission Register for all prisoners admitted to the Sansodhanagar. Where possible, this register may be maintained in electronic form. The admission register shall contain basic description of the prisoners in terms of name, parentage, home address, legal status, date of admission and committal courts. This register will be maintained by the Jailor or equivalent in prescribed form. The entries in this register will be numbered serially.

106. PERSONAL INFORMATION SYSTEM

The use of advanced technology/software systems in the form of Personal Information System (PIS) shall be encouraged for recording personal details of inmates including for maintaining a record of their personal belongings and property.

107. USE OF REGISTER NUMBER

The register number thus given will be the means of identifying the prisoner – a fresh number being given on every transfer to another Sansodhanagar. The articles of clothing and bedding of each prisoner sentenced to rigorous imprisonment for life will be marked with his number, and in all official communications the number will precede the name, (as per example Convict No. 1736, Ashok). If a prisoner has to undergo two or more sentences under different warrants it is not necessary to re-enter him in the convict register on the expiry of one sentence or to give him another number. However, every prisoner shall be called by his name and not by his number in the register.

108. RECORD OF DATE OF RELEASE, ETC.

In the case of convicts, the date on which the sentence shall expire shall be entered in the Convict Register. If the convicts are under sentence for less than three months, an entry of number will be made in the release diary to be released under that date, but if the sentence is for three months or more, the date of expiry will be entered on his Remission Sheet. At the same time, the prisoners' register number, name, sentence, date of sentence and date of release will be endorsed on his warrant and the endorsement will be signed by the Competent Authority after comparison the body of the warrant and the entries in the Convict Register. In cases where imprisonment is awarded in default of payment of fine, the alternative dates of release shall both be included in the endorsement on the warrant, in the Convict Register, Release Diary and Remission Sheet.

109. CUSTODY OF WARRANTS

Prisoners' warrants will be arranged according to dates of release and kept in monthly bundles, the warrants of prisoners to be released in a particular month being placed in one bundle and each bundle being docketed outside with the month and year. They will be kept in a locked drawer or almirah of which the Deputy Superintendent/Jailor will keep the key. Copies of judgments, orders of appellate courts and orders of Government, disposing of prisoner's petitions, together with correspondence relating to payment of fine, classification and the other connected records will be filed and kept with the warrant of the prisoner to whose case they relate. The final disposal of warrants will be made as prescribed in the rules.

110. MEDICAL EXAMINATION OF PRISONERS

- (1) The weight of prisoners on admission will be taken in the presence of the Medical Officer and be verified by him. If the Medical Officer is not present when prisoners are admitted to Sansodhanagar, they will be weighed by the medical subordinate on duty during admission, if possible and in any case not later than the following morning. Their weight will be noted at the time in a book kept at the main gate, to be subsequently verified by the Medical Officer when their examination takes place. The Medical Officer will carefully examine the prisoner and will himself record the findings in the proforma (Appendix – 2) for health screening on admission. The Medical Officer will also supervise the entry of the prisoners' identification marks, which may be noted by the Medical Subordinate. Medical examination of prisoners will be made with due regard to decency and with reasonable privacy.
- (2) If a prisoner looks younger than his age, the matter shall be referred back to the court concerned after due medical examination on the determination of his/her

age for further directions, as no juvenile shall be kept in Sansodhanagar in any case and they are to be sent to the juvenile institutional laid down in the Juvenile Justice Act.

III. CERTIFICATION OF APPROPRIATE CLASS OF LABOUR

In the case of convicts sentenced to rigorous imprisonment for life, the Medical Officer will enter the class of labour on which he will be employed in the appropriate column of the Convict Register and History Ticket. A corresponding entry will also be made in the History/Ticket of the convict.

CHAPTER –VII (MAINTENANCE OF PRISONERS)

112. MAINTENANCE OF PRISONERS

The State Government shall prescribe by notification in the official gazette, the diet plans for prisoners in such manner, as may be required to fulfil the energy requirements in terms of the following chart.

ENERGY REQUIREMENTS

	Category	Body weight Kg.	Net Energy (Kcal/d)
Man	Sedentary Work	60	2320
	Moderate Work		2730
Woman	Sedentary Work	55	1900
	Moderate Work		2230
	Pregnant Women		+350
	Lactating		+600 +520

113. REQUIREMENTS OF PREGNANT AND NURSING WOMEN

During pregnancy and lactation, a woman needs more protein and minerals than otherwise. The extra protein can be obtained by substituting a part of the cereal portion of the diet with more milk, fish, meat and eggs, and in the case of vegetarians by concentrating more on milk and milk products. This would also ensure the necessary additional supply of minerals.

114. THE NUTRIENTS REQUIRED

The nutrients required in a person's daily diet, their quantities and the common sources of nutrients are indicated in the table below :

	Nutrient	Requirement	Sources
1.	Protein	1g. per kg. of body weight	Pulse, rice, wheat, milk, fish, meat, eggs, etc.
2.	Fat	50 g.	Oils, butter, ghee, milk, eggs, etc.
3.	Carbohydrate	300 g.	Cereals, sugar, jaggery, milk, root vegetables such as potato, etc.
4.	Minerals :	0.65 g. for adult, 1 g. for child	Milk, milk products, eggs, green, vegetables, unhusked cereals and whole gram
	a. Calcium		
	b. Iron	12.15 mg.	Vegetables, fruits, fish and meat
5.	Vitamins :	3,000 to 4,000 I.U.	Leafy vegetables, milk, fish, liver oils, yellow vegetables, eggs, carrot and yellow sweet potato
	a. Vitamin A		
	b. Vitamin C	50 mg.	Tamarind, amla, guava, all citrus fruits, eggs, lime, orange etc., and
	c. Vitamin D	400 I.U.	Fish, liver oils, milk
	d. Vitamin group		

i. Thiamin	1 to 2 mg	Undermilled cereals and pulse, parboiled rice, whole wheat
ii. Riboflavin	1.8 to 3.0 mg	Leafy vegetables, eggs, fish, milk and milk products
iii. Nicotinic acid	10 to 15 mg.	Undermilled cereals, pulses and parboiled rice

115. SCALES OF DIET AS PER ICMR GUIDELINES :

The scales of diet for prisoners (male & female) may be prescribed by the Government following the scales below (drawn from the ICMR guideline on the same). The scales may vary according to local customs and dietary habits in the State but shall, so far as possible, be in compliance with the prescribed standards. Due consideration is to be given to the principles mentioned above, to the classified needs, habits and modes of living of prisoners and the climatic conditions of the place, while prescribing the scale of diet for prisoners. The State government may also modify the scales at any time if it deems fit.

116. DIET SCALE

The scales of diet schedules to be followed per prisoner per day.

(1) For all prisoners

	Items of diet	Quantity
1.	Cereals (including millet) (Rice)	600g
2.	Pulses	100 g.
3.	Vegetables a. Green Leafy b. Roots and tubers c. Soyabin (10 gm. in a week) d. Other	450 g.
4.	Fish & meat (weekly) Milk Ghee Chana (raw/boiled/roasted)	Fish 100gm. or meat 100 gm. 500 ml (as per medical advice Week) 15 g 120 g
5.	Milk Curd	50 ml. 100 ml.
6.	Grams (Roasted)	60 g.
7.	Jaggery	15 g.
8.	Mustard Oil	30 g.
9.	Salt	30 g.
10.	Tamarind	05 g.
11.	Jeera/Tejpata	2 g.
12.	Turmeric	2 g.
13.	Coriander	2 g.
14.	R.Chillies/G.Chillies	2 g./10 gm
15.	Onion	25 g.
16.	Coffee or tea	10 gm. (for Division prisoners)
17.	White Sugar	50 g. (for Division prisoners)
18.	Pepper	1 g.
19.	Mustard	1 g. (once in a week)

20.	Garlic	2 g
21.	Ginger	2 g.
22.	Egg/Dry fish	1 no. / 5 grms (once in a week)

All prisoners may be provided ascorbates like lemons, pickles, chutney etc.

- (2) For Pregnant and nursing women prisoners, to add the following special diet to the above diet :-

	Items of diet	Quantity
1.	Milk	250 ml.
2.	Sugar	60 g.
3.	Vegetables	100 g.
4.	Fish/Meat or Curd	300 or 200 g 50 ml.

Fresh fruit be also provided to the pregnant and lactating mothers as per the quantity prescribed by the Medical Officer.

Arrangements for heating and boiling water/milk shall be made available for lactating mothers.

- (3) For children between three and six years :

	Items of diet	Quantity
1.	Cereals	300 g.
2.	Pulses	60 g.
3.	Vegetables i. Leafy ii. Roots and Tubers iii. Other	125 g.
4.	Fish or meat or Curd	150 g. or 100 g. 50 ml.
5.	Milk	150 ml.
6.	Salt	20 g.
7.	Oil	30 ml.
8.	Jaggery	30 g.
9.	Tamarind	10 g.

Fresh fruit be also provided to the children between 3 to 6 years of age as per the quantity prescribed by the Medical Officer.

- (4) Children below three years age may be allowed such diet as the Medical Officer may order for them.

117. SPECIAL CIRCUMSTANCES MEDICAL DIET

No reduction or alteration in the prescribed diet and scales shall be made except under special circumstances and with the prior approval of the Inspector General. If, on the recommendation of the Medical Officer, the Superintendent considers the prescribed diet to be unsuitable or insufficient for a prisoner for reasons of his health

or his peculiar mode of living, he may order, in writing a special diet, or add extra calories in the diet of such a prisoner, subject to formal approval of the Inspector General.

118. FOOD RATION

- (1) Every prisoner shall have three meals a day according to the scales prescribed. These shall be :-
 - (a) A light meal in the morning before the hour of work ;
 - (b) A midday meal ; and
 - (c) An evening meal before prisoners are locked up for the night.
- (2) The quantity of ration to be issued for each meal shall be as prescribed by the Inspector General subject to the scales of diet prescribed. The articles of diet provided for midday and evening meals may be suitably divided between the two meals.
- (3) The diet may be fixed as per each State's local customs but shall be within the prescribed nutritional requirements. Variety in the diet may be introduced by issuing different kinds of pulses, vegetables and antiscorbutic on different days of the week or for different meals. The Superintendent may lay down menu for different days of the week.
- (4) On the occasion of festivals, as specified by the State Government, extra items of dietary articles may be given to every prisoner.
- (5) Prisoners who observe religious fasts may receive extra articles of food suitable for such fasts as per local practices (such as potatoes, fruits, etc.,) or may have the whole or a part of their meal at a place and time of day, as may be allowed by orders of the Government for proper observance of fasts by them.

119. HOSPITAL DIET

- (1) A suitable hospital diet may be prescribed by the State Government according to local food habits on the advice of Medical Officer In-Charge.
- (2) When meat is recommended by the Medical Officer as an extra diet, the weight of meat shall ordinarily be taken without bones.

120. CLEANING, STORAGE AND ISSUE OF FOOD ITEMS

- (1) Care shall be taken to see that all grains are properly cleaned before issuing to the mill-house for grinding and that the flour is carefully sieved and kept in covered bins.
- (2) Rice shall be separated from husk, dust, or other particles, before issuing for cooking. The quality and seasoning of rice shall be such that weight of the cooked rice is about 3 times its weight in uncooked state. This shall be frequently tested by weighing.
- (3) All items of diet, as well as the fuel for cooking, shall be weighed daily at the time of being issued to the cooks by a responsible officer not below the rank of Jailor/Deputy Jailor, especially appointed for the purpose by the Superintendent. They shall be issued in a fully prepared state or, if this is not possible, with a full allowance for any loss which might occur during preparation. The Superintendent shall, however, be responsible for seeing that the correct weight and quality of the ration is issued. The quality of these items shall be regularly checked by the Medical Officer.
- (4) Where chapatti/bread is given to prisoners, the same shall be prepared in prescribed weights for different classes of prisoners, and cooks shall be informed beforehand of the prescribed weights.

- (5) Dal shall be husked and unhusked grains properly cleaned out before cooking.
- (6) Vegetable issued shall be free from stalks and leaves and shall be cut for cooking before being weighed and delivered to the cooks. Potatoes or other root vegetables shall form at least one-third of the total quantity of vegetables. All vegetables shall be examined daily by the Medical Officer.
- (7) All allowances of 25% extra shall be given for heads, tails, fins, scales and entrails when whole fish is issued and for bones when mutton is used.
- (8) Antiscorbutics, in the requisite quantity, shall be issued daily with the midday and evening meals to all prisoners. There shall be standing instructions for the preparation and issue of different kinds of antiscorbutics which are commonly available.
- (9) Milk shall be stored in a properly cleaned and well-ventilated place. Milk shall be issued to prisoners on special/medical diet only after boiling. Boiling shall be done in the hospital enclosure under the supervision of a responsible officer who shall be responsible for its proper usage from the time it is obtained till its final distribution.
- (10) In preparing curds no water shall be mixed with the boiled milk.

121. COOKING

- (1) All cooking utensils must be kept clean and shining and the kitchen and eating area too must be clean and tidy.
- (2) Special care shall be taken to ensure that all vessels, in which milk is kept, are perfectly clean. All vessels shall be scalded and cleaned with boiling water immediately after use. These must not be left uncleaned.
- (3) All cooked food shall be kept covered until it is distributed, and appropriate arrangements (in the form of freezers, refrigerators, etc.) shall be made for storage of perishable items.
- (4) The Superintendent and the Medical Officer shall exercise utmost vigilance in the supervision of food supplies, and when the food is cooked and is ready for distribution to prisoners, they shall make surprise inspections, at least once a week, in addition to routine inspections. At these inspections the weight and taste of the food distributed shall also be checked.
- (5) Measuring equipment used for issuing ration to the mills, and that used in the kitchen, shall be checked by the Superintendent at least once a month if not more often. Surprise checks of the measuring equipment shall be made by duty officers at least four to five times a month.
- (6) Cooks found tampering with food or scales shall be severely punished.

122. COOKS

- (1) Cooks shall carry out all preparations and processes necessary after being issued the daily supplies and shall prepare the food with due care and attention. They shall wear clean aprons while preparing/handling food.
- (2) Inmates undergoing imprisonment for six months or less, wherever available, may be employed to clean rice, peel and cut vegetables, clean cooking utensils and keep the kitchen clean and tidy.

123. DISTRIBUTION AND SERVICE OF FOOD

- (1) Inspector General of Correctional Services shall prescribe the time for serving morning, mid-day and evening meals in Sansodhanagars. Such timing would be prescribed depending on the temperature of the region and other local factors.

- (2) Meals shall be served fresh and hot. During winter season, appropriate heating methods shall be utilized to keep food warm and suitable for consumption. The receptacles used for carrying food shall be provided with well fitting lids. All food shall be carefully protected from flies and other insects.
- (3) Fifteen minutes before the distribution of each meal, a bell may be sounded or otherwise announced. Prisoners shall then cease work, wash their hands and face and queue up for food distribution, after which the cooked food shall be distributed by the cooks in the presence of a responsible Sansodhanagar Officer not below the rank of a Jailor. They shall see that food issued to any prisoner is not taken away by another or is otherwise wasted.
- (4) After service of food at least twenty minutes time shall be allowed to the prisoners to eat the food.
- (5) Except with the permission of the Supervising Officer, no food is to be taken away from the dining area by any prisoner, to eat it elsewhere.
- (6) When the meal is finished, the prisoners shall proceed to the washing platform where two tubs shall be placed. prisoners shall put any refuse food in his plate into these tubs, separating rice or chapattis from curried food. They shall then wash their hands and mouths as well as their utensils.
- (7) The floors and platform shall be cleaned immediately after the prisoners finish their meals.

124. EATING AND DRINKING VESSELS

Every prisoner shall be provided with a set of eating and drinking vessel. All vessels shall be made of stainless steel and shall be of a uniform material and pattern.

125. COMPLAINT ABOUT FOOD

Any complaint regarding food shall be enquired into on the spot by the Supervising Officer. He shall decide whether the complaint is well founded or not and then take necessary action. Every complaint regarding food shall be reported to the Superintendent. If the complaint is valid and is due to the fault of any Sansodhanagar official, the Superintendent shall take such action as he deems fit and shall record his orders. Any prisoner making false or malicious complaints shall be punished after following due process.

126. DAILY INSPECTION OF FOOD

The Superintendent and the Medical Officer (In-charge) shall exercise utmost vigilance in the supervision of the food supplies and all articles issued for consumption shall be inspected daily by the Medical Officer, or in his absence by his Medical Subordinate. The inspecting officer shall especially see that the vegetables issued are of good quality. He shall bring to the notice of the Superintendent of Sansodhanagar any defects in quality detected during such inspections.

127. INSPECTION OF COOKED FOOD

It is highly important that the food is properly cooked, and that its full quantity reaches the prisoners. Once a week, when the food is cooked and is ready for being served, it shall be inspected, without prior notice, and its quality and weight shall be checked by the Sansodhanagar Superintendent and the Medical Officer. They shall record the result of their inspection in their journal.

128. WEIGHTING OF ARTICLES OF FOOD

All articles of food issued for consumption shall be weighed daily by the officer in charge of diet. He shall ensure that proper quantity of food is issued for every prisoner. From time to time, the Superintendent shall himself check the issue of ration. Metric weights and measures shall be used for weighing or measuring rations and food and a proper set of scales, weights and measures shall be maintained in

every Sansodhanagar. These shall be frequently tested by the Superintendent for their correctness.

129. DISPOSAL OF COMPLAINT BY PRISONER

The officer-in-charge of a Block must maintain of a register (which may be in electronic form) for recording feedback of inmates related to the quantity, quality or preparation of food being served to them. If any complaint is made by a prisoner regarding the food, it shall be at once inquired into by the Jailor. If the complaint relates to the quantity of food received, the ration shall at once be weighed in front of the prisoner making such complaint.

130. POWER TO SANCTION CHANGE IN DIET

- (1) The Government may direct a change in the diet, prescribed by the convicting courts, in the case of individual prisoners. Other than that, change in the prescribed diet shall be made only in unavoidable circumstances when the prescribed food items are not available. In such events all changes in the prescribed diet shall be reported to the Inspector General of Correctional Services.
- (2) When a prisoner is hospitalised, his diet may be changed or modified by the Superintendent on the recommendation by the Medical Officer. In case this change of diet has to continue for more than a month, the concurrence of the Inspector General of Correctional Services shall be obtained by the Superintendent.

131. CONTROL OF HOSPITAL DIET

The control of diet of a prisoner in hospital shall be the responsibility of the Medical Officer (In-charge) and he may control such extras, as he considers necessary, while keeping in mind the costs involved, which shall not be excessive.

132. CLOTHING

- (1) Every convict under sentence of rigorous imprisonment or of imprisonment for life shall be required to wear Sansodhanagar clothing as prescribed in these rules and shall be supplied with Sansodhanagar bedding. Other prisoners, such as under trial prisoners and detenues, shall be supplied with clothing and bedding if they make an application to the Sansodhanagar Superintendent for this purpose. Such clothing shall be of a colour different from that to convicts so that the distinction between convicts and other prisoners is visible.
- (2) The State Government will fix the scale of clothing and bedding according to climate conditions taking into account security and discipline of the Sansodhanagar. Adequate winter clothing will be provided to inmates during winter.

133. CLOTHES OF CONVICTS

The clothes of convicts shall have no pockets or opening in the lining. All clothing will be according to the custom of the State. The prisoners shall be provided with dresses to suit their physical measurement. The State Government shall provide following categories of clothing, bedding & utensils etc. for man & female convicts:

Male	Quantity	Female	Quantity
Sandals	1 pair per year	Saree	2 nos. Yearly
Pillow	1 No.	Gamcha	2 nos. Yearly
Blanket	2 Nos. (in winter 3Nos.) for 3 years	Jawar coat	1 no. in winter for 3 years
Bed sheet	1 no. Per year	Blanket	2 Nos. (in winter 3 Nos.) for 3 years
Kurta	2 nos. Yearly	Sandals	1 pair per year

Inner wear	1 no. Yearly	Bed sheet	1 no. Per year
Gamcha	2 nos. Yearly	Dish (steel)	1 No.
Cap	2 nos. Yearly	Mog (steel)	1 No.
Trousers	1 no. Yearly	Bati (steel)	1No.
Jawar coat	1 No. in winter	Comb, mirror	1 no.
Dish (steel)	1 No.	Sindur	
Mog (steel)	1 No.	Petti coat	2 nos. Yearly
Bati (steel)	1No.	Blouse	2 nos. yearly

134. CLOTHING OF ANY CATEGORY OF PRISONERS NOT COVERED IN THESE RULES :

The clothing of any other category of prisoners, not covered in these rules, shall be decided by the Inspector General, provided that the expenditure involved in it does not exceed the cost that would otherwise be incurred if the articles admissible under the rules are supplied to the class to which the prisoner belongs.

135. CLOTHING OF CONVICTS ATTENDING COURTS

(1) Convict in custody when sent to a court, either as a witness or as an accused, shall wear ordinary private clothing. For this purpose, the private clothes of convicts deposited in the Sansodhanagar, or those provided by friends or relatives, shall be issued to them before they are taken to the court, such shall be taken back on their return from court attendance.

(2) In other cases, the Superintendent shall provide suitable clothing.

136. ISSUE OF SANDALS TO PRISONERS

Sanction of the Superintendent of Sansodhanagars is necessary for the issue of sandals to prisoners.

137. IN-CHARGE OF CLOTHING STORE

Jailor/District Jailor shall be in charge of the clothing store and shall be held responsible for custody and maintenance of all clothing's and beddings. He shall be allowed to take the help of sufficient number of prisoners to clean and expose the clothing to sun and air regularly. Due attention shall be paid to getting the clothes washed thoroughly before being returned to the store.

Explanation: Used cloths, before being issued to prisoners, shall be thoroughly fumigated and washed in hot water to exterminate bugs, fleas etc.

138. REPAIR, MAINTENANCE AND INSPECTION OF CLOTHING AND BEDDING

A day shall be fixed for weekly maintenance and inspection of clothing. At the weekly parade of prisoners the Superintendent shall pay special attention to their clothing and bedding and shall satisfy himself that each man's kit is complete and is in proper condition. Suitable arrangements shall be made for washing and cleaning of every article of prisoners' clothing and bedding.

139. PRISONERS TO WASH THEIR CLOTHING ONCE EVERY WEEK

Every prisoner shall be required to wash his clothing at least once a week, usually on the Sunday mornings, and at any other time as the Superintendent may direct. The Superintendent may ask prisoners to wash specific items of Sansodhanagar clothing and may authorise the issue of the necessary washing materials for the purpose.

Explanation 1 : All male prisoners shall be supplied with half a bar of washing soap weighing approximately 500 g. each per month and 50 gms of washing powder every week for washing their clothes.

Explanation 2 : All female prisoners shall be supplied with a bar of washing soap weighing approximately 1 Kg. each per month and 50 gms. of washing powder per week for washing their clothes. All female prisoners with children

may be supplied with an extra bar of washing soap weighing approximately 500 gms and 50 gms of washing powder per week for washing the clothes of their children.

140. SANSODHANAGAR LAUNDRY

Kendriya and Zila Sansodhanagars may have their own mechanized laundry to wash items of clothing and bedding at the time of return of these items to the clothing store.

141. DISPOSAL OF IRREPARABLE CLOTHING

- (1) Irreparable clothing shall be struck off from the register under the signature of the Superintendent once a month and may be used as rags for cleaning kitchen and for cleaning machinery in the workshop. If the accumulation of such clothing is in excess, it shall be sold, after shredded into small pieces, to the paper making units of the Khadi or other such agencies.
- (2) Un-serviceable clothing shall be stocked separately and a proper stock register shall be maintained for this purpose.

142. DISPOSAL OF CLOTHING OF DISCHARGED PRISONERS

Sansodhanagar clothing shall not be given to discharged prisoners. Care shall be taken to ensure that prisoners surrender their full kit at the time of their release. If fit for further use such clothing shall be thoroughly laundered and repaired, and taken into stock. Items of unserviceable clothing shall be duly entered in the stock register of such clothing and shall be disposed of in the manner prescribed in the previous paragraph.

143. SUBMISSION OF CLOTHING AND BEDDING INDENTS

- (1) Indents for the clothing and bedding likely to be required during the next six, nine or twelve months, shall be prepared in duplicate and submitted to the Deputy Inspector General of Correctional Services for sanction.
- (2) No clothing or bedding shall be issued from the manufacturing department of any Sansodhanagar unless the indent is approved by the Deputy Inspector General of Correctional Services and no clothing or bedding shall be purchased in the local market except in very special circumstances and with the sanction of the Inspector General of Correctional Services.

144. ACCOMMODATION AND VENTILATION CAPACITY OF WARD TO BE INSCRIBED NEAR THE DOOR

- (1) Near the door of every ward the size of the room, and the number of prisoners it is capable of accommodating, shall be recorded on a plaque embedded in the outer wall of the ward. No ward shall accommodate prisoners beyond its prescribed capacity.
- (2) The names and numbers of the blocks and other important buildings and enclosures shall be displayed on them in a conspicuous and suitable position. The date of white-washing shall also be shown in distinct figures.

145. VENTILATION OF WARDS AND WORKSHOPS

- (1) The Superintendent and the Medical Officer shall pay special attention to the ventilation of the wards. In all cases, care shall be taken that there is sufficient lateral as well as roof ventilation. As the condition of the atmosphere breathed by prisoners can only be judged by visiting the wards a few hours after the prisoners have been locked-in, the Superintendent and the Medical Officer shall visit the Sansodhanagar at night in all seasons, and at irregular intervals, to satisfy themselves that the ventilation is adequate, and that the prisoners have not blocked the ventilation in any way. The results of these visits shall be recorded by them in their respective record books. The Deputy Superintendent/Jailor shall also be deputed for this purpose.

- (2) Every possible arrangement shall be made for thorough ventilation of the wards for several hours during the day. This is necessary to remove organic matter from the walls, which gets slowly oxidised. It is necessary that the beddings are removed out of the barracks for several hours every day.
- 146. WALLS TO BE COLOUR OR WHITE-WASHED**
The exterior walls of Sansodhanagar buildings shall be colour-washed, and the interior walls white-washed from time to time. The interior of barracks, wards and cells in which prisoners are confined, shall be white-washed once in a year.
- 147. PLANTING OF TREES**
(1) Grass shall be grown and trees planted and kept neatly trimmed in and near the Sansodhanagar wherever possible. Gardens shall also be maintained in each Sansodhanagar to have a salutary effect on the minds of prisoners. However, trees shall not be planted too close to walls and building as these may be used for escape from the Sansodhanagar.
(2) After the rainy season, the inner and outer sides of the perimeter wall of if the Sansodhanagar and walls of the wards shall be scrubbed. Pathway inside the Sansodhanagar compound shall be de-weeded and re-laid. Wherever the plants are made of tarmac, the uneven surface shall be levelled properly.
- 148. CONSERVANCY RESPONSIBILITY OF ALL OFFICERS**
It is also the duty of all Sansodhanagar officers to pay special attention to conservancy, and official and non-official visitors are expected to satisfy themselves that it is properly carried out.
- 149. RESPONSIBILITY OF HEALTH OFFICER**
The Municipal Health Officer, District Health Officer or the Health Officers of the corporation, as the case may be, shall visit all Sansodhanagars under their jurisdictions once a month and offer suggestions of sanitation and hygiene.
- 150. SANSODHANAGAR AREA TO BE KEPT CLEAN**
The Sansodhanagar area shall be cleaned daily and kept free from all unwanted plants and weeds, accumulation of broken bricks, manufacturing waste, etc. Kitchen waste shall not be permitted to be thrown on the ground, nor shall garbage of any kind be allowed to accumulate in or near the Sansodhanagar.
- 151. PROHIBITION OF CESS POOLS AND OPEN DRAINS**
Cess pools, and open drains for accumulation and disposed of sewage are prohibited.
- 152. PRECAUTION AGAINST MALARIA**
All pits and pools of stagnant water, near the Sansodhanagar shall be covered or filled up. Open drains, if any around the Sansodhanagar shall be carefully attended to and drainage cuts shall be cleared wherever necessary, to prevent accumulation of water.
- 153. MEDICAL OFFICER TO APPROVE DRAINAGE**
The Medical Officer shall bring to notice of the Sansodhanagar Superintendent any defects in the drainage within or around the Sansodhanagar. If he does not do so, it shall be presumed that he is satisfied with it. All drainage in Sansodhanagar shall be underground which shall be connected directly to the public drainage system.
- 154. INJURIOUS CONDITIONS IN THE SANSODHANAGAR NEIGHBOURHOOD**
(1) If anything occurs, or is likely to happen in the Sansodhanagar neighbourhood, that might injuriously affect the health of the prisoner, it shall be reported immediately to the Inspector General of Correctional Services. The construction of public latrines and sewage drains near a Sansodhanagar is objectionable and measures shall be taken to prevent such constructions.

- (2) No sewage or effluent drains from mills and factories or other public sources, that may affect the health of the prisoners, shall be allowed near any Sansodhanagar.

155. CLEANING OF LATRINES

The latrines shall be thoroughly cleaned twice a day or more often if necessary, with disinfectants.

156. KITCHEN

The inmates engaged in cooking shall be regularly checked by the Medical Officer to make sure that they are not carrying any infection. There shall be adequate arrangements for cooks and inmates engaged in cooking to wash their hands with soap and water before they start cooking. Cooks shall change into clean uniforms before they are permitted to cook or serve food. Manual handling of food is undesirable and must be avoided.

157. STORES

Stores or godowns must be kept clean, well arranged, and well ventilated. Their contents shall be aired as often as possible. Godowns or grain stores shall be treated with suitable insecticides to prevent the growth of weevil. Adequate care must be taken to avoid contamination of food items and grains while using insecticides.

158. BATHS

All prisoners shall be required to bath as frequently as necessary. In the temperate climate they shall be encouraged to have daily baths unless medically exempted from doing so. In hot climate, facilities shall be provided for the prisoners to have a bath in the afternoon as well. Necessary bathing soap shall be provided to the prisoners once a month.

WATER SUPPLY

159. SELECTION OF SOURCE OF WATER SUPPLY

- (1) Wherever corporation, municipal, panchayet, township or cantonment water supply exists, arrangements shall be made to connect the Sansodhanagar with it by a pipeline.
- (2) If water from a well or tube-well is used in a Sansodhanagar such wells shall be well protected from being polluted by percolation of surface water.
- (3) The mouth of every drinking water well shall be completely closed and the water shall be raised by a pump. The surface surrounding the well at its mouth shall be covered with a sloping cement platform with a drain around it to carry split water, and the well shall be lined to a sufficient depth to render the tube impermeable.
- (4) Every well shall be cleaned out once a year, and the date on which it is done shall be recorded.
- (5) Once a week, the depth of water in each drinking water well shall be tested and a record of the results maintained.

160. FILTRATION OF WATER

- (1) Drinking water shall be filtered or treated as per the directions of the Inspector General, on the advice of Medical and Municipal Authorities.
- (2) There shall not be any garbage dump or sanitary wastes within a radius of 15 mtrs of any ring well or tube well.

161. DRAWING OF WATER

Distribution of clean water is of paramount importance. Buckets used for filling water for drinking and for use in kitchen shall not be used for any other purpose. Water vessels, barrels, tanks and reservoirs shall be frequently cleaned. Every water

storage receptacle shall be covered and the lid fastened after it is filled. These shall also be filled with taps to facilitate drinking of water from them.

162. SUPPLY OF DRINKING WATER

- (1) Suitable arrangements shall be made to supply every inmate of a ward and cell with sufficient quantity of fresh drinking water through taps during day and night. It shall be the responsibility of the warder on duty to see that sufficient drinking water is available before the prisoners are locked-in.
- (2) Prisoners at work shall be supplied with an adequate quantity of drinking water. If water is to be stored, it shall be done in covered receptacles which must be thoroughly cleaned every day.

163. ANALYSIS OF WATER

- (1) Samples of the water in use for domestic purposes in every Sansodhanagar shall ordinarily be submitted to the State Water Analysis Authority twice a year, for both chemical and bacteriological examination.
- (2) In the event of outbreak of an epidemic in any Sansodhanagar, which might be due to contamination of the water supply, and which calls for an immediate examination of drinking water, the Medical Officer shall immediately make a written request to the Director of Public Health and Preventive Medicine who shall make arrangements to obtain the necessary samples for analysis. In addition immediate steps shall be taken to ensure supply of water from an alternative source at such Sansodhanagars.
- (3) The State Water Analysis Authority shall, in due course forward a copy of its report of analysis, through the Director of Health and Preventive Medicine to the Superintendent of Sansodhanagar and another to the Inspector General.

164. DISINFECTION WELLS

Whenever there is reason to believe that any of the wells, from which drinking water is obtained, is a source of contamination, it shall be treated at intervals of three days with potassium permanganate and other disinfectants, as may be deemed necessary, in consultation with the local Health Officer.

165. PROVISION OF WATER TO STAFF QUARTERS

Adequate supply of water shall also be ensured to the residential quarters of the Sansodhanagar staff. The conditions of the cleanliness of water mentioned above shall apply here as well. Every officer occupying staff quarters shall be held responsible for the cleanliness of his premises. The Superintendent and the Medical Officer shall periodically inspect the staff quarters to check general cleanliness.

CHAPTER – VIII (MEDICAL CARE)

166. MEDICAL ADMINISTRATION

- (1) Medical Administration is one of the most important concerns of Sansodhanagar management. The Medical Officer of a Sansodhanagar has to give careful attention not only to the treatment of sick prisoners but also to every matter connected with the health of prisoners and overall hygiene of the Sansodhanagar. Nothing will count more to the credit of the Medical Officers of Sansodhanagars than their success in maintaining best health standards in the Sansodhanagars under their charge.
- (2) The Sansodhanagar medical administration may form part of the State Health Services/ Medical Department instead of the Sansodhanagar Administration.

167. SANSODHANAGAR HOSPITALS

- (1) Hospital accommodation may be provided on the scale of 5% of the authorised capacity of all Kendriya and Zila Sansodhanagars. The Sansodhanagar Hospitals may be of types 'A' and 'B'. Big hospitals, with 50 beds and above shall be called 'A' type hospitals. Other hospitals with less than 50 beds, shall be called 'B' type hospitals. The staff and equipment for the two types of hospital maybe:

	Officers	'A' Type	'B' Type
1.	Chief Medical Officer (in the rank of Civil Surgeon with Post Graduate Qualification)	1	1
2.	Assistant Civil Surgeon	5	3
3.	Staff Nurses	6	3
4.	Pharmacists	3	2
5.	Male/Female Nursing Assistants	5	3
6.	Laboratory Technicians (to be trained in handling all equipments including E.C.G., X-Ray and portable X-Ray machines)	3	1
7.	Psychiatric Counsellors	2	1
8.	Junior Assistant	1	1

- (2) The Assistant Civil Surgeons in the two types of hospital shall be from different specialities as under :

	Speciality	'A' Type	'B' Type
1.	M.D. General Medicine	1	1
2.	M.S. General Surgery	1	1
3.	M.S. Orthopaedics	1	-
4.	M.D. Dermatology	1	-
5.	M.D. Psychiatry	1	1
6.	M.D.S. Dentistry	1	-
7.	M.D. Gynaecology	1	1

Note : Adequate number of Ambulance may be provided in Kendriya Sansodhanagar Hospital and 1(one) ambulance for each Zila Sansodhanagar and Mahakuma Sansodhanagar Hospital.

168. APPOINTMENT OF CHIEF MEDICAL OFFICER/ MEDICAL OFFICER (IN-CHARGE).

- (1) The Government shall appoint a Chief Medical Officer/Medical Officer (In-Charge) for every Sansodhanagar. During the absence of the Chief Medical Officer/Medical Officer (In-Charge), other officers shall attend to his duties in the Sansodhanagar. The Chief Medical Officer (in-charge) shall be under the administrative control of the Superintendent of Sansodhanagars.
- (2) The Chief Medical Officer/Medical Officer (In-Charge) shall be assisted by Assistant Civil Surgeons attached to the Sansodhanagar hospital. These Assistant Civil Surgeons shall be under the administrative control of the Superintendent of the Sansodhanagar, except while performing medical/clinical functions when they shall be subordinate to the Medical Officer.
- (3) The Chief Medical Officer and Assistant Civil Surgeons, deputed to a Sansodhanagar hospital, shall be entitled for rent free staff quarters.

169. CHANNEL OF COMMUNICATION

- (1) The Chief Medical Officer will be technical head of all the Medical Officers and will be in charge of the entire Medical Administration. He, along with his subordinates, will be jointly responsible for the health-care of the prisoners. The Superintendent of Sansodhanagars will be the Administrative Head. All correspondences to the Inspector General of Correctional Services or to the Director of Medical Service and Director of Medical Education will be routed through him. All leave, except earned leave and medical leave, pertaining to the Medical Officers will be regulated by the Chief Medical Officer.
- (2) The Medical Officer (In-Charge) shall submit indents for medicines to the Inspector General through the Superintendent of Sansodhanagar. In all administrative matters he will correspond with the Inspector General through the Superintendent of Sansodhanagar. He may, however, correspond directly with the Inspector General, on matters relating to sanitation, sick prisoners' food and clothing and discipline in the Sansodhanagar hospital. He may also do so if he notices on the person of any prisoner injuries which are alleged to have been caused by Sansodhanagar officials. He shall accompany the Inspector General during his inspection of the Sansodhanagar.

170. GENERAL DUTIES

The general duties of the Chief Medical Officer/Medical Officer (In-Charge) shall cover every matter connected with the health of the prisoners, their treatment when sick, and the sanitation and hygiene of the Sansodhanagar.

171. DAILY VISITS TO SANSODHANAGAR

- (1) The Medical Officer (In-Charge) shall visit the Sansodhanagar and shall examine sick prisoners every day. He shall visit the Sansodhanagar on Sundays and holidays as well, whenever necessary.
- (2) He shall inspect every part of the Sansodhanagar and check all prisoners at least once in a week and record his observations in his report to be sent to the Superintendent of Sansodhanagar and Inspector General of Correctional Services periodically.
- (3) He shall also make a full medical inspection of all the prisoners once a month.
- (4) If any epidemic or unusual sickness prevails, or any serious case of illness occurs, he shall visit the Sansodhanagar as often as may be necessary.
- (5) If he himself is unable to undertake these inspections for any reason, he shall record the fact and the reason for it in his journal. At the same time he shall

depute an Assistant Civil Surgeon /Medical Officer to conduct such inspections.

172. SPECIAL NEEDS OF AGED PRISONERS

The Medical Officer (In-Charge) shall ensure that the medical needs of aged prisoners in terms of ophthalmological care, dental care, physiotherapy and clinical testing for diabetics are regularly attended to.

173. TREATMENT OF DRUG ADDICTS

The Medical Officer (In-Charge) shall organise de-addiction programmes for such prisoners who are known to be drug-addicts. He shall also organise training in Transcendental Meditation and Yoga for them.

174. ATTENDANCE AT WEEKLY INSPECTION

- (1) The Medical Officer (In-Charge) shall be present during the Superintendent's weekly inspection and shall oversee the general health and hygiene conditions prevailing in the Sansodhanagar. He shall pay special attention to any signs of a scorbutic or anaemic tendency, any deterioration in health conditions, and skin diseases. He shall also examine the prisoner's clothing and bedding to see that they are adequate and clean. He will examine the drainage, ventilation, drinking water and conservancy arrangements of the Sansodhanagar.
- (2) He shall, at the same time, examine the record of prisoners' weights, to satisfy himself that the weight test is being properly done. He shall thoroughly examine all prisoners who have lost their weight substantially and give necessary instructions to the Assistant Civil Surgeon of the Sansodhanagar regarding the action to be taken in such cases.

175. ATTENDING TO SANSODHANAGAR OFFICERS

- (1) The Medical Officer (In-Charge) shall attend to the medical needs of all Sansodhanagar officials and their families in the Sansodhanagar staff quarters and barracks.
- (2) The Medical Officer (In-Charge) shall bring to the notice of the Superintendent any facts (about the cause of illness of the officers and subordinate Sansodhanagar staff) that may be of importance, and which shall enable him to determine their fitness for continued employment in the Sansodhanagar.
- (3) The Medical Officer (In-Charge) shall maintain a minute book in which he shall enter all directions given by him concerning the duties of the medical staff under him, the management of the hospital, and any other instruction of importance regarding the treatment of patients, or any other matter.

176. DUTIES OF MEDICAL OFFICER (IN-CHARGE)

- (1) The Medical Officer (In-Charge) shall verify the accuracy of the records made by other Medical Officer (Subordinate to him) of the Sansodhanagar.
- (2) He shall inspect the medicines kept in store once in every month and satisfy himself that their weights and quantities are entered correctly in the stock register. He shall also ensure that the medicines are used before their date of expiry. He shall also inspect the instruments and equipment to see that they are being maintained properly and sufficient stock is kept in reserve.
- (3) All incidents by other Medical Officers shall be scrutinised and countersigned by the Medical Officer (In-Charge).
- (4) He shall examine all cases coming for release on medical grounds.
- (5) Whenever the mortality of a Sansodhanagar in a month exceeds 1%, he shall record an explanation of the cause of such excess of mortality in the monthly return. In the event of unusual mortality, he shall make a special report on the subject for transmission to the government through the Inspector General.

- (6) The Medical Officer (In-Charge) shall also be responsible for conducting medical examination of candidates selected for appointment to various posts in the Sansodhanagar.

177. MAINTENANCE OF REGISTER

- (1) The Medical Officer (In-Charge) shall keep a **register** in which he shall record every visit he pays to the Sansodhanagar, time of entering and leaving the Sansodhanagar, the parts of the Sansodhanagar or classes of prisoners visited, the number of sick persons in Sansodhanagar and any other point which he considers shall be brought to the notice of the Superintendent, while doing so he shall make specific note of the following :
- (a) Any defects in the food, clothing or bedding of prisoners or in the cleanliness, drainage, ventilation, water supply or other arrangements of the Sansodhanagar which the Medical Officer (In-Charge) considers likely to be injurious to the health of prisoners, together with suggestions for removing such defects ;
 - (b) Any occurrence of importance connected with the hospital administration ;
 - (c) Any marked increase in the number of indoor or outdoor patients and its apparent causes.
- (2) After each visit this register shall be sent immediately to the Superintendent for his perusal. Thereafter, the Superintendent may issue any order that he thinks fit.

178. SUBMISSION OF RETURNS

The Medical Officer (In-Charge) shall punctually submit the prescribed returns and shall furnish any other information regarding the medical administration of the Sansodhanagar, which the Inspector General may call for. A report regarding the sanitary condition prevailing in the Sansodhanagar shall also be furnished to the Inspector General along with the annual returns.

179. MAINTENANCE OF MEDICAL REGISTERS, FORMS ETC.

The medical registers, forms and other relevant papers in connection with the medical terms shall be kept under the orders of the Medical Officer (In-Charge), who is responsible for their correctness. At the time of the Inspector General's inspection, the Medical Officer (In-Charge) shall produce before him, every register and record, connected with the Medical Department of the Sansodhanagar.

180. CLINICS AND LABS FOR SANSODHANAGAR HOSPITALS

The following equipment shall be made available to Sansodhanagar Hospitals.

- (1) Dental clinic with all equipments ;
- (2) Ophthalmology Clinic with all equipments;
- (3) Minor operation theatre with all surgical equipments ;
- (4) Clinical laboratory with required equipments ;
- (5) X-Ray lab with dark room and equipments ; and,
- (6) Detoxification unit.

181. APPOINTMENT OF ASSISTANT CIVIL SURGEONS

In Sansodhanagars other than Kendriya and Zila Sansodhanagars, one or more Assistant Civil Surgeons as may be necessary, shall be appointed by the State Health Services/Medical Department.

182. TERMS OF APPOINTMENT

The Assistant Surgeon shall be appointed by the State Health Services/Medical Department from the State Directorate of Health Services and his postings and transfers shall be made by the Director of Health Services in consultation with the Inspector General of Correctional Services.

183. CONDITIONS OF SERVICE

Assistant surgeons, staff nurses, pharmacists, nursing assistants and lab technicians attached to Sansodhanagars shall not, while on duty, leave the Sansodhanagar premises without the permission of the Medical Officer (In-Charge of the Sansodhanagar).

184. UNIFORM

The medical staff posted to the Sansodhanagar hospitals may wear the uniform prescribed by the Director of Health Services.

185. LEAVE

The medical staff posted in the Sansodhanagar hospitals shall be governed by the leave rules of the State/Directorate of Health Services.

186. MAINTENANCE OF REPORT BOOK

- (1) Every Assistant Surgeon shall maintain a report book in which he shall record all matters of importance that he wishes to bring to the notice of the Medical Officer (In-Charge).
- (2) This report book shall be produced for inspection and orders of the Medical Officer (In-Charge). The Medical Officer (In-Charge) will sign his report book every day.

187. HOURS OF DUTY

- (1) In Sansodhanagars where there are more than one Assistant Surgeons –
 - (a) The hours of duty during the day shall be equally distributed between them by the Medical Officer (In-Charge), ensuring that one of them is always present in the Sansodhanagar ;
 - (b) One of the Assistant Surgeons shall be placed on duty for the night shift on rotation basis to attend to the prisoners in the event of an emergency.
- (2) In Sansodhanagars where there is only one Assistant Surgeon he shall remain inside the Sansodhanagar throughout the day, except when permitted to absent himself for meals or other valid reasons. He shall visit the hospital occasionally at nights and may, under the orders of the Medical Officer (In-Charge), be required to remain on duty there if there are any cases under treatment which are likely to render his presence necessary.

188. CUSTODY OF KEYS

- (1) An Assistant Surgeon on duty inside the Sansodhanagar at night shall be responsible for the safe custody of the keys of the hospital and of any other place in which prisoners are confined for medical treatment. But, he shall not unlock any door except in the presence of the Superintendent. Only in a case where unlocking of the hospital ward is urgently required, he shall unlock doors in the presence of the Patrolling Officer on duty.
- (2) Every Assistant Surgeon entrusted with the keys shall be held responsible for making sure that they are kept in his personal possession and are not improperly used. He shall report at the earliest opportunity to the Superintendent and Medical Officer (In-Charge) every instance in which he has had occasion to unlock the door of any compartment occupied by the prisoners during his term of duty at night.

189. DUTY OF THE ASSISTANT SURGEON

It shall be the duty of an Assistant Surgeon :

- (1) To be available to attend to any prisoner who complains of illness or who appears to be ill, and have him removed to the hospital or the place for medical examination by the Medical Officer (In-Charge), as the case may be ;
- (2) To attend sick prisoners and out-patients visiting the hospital and supervise the preparation and issue of medicines, food and extra diet. He shall satisfy himself

that the Medical Officer's (In-Charge) orders in their regard are properly carried out ;

- (3) To make a daily round of the Sansodhanagar cells and report to the Chief Medical Officer the conditions in the Sansodhanagar which have any bearing on the health of the inmates and every such complaint made to him ;
- (4) To ensure that all medicines indented for the hospital are properly arranged, labelled and stored in a safe place ;
- (5) To take proper care of instruments, appliances, and equipment in his charge ;
- (6) To see that sick prisoners are in clean dress ;
- (7) To see that the hospital clothing and bedding are marked in a distinctive manner;
- (8) To see that all articles in use in the hospital are safely stored and kept clean ;
- (9) To allow no property in his charge to leave the Sansodhanagar premises;
- (10) Not to permit any convict attendant to handle instruments or distribute drugs whose misapplication may be dangerous ;
- (11) To ensure that the pharmacist attends to the clerical work connected with the hospital, such as the upkeep of registers, the preparation of returns and the punctual submission of indents ;
- (12) To satisfy himself that the food for the sick is properly prepared and distributed ;
- (13) To ensure that order, cleanliness and discipline are maintained in and around the hospital ;
- (14) To ensure that the staff nurses and others employed in the hospital perform their duties properly ;
- (15) To ensure that any excess or deficiency of attendants is brought to the notice of the Chief Medical Officer;
- (16) To visit the Sansodhanagar kitchen every day, inspect the food supplied, both raw and cooked (both in bulk and after distribution) and see that the salt, oil and condiments are added and thoroughly mixed, satisfy himself that the food is of good quality and that the quantity of each article is according to the sanctioned scale. He shall also see that the kitchen and its surroundings are maintained in a sanitary condition, that the drains are flushed and free from refuse, that the water stored in the tanks for cooking and washing utensils is changed frequently, and that the utensils in use are clean and in good condition ;
- (17) To supervise the supply of milk to the hospital, to test the milk in the prescribed manner, to see that it is properly boiled before issue ;
- (18) To inspect the food supplied to civil and un-convicted criminal prisoners by their friends and family members;
- (19) To keep a watch on prisoners suspected of malingering and to report the result of his observations ;
- (20) To be present at various parades and separate for examination and treatment any prisoner who appears to be in need of attention or who is known or suspected of leaving part of his food uneaten ;
- (21) To bring to the notice of the Medical Officer (In-Charge) any female whom he may suspect to be pregnant ;
- (22) To see the bathing of prisoners suffering from skin infections ;
- (23) To examine all newly admitted prisoners and to record in the admission register and medical sheets particulars regarding their health, and the kind of labour they can perform in view of their health conditions;
- (24) To satisfy himself that the person, and private clothing, of newly admitted prisoners are properly cleaned and that the clothing is, if necessary, disinfected before keeping in the store rooms ;

- (25) To vaccinate newly admitted prisoners, and (if so directed) infants admitted with their mothers or born in Sansodhanagar
- (26) To bring promptly to the notice of the Superintendent and Medical Officer (In-Charge) any case of suspected Cholera or other contagious or infectious diseases that may appear amongst the staff or inmates of the Sansodhanagar ;
- (27) To examine the wells and other sources of water supply, to bring to notice any defects with regard to the quantity or quality of water supplied, to examine every day all tanks and vessels in which water is stored or conveyed, and to prepare samples of water for analysis as and when required ;
- (28) To inspect the surroundings of the Sansodhanagar at least once a week. He shall pay particular attention to manner in which filth is trenched or otherwise disposed of ;
- (29) To attend to the ventilation, with due regard to the season, of the hospital, sleeping wards and workshops and to satisfy himself that prisoners are not unnecessarily exposed to draught or rain.

190. THE WEIGHING OF PRISONERS

- (1) The Assistant Surgeon shall be present during the fortnightly weighing of prisoners. He shall record each prisoner's weight in his weight chart and shall parade, as soon afterwards as possible, for inspection by the Medical Officer (In-Charge) all prisoners who are losing weight to any noticeable extent.
- (2) In cases when the subordinate medical establishment is small for the number of prisoners, or in cases where the medical work is heavy, an officer of the executive staff of the Sansodhanagar may be deputed by the Superintendent of the Sansodhanagar to assist the Assistant Surgeon in carrying out the work of recording weight of prisoners.

191. EXAMINATION OF PRISONERS COMPLAINING OF ILLNESS

- (1) Every prisoner complaining of illness, or appearing to be ill, shall be sent to the Sansodhanagar hospital for immediate examination and further treatment by the Medical Officer (In-Charge) or, in his absence, by the Medical Subordinate. The facility of consulting medical officers over the telephone may also be encouraged, where relevant.
- (2) On the advice of the Medical Officer (In-Charge), the Superintendent may transfer any sick prisoner to the local Government hospital. For transfer which is required on medical grounds to any specialised hospital outside the jurisdiction of the Sansodhanagar, the approval of the Inspector General of Correctional Services shall be obtained. If the Medical Officer (In-Charge) is of opinion that prior approval of the Inspector General of Correctional Services will take such time as will endanger the life of a sick prisoner, the transfer may be made in anticipation of sanction of the Director General/ Inspector General of Correctional Services. No prisoner shall be allowed to stay in an outside hospital except on the ground of the medical needs. In deserving cases, the opinion of Medical Board constituted by the Chief Medical Officer of the District shall be obtained while sending prisoners outside the Sansodhanagar on medical ground.

192. CONTROL OF HOSPITAL DIETS OF A PRISONER

The diet of prisoner in hospital shall be entirely under the control of the Medical Officer (In-Charge) who may either keep the prisoner on the ordinary Sansodhanagar diet, or may place him on one of the regular hospital diets, or may order any modifications of the Sansodhanagar or hospital diet, or may prescribe extra diet he may think necessary, according to the scales of diet prescribed, if any, under the rules.

193. PREPARATION OF HOSPITAL DIETS OF A PRISONER

Hospital diet requiring special preparation shall be cooked in the hospital kitchen, and the Medical Officer (In-Charge) shall examine the diet frequently and satisfy himself by weighing that the full quantities of the prescribed articles are present, and are well cooked.

194. PRECAUTION REGARDING MILK

Special care shall be taken with articles such as milk that can easily be adulterated or stolen. Fresh milk shall be used, wherever it can be obtained, in preference to tinned milk. Milk shall be frequently tested to ensure that it is pure. If the specific gravity of the milk supplied is below 1.025, the milk shall not be accepted.

195. SPECIAL DIET FOR PRISONERS NOT IN HOSPITAL

The Medical Officer (In-Charge) may recommend special diet for any prisoner in the invalid group after recording reasons for recommending that in his register. Such recommendations shall not be made as a matter of routine. The Medical Subordinate can recommend the issue of special diet to a prisoner in the absence of the Medical Officer (In-Charge), but he shall report this to him and obtain his approval. Issue of special diet shall always be in lieu of the regular diet to which a prisoner is otherwise eligible. If it is continued for more than a fortnight, it shall be reported to the Inspector General. The Medical Officer (In-Charge) owns the responsibility to economise the expenditure on this account and shall exercise utmost care in recommending special diet to the prisoners.

196. INDENT FOR HOSPITAL DIETS

An indent showing the number of hospital diets and extras required, shall be sent not later than by 9 AM every day to the officer in charge of ration and care shall be taken that diets and extras reach the prisoners promptly. Emergent indents, in cases of urgency, may be sent at any hour of the day. This shall be generally avoided except in cases of extreme urgency.

197. DETENTION OF A PRISONER FOR OBSERVATION

(1) A prisoner may be detained for observation in the hospital for 24 hours without his name being noted down in any register if his disease has not been diagnosed. After the expiry of that period, whether or not his disease is diagnosed, his name shall be entered in the proper register. The number of prisoners detained under observation shall be recorded in the Hospital Roll and the treatment prescribed for them in the prescription book. If the Medical Officer (In-Charge) finds a prisoner to be malingering, he shall at once report the fact to the Superintendent for punishment.

(2) Prisoners who require mental health care shall be attended to by an authorised medical attendant.

198. MEDICAL TREATMENT OF SICK PRISONERS

Every prisoner suffering from any active disease shall be brought under medical treatment, either as an out-patient or an in-door patient, and his name shall be recorded in the register of out-patients in a prescribed form (Appendix – 2) or in the register of in-patients in a prescribed form (Appendix – 3).

199. MAINTENANCE OF CASE BOOK

(1) The number of sick in hospital shall be daily recorded in the Hospital Roll of Sick in a prescribed form (Appendix – 4). Their treatment and diet shall be recorded in the Case Sheet in a prescribed form (Appendix– 5).

(2) In addition to these records, there shall be maintained in every hospital a case book in a prescribed form (Appendix – 6) in which the history case admitted into hospital shall be recorded.

- (3) The case book is intended to be a contemporaneous record or diary of each prisoner's symptoms, treatment and diet. All entries in it shall, therefore, be immediate and direct. The practice of keeping notes, to be afterwards copied into the case-book, is prohibited.
- (4) The entries in the case-book will usually be made by the Medical Subordinate, as symptoms appear or treatment is applied. The Medical Officer (In-Charge) will add notes of his own observations and orders as and when he examines the patient. The Medical Officer (In-Charge) shall see the case-book everyday and initial the entries regarding each case in token of him having seen them.
- (5) As a general rule the entries in the case-book shall be made every day, but in chronic cases, where there is little or no change from one day to another, the Medical Officer (In-Charge) may, by entry in his own hand in the case-book, record that daily entries are not necessary.

200. BATHING OF PATIENTS

Prisoners who are not too ill shall be required to bath daily, at a time the Medical Officer (In-charge) may direct.

201. PROPER PLACE OF WASHING

A proper place for washing and boiling dirty clothing and sheets shall be provided. Blankets and work clothing too shall be frequently washed in boiling water.

202. CLEANLINESS OF THE HOSPITAL

Every hospital shall be kept clean and well ventilated. The walls of the hospital shall be scraped and white washed once in six months, or more often if necessary.

203. DISINFECTIONS OF WARDS

A ward or a cell in which a case of infectious disease has occurred or been treated shall be immediately cleared thoroughly using disinfectants as prescribed.

Explanation: Disinfestations shall be carried out under the personal direction of one of the Assistant Surgeon to be nominated by the Medical Officer (In-Charge).

204. ALLOTMENT OF LABOUR ON MEDICAL OPINION

When the Assistant Surgeon is of the opinion that the health of any prisoner suffers from employment of any kind or class of labour, he shall record such opinion in the prisoner's sheet and the prisoner shall not be employed on that labour. But he shall be placed on another kind or class of labour as the Medical Officer (In-Charge) may consider suitable for him.

205. DUTY OF ASSISTANT SURGEON ON OCCURRENCE OF DEATH

The Assistant Surgeon shall immediately report every death that occurs in the Sansodhanagar to the Medical Officer (In-Charge) and shall assist him at the post-mortem examination. He shall ensure that the body is suitably prepared for burial/cremation before removal from the mortuary.

206. MEDICAL AID TO SANSODHANAGAR OFFICERS

The Assistant Surgeon shall, under the direction of the Medical Officer (In-Charge), accord medical aid to all members of the Sansodhanagar establishment and others living on the Sansodhanagar premises.

207. TO ASSIST MEDICAL OFFICER

The Assistant Surgeon shall render assistance to the Medical Officer (In-Charge) by reporting to him all matters affecting health, such as :

- (1) Overcrowding ;
- (2) Unsuitable, worn out or dirty clothing ;
- (3) Neglect of personal cleanliness ;
- (4) Undue exposure to weather ;
- (5) Unpunctuality of meals ;

- (6) Neglect to air-dirt or clean clothes and bedding and
- (7) Unsuitable tasks.

208. APPOINTMENT OF STAFF NURSE AND PHARMACIST

Staff nurses and pharmacists shall be appointed as per the norms of the State/Director of Health services.

209. DUTIES OF THE STAFF NURSE AND THE PHARMACISTS

- (1) The staff nurses and the Pharmacists shall obey the lawful orders of the Medical Officer (In-Charge) and the Assistant Surgeon in all matters connected with the medical work of the Sansodhanagar and of the Superintendent/Jailor/Sub-Jailor in other matters.
- (2) Their duties shall be to help the Assistant Surgeon in the maintenance of the health of the staff and prisoners by compounding and distributing medicines, vaccinating and weighing prisoners, performing clerical works, maintaining order and discipline in the hospital and by carrying out such other duties as may be allocated to them by the Medical Officer (In-Charge).

210. CHIEF MEDICAL OFFICER TO SUPERVISE TREATMENT OF OUT-PATIENTS

- (1) The Medical Officer (In-Charge) shall daily inspect the out-patients register, and shall order the admission of a patient to Sansodhanagar hospital, if in his opinion the patient's medical condition necessitates such hospitalisation. The Medical Officer (In-Charge) shall himself examine all out-patients at least once a week.
- (2) Prisoners suffering from only minor ailments shall be treated as out-patients. The Medical Officer (In-Charge) shall be responsible that all other patients are admitted to the Sansodhanagar hospital. Under no circumstances prisoners suffering from dysentery shall be treated as out-patients.

211. ASSISTANT CIVIL SURGEON TO TREAT OUT-PATIENTS

Subject to the foregoing provisions, the examination and treatment of out-patients may be conducted by Assistant Civil Surgeons.

212. TREATMENT OF SICK PRISONERS IN THE HOSPITAL

The treatment of sick prisoners in the Sansodhanagar hospital shall be under over all supervision of the Medical Officer (In-Charge). If, in his absence, the Assistant Civil Surgeon takes any action for the treatment of a prisoner, he shall record the action taken in his Report Book and submit it to the Medical Officer (In-Charge) immediately on his return.

213. CHIEF MEDICAL OFFICER'S/ MEDICAL OFFICER (IN-CHARGE) DAILY VISIT

The Medical Officer (In-Charge) shall visit all prisoners kept in hospital under observation every day and shall decide whether a prisoner needs to be discharged from hospital.

214. SUPPLY OF HOSPITAL CLOTHING AND BEDDING

- (1) Every prisoner shall be supplied with hospital clothing and bedding on admission to hospital. His convict clothing and bedding will be taken from him. These shall be returned to him on his discharge from hospital. Care shall be taken that clothing and bedding are changed regularly to maintain cleanliness, and that in cases of infectious disease all clothing's and beddings are thoroughly disinfected.
- (2) Every patient in hospital shall be provided with a proper mattress, a pillow and white sheets.

- (3) If any epileptic is placed in a cell, he shall be provided with a mat of a thicker pattern and shall sleep on the floor. He shall not be made to sleep on a raised masonry berth.

215. SEGREGATION OF INFECTIOUS CASES

Every case, or suspected case, of infectious disease shall immediately be segregated and the strictest isolation shall be maintained until the Medical Officer (In-Charge) considers it safe to discontinue the precautions. The Medical Officer (In-Charge) shall give written instructions as to the clearing, disinfecting or destroying of any infected clothing or bedding, and shall satisfy himself that the same are carried out.

216. SEGREGATION IN THE SANSODHANAGAR HOSPITAL

- (1) Cases of dysentery and diarrhoea shall be treated in a separate ward, if possible. Loose stool of such patients shall be disinfected and destroyed by fire. All wards, beds, bedding, cloths and latrine vessels used by them shall be thoroughly disinfected.
- (2) prisoners suffering from venereal diseases shall be segregated.
- (3) All cases of pulmonary tuberculosis shall be segregated in special wards. All necessary precautions shall be taken to guard against the spread of infection to other prisoners.
- (4) All cases with abnormally enlarged spleen shall have boundaries marked on the skin and shall be provided with some distinctive clothing. Care shall be taken that the spleen is not hurt.
- (5) Minor infectious diseases such as scabies, mumps, measles, etc., must on no account be neglected. Segregation for the full period must be enforced. Cases of scabies need not, as a rule be admitted into hospital, but segregated from other prisoners.
- (6) Prisoners showing signs of lunacy shall not, if they are dangerous, noisy or filthy, be kept in the hospital but shall be kept in a separate cell.
- (7) In some cases, it may be considered for prisoners in hospital to be given some employment. Light work shall, therefore, be provided for them.
- (8) Wherever necessary, cases of inmates shall be referred to specialised medical institution with the prior sanction of the competent authority.

217. TREATMENT OF MALINGERERS

If the Medical Officer (In-Charge) is of opinion that a prisoner is malingering, he shall at once report that fact to the Superintendent. No treatment shall be given to prisoners feigning illness.

218. TREATMENT OF PRISONERS DISCHARGED FROM HOSPITAL

Every prisoner on discharge from hospital shall either be put to labour or placed in the 'Invalid Group', as the Medical Officer (In-Charge) may direct.

219. COMPOSITION OF THE INVALID GROUP

The invalid group shall consist of :

- (1) Those who are permanently incapacitated from performing hard or medium labour because of age, or bodily infirmity. They will be the permanent members of the group,
- (2) Those who have been discharged from hospital as convalescents, but are temporarily unfit to perform hard or medium labour ;
- (3) Men who are generally out of health even if not falling under the above two categories. This category shall include prisoners passed as fit for light labour only, prisoners exhibiting scorbutic or malaria scorbutic gums, prisoners found to be steadily failing in weight, and prisoners who are anaemic.

220. TREATMENT OF THE INVALID GROUP

Prisoners in the invalid group shall be given some light work suited to their strength and shall, as far as possible, be kept together for the purpose of diet and observation, both day and night. A register of such prisoners shall be kept and no prisoner shall be placed in or discharged from this group without the permission of the Medical Officer (In-Charge). They shall be examined daily by the Medical Subordinate, and once a week by the Medical Officer (In-Charge).

221. PROCEDURE ON DEATH OF A PRISONER

- (1) The death of any prisoner, which is a custodial death, shall be handled as per the procedure laid down in the Code of Criminal Procedure, 1973, and the guidelines issued by the National Human Rights Commission from time to time.
- (2) Whenever the mortality in the Sansodhanagar during a month exceeds 1% per annum, the Medical Officer (in-charge) shall record an explanation of the cause of such excess of mortality in the monthly return. In cases of unusual mortality, he shall make a special report on the subject for the Government through the Inspector General.
- (3) The Provisions of law for the time being in force shall, with necessary changes, apply to the case of a death of an officer of the Sansodhanagar while employed on duty.
- (4) The record required by Section 15 of the Prisoners Act, 1894 shall be made by the Medical Officer (In-Charge) in the case book.

222. REGISTRATION OF BIRTH OR DEATH IN SANSODHANAGAR

The Deputy Superintendent of Sansodhanagar shall send intimation of birth or death in a Sansodhanagar in writing to the Register of the locality appointed for the purpose under the Registration of Births and Deaths Act, 1969 (Central Act XVIII of 1969).

223. DEATH IN CUSTODY

- (1) Deaths of all prisoners whose fingerprints have been taken and if known in Sansodhanagars, shall be intimated immediately to the Finger Print Bureau.
- (2) When a military prisoner dies in Sansodhanagar, immediate report thereof shall be given to the Commanding Officer who sent him to the Sansodhanagar.
- (3) When a foreign prisoner dies in Sansodhanagar, immediate report shall be sent to the District Magistrate of the District and the Inspector General for further communication to the Government. The Government shall inform the embassy or the appropriate authority about the death.
- (4) Where a woman prisoner dies in Sansodhanagar and leaves a child behind, notice shall at once be sent to the District Magistrate of the District who shall make arrangements for further care of the child as may be deemed fit.
- (5) Where a convicted prisoner dies in Sansodhanagar his warrant shall be returned to the Court from which it was issued with an endorsement certifying the cause and date of death. Where a remand or an under-trial prisoner dies in Sansodhanagar, the court or courts in which the case or cases are pending, against the deceased shall immediately be informed of the fact of death in writing.

224. CUSTODIAL DEATH OF FOREIGN NATIONAL – UNDER TRIAL PRISONER / CIVIL PRISONER / CONVICTED PRISONER

If case of custodial death of an under trial prisoner or convicted prisoner, the matter shall be forthwith intimated to the Inspector General of Correctional Services by the Superintendent of the Sansodhanagar and thereafter within 24 hours the

Superintendent shall also transmit the intimation of such Custodial Death to the National Human Rights Commission or State Human Rights Commission. The Inspector General of Correctional Services on receipt of the information of custodial death of a foreign national under trial or convicted prisoners will intimate the matter to the higher authorities including political department of the State Government for taking up the matter with the Ministry of External Affairs, Govt. of India, if necessary, so that the matter may be taken up with the concerned High Commission or Embassy relating to the disposal of the dead body of such Foreign National. If no intimation is received from the higher authorities or if nationality of the deceased could not be ascertained within thirty days from the date of death, the dead body may be disposed of with proper rituals according to the racial or religious customs of the community or religion to which the deceased belonged.

225. RECORDING OF DEATH

Entries relating to the death of a prisoner shall be made in the concerned registers, in the history ticket in detail and in the hospital records. All records relating to the death of a prisoner shall be preserved for at least two years.

226. DISPOSAL OF THE DEAD BODIES OF PRISONERS

- (1) The body of any prisoner, including that of a child residing with a female prisoner, who dies in a Sansodhanagar or in a civil hospital or asylum, shall be disposed.
 - (a) The body may be handed over to the relatives if available, only after a post-mortem in the hospital. For this purpose it may be kept in the hospital mortuary for 24 hours.
 - (b) If there is no chance of relatives or friends reaching within 48 hours, the Sansodhanagar authorities shall dispose of the body in accordance with the established procedures.
 - (c) The delivery of a body to relatives or friends shall be subject to the conditions that there shall be no public demonstration of any nature in regard to its removal.
 - (d) The Superintendent of Sansodhanagar in every case shall conduct an identification test to ensure that the dead body is the body of the particular prisoner and satisfy that the marks of identification in the convict register tally with those on the dead body and furnish a certificate to that effect in the register.
- (2) The relative of prisoners, if poor, may be paid a maximum amount of Rs.5,000/- for transporting the dead body of the prisoner to their native place or for performing last rites.

227. INTIMATION TO INQUIRING MAGISTRATES AND POLICE OFFICERS

- (1) Intimation of all deaths, including that of children residing with female prisoners, occurring from whatever cause in the Sansodhanagar shall be sent to:-
 - (a) The nearest Magistrate empowered under sub-section (4) of Section 174 and 176 of the Code of Criminal Procedure, 1973 to hold inquests;
 - (b) The Officer-In-charge of the Police Station having jurisdiction, who is required to make a preliminary investigation;
 - (c) National and State Human Rights Commission within 24 hours of death.
- (2) The body of the deceased prisoner or the deceased child of the female prisoner shall be kept for inspection and orders of the officer holding the inquests. No Sansodhanagar officers shall be a member of a panchayet formed to express an

opinion as to the cause of death of any prisoner or deceased child of the female prisoner.

228. REPORT ON DEATH OF PRISONERS

A full report on the circumstances of the death of a prisoner shall be sent by the Superintendent without any delay to the Inspector General of Correctional Services for submission to the government. Reports made by the Police and Magistrate, the nominal roll, copies of judgments, the reports required by Section 15 of the Prisoners Act, 1894 and the deposition of witnesses with this report, shall be submitted. The post-mortem examination shall be videographed as per the guidelines of the NHRC.

229. INDENT FOR CLOTHING AND BEDDING

The quantities of clothing and bedding required for hospital use shall be reported in fixed time by the Medical Officer (In-Charge) to the Superintendent who shall include them in the general indents as the case may be of Sansodhanagar clothing submitted for sanction by the Inspector General.

230. INDENT FOR OTHER ARTICLES

For articles other than diet, clothing and bedding the Medical Officer (In-Charge) shall indent by letter to the concerned authority of the State Health Services.

231. LOCAL PURCHASE OF MEDICINES

- (1) Local purchase of medicines will be effected by the Medical Officer (In-Charge) as per the norms laid down by the State Health Services.
- (2) The disposal of other medical articles like clinical waste, medicines whose validity has expired, etc., shall be dealt in accordance with norms laid down by the State Medical Services.

232. PLACING INDENTS FOR SUPPLY OF MEDICINES

The Medical Officer (In-Charge) shall procure medicines required for the Sansodhanagar hospitals in accordance with the procedure laid down in the State Medical Services.

233. STOCK VERIFICATION BY THE SUPERINTENDENT OF SANSODHANAGAR

For the purpose of attending to sick prisoner a few educated convicts of good conduct and undergoing long sentences shall be selected by the Superintendent in consultation with the Medical Officer (In-Charge) and trained as nursing orderlies. A brief syllabus for their training shall be prepared as a guide to the Assistant Surgeons who under the direction of the Medical Officer (In-Charge), shall be responsible for conducting such training. The number of convicts employed as nursing orderlies shall ordinarily be in the ratio of one for every ten patients. In times of epidemics and other emergencies this proportion may be increased and special orderlies may be allowed for very serious cases or for bedridden patients. Convict nursing orderlies, who perform their duties satisfactorily, shall be allowed extra remission and gratuity at the same rate and scale as prescribed for a convict night watchman.

234. APPOINTMENT OF PRISONERS TO PERFORM UNSKILLED TASKS AT THE HOSPITAL

The Superintendent shall detail sufficient number of convict to perform unskilled tasks at the hospital. Such convicts shall work under the orders of the Medical Officer (In-Charge). Only prisoners serving long sentences, and who are of good conduct, shall be sent for such duties.

235. CASE SHEET

A case sheet and temperature chart shall be prepared as per the norms laid down by the State Medical Services.

236. VACCINATIONS OF PRISONERS ON ADMISSION

Every prisoner admitted to Sansodhanagar shall be vaccinated on admission, as soon as possible, as per the norms laid down in the State Medical Services.

237. VACCINATION REGISTER

A vaccination register shall be maintained and the particulars of those vaccinated shall be entered in it as per the norms laid down by the State Medical Services.

238. MEDICAL EXAMINATION OF THE MEMBERS OF THE STAFF

Medical Examination of the members of the staff may be done at least once a year in consultation with the Superintendent of the Sansodhanagar. Reports of such medical examination shall be kept in the office of the Superintendent.

239. FORTNIGHTLY WEIGHING

(1) Care shall be taken that the fortnightly weighing, under section 35(2) of the Prisons Act, 1894, are done at approximately the same time of day to avoid as far as possible, the variations that naturally take place throughout the day.

(2) Since no labour is done on Sundays, Sundays will be most suitable for taking weights. When the numbering of labour prisoners is large, they can be divided into two groups, with each group being weighed on alternate Sundays. Assistance of the Pharmacist and a member of the Executive Staff detailed by Superintendent may be taken for the purpose.

Explanation :The body weight varies to a certain extent from time to time under normal conditions . Therefore, small differences of weight up to 1 Kg. would not necessarily indicate that the weights were taken carelessly.

240. RECORD OF WEIGHTS

(1) The initial weight on admission to Sansodhanagar and the final weight before release shall be recorded in the Convict Register and these, as well as all the intermediate fortnightly weights, shall be recorded in the prisoner's Medical History Sheet and weight chart.

(2) Before recording the prisoner's weights, it shall be ascertained that the weighing machines are accurate.

241. TREATMENT OF PRISONERS LOSING WEIGHT

(1) All prisoners who have lost more than 1.5 kg since the last fortnightly weighing, or more than 3.0 kg since admission to Sansodhanagar, shall be paraded with their weight charts for the inspection of the Superintendent and the Medical Officer (In-Charge) on the day following the day the weighing is done.

(2) Special care shall be taken in case of prisoners with a poor physique on admission, for whom every small loss of weight may be of serious concern.

242. CHECK BY THE MEDICAL OFFICER (IN-CHARGE)

The Medical Officer (In-Charge) shall, as soon as possible after he fortnightly weighing, check the weights of a dozen or more prisoners picked randomly to satisfy himself of their accuracy and shall record in his journal any remarks he may consider necessary.

CHAPTER – IX
(CONTACT WITH OUTSIDE WORLD)

243. REASONABLE FACILITIES TO BE ALLOWED FOR INTERVIEWS AND LETTERS

Every prisoner shall be allowed reasonable facilities for seeing or communicating with, his/her family members, relatives, friends and legal advisers for the preparation of an appeal or for procuring bail or for arranging the management of his/her property and family affairs. He/she shall be allowed to have interviews with his/her family members, relatives, friends and legal advisers once in a fortnight. Letters shall be allowed once in a week, letter sent through e-mail to be scanned and given/handed over to the inmates.

244. PRISONERS IN DEFAULT

The same facilities shall be allowed to every prisoner committed to the Sansodhanagar in default of payment of a fine, furnishing security under Chapter VIII of the Code of Criminal Procedure 1973, to enable him to arrange for payment of the fine or furnishing security.

245. LIST OF PERSONS FOR INTERVIEW

On admission, every prisoner shall submit a list of persons who are likely to interview him/her and the interview shall be restricted to such family members, relatives and friends. The conversation at the interviews shall be limited to private and domestic matters and there shall be no reference to Sansodhanagar administration and discipline and to other prisoners or politics. The number of persons who may interview a prisoner at one time shall ordinarily be limited to three.

246. PRIVILEGES CONTINGENT ON GOOD CONDUCT

- (1) The contents of all letters shall be limited to private matters. Postage stamps may be allowed to be purchased for letters addressed by prisoners to their relatives in foreign countries at their cost. If the prisoners have no cash in credit, it shall be supplied at government cost in deserving cases, and at reasonable intervals, at the discretion of the Superintendent of Sansodhanagar. The prisoners shall not be allowed to misuse such privileges. In addition to the number of letters allowed in a month the prisoners shall be allowed, if they so desire, a special letter in order to inform their friends or relatives of their transfer from one Sansodhanagar to another. This shall be in addition to the letters allowed to them. Ex-prisoners and habitual prisoners, who apply to see their friends lodged in a Sansodhanagar may not be permitted such interview by the Superintendent unless and until there exist a genuine reason for such interview.
- (2) These privileges of interviews with visitors, and of writing and receiving letters, are contingent to good conduct. These privileges may be suspended or withdrawn by the Superintendent of Sansodhanagar on grounds of bad conduct.

Explanation (1) : Every prisoner shall be given the option of informing his/her family of his/her committal to the Sansodhanagar immediately on his/her admission, he/she shall be provided with a post card or inland letter for this purpose ;

Explanation (2) : A letter merely arranging an interview shall not be counted as a letter for the purpose of this rule ;

Explanation (3) : A prisoner may substitute a letter with a reply for an interview or vice versa with the permission of the Superintendent.

Explanation (4): prisoners shall not be allowed to correspond with prisoners in other Sansodhanagars. If, however, a prisoner has got his/her relatives in another Sansodhanagar, he/she may be permitted to write, subject to the restrictions contained in these rules.

247. SUPERINTENDENT'S DISCRETION TO GRANT PRIVILEGES AT SHORTER INTERVALS

If he considers that special or urgent grounds exist for such concession, the Superintendent may at his discretion, grant interviews or allow the dispatch or receipt of letters at shorter intervals than provided in spite of a prisoner's misconduct. This could be in the event of the prisoner being seriously ill, or the death of a near relative, or when his/her friends or relatives have come from a distance to see the prisoner and it would inflict undue hardship on them if they are refused an interview, or if the prisoner is nearing release and wishes to secure employment, or for any other sufficient cause. Matters of importance, such as the death of a relative may also be communicated at any time to the Superintendent who will, if he thinks it expedient, inform the prisoner about it.

248. PRISONERS ALLOWED TO SIGN A POWER OF ATTORNEY

Every convicted prisoner may at the discretion of the Superintendent be permitted to sign and attest a power of attorney or other statements/ conveyances concerning his/her properties.

249. INTERVIEW WITH PRISONERS IN THE SAME SANSODHANAGAR OR IN HOSPITALS OUTSIDE THE SANSODHANAGAR

- (1) Subject to the provisions of preventing its abuse, the Superintendent may permit interviews between men and women prisoners who are related to each other by marriage or blood, when they happen to be confined in the same Sansodhanagar, or when one is in the Kendriya Sansodhanagar and the other in the Special Sansodhanagar for Women. If a prisoner is to be sent out of the Sansodhanagar for the purpose of such interviews, he/she shall be sent under adequate escort.
- (2) Similarly the Superintendent may permit a prisoner, other than a condemned prisoner i.e prisoner sentenced to death, to see a prisoner in a hospital outside the Sansodhanagar subject to the following conditions :
 - (a) The prisoner in the hospital is a relative and is seriously ill ;
 - (b) The hospital is situated in the same city or town ;
 - (c) The prisoner is sent under adequate escort as the Superintendent decides ;
 - (d) The prisoner shall return to the Sansodhanagar immediately after seeing the prisoner in the hospital.
- (3) Provided that nothing contained in these Rule shall apply to persons detained under preventive detention laws or prisoners who habitually commit offences punishable under sections 224, 376, 396 to 400, 402, 467, 471, 472, 474, 489, 489-A, 489-B and 489-D of the Indian Penal Code, 1860 and who are convicted under the above mentioned sections of the Indian Penal Code, 1860.

250. SUPERINTENDENT'S PERMISSION FOR INTERVIEWS REQUIRED

- (1) No prisoner shall be allowed to have an interview without the permission of the Superintendent of Sansodhanagar. Such permission shall be recorded in writing.
- (2) Applications for interviews with prisoners may be either oral or in writing. If the prisoner is not entitled to have an interview, the applicant shall be informed at once.

251. WAITING ROOMS

Suitable waiting rooms may be provided in every Sansodhanagar to enable visitors to await their turn for interview. They may be given a token to await their turn.

252. INTERVIEWS ON SANSODHANAGAR HOLIDAYS

Interview shall not ordinarily be granted on Sundays and other Government holidays. The Superintendent may, however, under very exceptional circumstances, grant interviews on these days as well. The reasons for granting such interviews on Sundays or Holidays shall be recorded by the Superintendent in the report book.

253. TIME FOR INTERVIEWS

The Superintendent shall fix the days and hours at which all interviews shall be allowed. No interviews shall be allowed at any other time, except with the special permission of the Superintendent. A notice indicating the interview hours shall be posted outside the Sansodhanagar.

254. PLACE OF INTERVIEW

- (1) Every interview shall take place in a special part of the Sansodhanagar appointed for this purpose. If possible such a place shall be at or near the main gate to ensure the safety and security of prisoners. The interview room will have fibre glass partition with intercom facilities, so that the prisoners can have a peaceful interview. The interview room shall be divided into cubicles and shall have sound-proofing materials covering its walls and ceiling. However, the Superintendents of Sansodhanagars may allow well-behaved prisoners to have face-to-face interviews after giving due consideration to security and other related aspects.
- (2) Interviews with female prisoners shall, if practicable, take place in the female enclosure/ward.
- (3) If a prisoner is seriously ill, the Superintendent shall permit the interview to take place in the Sansodhanagar hospital. A condemned prisoner sentenced to death shall ordinarily be interviewed in his cell.
- (4) The Superintendent may, however, for special reasons to be recorded in writing permit an interview to take place in any other part of the Sansodhanagar.
- (5) The interview shall be conducted twice a week according to alphabetical order of names.

255. PREVENTION OF PASSAGE OF PROHIBITED ARTICLES DURING INTERVIEW

Screens or wire mesh partitions shall be put up, if necessary, between the prisoners and the persons interviewing them, to prevent the passage or exchange of any prohibited articles between them.

256. INTERVIEW TO TAKE PLACE IN THE PRESENCE OF A SANSODHANAGAR OFFICER

Every interview with a convicted prisoners shall take place in the presence of an experienced Jailor/Sub-Jailor, who shall be positioned at a place from where he can see and hear what passes between the prisoner and his interviews and he shall prevent any article being passed between the two parties. A lady Jailor/Sub-Jailor, a Matron, an Assistant Matron or a female Warder shall be present when female prisoners are interviewed.

Note: Every interview with a terrorist or militant, whether serving a sentence or kept as an under-trial prisoner, or a prisoner detained under preventive detention laws, shall take place in the presence of an Intelligence Officer conversant with the case against the prisoner. An experienced Sansodhanagar Officer shall also be present during such interview.

Relatives and friends of such prisoner, who desire to interview them, shall produce a certificate from the head of the concerned Village Panchayet or a Member of the State Legislative Assembly, as proof of their residence and relationship with the prisoners, or duly authenticated identity documents like a family ration card, voters identification card, driving license or passport.

257. COMMUNICATION WITH OR VISIT TO FOREIGN NATIONALS

- (1) If any foreign national is committed to Sansodhanagar, or to custody pending trial, or is detained in any other manner, the Superintendent of Sansodhanagar shall, immediately inform the Inspector General of Correctional Services. Any communication addressed to a Consulate, by a prisoner or detainee, shall be forwarded to the Ministry of External Affairs through proper channel without undue delay. Such communication shall be subject to scrutiny/ Censorship as per rules. The particulars of incoming and outgoing letters of a foreign national, if found objectionable shall be censored and also furnished to the Government.

- (2) Whenever consulate officials of a foreign country seek permission to visit or interview a prisoner for arranging legal representation for them, or for any other purpose, the Superintendent of Sansodhanagar shall inform the Government of such request from the Consulate. Only on receipt of orders from the Government, the Superintendent of Sansodhanagar shall permit Consulate officials to visit the prisoners.

Note: The right to interview of a foreign national in Sansodhanagar does not mean a private interview and does not include the right to inspect the living quarters of the prisoner/detainee. This is also subject to general regulations regarding interviews in Sansodhanagars.

258. TERMINATION OF INTERVIEW

An interview may be terminated at any moment if the Sansodhanagar Officer present considers that there is sufficient cause for terminating it. In every such case, the reasons for terminating the interview shall be reported at once to the senior most Jailor or Sub-Jailor present in the Sansodhanagar.

259. DURATION OF INTERVIEW

Ordinarily, the time allowed for an interview shall not exceed half an hour. However, this may be extended by the Superintendent of Sansodhanagar at his discretion.

260. SEARCH BEFORE AND AFTER INTERVIEW

Every prisoner shall be carefully searched before and after an interview.

261. POWERS TO REFUSE AN INTERVIEW

The Superintendent of Sansodhanagar may refuse to allow any interview, to which a prisoner would ordinarily be entitled under these rules, if in his opinion it is not in public interest to allow a particular person to interview the prisoner, or if, there are other sufficient reasons to refuse an interview. In every such case, the Sansodhanagar Superintendent shall record his reasons for such refusal in his register or record book.

262. WITHHOLDING OF LETTERS AND THEIR DISPOSAL

Criteria for withholding of letters of prisoners is as under :

- (1) Prisoners may be allowed to write letters only to their family members, relatives and close friends. Prisoners shall also be allowed to correspond with the counsels handling their cases. In case it is found that the prisoner is corresponding with undesirable persons or receiving letters from them, or if any correspondence is found detrimental to the prisoner's rehabilitation, such

letters, both incoming and outgoing, shall be withheld. Prisoners shall be informed of such action without divulging the contents of the letters received. If necessary, they may also be warned in this regard.

- (2) There may be no limit on the number of incoming letters to a prisoner.
- (3) Prisoners shall not be allowed to correspond with inmates of other Sansodhanagars. However, if a prisoner has his/her relative lodged in another Sansodhanagar he may be permitted to send letters to them informing them to his/her welfare.
- (4) The Superintendent of Sansodhanagar shall have the right to disallow letters to prisoners for reasons of security and discipline or during periods of emergencies, if he considers it necessary.
- (5) For the purpose of these rules applications sent by prisoners shall not be treated as letters.
- (6) No letters shall be delivered to, or sent by a prisoner, until the Superintendent has satisfied himself that its transmission is not objectionable. No letter written in a secret language shall be allowed. The Superintendent may withhold any letter which seems to him to be, in any way, improper or objectionable. He may also cause such passages in the letters to be erased. If a letter is written in a local language and cannot be satisfactorily translated in the Sansodhanagar concerned, it shall be sent to some other officer for translation, in accordance with the procedure laid down for this purpose by the Inspector General of Correctional Services. Subject to the approval of the Government, arrangements may also be made to send such letters for translation to other Government Departments. If a letter is written in a language not ordinarily used in the State, it shall be sent for translation to the Criminal Investigation Department of the State. A slip marked Urgent shall be attached to any letter sent outside the Sansodhanagar for translation so that unnecessary delay does not take place in their translation and examination.
- (7) If a letter addressed to a prisoner is improper or objectionable, it may be withheld under intimation to the prisoner and kept in the custody of the Superintendent of Sansodhanagar, or it may be returned to the sender under intimation to that prisoner. The Superintendent of Sansodhanagar may, if he deems it necessary, communicate the contents of such a letter to the prisoner.

263. PRISONERS MAY KEEP LETTERS

A prisoner may retain any letter which has been delivered to him under due authority.

264. SUPPLY OF WRITING MATERIALS AND OTHER FACILITIES

- (1) Writing material, including service post cards, shall be supplied in reasonable quantities to any convict, who has permission to write letters. All letters by prisoners 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 also be provided to prisoners.
- (2) prisoners shall be allowed to purchase writing material at their own expense. All notebooks provided to them shall have their pages numbered to keep a check on their misuse and to prevent secret correspondence.

265. EXCLUSION FROM PRIVILEGES

If any prisoner abuses any privilege relating to the holding of an interview, or writing of letters, or of communication with persons outside the Sansodhanagar, he shall be liable to be excluded from such privileges and may be subjected to other restrictions as the Sansodhanagar Superintendent may consider necessary.

Facilities to be granted to Under trial and Civil prisoners for interviews and for writing and receiving letters.

266. UNDER MENTIONED FACILITIES MAY BE GRANTED TO UNDERTRIAL AND CIVIL PRISONERS

- (1) Undertrial and Civil prisoners shall be granted all reasonable facilities to interview, or write letters to their family members, relatives, friends and legal advisers.
- (2) Every interview between an under-trial prisoner and his legal adviser shall take place within sight, but out of hearing, of a Sansodhanagar official. A similar concession shall be allowed by the Superintendent in the case of an interview with any near relative of an under trial.
- (3) When any person desires an interview with an under-trial prisoner in the capacity of the prisoner's legal adviser, he shall apply in writing, giving his name and address and specifying the purpose of the interview. He must satisfy the Superintendent of Sansodhanagar that he is the bona-fide legal adviser of the prisoner with whom he seeks interview and that he has legitimate business with him.
- (4) Any bona-fide written communication prepared by an undertrial prisoner as instructions to his legal adviser i.e a legal practitioner within the meaning of the Advocates Act, 1961 (Central Act XXVI of 1961) may be caused to be delivered personally to such legal advisor, or to his authorised nominee, by the Superintendent of Sansodhanagar. If such communication is confidential, it shall be delivered without being previously examined.
- (5) Civil prisoners may see their family members, friends, relations and legal advisers for such time, and under such restrictions, as the Superintendent may decide and the presence of a Jailor/Sub-Jailor shall not be necessary. No such visitor shall, however, be allowed to take eatables without the permission of the Superintendent inside the Sansodhanagar.

267. COMMUNICATIONS FROM A PRISONER WHO IS A MEMBER OF THE STATE LEGISLATURE OR OF PARLIAMENT

All communications addressed by a prisoner, who is a member of the State Legislature or of the Parliament, to the Speaker or Chairman of the House of which he is a member, or to the Chairman of Committee (including a Committee on Privileges) of such a house, or of a Joint Committee of both houses of the State Legislature, or of Parliament, shall be immediately forwarded by the Superintendent of Sansodhanagar to the Government to deal with it in accordance with the rights and privileges of the prisoner as a Member of the House to which he belongs.

268. TELEPHONIC AND ELECTRONIC COMMUNICATION

The Superintendent of Sansodhanagar may allow a prisoner the use of telephones or electronic modes of communication on payment, to contact his family and lawyers, from time to time, in accordance with the State policy. The prisoner can use this facility under the supervision of a Jailor/Sub-Jailor to be designated by the Superintendent. While permitting a prisoner the use of such facilities, the Superintendent shall ensure that such permission is not given to prisoners who have a record of unruly behaviour and bad conduct.

269. OTHER AMENITIES RELATING TO PRISONERS

- (1) A copy of the rules relating to prisoners shall be placed in each cell and one copy of the Do's and Don'ts for prisoners shall be given to them. An abstract of the rules shall also be displayed inside the Sansodhanagar gate and on the walls of important Sansodhanagar buildings.
- (2) All prisoners shall be allowed to receive soap, oil and tooth powder, fruits and sweet from their friends and relatives, subject to the condition that the quantity received is limited to their personal requirements for a fortnight and that a

thorough examination of the articles to be passed to the prisoners, is done by a Senior Officer of the Sansodhanagar.

270. FACILITIES FOR APPEAL SHALL BE EXPLAINED

All relevant rules about appeals, and the facilities available in the Sansodhanagar for preparing and sending appeals, shall be explained to the prisoners at the time of their admission by the Welfare Officer.

271. WELFARE OFFICER SHALL RECORD THE DESIRE OF THE PRISONER TO PREFER AN APPEAL

Upon conviction, the Legal Aid Cell/Clinic/the Probation/Welfare/Rehabilitation Officer shall ascertain whether the prisoner desires to file an appeal or not and record it in the convict register and on the History Ticket of the prisoner and the prisoner shall be required to sign the History Ticket or affix his left thumb impression thereon. This shall be verified and confirmed by the Jailor/Sub-Jailor and the Superintendent or Deputy Superintendent at the time of the prisoner's physical verification.

272. SUPERINTENDENT TO FORWARD PETITIONS OF APPEAL

Under Section 383 of the Code of Criminal Procedure, 1973, an appellant, who is in Sansodhanagar, may present his petition/appeal, and the documents accompanying it, to the Superintendent who shall, thereupon, countersign and forward them to the proper Appellate Court at Government cost. All such appeals shall always be sent by registered post.

273. APPLICATION FOR COPY OF JUDGMENT

If the copy of the judgment is not received by the prisoner, the Superintendent shall immediately address the court, on his behalf, for sending its transcript. In the event of any such transcript of the judgment being sent to the Sansodhanagar authorities for delivery to a prisoner by the appellate, revisional or other court, the official concerned shall get it delivered to the prisoner and obtain a written acknowledgment thereof from the prisoner. If, before the receipt of the transcript of the judgment, the prisoner had been transferred to another Sansodhanagar, or to the custody of any other officer, the transcript of the judgement shall on receipt, be forwarded without delay to the Superintendent of such Sansodhanagar or such officer, as the case may be. Till such time as the copy/transcript of the judgement is received by the prisoner, the Superintendent shall ensure that a reminder for sending a copy of the judgment is sent to the concerned court every week. If the copy of the judgement is not received within 1 month of forwarding the application to the court, the Superintendent of Sansodhanagar shall detail a Jailor/Sub-Jailor to visit the court personally and collect a copy of the judgement and have it delivered to the prisoner.

274. PRISONERS TO BE ASSISTED IN PREFERRING APPEALS

- (1) Where the prisoner seeks help to file an appeal or revision petition, every facility for the exercise of this right shall be provided to the prisoner by the Superintendent of Sansodhanagar. If a prisoner desires to file an appeal and declares that he has no friends or relatives or agents who can file an appeal on his behalf, he/she shall be provided with writing materials and allowed to write his own petition or appeal.
- (2) If a prisoner cannot write, the Legal Aid Cell attached to the Sansodhanagar shall prepare his/her appeal petition. The Superintendent shall not be obliged to give assistance in the preparation of appeals of prisoners who omit to give notice of their intention to appeal before the period of limitation has expired. A prisoner, whose petition or appeal is written by someone else on his/her behalf shall be given full opportunity of expressing himself/herself and his/her case

shall, as far as possible, be recorded in his/her own words. Printed forms of appeal petitions shall not be used.

275. SPECIAL LEAVE TO APPEAL

- (1) The Superintendent shall communicate a list of prisoners of the following categories to the Duty Counsel, State Legal Services Authority at the High Court, and Legal Services at Supreme Court, in addition to contacting with District Legal Services Authority on continuous basis, for providing legal aid and assistance to them:
 - (a) Undertrial prisoners who are old and infirm, including women who are pregnant or have babies to be nourished;
 - (b) Undertrials who have spent more than three months in Sansodhanagars and who have no means to engage a counsel;
 - (c) Persons arrested on suspicion under Section 41 of the Code of Criminal Procedure Code, 1973 who have been in Sansodhanagar beyond a period of 15 days;
 - (d) Under-trials who, the Superintendent has reasons to think, have not completed 18 years of age and who shall ordinarily be kept away from adults;
 - (e) Any convicted prisoner who has already filed an appeal through Sansodhanagar authorities, as provided in the Code of Criminal Procedure Code, 1973 and who has given in writing his/her desire to avail free legal aid. The Superintendent shall also supply information to the Duty Counsel regarding such appeal along with a copy of memorandum of appeal, if available;
 - (f) prisoners, or the members of their family, requiring legal assistance in any Civil or Criminal matters.
- (2) Information regarding seeking of legal aid may be passed on by the Superintendent to the Duty Counsel if the concerned prisoner has given in writing his/her desire to avail of free legal aid. If the Duty Counsel so desires, he / she may interview the prisoner with regard to these matters.
- (3) The provisions which are applicable to petitions for Special Leave to appeal to the Supreme Court on behalf of the condemned prisoners shall also apply to such petitions on behalf of other convicts.

276. EXCLUSION OF TIME TAKEN IN OBTAINING COPY OF JUDGEMENT

The date on which a prisoner expresses his intention to appeal shall be entered at the appropriate space in his/her History Ticket. The time between that date, and the date on which the copy of judgement is delivered to the prisoner, shall be treated as the time required for obtaining a copy of the order or sentence appealed against, within the meaning of Section 12 of the Limitation Act, 1963 (Central Act 36 of 1963).

277. DELAY IN PREPARING PETITION TO BE NOTED

If any delay has occurred in preparing the appeal or revision petition after the receipt of the copy of judgement, a note of such delay shall be made on the appeal or revision petition.

278. MAINTENANCE OF APPEAL REGISTER BY THE WELFARE OFFICER

- (1) The Welfare Officer shall maintain an Appeal Register. He shall cause the register to be placed before the Superintendent of Sansodhanagar or Jailor/Sub-Jailor as frequently as may be necessary. Starting from the date on which the prisoner expresses his/her desire to file an appeal, till the date of receipt of the order of the appellate court disposing of the appeal, all such dates on which action is taken during the entire process shall be entered in the Appeals Register and attested by the Superintendent or Jailor/Sub-Jailor. This

would include dates on which requisition for judgement copy is sent, the date of the receipt of judgement copy; the date of delivery of the judgement copy to the prisoner or other nominated party, and date of receipt of appeal from the prisoner.

- (2) The Superintendent or Jailor/Sub-Jailor shall ensure that there is no delay in the process of disposing of appeals/petitions. The Welfare Officer is directly responsible to the Superintendent or Jailor/Sub-Jailor in these matters. After forwarding the appeals/petitions, the Superintendent shall send reminders to the Clerk/Register of the appellate court as under :

Sessions Court	...	Once in 15 days
High Court or Supreme Court...		Once in a month.

279. NOTICE OF THE DATE OF HEARING SHALL BE COMMUNICATED TO THE PRISONERS

When notice of the date of hearing of an appeal or petition is received, it shall be communicated to the convict who shall affix his/her signature or left thumb impression as token of such notice, on the notice. The notice shall then be attested by the Superintendent or Jailor/Sub-Jailor and returned to the concerned court.

280. PERSONAL APPEARANCE OF THE PRISONER IN THE APPELLATE COURT

When notice to show cause why a prisoner's sentence shall not be enhanced is received from the appellate court, the prisoner shall be asked whether he/she wishes to apply for permission to appear in person before the court concerned. If he/she says so, the Superintendent shall forward his/her application to the court for orders. Arrangements shall be made for his/her personal appearance in the court, if such permission is granted.

281. APPEAL PROCEDURE WITH REGARD TO PERSONS CONVICTED BY COURT MARTIAL

No appeal lies from a sentence passed by a court martial under the Army Act, 1950 (Central Act XLVI of 1950). The prisoner has a right to submit one petition only, against the judgment or sentence, for disposal by the highest authority to whom he/she is authorized to apply. His or her legal rights to submit a petition and the authority to which a petition shall be addressed are explained to every accused at the time of the pronouncement of sentence. Such a petition shall be forwarded to the authority to whom it is addressed. Appeals or petitions addressed to the Government of India, or to any Civil Authority, shall be forwarded to the Central Head Quarters of the concerned Armed Force for disposal.

282. RECORD OF THE RESULT OF APPEAL

- (1) In every case in which a sentence is modified or reversed on appeal, the Superintendent of Sansodhanagar concerned, on receiving the warrant prepared by the appellate courts in terms of the order passed, shall inform the prisoner of the decision of the appellate court and make a note of it in the History Ticket and the other connected records. The sentences shall be accordingly corrected and the revised dates of release shall be entered and got attested by the Deputy Superintendent or Jailor.

- (2) In every case in which a sentence is confirmed on appeal, the Superintendent of Sansodhanagar shall receive information to this effect from the Appellate Court. The confirmation of sentence or appeals shall be entered in the History Ticket and other connected records and attested by the Deputy Superintendent or Jailor.

283. COMMUNICATION OF APPELLATE ORDERS

On receipt of an order disposing of an appeal, the purport thereof shall be communicated to the prisoner concerned in the presence of the Superintendent who

shall enter on the order a certificate to the effect that it has been so communicated. Whenever a prisoner has been transferred, before the receipt of orders on his/her appeal, such orders shall be forwarded without delay, to the Superintendent of the Sansodhanagar in which the prisoner is confined.

284. RECORD OF THE APPELLATE ORDER

The Order and Judgment of the Appellate Court, the copy of the original judgment, and other connected records, shall be filed and kept along with the prisoner's warrant.

CHAPTER - X
(TRANSFER OF PRISONERS)

285. REASONS AND CIRCUMSTANCES FOR TRANSFER

Prisoners may be transferred from one Sansodhanagar to another for the following reasons :

- (1) For custody and treatment in a suitable institution in accordance with the classification procedure ;
- (2) For attendance in court for the purpose of standing trial or giving evidence ;
- (3) On medical grounds ;
- (4) On humanitarian grounds, in the interest of their rehabilitation ;
- (5) For post-release vigilance services ;
- (6) For providing essential services;
- (7) On grounds of security, expediency, etc. ;
- (8) To be nearer to his/her Home District ;
- (9) For other special reasons, if any.

286. HOME STATE

In the case of prisoner, who has long ceased to have any link with the State of his birth, and who is domiciled in the State where he is imprisoned and where his close relatives live, the latter State may be treated as his home State for the purpose of transfer. This shall be ascertained from his antecedents, or by enquiries regarding his/her relatives, before deciding to transfer such prisoner.

287. POWERS OF INSPECTOR GENERAL

Inspector General of Sansodhanagars shall have the following powers :

- (1) Subject to the order and control of the State Government, the Inspector General is authorized to sanction the transfer of such prisoners as are referred to in section 29 of the Prisoners Act, 1900 (except those under sentence of death), from one Sansodhanagar to another within the State.
- (2) The powers of transfer any prisoner under sentence of death from one Sansodhanagar to another shall rest with the State Government.
- (3) The sanction of the Inspector General, however, will not be necessary for transfer of prisoners in the following cases, where the Deputy Inspector General of Correctional Services and the Superintendent of Sansodhanagar can order such transfer:
 - (a) Transfer of prisoners required to give evidence or to undergo trial for an offence in another State ;
 - (b) Transfer of prisoners en-route ;
 - (c) Transfer of prisoner to a classified institution in accordance with a standing order issued for this purpose ;
Explanation: Copy of intimation regarding the transfer of a prisoner in the above three circumstances shall, however, be submitted to the Inspector General immediately.
 - (d) Transfer of prisoners on administrative grounds by Deputy Inspector General of Correctional Services /Superintendent of Sansodhanagar to Sansodhanagars within their jurisdiction.

288. TRANSFER OF SICK PRISONERS

Prisoners may be transferred from one Sansodhanagar to another Sansodhanagar on the following grounds :

- (1) No prisoner who is sick shall be transferred except for the benefit of his/her health.

- (2) When the Medical Officer is of the opinion that the transfer of a sick prisoner to another Sansodhanagar is likely to lead to his/her recovery, or will help in prolonging his/her life, he shall forward a brief statement of the case to the Superintendent, mentioning the Sansodhanagar to which a transfer is desirable. The Superintendent shall thereafter submit the case to the Inspector General for his orders.
- (3) The Superintendent shall, on a requisition in writing from the Medical Officer, supply extra food, clothing and bedding to prisoners for such journeys. Medicines, with instructions for their use, shall if necessary, be supplied to the Officer escorting such prisoner.
- (4) The Medical Officer shall be responsible to ensure that the medical case sheet of a prisoner is up-to-date at the time of his/her transfer.
- (5) No prisoner, who is incapable of ordinary hard labour on account of age, sickness or infirmity, shall be recommended for transfer except under special circumstances.

289. PRISONERS CONVICTED IN THE SAME CASE

Prisoners convicted in the same case may be transferred to different Sansodhanagars if, in the opinion of the Superintendent, it is absolutely essential to do so in the interests of discipline and maintenance of order in the Sansodhanagar.

290. TRANSFER OF HABITUAL PRISONERS

The Superintendent may apply to the Inspector General for transfer of a habitual prisoner from the Sansodhanagar on the ground that the prisoner is familiar with the locality and surroundings because of previous imprisonment there or otherwise. However, the Inspector General shall order transfer of such prisoners only in special cases, treating every such application on its merit, and after satisfying himself that sufficient reasons for transferring the prisoner exist.

291. TRANSFER OF PRISONERS CONVICTED BY CIVIL COURTS OF COMPETENT JURISDICTION ON RECIPROCAL BASIS

- (1) Every prisoner convicted by a Civil Court of competent jurisdiction in a State, other than that of his/her origin, may be transferred to his State of origin, if his unexpired portion of sentence is at least three months at the time of his transfer. He would be moved either to a Sansodhanagar in the District to which he belongs or to a prisoner nearest to his native place. In the case of any such prisoner to be transferred to his State, the Superintendent of Police and the Probation/Welfare/Rehabilitation Officer of that District of the State shall confirm the fact that the prisoner is native of that District of the State.
- (2) In the case of any such prisoner to be transferred to another State, the Superintendent of the Sansodhanagar, where the prisoner is confined, shall obtain from the prisoner a written declaration giving details of his address as also addresses of his relatives in his State of origin and send a nominal roll to the Inspector General of Correctional Services of that State. The Inspector General shall also ascertain the name of the Sansodhanagar, in the State of origin to which the prisoner has to be transferred from the Inspector General of that State and then issue orders for the transfer of the prisoner.

Explanation : (a) Due consideration shall be given to the wishes of a prisoner regarding transfer to his home State, unless there are adequate reasons against it for instance, his being out of mind or obstreperous or an aged parent wishing to be able to see his children during the last days.

Explanation : (b) The transferring State shall bear the cost of transfer of the prisoner. The cost of maintenance of the prisoner shall be borne by the State of his origin from the date he is received.

Explanation : (c) The prisoners' property and wages earned by him in the Sansodhanagar till the date of his transfer shall be sent, along with the prisoner, to the Sansodhanagar to which he is transferred.

292. TRANSFER OF PRISONERS CONVICTED BY COURT MARTIAL OVERSEAS OR IN INDIA ON RECIPROCAL BASIS

Every Ex-military prisoner convicted by a court martial overseas, or in India, and confined in any Sansodhanagar, other than a Sansodhanagar in his State of origin, may be transferred to a Sansodhanagar in his State of origin. The Superintendent of Sansodhanagar, where the prisoner is confined, shall immediately after his admission, send the nominal roll and written declaration of the Ex-military prisoner in duplicate to the Inspector General of the State of origin of the prisoner, decide that the prisoner shall be transferred and issue orders to this effect. The Inspector General of Correctional Services shall also entertain requests from prisoners of his State confined in Sansodhanagars of other states, and after proper verification by the Superintendent of Police of the District to which the prisoner belongs, inform the respective Inspector General about the Sansodhanagars to which such prisoner shall be transferred.

Explanation : (1) Ex-military prisoners shall be transferred immediately to their State of origin irrespective of the unexpired portion of their sentence.

Explanation : (2) The cost of maintenance of Ex-military prisoners shall be borne by the State of their origin from the date they are received in their Sansodhanagars and the cost of transfer shall be borne by the Central Government from the Defence Service Estimates.

293. TRANSFER OF PRISONERS PRIOR TO RELEASE

(1) Every habitual prisoner, police registered prisoner, prisoner ordered to pay a fine, a prisoner required to notify residence subsequent to his release, a person ordered to undergo imprisonment in default of furnishing security for maintaining peace or good behaviour, a prisoner with mental health concerns, and a female or young offender, if confined in a distant Sansodhanagar, shall be transferred to the Sansodhanagar nearest to his home, one clear week before the date of the expiry of his substantive sentence.

(2) The prisoners so transferred shall be confined in the outer quarantine block of the receiving Sansodhanagar and released therefrom. The release list shall, however, be sent by the Superintendent of the transferring Sansodhanagar to the Superintendent of Police of the District in which the prisoner will be released one month prior to his transfer.

(3) The provision is subject to the condition that the Sansodhanagar to which the transfer is ordered is on or near the route which the prisoner would ordinarily take to his home and contains accommodation for his reception.

- (4) The provisions of this rule may be relaxed in the case of prisoners willing to receive help from the local Discharged prisoners' Aid Society on release, and for habitual and police registered prisoners, and for those who are leprosy patients.

294. TRANSFER OF PRISONERS BELONGING TO OTHER STATES

Prisoners belonging to other States may be transferred on the following grounds :

- (1) As a general rule police registered criminals, not being natives of the State in which they are undergoing sentence, shall be removed, without regard to their wishes in the matter at any time if they are sentenced to imprisonment for three months or less, and two months before their release, if they are sentenced to imprisonment for more than three months, whether to the Sansodhanagar of the District to which they belong or to the Sansodhanagar nearest to their native place, provided that such Sansodhanagar is declared by the state Government concerned as the receiving depot for prisoners removed from the State. A prisoner sentenced to more than three months of imprisonment shall be transferred to a Sansodhanagar in his home district earlier than two months if he is willing, or if there are adequate reasons requiring such transfer. All such cases, as mentioned above, shall ordinarily be intimated by the police to the Superintendent of Sansodhanagar in the form of a Police Registered Slip. When a Police Registered Slip is received, the details to be filled in at the Sansodhanagar shall be completed and the slip attached to the prisoner's warrant and set with him to any Sansodhanagar to which he may be transferred. At the same time an entry of the letters "P.R.T.", signifying Police Registered prisoners for Transfer shall be made in red ink in the Convict Register and Register of prisoners to be released. The Superintendent shall forward to the Inspector General a nominal roll of such prisoner with an application for his transfer one month before the date on which the transfer is to be effected in accordance with the rules. The Inspector General is authorised to order the removal of such prisoner, as required above, and shall pass a formal order sanctioning the transfer in consultation with the Inspector General of the State with the consent with that Government to which prisoner is to be removed. On the death or escape of a Police registered prisoner, the Police Register Form attached to his warrant shall be returned to the Superintendent of Police of his District with an endorsement showing the date of his death or escape. Similarly any prisoner, whose detention in a Sansodhanagar of the State in which he is undergoing sentence is deemed inexpedient; he may be removed with the previous consent to the Inspector General of the State and the Government of the State to which it is proposed to remove him.
- (2) Police Registered prisoners for transfer (or briefly P.R.T. prisoners) belonging to Jammu and Kashmir, Nepal and Bhutan shall be transferred to the Sansodhanagars in India nearest to their native places, at any time not exceeding two months prior to their release. The Sansodhanagars to which they are to be transferred being decided in consultation with the Inspector General of Correctional Services of the respective State, and after verification of the facts. Intimation regarding release of P.R.T. prisoners belonging to Jammu and Kashmir shall be sent direct to Jammu and Kashmir Government. In the case of P.R.T. prisoners belong to Bhutan and Nepal, such intimation shall be sent to the Governments of these countries through India's Political Officers or the Indian Embassy, as the case may be.

295. TRANSFER DURING EPIDEMICS

Prisoners shall not be transferred while cholera or any other epidemic disease is present in either the transferring or the receiving Sansodhanagar. Transfer along a route where cholera or any other epidemic is prevalent, shall also be avoided as far as possible.

296. GROUNDS OF RE-TRANSFER TO BE STATED

When a prisoner has been transferred for any special reason by the Inspector General, the Superintendent shall, bring to notice the special reason for which the original transfer was made when proposing the re-transfer of such prisoner.

297. POLICE TO ESCORT PRISONERS

Police escort to the prisoners is given on the following grounds :

- (1) The responsibility of escorting prisoners rests with the police. The Superintendent of Sansodhanagar shall endeavour to reduce the calls upon the police as far as possible, by transferring prisoners in batches. prisoners shall not ordinarily be dispatched so as to reach the Sansodhanagar of destination of any of the recognized holidays for Sansodhanagars. If such a contingency is likely to arise due to unavoidable circumstances, the Superintendent of the transferring Sansodhanagar shall forward a written request to the Superintendent of the transferring Sansodhanagar shall forward a written request to the Superintendent of the receiving Sansodhanagar. The Superintendent of the receiving Sansodhanagar shall, however, entertain such admission on holidays even in the absence of any such request, but bring the irregularity to the notice of the Inspector General of Correctional Services.
- (2) The authorities at the transferring Sansodhanagar shall, as far as possible, avoid sending prisoners of different categories in the same batch. However, if circumstances make this unavoidable, they shall give clear instructions to the officer in charge of the escort to prohibit communication amongst such prisoners.

298. APPLICATION FOR ESCORT

When prisoners are to be transferred, the Superintendent shall apply to the Superintendent of Police of the District where the Kendriya Sansodhanagar is located, sufficiently in advance for the requisite guard, intimating the number of prisoners and the date and hour of their intended dispatch and the station they are being transferred to.

299. PRECAUTIONARY MEASURES

Criteria for precautionary measures are as under :

- (1) Full details of the following types of prisoners shall always be supplied to the escorting party before they are handed over to the police by the Superintendent of the transferring Sansodhanagar, namely :-
 - (a) prisoners with sentence of five years and above
 - (b) prisoners whose conduct in Sansodhanagar is bad or who have been found to be dangerous ;
 - (c) prisoners involved in heinous offences ;
 - (d) prisoners sentenced under section 224 (Indian Penal Code, 1860), and those who are known to have escaped or have attempted to escape in the past ;
 - (e) Any other important information.
- (2) The District Collector, Superintendent of Police and the Superintendent of Sansodhanagar shall be informed in advance when prisoners likely to attract public attention and cause a stir being transferred.

300. PROVISION OF FEMALE WARDERS

- (1) When a female prisoner is transferred, a female Warder/Woman Police Constable shall accompany her. But, her presence does not relieve the responsibility of the police for the safe custody of the prisoner in transit.
- (2) On the transfer of a prisoners, the Jailor/Sub jailor of the dispatching Sansodhanagar shall get a list of the prisoners property prepared in triplicate, as entered in the convict register, and obtain the signature of the officer in charge of the escort for the property on the counterfoil as a token of receipt. The duplicate and triplicate forms, the former signed by the jailor/Sub jailor of the dispatching Sansodhanagar, together with the property, shall be given to the officer in charge of the escort to be handed over to the receiving Sansodhanagar, where the duplicate list shall be retained and filed. The triplicate shall be signed by the jailor/Sub jailor of the receiving Sansodhanagar and handed over to the Officer in charge of the escort.
- (3) If it is found that there is any discrepancy in the cash, jewellery or property, immediate notice of the same shall be given to the Superintendent of the dispatching Sansodhanagar who shall begin an enquiry into the matter.

301. INTIMATION OF PRISONERS TRANSFERRED TO BE GIVEN

The Superintendent shall furnish to the officer in charge of escort a memorandum showing the number of prisoners being dispatched, their state of health, the route they are to take, and the date of dispatch. He shall also send all these details to the Superintendent of the receiving prison, along with the probable date of their arrival well in advance, and if necessary, by telegram.

302. PROCEDURE PRIOR TO TRANSFER

The Superintendent shall, before transferring a prisoner, verify all the entries regarding him /her and certify on the back of the warrant, the number and date of the order directing the transfer and the date of transfer.

303. DOCUMENTS TO ACCOMPANY PRISONERS

- (1) The following documents relating to each transferred prisoner shall be given to the officer in charge of the escort to be delivered to the Superintendent of the receiving Sansodhanagar namely :
 - (a) His/Her original warrant or warrants duly endorsed ;
 - (b) A copy of the committing court's judgment, if available, the order of any appellate court and of the government on any petition made by the prisoner ;
 - (c) A nominal roll ;
 - (d) His/Her history ticket ;
 - (e) His/Her remission sheet, if any ;
 - (f) His/Her medical case sheet ;
 - (g) Duplicate and triplicate lists of all private property, belonging to the prisoner ;
 - (h) A list of clothing, bedding and other government property sent with the prisoner.
- (2) The total amount of remission earned by every transferred prisoner up to the end of the proceeding month shall be endorsed on his/her History Ticket, remission sheet and on the warrant, and the entries shall be signed by the Superintendent. The Jailor of the transferring Sansodhanagar shall be responsible that the above information is duly and correctly supplied and that all documents to accompany the prisoners are correctly sent.

304. PRISONERS TO BE SEARCHED BEFORE DISPATCH

Every prisoner shall be searched in the presence of the Jailor/Sub-Jailor and escort party before dispatch.

305. SUPPLY OF FOOD AND CLOTHING ON JOURNEY

- (1) Every prisoner, during transit, shall be allowed to wear his private clothing. Whenever the private clothing of a prisoner has been destroyed or sold, he/she shall, on transfer, be provided with civilians clothing at government cost.
- (2) Subsistence allowance shall be paid to all remand and under-trial prisoners, at rates as fixed by government from time to time.

306. DUTY OF THE ESCORTING OFFICER

- (1) The Officer-In-Charge of escort shall see that prisoners do not communicate with outsiders and have no opportunity of obtaining forbidden articles, including cash, from their friends or relatives while in transit. During the transit period, the prisoner shall not be allowed to handle any cash, jewellery or other private property, except his/her private clothing.
- (2) If any breach or neglect of duty on the part of the officer-in-charge of escort is noticed, the Superintendent of the receiving Sansodhanagar shall send a report to the Inspector General of Correctional Services.

307. NOT TO BE ADMITTED TO KENDRIYA SANSODHANAGARS ENROUTE

Prisoners in transit shall not be admitted into Kendriya Sansodhanagar. They may however be admitted to a transit yard if such a facility is attached to Kendriya Sansodhanagars for the purpose.

308. CUSTODY OF FEMALES AND JUVENILES

During transit, female and young offenders shall be separated from adult male prisoners.

309. SEARCH DURING TRANSIT

Male prisoners shall be searched by the officer in charge of the escort daily during transit.

310. TRANSFER BY RAIL OR WATER

- (1) Prisoners shall ordinarily be transferred by rail where facilities for travel by rail exist. The fares of prisoners and of the warder, if any in charge, shall be included in the railway warrant prepared by the Police Department. The accommodation to be provided shall be of the lowest class.
- (2) When prisoners are to be transferred by rail, timely notice shall be given to the police of the intended date and hour of dispatch with a view to making suitable arrangements with the railway authorities for their safe custody in transit, and for the provision of necessary accommodation.

311. TRANSFER BY ROAD

The police escort party, which is transporting prisoners by road, shall provide necessary conveyance even for a shorter distance. Taking into consideration the safety and security of the prisoners, the police shall chalk out the routes and places of halt in advance. Any accident on transit shall be promptly intimated to the Superintendent of the Sansodhanagar from where the prisoner has been moved.

312. PROCEDURE IF PRISONER FALLS SICK

If, during such transfer by road, a prisoner becomes so ill as to be unable to continue his/her journey, he/she shall be taken to the nearest hospital, or to any place where there is a public dispensary, for treatment by a Medical Officer. A report of the circumstances shall immediately be made to the Superintendent of the dispatching Sansodhanagar and of the person to which the prisoner was being moved.

313. PROCEDURE IN CASE OF DEATH OF A PRISONER IN TRANSIT

When a prisoner dies in transit, the officer in charge of the escort shall at once report the circumstances to the nearest police station, which in turn will inform the concerned Judicial Magistrate. The Executive Magistrate shall enquire into the case and submit his/her report directly to the Inspector General and shall arrange for the disposal of the dead body. The officer in charge of the escort shall also intimate the death of a prisoner to the Superintendent of the Sansodhanagar to which the prisoner was being transferred, and the Superintendent of the transferring Sansodhanagar immediately. The latter shall inform the deceased prisoner's relatives, the Government, and the National Human Rights Commission, of the death of the prisoner.

314. PROCEDURE IF PRISONER ESCAPES

If, during transit, prisoner escapes, intimation shall at once be given by the officer in charge of the escort to the nearest police station to enable them to take steps for recapture of the prisoner. The Superintendent of the Sansodhanagar to which the convict was being taken and of the transferring Sansodhanagar, shall also be informed of the escape, and the latter shall take the prescribed measures for the prisoner's re-apprehension. On recapture such a prisoner shall be sent to the Sansodhanagar from where he was originally being transferred.

315. ADMISSION OF TRANSFERRED PRISONERS

On arrival at the receiving Sansodhanagar, the usual procedure for the admission of prisoners shall be followed. The Superintendent shall satisfy himself that the correct number of prisoners has been received and that they have been properly fed and cared for during transit.

316. VERIFICATION OF LISTS ACCOMPANYING PRISONERS

When the authorized Jailor/Sub-Jailor of the receiving Sansodhanagar has satisfied himself that the prisoner's documents and property have been correctly received, he shall countersign the memorandum and the triplicate copy of the list of property and shall return them, together with any clothing and item issued at government cost, to the transferring Sansodhanagar.

317. FACILITIES IN THE MATTER OF LETTER WRITING

Special facilities for writing letters to family, before and after transfer, may be extended to prisoners at the discretion of the Superintendent of Sansodhanagar. Stationery for the same shall be provided by the Sansodhanagar authorities.

CHAPTER - XI

(EXECUTION OF SENTENCES)

318. METHOD OF CALCULATING A SENTENCE

- (1) The duration of sentence shall be calculated in calendar years, months, a fortnight, a week or days. The term 'year' means a year according to the Gregorian calendar, a 'month' means 30 days, a 'fortnight' means 14 days and a 'week' means 7 days.
- (2) When a prisoner's sentence includes a fraction of a month, date of release shall be calculated by reducing such fraction to days. A month, for this purpose, shall consist of 30 days. For example, if a prisoner is sentenced to one and half months' imprisonment on 2nd February. The date of his release will be on 16th March.

319. SERVING OF SENTENCES

- (1) In whatever order the sentences are served, a prisoner is liable to serve the aggregate of the terms of all the sentences, provided that under no circumstances shall a prisoner be detained in Sansodhanagar beyond the period indicated by the terms of the warrant of commitment.
- (2) In case of doubt, as to the order in which the sentence shall take effect, instruction shall be taken from the court imposing the last sentence.

320. COMMENCEMENT OF, AND BREAKS IN, IMPRISONMENT HOW RECKONED

- (1) In calculating the date of expiry of sentence of imprisonment in a criminal case, the day on which the sentence was passed and the date of release shall both be calculated as days of imprisonment. A prisoner who is punished till rising of the court only, shall be released from the court itself and not admitted to Sansodhanagar. In the case of a prisoner who is punished till rising of the court and is awarded another sentence on the same day, the latter sentence shall start from the date of which the sentence is awarded. If a prisoner, is sentenced to imprisonment for 24 hours, he must be kept in the Sansodhanagar for the exact number of hours. In such cases, the sentence shall be deemed to commence from the hour indicated in the warrant. prisoners sentenced to one day's imprisonment shall be admitted in Sansodhanagar and the release on the same day.

Illustration i : A prisoner sentenced on 1st January to one month imprisonment shall be released on 31st January and not on 1st February.

Illustration ii : A prisoner sentenced on 28th February to one month shall be released on 27th March.

Illustration iii : A prisoner sentenced on 1st January to one day's imprisonment shall be released on the same day. But if he is sentenced to imprisonment for 24 hours he shall be kept in confinement for that period and not released before the hours are up on 2nd January.

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

Explanation : In the case of a prisoner sentenced to imprisonment in default of fine, the period of imprisonment shall be reckoned from the day on which he was re-arrested for failing to pay the fine imposed.

- (3) If the month in which the sentence of a prisoner expires has no date corresponding to the date of sentence, the last day of the said month shall be taken as the day of expiry of sentence. The same principle shall apply when the sentence is reduced due to reduction in sentence or payment of fine or grant or remission.
- (4) When a prisoner is sentenced to two or more periods of imprisonment to be served consecutively, the date of release shall be calculated considering both terms as one.

Example i :A prisoner sentenced on 21st November, 2000 to two substantive terms of imprisonment of one year each shall be released on 20th and not on 19th November 2002.

Example ii :A prisoner is sentenced on 1st January to two months imprisonment and a fine of Rs.200/- or, in default, to one month's imprisonment. If the fine is not paid, he shall be released on 31st March, but if the fine is paid, then on the last day of February.

321. DATE OF RELEASE IN THE CASE OF PRISONERS SENTENCED TO IMPRISONMENT FOR LIFE

- (1) The imprisonment for life technically means imprisonment for the whole life. The sentence of all prisoners sentenced to imprisonment for life or to more than 20 years imprisonment in the aggregate, shall, for administrative purpose of calculation of the normal date of release, be deemed to be sentenced of imprisonment of 20 years.
- (2) If a sentence of death is commuted to one of imprisonment for life, or imprisonment for a term, the sentence of imprisonment for life or imprisonment for a term shall be deemed to commence from the date on which the sentence of death was passed.

322. UNEXPIRED SENTENCE OF AN ESCAPED CONVICT

- (1) In the case of escaped prisoner, subsequently arrested in connection with another offence, any period spent on that account in police custody, or as undertrial prisoner, shall not be reckoned as imprisonment under the original sentence.
- (2) Necessary entries shall be made in the Register of prisoners to be released in place of the original date of release in respect of all prisoners.

323. DATE OF RELEASE OF PRISONERS SENTENCED FOR ESCAPE

If a prisoner receives a sentence for escape from Sansodhanagar, the date of release shall be re-calculated in accordance with Section 426 of the Code of Criminal Procedure, 1973 and entered in the Register of prisoners to be released in place of the original date of release.

324. PERIODS THAT WILL NOT COUNT TOWARDS SENTENCE

- (1) In the following cases, the period spent by the prisoners outside the Sansodhanagar, known as at large period, shall not count towards sentence :
- (a) Escape ;
 - (b) Bail ;
 - (c) Suspended period of sentence, including emergency leave;
 - (d) Unauthorised extension of temporary release ;

- (e) Suspended period of sentence, if directed by the court ;
- (f) Suspension of sentence for police investigation ;
- (g) Violation of conditional release ;
- (h) Extradition.

- (2) A prisoner released on bail in court on the day he is sentenced without having been sent to Sansodhanagar, shall not be deemed to have served any part of his sentence.
- (3) Convicted prisoners removed from a Sansodhanagar in one State to a Sansodhanagar in another State under the provisions of the Transfer of prisoners Act, 1950 shall be deemed to be undergoing their original sentence in the Sansodhanagar where they have been transferred.
- (4) When a conditionally released prisoner is re-admitted in Sansodhanagar owing to an infringement of terms on which he was released, the unexpired portion of his sentence shall be carried out without waiting for the receipt of the government orders, which shall be applied for through the Inspector General immediately on admission of such prisoner. In such cases, the unexpired portion of sentence shall be deemed to have commenced from the date of prisoner's readmission in Sansodhanagar.
- (5) In the case of a prisoner released on bail on a day subsequent to that on which he/she was committed to Sansodhanagar, but who is again committed to undergo sentence in the same case, every day of admission and every day of release shall be counted as days of imprisonment in respect of such sentence.
- (6) In cases where there are more than one "at large" periods, the aggregate total of all such periods shall be worked out in terms of days and added to the substantive sentence. The date on which the sum of these periods elapses, counting from the date of conviction, shall be the date of expiry of sentence.
- (7) In the case of convict who has to attend the court on the very date of his/her release, for a case for which he is not on bail, he shall be treated as released in the morning and sent to court as undertrial prisoner. If the prisoner is sentenced to further imprisonment, on that very date, the sentence shall be calculated from the following day.

325. WHEN A FOREIGNER IS SENTENCED TO A TERM OF IMPRISONMENT

If a foreigner apprehended, and detained under Section 4 of Foreigners Act, 1946, has to undergo a term of imprisonment, the period of detention under the Foreigners' Act shall be exclusive of and additional to the period of any sentence of imprisonment which may be imposed upon him.

326. CALCULATIONS OF DATE OF RELEASE ON RE-ARREST AND RECAPTURE OF A PRISONER

- (1) The following method shall be adopted in calculating the date of release of a prisoner who, after conviction, is released on bail but is afterwards recommitted to Sansodhanagar to serve his sentence, or who escapes and is subsequently recaptured.
- (2) Add the number of days for which the prisoner was on bail, or was at large, to the term of the sentence exclusive of the day of release and re-arrest, or of escape and re-capture. The date on which the sum of these periods will elapse, counting from the date of conviction, shall be the date of expiry of sentence.

Example : A prisoner sentenced on 1st January to one month's imprisonment escapes on 15th January and is re-captured on the 16th. He shall be entitled on the original warrant to be released on the 31st January.

- (3) If a convicted prisoner, who has been released on bail, commits an offence during his bail period and is re-admitted to the Sansodhanagar, the at large period shall be counted up to his date of re-admission.

327. CALCULATION OF SENTENCE OF IMPRISONMENT IN DEFAULT OF PAYMENT OF FINE

Sentence awarded in default of payment of fine shall be calculated as follows :

- (1) Sentences imposed in default of payment of fines cannot run concurrently ;
- (2) If a prisoner sentenced to imprisonment in default of payment of fine receives another sentence while undergoing such imprisonment, the second sentence shall begin from the date on which the first sentence expires or if the fine is paid, from the date of payment ;

Example: A prisoner is sentenced on 31st January to pay a fine of Rs.300/- or in default to two months' rigorous imprisonment and on 12th February of the same year he is sentenced on another account to an additional imprisonment for four months. The fine is paid in full on 28th February. The sentence of four months of imprisonment shall begin from 28th February and not from 31st January.

- (3) If a prisoner, sentenced to a term of imprisonment in default of payment of fine is also, either at the same time or subsequently, sentenced to another term or terms of imprisonment, the initial sentence shall be kept in abeyance till the expiration of all the absolute sentences of imprisonment. It shall be annulled wholly or partially by the payment of the fine in whole or in part, before the expiry of that period or so long as imprisonment continues.

Examples: The rule covers the case of a prisoner whose first sentence of imprisonment is only in default of payment of fine. The substantive sentences of imprisonment, subsequently imposed, 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 sentence were awarded, unless the imprisonment is of a different denomination to that of the substantive sentences. In such a case the imprisonment in default of payment of fine shall be completed before the substantive sentences take effect.

- (4) The imprisonment, which is imposed in default of payment of fine, shall terminate whenever that fine is either paid or levied by the process of law.
- (5) If a prisoner is sentenced to imprisonment, of which the whole or any portion thereof is in default of the payment of any fine, and if the fine or a portion of it is not immediately paid, the dates of release shall be calculated and entered on the prisoner's warrant and History Ticket and in the Registers so as to correspond both with payment and with non-payment of fine.
- (6) If a prisoner, who is sentenced to a fine and in default to imprisonment pays a portion of the fine, the date of release shall be proportionally altered. If the imprisonment in default of payment of fine is expressed in calendar months, reduction of imprisonment to be made in consequence of such payment, shall be calculated in calendar months and not in days. Any fraction of a month obtained by such calculation shall be reduced to days. When the fraction thus obtained is not exactly equal to any number of days or is less than a single day, the portion of a day which results shall be considered and treated as being equal to full day.

Example : A prisoner is sentenced on 1st January to a fine of Rs.300/- or in default to six months' imprisonment. No part of the fine is

realized except a sum of 75 paise. He shall be released on 29th June, even though the amount realized is less than the full amount due for a single day.

- (7) When a prisoner is sentenced to fine and the fine is paid in instalments, the period of sentence to be remitted shall not be calculated on the individual payments but on the aggregate of the several previous payments.

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

- (8) If a prisoner who is sentenced to a fine and in default imprisonment for a certain number of years, months and days, pays a part of the fine, the remission for the payment shall be calculated in year and months and not in days, and any fraction of a month, obtained by such calculation shall be reduced to days. When the fraction thus obtained is not exactly equal to any number of days, or is less than a single day, the portion of a day which results shall be considered and treated as being equal to full day, in favour of the prisoner.

328. PAYMENT OF FINES TO SANSODHANAGAR

If a fine or its portion, imposed on a prisoner as a sentence or part of a sentence by the Magistrate, is tendered at the Sansodhanagar, it shall be received by the concerned officers during office working hours, except on Sundays and Sansodhanagar Holiday, provided the prisoner is due for immediate release. The Superintendent shall at once remit the sum received to the court or treasury and send intimation of the payment to the adjudicating court.

329. LIABILITY OF PRISONER TO PAYMENT

If an offender, who has undergone the full term of imprisonment to which he was sentenced in default of payment of fine, is still liable to have the fine levied by distress and sale, the Superintendent of Sansodhanagar shall accept the whole fine, if tendered, even though a part of the alternative imprisonment has been undergone.

330. INTIMATION OF PAYMENT OF FINE

- (1) When fines imposed on prisoners are recovered by a court, intimation of the same will be received by the Superintendent from the Court. If the convict has been transferred elsewhere, the Superintendent shall forward such intimation by registered post to the Sansodhanagar in which the convict is confined. All fine intimations shall be acknowledged.
- (2) No action shall be taken on fine intimations which do not bear the seal of the court. Such intimation shall be returned to the court for proper authentication and affixing seal of the court. Telegrams shall not be accepted as intimations of recovery of fine. When intimation of payment of fine by a prisoner is received from a Police Officer, it shall be returned to that officer with a request that it may be forwarded through the court awarding the sentence.

331. PRISONERS TO BE INFORMED

When the fine has been paid, the prisoner concerned shall be informed and the payment shall be duly noted in the register, on the warrant and on the prisoner's

History Ticket by the Superintendent or the Deputy Superintendent. A separate Inward Register for the receipt of the fine intimation shall be maintained.

332. IMPRISONMENT IN DEFAULT OF GIVING SECURITY PLUS A SUBSTANTIVE SENTENCE

- (1) When a person, in respect of whom an order requiring him to furnish security is made under section 106 or 117 of the Code of Criminal Procedure 1973, is at the time of such order is sentenced to or is undergoing a sentence of imprisonment, the period for which such security is required shall commence on the expiry of such sentence. In other cases such period shall commence on the date of such order being passed, unless the Magistrate, for sufficient reasons, fixes a later date. If such a person fails to give security on or before the date of expiry of his substantive sentence, he shall be detained in Sansodhanagar until the expiry of the period for which security is required to be furnished, or until the requisite security is furnished. It is not necessary in such cases that a formal warrant shall be issued by the Magistrate for the detention of such person in the Sansodhanagar after the expiry of the substantive sentence.
- (2) A prisoner while undergoing three month's imprisonment, is ordered by a competent Court to execute a bond under section 106 of the Code of Criminal Procedure 1973, for keeping peace for a term of six months and execute on or before the date on which the three months substantive imprisonment expires, he/she shall be detained in Sansodhanagar until he furnishes the required security, or until the term of which such security is to be given is completed, but no formal warrant is necessary for such detention.
- (3) If a person while undergoing imprisonment under an order under section 122 of the Code of Criminal Procedure, 1973 in default of furnishing security, is convicted of an offence committed prior to the making of such order, and is sentenced to undergo imprisonment, such sentence shall commence from the date on which it was passed; and if such sentence expires before the period for which the person is undergoing imprisonment in default of giving security, he shall be detained for the remainder of such period. If, however, a person while undergoing imprisonment in default of furnishing security is convicted of an offence committed after issue of the order under section 122 of the Code of Criminal procedure, 1973 and is sentenced to imprisonment, such sentence shall commence at the expiration of imprisonment for failure to furnish security, unless the Court directs that such Sentence shall run concurrently with the imprisonment for failure to furnish security.
- (4) Sentences awarded under section 52 of the Prisoners Act, 1894 shall commence on the expiry of imprisonment in default of furnishing security or from the date of receipt in the Sansodhanagar of an intimation that the security has been furnished.
- (5) Where a prisoner, who is already undergoing substantive sentence of imprisonment, has been ordered to undergo a further sentence in default of furnishing security for keeping peace or good behaviour under Chapter VIII of the Code of Criminal Procedure, 1973, the order shall be brought to the notice of the Sessions Judge to whom such Judicial Magistrate is subordinate.
- (6) The period mentioned in section 122(2) of Code of Criminal Procedure, 1973 shall be counted from the date of the order of the Sessions Judge or High Court, unless the latter specifically directs in the warrant that it is to be counted from some other date. In such a case, the direction of the superior court shall be complied with.

- (7) Detention for failure to give security is not a substantive sentence of imprisonment within the meaning of section 427 of Code of Criminal Procedure, 1973.

333. PROCEDURE WHEN SENTENCE IS SUSPENDED

- (1) When an Appellate Court directs that the execution of a sentence, or order appealed against, be suspended, the appellant shall, if detained in Sansodhanagar pending further orders of such Courts, be treated in all respects as an undertrial prisoner.
- (2) Shall the appellant be ultimately sentenced to imprisonment or imprisonment for life, the period during which the original sentence was suspended shall :
- (a) If passed while the prisoner in Sansodhanagar, be included, and
- (b) If passed when the prisoner was at large be excluded, in computing the term for which he is sentenced by the Appellate Court.

334. WHEN RETRIAL IS ORDERED

- (1) When a court passes a sentence after a retrial, or after original sentence is reversed and retrial (fresh trial) is ordered on appeal, the previous sentence, or portion thereof, already undergone by the prisoner before the fresh trial, shall also count, unless otherwise specifically directed, towards the sentence imposed after the fresh trial, excluding any period during which the prisoner was at large.
- (2) If a convicted prisoner is to be handed over to police for the purpose of investigation, Government orders suspending his sentence are necessary.

335. PROCEDURE WHEN A SENTENCE IS MODIFIED OR REVERSED ON APPEAL

- (1) When a sentence on a prisoner is reversed or modified on appeal by a court, other than the High Court, a fresh warrant will be issued by the Appellate Court to the officer in charge of the Sansodhanagar and such order will also be communicated to the lower court.
- (2) Provided that when the Appellate Court orders the retrial, or committal for trial, of a prisoner under section 386 of the Code of Criminal Procedure, 1973 it shall communicate its order to the Court whose decision has been reversed and that court shall thereupon make such orders as are conformable to the judgment of the Appellate Court.
- (3) When a case is decided on appeal or revision by the High Court, the Court or Magistrate to which the High Court certifies its order will proceed, under the provisions of section 388 or 405 of the Code of Criminal Procedure, 1973 to issue, when necessary, fresh warrant or order to the Sansodhanagar Officer.
- (4) In all cases in which a sentence or order is modified or reversed, whether in appeal or revision, a separate warrant shall be issued as regards each prisoner whose sentence has been so modified or reversed.

336. PROCEDURE WHEN A SENTENCE IS CONFIRMED

- (1) When an appeal is rejected, or a sentence is confirmed by an Appellate Court other than the High Court, intimation to that effect will be sent to the Officer-In-Charge of the Sansodhanagar by such Appellate Court and such, order will also be communicated to the lower court for record.
- (2) When the rejection by the High Court of an appeal or revision application from a prisoner is communicated to the court by which such prisoner was convicted, such court shall at once to cause the intimation of such decision to be given to the prisoner.
- (3) In cases referred by the Court of Sessions for the confirmation of a sentence of death by the High Court, the High Court will send a copy of its order to the

Court of Sessions which will then issue warrant to the Officer in charge of the Sansodhanagar.

337. PRISONER SHALL BE INFORMED OF THE RESULT OF HIS APPEAL OR APPLICATION

In all cases the Superintendent of Sansodhanagar shall acknowledge by a letter the receipt of any warrant or order or intimation, and shall also inform the prisoner of the result of his appeal or application.

338. CALCULATION OF SENTENCE MODIFIED ON APPEAL

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

339. EFFECT OF ANNULING THE FIRST OF TWO SENTENCES

- (1) When a prisoner has been committed to Sansodhanagar at one trial under two separate warrants, and the sentence in one warrant is to take effect from the expiry of the sentence in the other warrant, the date of the second sentence shall, in the event of the first sentence being set aside in appeal, be presumed to take effect from the date on which he was committed to Sansodhanagar under the first or original sentence ;
- (2) When separate sentences have been passed in separate trial and the sentences run consecutively under section 427 of the Code of Criminal Procedure, 1973, the operation of the second sentence will, in the event of the first sentence being set aside on appeal, shall commence from the date of conviction in the second case.

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

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

- (3) If, however, an appeal is also filed in the second case, it will be within the powers of the court hearing the second appeal to direct that credit shall be given for such period as is covered between the date of the second conviction and the date on which the first appeal was accepted.
- (4) No credit, however, shall be given in the second case for any period passed in Sansodhanagar under the first sentence prior to the date of the conviction in the second case by the court of original jurisdiction.

340. WHEN AN APPELLATE COURT ANNULS A SENTENCE AND ORDERS RETRIAL

When an Appellate Court annuls a sentence and directs that the prisoner be retried, and a warrant for the prisoner's release on bail is not received, the prisoner shall be remanded to the undertrial yard (unless he be undergoing some other sentence), and the Superintendent shall apply to the committing court for warrant for his custody pending trial, if such warrant is not at the same time furnished. Such warrant shall 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.

CHAPTER - XII
(PRISONERS SENTENCED TO DEATH)

341. FOR THE PURPOSE OF THIS CHAPTER

- (1) "Prisoner" means a prisoner who is sentenced to death ;
- (2) "Relative" in relation to a prisoner means spouse, children, grand-children, parents, grand-parents, parent's brother or sister, parents-in-law, grand-parents-in-law, brothers or sisters of spouse, children of brothers or sisters and children of brothers or sisters of the spouse ;

342. SEARCH OF PRISONERS SENTENCED TO DEATH ON ADMISSION

- (1) On admission of a convict in a Sansodhanagar the Superintendent shall report the admission to the State Government. The Superintendent shall also report to the State Government the date fixed for his execution by the Court of Session on confirmation of the sentence of death by the High Court, and solicit orders of the State Government regarding Stay of his execution.
- (2) On admission a convict shall be thoroughly searched by the Jailor or by order of the Jailor as provided in Section 30 of the Prisoners Act, 1894.

A Female convict shall be searched by a female jailor or under her orders, by a Matron. In the absence of a female jailor or Matron, such search may be made by any other suitable female or by a Female Guard an convict necessary as ordered by the Jailor.

- (3) Subject to the Provisions of Section 30, all private property shall be removed from the convict.

343. ISSUE OF ARTICLES ON ADMISSION

- (1) The Jailor shall ensure that the following articles are issued to a convict on his admission to a Sansodhanagar :-
 - (a) A pant without cord ;
 - (b) Two all wool blankets or two cotton wool blankets, one for spreading and another for coverage ;
 - (c) A pot, plate and a mug of thin light aluminium .
- (2) Two cotton sarees/salwar kameez and bodices may be issued to female convicts. However, if it is considered unsafe to issue sarees to any such convicts , pyjamas without cord and a Kurta may be issued to her.
- (3) A sheet in Appendix – 7 shall be maintained by the Superintendent for every convict.

344. CONFINEMENT IN CELL IN SPECIAL YARD

- (1) Every convict shall (whether or not the sentence of death has been confirmed by the High Court), from the date of his admission to a Sansodhanagar, be confined in a cell in a special yard, apart from all other prisoners as required by section 30 of the Sansodhanagars Act, 1984. The cell or room in which a convict is confined shall before he is placed in it, be always examined by the Senior Jailor who shall satisfy himself about its fitness and safety. No prisoners except convicts under sentence of death shall be kept in the special yard.
- (2) Where there is more than one such cell in the special yard, the prisoner sentenced to death shall be changed daily from one cell to another.

345. CELL TO BE EXAMINED

- (1) Every cell in which a convict under sentence of death is to be confined, shall, before such convict is lodged in it, be examined by the Deputy Superintendent, or by an officer appointed in that behalf, who shall satisfy himself that it is secure and contains no article of any kind which the prisoner could, by any

possibility, use as a weapon of offence or as an instrument with which to commit suicide, or which is, in the opinion of that officer, it is inexpedient to be permitted to remain in such cell.

- (2) When there are two or more condemned prisoners confined in a Sansodhanagar at the same time, in cells situated at some distance from one another, a separate guard shall be posted for each cell. However, if the cells are contiguous at least two Warders shall be posted to guard a maximum of four such prisoners. For any number of cells in excess of four, an extra guard shall be posted even the cells are contiguous.
- (3) With two rows of cells facing and within a reasonable distance of each other, at least two Sentries may be given charge of up to four cells on one side and four on the other.
- (4) When two or more cells are occupied, the Sentry shall walk up and down past them, so that each prisoner guarded by him comes into his view at short intervals.
- (5) The Sentry guarding these cells shall be relieved every two hours.

346. GUARDING

- (1) Every prisoner sentenced to death shall be under observation of the guarding staff on a twenty four hours basis. Convict officers shall not be employed on this duty.
- (2) A guard shall in no case be given more than two hours duty at a stretch.
- (3) Every guard shall be equipped with a regulation baton and shall be so posted that the convict shall be under continuous watch. He shall not be armed with a fire-arm, bayonet or any sharp weapon. The Sentry shall be posted in front of the grated door of the cell. The key of the cell lock shall be kept with the Sentry/Sansodhanagar guard on duty so as to be immediately available in case of emergency. The lock must be such which cannot be opened by any other key in use in the Sansodhanagar. The Sentry/Woman Sansodhanagar guard shall be so posted that the prisoner sentenced to death is under continuous watch. A prisoner sentenced to death shall not be taken out of his cell unless the requisite numbers of guards are present.
- (4) If the guard on duty notices a prisoner attempting to commit suicide he shall raise alarm for help and enter the cell.
- (5) The special guard in whose charge prisoner sentenced to death is put, shall allow no one to approach the cell or communicate with the prisoners in any manner except the Superintendent of Sansodhanagar and any other officer authorized by the Superintendent in that behalf.
- (6) A prisoner under sentence of death shall not be handcuffed or placed in any form of restraint unless he is so violent as to be dangerous to the guard or to himself. If it is deemed necessary to put on handcuffs, the reason for such action shall be reported to the Inspector General/ and the Regional Deputy Inspector General of Correctional Services.

347. OBSERVATION

- (1) The Sansodhanagar Officer in charge shall carefully observe the behaviour of prisoners sentenced to death with special focus on his mental status.
- (2) The notes of psychological observation kept by the Jailor shall be checked daily by the Superintendent who shall ensure that the data required for the compilation of the notes is collected by the Jailor in an intelligent manner and that the same have a factual base. Two copies of the case history of the prisoner and the notes shall be sent by the Superintendent to the Inspector General immediately after the final disposal of the case.

- (3) A copy of the case history and psychological notes shall be sent by the Inspector General to State Government immediately on receipt together with his own remarks thereon if any. Such record may prove useful for psychological study and research purposes.

348. SEARCH

Prisoner under sentence of death shall be thoroughly searched in the presence of the jailor/Jailor-in-charge.

- (1) Immediately on opening of the cell in the morning when guards on duty are changed and before lockup ;
- (2) Every time he is taken out of or is returned to his cell.

349. RESTRICTION ON REMOVAL

Prisoners sentenced to death shall not be removed to the Sansodhanagar hospital for treatment without the special sanction of the Deputy Inspector General of Correctional Services.

Provided that the Superintendent may, however, order the removal of a prisoner to the Sansodhanagar hospital, in anticipation of sanction, if the Medical Officer of the Sansodhanagar certifies that the prisoners is in danger of dying and requires immediate treatment in the Sansodhanagar hospital. If a prisoner, who is sentenced to death, is removed to a Sansodhanagar hospital, he shall be segregated from all other prisoners in the hospital and a special guard shall be posted according to requirements.

350. SPECIAL TREATMENT

- (1) A prisoner sentenced to death shall not be put in fetters or handcuffed unless he is so violent as to be dangerous to the guard or to himself. If it is deemed necessary to put on fetters or handcuffs, the reason for such action shall be reported to the Inspector General.
- (2) The Superintendent is authorised to issue suitable diet to prisoners sentenced to death after consultation with the Medical Officer.

A prisoner may, on the recommendation of the Medical Officer, be allowed exercise in open air and within the Sansodhanagar walls, morning and evening, under the care of the guard.

351. INTERVIEWS

- (1) The Superintendent may permit prisoners under sentence of death to have interviews with their relatives, friends or legal advisors once in a week, or more often when the Superintendent is of the opinion that such interviews may be granted for good reason.
- (2) The jailor shall before granting interviews, ensure that all precautionary and security measures are taken before hand.
- (3) The prisoner shall be brought from the cell to the interview room under proper escort at the time of interview and the prisoner shall be separated by expanded metal barriers.
- (3) A religious priest or a faith-based head (of the religion/faith to which a prisoner belongs) may be summoned once a week at the cost of the State Government, if the prisoner so desires. The Superintendent may permit a Religious Minister to be summoned more often for adequate reasons to be recorded in the History Ticket of the convict.

352. FACILITIES

- (1) A prisoner sentenced to death may be allowed the following facilities with the approval of the Superintendent of Sansodhanagar :-
 - (a) Religious Books ;
 - (b) Religious Pictures ;

- (c) Rosary and essential religious emblems subject to security requirements ;
- (d) Newspapers and books.
- (2) The Superintendent is authorised to incur an expenditure up to an amount to be fixed by the Government in a deserving case for the purpose of giving reasonable solace to the prisoner, for instance securing the presence of his near relatives before his execution.
- (3) The Inspector General may allow further expenditure on a prisoner sentenced to death in urgent compassionate and deserving cases.

353. OBSERVATION

A case history in Appendix – 8 shall be compiled in respect of each convict.

354. INSANITY

- (1) If any prisoner awaiting sentence of death shown signs of mental illness which, in the opinion of the Medical Officer, are not feigned, or which require observation to determine whether they are feigned or not, the circumstance shall at once be reported to the Government, through the Inspector General of Correctional Services under intimation to the Regional Deputy Inspector General of Correctional Services for orders along with following documents :-
 - (a) The nominal Roll of the prisoner ;
 - (b) A copy of the warrant under which he is confined (in duplicate);
 - (c) The Medical Officer's certificate in the prescribed form ; and
 - (d) The medical history sheet (in duplicate).

Note: A copy of the judgment shall also be sent as soon as possible to the government.

- (2) If Government orders the appointment of a Special Medical Board, for the purpose of examining the mental condition of a convict sentenced to death, he shall be kept under observation in the Sansodhanagar by the Psychiatric in charge of the nearest psychiatric or similar institution or the Civil Surgeon for a period of ten days or longer, if considered necessary prior to an examination by the Medical Board.
- (3) The Superintendent and the Medical Officer of the Sansodhanagar, in which the convict may be confined, shall give all facilities to the Psychiatrist or the Civil Surgeon for a physical examination of the convict including Serological tests and for observation of the convict without his knowledge.
- (4) As soon as possible, after the Medical Board is appointed and the convict is placed under observation, the Superintendent of the Sansodhanagar shall collect information about the convict through the police or other sources and place it at the disposal of the Psychiatrist or Civil Surgeon.
- (5) When State Government orders appointment of Special Medical Board for examining the mental condition of a convict under sentence of death under any relevant state rules, the Superintendent shall obtain the history of such convict from institutions or individuals with whom he has had contacts. The Psychiatrist under whose observation the convict is kept pending examination by the Special Medical Board, shall furnish to the Superintendent with a questionnaire for collecting the information. Factual material concerning the mental condition of the convict shall be obtained either from records or from eye-witnesses including the office who arrested him. For the purpose of an estimation of the convicts, state of mind just prior to, at the time of and soon after the commission of the offence, reports shall be obtained from eye-witnesses including relatives of the convict.

Note:-Evidence regarding the behaviour of the prisoner at the time of the trial and especially during examination in court will be available from the proceedings of the court including the evidence and the summing up and judgement. Reports on the convict shall be obtained from individuals who have been in contact with him during his remand and subsequent detention in the Sansodhanagar. While collecting this information, utmost care shall be taken to see that the object within which it is collected is not divulged. It shall also be remembered that the relatives of the convict are likely to be specially interested and the information supplied by them shall be used with the greatest care.

- (6) As soon as the Medical Specialist or Civil Surgeon is ready with his report, he shall request the Director of Health Services to fix a date for the meeting of the Special Medical Board.
- (7) The Medical Specialist or Civil Surgeon shall place all the records before the Medical Board. The President of the Board shall forward the proceedings of the Medical Board together with their own opinion to the Secretary, Home Department, through the Inspector General of Correctional Services and the Director of Health services.

355. PREGNANCY

- (1) Where a female convict is certified by the Medical Officer to be pregnant, the Medical Officer shall inform the Superintendent of the same, and the Superintendent shall make a note to that effect on the warrant, and return the warrant to the Sessions Judge for endorsing thereon an order for the suspension of the execution of the sentence, until the orders of the High Court have been taken under section 416 of the Code of Criminal Procedure, 1973.
- (2) When a woman prisoner sentenced to death declares herself to be pregnant, and the Medical Officer is unable to certify the truth or otherwise of the statement, immediately, he shall state the interval of time necessary to enable him to satisfy himself on the point. The Superintendent shall immediately report the case to the State Government through the Inspector General of Correctional Services or Deputy Inspector General of Correctional Services for postponing the date of the execution. If the Medical Officer confirms the fact of pregnancy, the provisions of paragraph shall apply.
- (3) When execution of a capital sentence on a woman prisoner has been suspended under either of the situations mentioned above, the sentence shall not afterwards be executed without the express order of the State Government for which the Superintendent shall apply immediately through the Inspector General of Correctional Services.

356. APPEAL FACILITIES

- (1) Immediately on receipt of a warrant of execution from the convicting court, consequent to the confirmation by the High Court of the sentence of death, the Superintendent shall inform the convict that if he wishes to appeal to the Supreme Court or to make an application for special leave to appeal to the Supreme Court under any of the relevant provisions of the Constitution of India (here-in-after referred to as "appeal and application" respectively), he may do so within the period prescribed by the Supreme Court Rules.
- (2) If the prisoner under sentence of death so desires, the Superintendent or the Law Officer as the case may be, shall at once get his appeal prepared for him as far as possible in his own words and it shall be forwarded either under registered cover or hand delivered by a Sansodhanagar official to the Registrar

of the appropriate court under intimation to the State Government and the Inspector General of Correctional Services.

- (3) 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 or of the application or, in case no such appeal has been preferred, or no such application has been made, until after the expiry of the period allowed for an appeal or for making of such application:

Provided that, if a petition for mercy has been submitted by or on behalf of a convict, the execution of the sentence shall further be postponed, pending the orders of the President thereon.

Provided further that, if the sentence of death has been passed on more than one person in the same case, and if an appeal or an application is made 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 (convicts) and not only in the case of the person or persons by whom, or on whose behalf, the appeal or the application is made.

357. PARDON

A prisoner whose appeal has been rejected by the Hon'ble Supreme Court of India or Hon'ble High Court of Tripura or who has been sentenced by the Hon'ble Supreme Court of India or Hon'ble High Court of Tripura shall petition for pardon or remission before the President of India or Governor of the State respectively within one month from the date of order of the Hon'ble Supreme Court of India or Hon'ble High Court of Tripura.

358. PETITION FOR MERCY – ROLE OF SANSODHANAGAR AUTHORITY

- (1) Immediately on receipt of intimation of the confirmation by the High Court of a sentence of death on a prisoner or 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 or on the convict, in case the convict concerned has made no previous petition for mercy, the Sansodhanagar Superintendent shall forthwith inform him (the convict) that if he desire to submit a petition for mercy it shall be submitted in writing within fifteen days of the date of such intimation.
- (2) 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 Sansodhanagar 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.

Note:- In cases where no appeal to the Supreme Court or no application for special leave to it, has been lodged by or on behalf of the convict, the said period of seven days shall be counted from the date next after the date on which the time allowed for an appeal to the Supreme Court or for lodging an application for special leave to appeal to it, expires. On expiry of such time, if the convict has made no previous petition for mercy, it shall be the duty of the Sansodhanagar Superintendent to inform the convict concerned that if he desires to submit a petition for mercy he shall do so in writing within seven days of the date of such intimation.

- (3) If the convict submits a petition in prescribed format of prisoner's petition within the period of seven days, it shall be addressed to the Governor of the State and the President of India. The Superintendent of the Sansodhanagar shall forthwith dispatch it to the Secretary to the State Government in the Department concerned, together with a covering letter reporting the date fixed

for the execution and shall certify that the execution has to be stayed pending receipt of the orders of the Government on the petition. If no reply is received within 15 days from the date of the dispatch of the petition, the Superintendent shall by express letter (fax/e-mail/special messenger) to the Secretary to the state Government in the Department concerned, drawing attention to the fact, but he shall in no case carry out the execution before the receipt of the State Government reply.

- (4) If the convict submits a petition after the period, the Superintendent of the Sansodhanagar shall at once forward it to the State Government by Fax letter and at the same time the substance of it, requesting orders whether the execution shall be postponed and stating that, pending a reply, thus 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 and at the same time by fax/e-mail/special messenger letter informed 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.
- (5) In the event of it coming to the acknowledge of the Superintendent at any time before the execution of the sentence that altogether exceptionally circumstances have arisen which plainly demand a reconsideration on the sentence, he is at liberty, notwithstanding anything in the foregoing clauses, to report the circumstances by fax letter to the State Government and asked for its order and to defer execution till they are received. In such instances, assistance of the District Legal Services Authority shall be sought.
- (6) The Superintendent shall at once repeat back to the Secretary to the State Government in the department concerned all correspondence communicating orders to him regarding petitions for mercy, by way of acknowledgment of their receipt.
- (7) Legal Aid shall be provided to the convict at all stages even after the rejection of a mercy petition. Hence, Superintendent of Sansodhanagar will intimate the rejection of mercy petitions to the nearest Legal Aid Centre apart from intimating the convicts.
- (8) Death convicts are entitled as a right to receive a copy of the rejection of the mercy petition by the President and the Governor.

359. MENTAL HEALTH EVALUATION :

As it is quite possible that some death row convicts might lose their mental balance, there shall be regular mental health evaluation and appropriate medical care shall be given to those in need.

360. PHYSICAL AND MENTAL HEALTH REPORTS :

After the execution warrant is issued the Sansodhanagar Superintendent shall satisfy himself on the basis of medical reports by government doctors and Psychiatrists that the prisoner is in a fit physical and mental condition to be executed. If the Superintendent is of the opinion that the prisoner is not fit, he shall forthwith stop the execution, and produce the prisoner before a Medical Board for a comprehensive evaluation and shall forward the report of the said to the State Government for further action.

361. FURNISHING DOCUMENTS TO THE CONVICT :

Death row convicts shall be provided with copies of relevant documents within a week of conviction by the Sansodhanagar authorities to assist in making mercy petition and petitioning the courts.

362. FINAL MEETING BETWEEN CONVICT AND HIS FAMILY :

It would be mandatory for Sansodhanagar authorities to facilitate and allow a final meeting between the prisoner and his family and friends prior to the execution.

363. POST MORTEM REPORTS :

After the execution of death penalty, post-mortem would be mandatory to ascertain the exact cause of death.

364. PETITION OF MERCY-ACTION BY GOVERNMENT

- (1) If the convict submits a petition within the above period, it shall be addressed to the President of India. The execution of sentence shall in all cases be postponed pending receipt of their orders.
- (2) The petition shall be sent to the President of India through the State Government. If after consideration it is rejected, it shall be forwarded to the Secretary to the Government of India, Ministry of Home Affairs.
- (3) 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 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.

- (4) If the convict submits the petition after the period prescribed by 359(1) above, it will be within the discretion of the State Government 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.
 - (a) If the sentence of death was passed by an appellate court on an appeal against the convict 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
 - (b) When there are any circumstances about the case, which, in the opinion of the State Government, render it desirable that the President shall have an opportunity of considering it, as in cases 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.
- (5) 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, or the State Government, the petition shall forward such petition as expeditiously as possible along with the records of the case and his or its observations in respect of any of the grounds urged in the petition. In the case of other States, the Government of the State concerned shall, if it had previously rejected any petition addressed to itself or the Governor, also forward a brief statement of the reasons for the rejection of the previous petition or petitions.
- (6) Upon the receipt of the orders of the President, an acknowledgement shall be sent to the Secretary to the Government of India, Ministry of Home Affairs, immediately in the manner hereinafter provided. In the case of, 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 receipt thereof shall be acknowledged by the express letter.

- (7) A petition submitted by a convict shall be withheld by the Government of the State, if a petition containing a similar prayer has already been submitted to the President. When a petition is so withheld the petitioners shall be informed of the fact and of the reason for withholding it.
- (8) Petitions for mercy submitted on behalf of a convict under sentence of death shall be dealt with *mutatis mutandis*, in the manner provided herein for dealing with a petition from the convict himself. The petitions on behalf of a concerned 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.
- (9) 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 or of 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 an appeal to the Supreme Court or for lodging of an application for special leave to appeal to the Supreme Court. Provided that if a petition for mercy has been submitted 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 at 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.
- (10) On receipt of the intimation of the lodging of an appeal to the Supreme Court or of an application for special leave to appeal to that Court or of an intention to do so, the State Government concerned, shall forthwith communicate to the Government Advocate, Ministry of Law, and also to the Secretary to the Government of India, Ministry of Home Affairs :
 - (i) The name of the convict under sentence of death, and
 - (ii) Particulars relating to the appeal or the application.
- (11) 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 Tribunal, as the case maybe, (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 of the application shall be immediately sent to the Government Advocate, 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 Government Advocate shall intimate the fact by express letter to State Government. 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.

- (12) If an appeal or an application for special leave to appeal has been lodged in the Supreme Court on behalf of the convict, the Government Advocate, Ministry of Law will intimate the fact to the State Government and also to the Secretary to the Government of India, Ministry of Home Affairs. The Government Advocate 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, he will communicate the result of the appeal or application for special leave to appeal, to the state government if the state concerned, by express letter, endorsing a copy of his communication to the Secretary to the Government of India, Ministry of Home Affairs, the /state Government of the State concerned, as the case may be, shall forthwith acknowledge the receipt of the communication received from the Government Court in each case will be supplied by the Government Advocate, Ministry of Law, in due course to the State Government, 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 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.
- (13) Minimum period of execution of death sentence. A minimum period for 14 days must be allowed between the receipt of the communication of the rejection of the mercy petition and the scheduled date of execution. This is to enable the convict to prepare himself and settle his affairs and meet his family members for one last time or to avail any judicial remedy.

365. COMMUNICATION TO HAVE SPECIAL MARKING

- (1) The words 'Death sentence' shall be inserted before the address in communication relating to capital sentence.
- (2) In all cases receipts of orders communicating the rejection of petition shall invariably be acknowledged by registered letter. The orders of Government postponed the execution shall immediately be acknowledged by wireless message.
- (3) A distinctive red envelop with the words 'Death Sentence' and 'Immediate' marked on the top left and right hand corners respectively, shall be used in death sentence cases. All Superintendents shall make special arrangements to ensure that communication received in these distinctive envelopes are received in the Sansodhanagar at any time of the day or night either by the Jailor or in his absence by the senior most officer in charge of the Sansodhanagar at the time the communication is delivered who:
 - (a) Shall note the time and date of receipt of the communication in the receipt register, and
 - (b) Shall immediately place the communication before the Superintendent, or in his absence the officer next below him, for orders.

366. ACTION ON FINAL CONFIRMATION OF DEATH SENTENCE

- (1) The State Government shall fix the date of the execution of a convict if his Mercy Petition is rejected.
- (2) On receipt from the State Government of the final confirmation and the date of execution of a convict:

- (a) The convict and his relatives shall be informed about the date of execution by the Superintendent.
- (b) The convict, if so desires be permitted to prepare his will in his will, his statement to that effect shall be recorded by the Senior Jailor.

367. EXECUTION OF DEATH SENTENCE

All executions shall take place at the Sansodhanagar to which the warrant is directed, unless expressly ordered otherwise in the warrant. They shall usually be carried out in a special enclosure attached to, or within the walls of the Sansodhanagar. No convict shall be executed on a day which has been notified as a public holiday.

368. POSTPONEMENT ON MEDICAL GROUNDS

- (1) The execution of a convict shall not be carried out on the date fixed if he is physically unfit to receive the punishment, but in determining the degree of physical disability sufficient to justify postponement of the execution, the illness shall be both serious and acute (not chronic) before postponement is considered.
- (2) The Superintendent shall at once submit to the Inspector General a detailed report of such cases together with 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.

369. DELAY IN CAPITAL SENTENCE

Shall any extraordinary or unavoidable delay occur in carrying out a capital sentence into execution from any cause other than the submission of an appeal or application, the Superintendent shall immediately report the circumstances to the Sessions Judge and return the original warrant either for the issue of a fresh warrant, or for an endorsement upon the same warrant, of an order containing a definite date for carrying the postponed sentence into effect.

370. ARRANGEMENT FOR EXECUTION

- (1) On receipt of the date of execution of the prisoner, the Superintendent shall be authorised to fix the time of execution sufficiently in advance. A report intimating the time of the execution shall be sent to the Inspector General, the Sessions Judge and the Government.
Note:-The execution shall take place early in the morning before it gets bright. The latest time of the day for different seasons will be in accordance with orders passed separately by the Government.
- (2) The Executive Engineer (PWD) shall arrange the inspection of the gallows every quarter and before the date of a hanging as and when intimated by the Superintendent. The gallows shall be inspected and the rope tested in the presence of the Superintendent the evening before the execution, he being personally responsible that these arrangements are properly made. A new rope need not necessarily be used for every execution, but the Superintendent shall see that the rope is carefully tested. As a rule, a bag of sand weighing $1\frac{1}{2}$ times the weight of the prisoner to be hanged and dropped between 1.830 and 2.440 metres will afford a safe test of the rope. Two spare ropes for each prisoner sentenced to death shall be kept ready in reserve on the scaffold in the event of accident.
- (3) The Medical Officer shall report in the medical report about the drop to be given to the prisoner at least four days before the date on which the prisoner is to be executed. The Medical Officer of the Sansodhanagar shall work out the details of the length of the drop to be given to a prisoner on principles shown below :-

- (a) If the prisoner weighs less than 45.360 kgs, he shall be given a drop of 2.440 metres ;
 - (b) If the prisoner weighs from 45.330 to 60.330 kgs, he shall be given a drop of 2.290 metres.;
 - (c) If the prisoner weighs from 60.330 kgs, but not more than 75.330 kgs, he shall be given a drop of 2.130 metres.
 - (d) If the prisoner weighs more than 75.330 but not more than 90.720 kgs, he shall be given a drop of 1.980 metres.;
 - (e) If the prisoner weighs more than 90.720 kgs, he shall be given a drop of 1.830 metres.
- (4) Provided that so long as the extreme limits of 1.830 metres on the one hand and 2.440 metres on the other hand are adhered to if, owing to physical peculiarity of the prisoner, the Medical Officer is of opinion that the drop shall be increased or decreased, effect shall be given to the Medical Officer's opinion.
- Note:-**The above calculations are based on the assumption that the execution rope will be made of cotton yarn/manila of 2.59 to 3.81 cms Diameter.
- (5) The following measures shall be adopted regarding the fixing of the length of the rope to permit the required drop :
- (a) The height of the prisoner to the angle of the jaw immediately below the left ear shall be accurately measured, as well as,
 - (b) The height from the drop shutter, when fixed in position, to the lower portion of the ring in the beam to which the rope will be affixed.
- (6) These two measurements will determine the distance when the prisoner is standing in position on the drop, from the point of the latter's jaw to the ring in the beam. The measurement of the prisoners neck shall also be carefully taken, the neck measurement after the prisoner has been sentenced to death. The length of rope for any given drop shall be the length of the drop plus the distance from the angle of the prisoner's jaw to the ring in the beam.
- (7) That is to say, that assuming the distance between the single of the jaw and the iron ring to be 1.220 metres and the desired drop to be 2.130 metres, the amount of free hanging from the ring shall be 3.350 metres from the ring to the leather washer maintaining the loop in position on a pillow of gunny cloth, filled with sand, of the same thickness as the neck of the prisoner.
- (8) Wax or butter shall be applied to the loop of the rope. After testing, the rope and other equipment shall be securely locked and sealed in steel box and shall be kept in charge of Jailor.
- (9) The gallows shall be inspected and the rope tested in the presence of the Superintendent the evening before the execution; he being personally responsible that these arrangements are properly made. A new rope need not necessarily be used for every execution but the Superintendent shall see that the rope is carefully tested. As a rule, a dummy or a bag of sand weighing 1½ times the weight of the prisoner, hung and dropped between 6 and 8 feet or 1.83 and 2.50 mtrs, will afford a safe test of the rope. Two spare ropes for each prisoner shall always be kept ready in reserve on the scaffold to meet any contingency.

371. PRESENCE OF OFFICERS AT EXECUTION OF PRISONER

- (1) The Superintendent, Jailor, Sub-Jailor and Medical Officer shall be present at all executions. An Executive Magistrate deputed by the District Magistrate shall attend the execution and countersigned the warrant. If the prisoner so desires, a

priest of his faith may be allowed, at the discretion of the Superintendent, to be present at the place of execution, subject to the requirements of security and Sansodhanagar discipline.

- (2) Relatives of the prisoner and other prisoners shall not be allowed to witness the execution. The Superintendent may, however, permit social scientists, psychologists, psychiatrists, etc. who are conducting research to be present. The Superintendent's discretion shall prevail in the matters relating to grant of permission to witness execution. As a matter of general policy, other persons shall not be permitted to be present.
- (3) A police guard of not less than ten constables and two Head Constables or an equal number from the Sansodhanagar Armed Guards, shall be present at every execution. The Superintendent of Police will supply the guard on application, where no armed guard of the Sansodhanagar exists.
- (4) prisoners of all categories shall be kept locked up until the execution is over and the body removed from the Sansodhanagar.

372. EXECUTION

- (1) The Superintendent, the Executive Magistrate, the Medical Officer and the Jailor will visit the prisoner in his cell before the hour fixed for execution. The Superintendent and the Executive Magistrate shall then identify the prisoner as the person named in the warrant and read over to him a translation of the warrant in his mother tongue. Any other documents requiring attestation by the prisoner such as his will etc. shall be signed and attested in the presence of Superintendent and the Executive Magistrate. Before execution the hands of the convict shall be pinioned behind his back.
- (2) A cotton cap with flap shall be put on the prisoners face just before he enters the gallows-enclosures. The prisoner shall not be allowed to see the gallows. The Superintendent and the Medical Officer shall invariably see that the rope round the neck of the prisoner is adjusted properly and the knot is placed in the proper position.
- (3) The operations mentioned above shall be done simultaneously and quickly as possible. On completion of all these operations the Superintendent shall give a signal, on seeing which the executioner in charge shall push the lever to release the trap-door.
- (4) The body shall remain suspended for half an hour before being taken down or until the Medical Officer has certified that the life is extinct.

373. HANGMAN'S FEES

The hangman shall be paid at the rates fixed by the State Government for the execution of each convict.

374. DISPOSAL OF BODY

- (1) Subject to the provisions of this paragraph, the body of the executed prisoner shall be disposed of according to the requirements of the religion to which the executed convict belonged.
- (2) If the executed prisoner's relatives make a written application for performing the last rites, the Superintendent may, in his discretion, allow such request, provided that the relatives give an undertaking in writing that they will not make a public demonstration of any kind in relation to the cremation or burial of the executed convict. In cases where the Superintendent thinks that there is a likelihood of a public demonstration, he has the authority to refuse such permission. In cases of disposal of the body of executed prisoner, in whose case there is likelihood of public demonstration, the Superintendent shall consult the District Magistrate and arrangements for the disposal of the body shall be made according to the

requirements of the situation. In such event, the Superintendent shall act in accordance with the instructions of the District Magistrate.

- (3) Except as provided in this chapter, the body of the executed prisoner shall be taken out of the Sansodhanagar with all solemnity. A municipal hearse or ambulance shall be used for the transportation of the body to the cremation or burial ground. The Superintendent is authorized to incur all reasonable expenditure required for the transportation and disposal of the dead body.

375. REPORT OF EXECUTION OF DEATH SENTENCE

The Superintendent shall, immediately after each execution, send a report thereof to the Inspector General in Appendix – 9 and he shall return the warrant duly endorsed to the Court which issued it.

**CHAPTER - XIII
(EMERGENCIES)**

376. SITUATIONS TO BE HANDLED ON AN EMERGENCY BASIS

The following situations shall be handled as emergency :

- (1) Escape from sansodhanagar ;
- (2) Outbreak ;
- (3) Riots ;
- (4) Strikes ;
- (5) Hunger Strikes (individual or mass)
- (6) Assault ;
- (7) Suicide ;
- (8) Accidents ;
- (9) Fire ;
- (10) Epidemic ;
- (11) Food poisoning ;
- (12) Overcrowding ;
- (13) Failure of water supply, electric lighting arrangements, and other essential Sansodhanagar services like conservancy and plumbing ;
- (14) Non-supply of food or raw materials resulting in the interference of Sansodhanagar routine ;
- (15) Food ;
- (16) Earthquake ;
- (17) Terrorist Attack ;
- (18) Bomb Explosion ;
- (19) War/Bombing ;
- (20) Nuclear, Biological and Chemical Disasters ;
- (21) Any other man-made/natural disasters.

377. MEASURES TO PREVENT AND CONTROL EMERGENCY SITUATIONS

It is the responsibility of the Superintendent to take sufficient measures for preventing and controlling emergency situations, in conformity with the Disaster Management Act, 2005 and any other Act, that may be relevant and all other instructions/orders issued by the competent authority from time to time . These measures may inter-alia include :

- (1) Demarcation of an out-of-bound area around the perimeter wall of the Sansodhanagar ;
- (2) Adequate guarding and security measures and periodical inspections ;
- (3) System of thorough searches ;
- (4) Proper maintenance of the Sansodhanagar building and premises ;
- (5) Proper custody of tools and equipment ;
- (6) Proper control of movement of prisoners ;
- (7) Timely segregation of prisoners who are instigators, or of bad character, and are potential risks to Sansodhanagar discipline ;
- (8) Prompt and strong but considerate handling of all discipline problems ;
- (9) Attending to care and welfare requirements of prisoners ;
- (10) System of good discipline ;
- (11) Careful handling of plant and equipment ;
- (12) Periodical Inspection of plant equipment and emergency operation ;
- (13) Accident preventive measures ;
- (14) Fire preventive measures ;
- (15) Fire fighting equipment at all vulnerable points ;

- (16) Good environmental and institutional sanitation and hygiene ;
- (17) Proper procedure of quarantine for newly admitted prisoners;
- (18) Segregation of prisoners suffering from contagious diseases ;
- (19) Proper storage and inspection of articles of food ;
- (20) Observance of the required minimum standards in kitchen and canteen operations, service of food and eatables ;
- (21) Wire guards on trees to discourage prisoners climbing them for escape ;
- (22) Standby arrangements for water storage, power plant, and emergency lighting ;
- (23) Concealing all drainage and water pipes in the buildings ;
- (24) Delegation of Powers to Sansodhanagar Officers (Superintendent of Sansodhanagars) to use force in emergent situations as is given to the police.

378. EQUIPMENTS FOR EMERGENCY

- (1) Each Sansodhanagar shall be properly equipped with the following to meet various type of emergency :
 - (a) Fire fighting equipment ;
 - (b) Emergency light arrangements like electric torches, gas lights, Kerosene lamps and oil torches ;
 - (c) Search light ;
 - (d) Still Helmets ;
 - (e) Canes ;
 - (f) Tear Gas equipments ;
 - (g) Water hoses ;
 - (h) Telephone, inter-communication system and Walkie-talkies;
 - (i) Arms and Ammunition ;
 - (j) Ladders, axes, knives, ropes, chains, handcuffs, alarm and sirens ;
 - (k) First Aid Kit ;
 - (l) Video camera/Digital camera/ any other electronic equipments for photography/ modern equipments suitable to tackling in all the above emergencies.
- (2) The State Government may make revision of list of equipments from time to time in case of necessity.
- (3) The Superintendent shall obtain the necessary sanction of the Inspector General of Correctional Services for the purchase of articles listed above.
- (4) It shall be the responsibility of the Superintendent of Sansodhanagars to ensure that of these equipments are always kept in good condition for use in emergency.

379. PREPARATION FOR EMERGENCY

- (1) Institutions where dangerous prisoners are kept, or there is a likelihood of any kind of serious disturbances, shall be fully equipped in all respect in such institutions, the security arrangement shall also be very strict.
- (2) The Kendriya and Zila Sansodhanagar shall have a Quick Reaction Team as provided in Chapter VI (Custodial Management). The personnel of this squad shall be given special training in handling various emergency or unforeseen situation and shall also be properly equipped and ready for action.
- (3) Drills for handling emergency shall be held at fixed intervals and report shall be submitted to the Inspector General of Correctional Services in the prescribed form.

380. GENERAL INSTRUCTIONS FOR HANDLING EMERGENCY

The general instruction to be followed in handling emergencies:

- (1) Giving immediate first aid to the injured ;
- (2) Preventing entry into the effected area ;
- (3) Immediate action to counter the spread of trouble to other areas ;
- (4) Quick intimation to all authorities concerned ;
- (5) Reporting to authorities concerned for help, if necessary ;
- (6) If the Superintendent is not present in the Sansodhanagar when the problem occurs, he shall reach there as soon as he gets its information of such emergency and take suitable measures for controlling it. Information shall also be sent to the Deputy Superintendent who shall reach the Sansodhanagar immediately and either assists the Superintendent or take charge of the situation.

ESCAPE

381. SOUNDING AN ALARM

- (1) A siren or an alarm bell (which may be electronic, electric or manual) that can be easily heard at the quarters of the subordinate official shall be kept near the main gate of every Sansodhanagar, and in places where prisoners are employed in large numbers. In the latter case the alarm shall be loud enough to be heard at the main gate.
 - (a) Use of control measures, such as handcuffing. Locking prisoners, segregating the trouble makers and mob dispersal ;
 - (b) Tightening all security measures according to the requirements of the situation ;
 - (c) Mustering all possible help for effective handling of the emergency ;
 - (d) Obtaining all necessary assistance from the District Collector, the Police and the Fire Brigade.
- (2) The sequence of alarms starting with the blowing of a whistle, followed by the sounding of the bugle and then striking of the alarm gong shall indicate the need for urgent help because of an escape or its attempt.

382. ESCAPE ATTEMPTS

Shall any prisoner attempt to escape, the guard or sentry shall at once raise the alarm if the help of other guards is essential to prevent the prisoner's escape. He shall at the same time take all necessary steps to prevent the prisoner's escape. The armed guard shall be ready at a moment's notice to prevent any group attempt to escape from the Sansodhanagar.

383. WHEN AN ESCAPE TAKES PLACE FROM AN EXTRAMURAL GROUP

- (1) On the alarm being sounded because of an escape from a work site from outside the Sansodhanagar, the officer in charge of the standing guard at the main gate shall dispatch as many waders as he can spare for assistance. The remaining warders shall wait for orders from the Senior Officer present.
- (2) The Warder in charge of the outside group, from which a prisoner has escaped, shall, after sounding the alarm, send one of his escorts to apprehend the prisoner and after collecting the remaining prisoners shall march them back to the main gate of the Sansodhanagar where he shall report the escape to the senior officer on duty.

384. DUTY OF THE DEPUTY SUPERINTENDENT

As soon as a report of an escape is received, the Deputy Superintendent or another Senior Officer on duty shall :-

- (1) Dispatch a party of sufficient strength to search the locality where the escape has occurred, and

- (2) Inform the Superintendent of the escape who in turn shall inform the matter to the Inspector General of Correctional Services and shall take suitable action for apprehending the escaped prisoner/prisoners.

385. ESCAPE DURING NIGHT

If the escape takes place during night and there is possibility of the prisoner still being inside the Sansodhanagar, search shall be made with Dragon/ Torch lights inside the Sansodhanagar.

386. DUTY OF SUPERINTENDENT

The Superintendent shall give prompt notice of the escape to the nearest police station, the Executive Magistrate of the area and the District Magistrate. Such information shall be accompanied by a nominal roll giving a description of the escaped prisoner. He shall also send immediate intimation, to the police station near the prisoner's home. If the prisoner belongs to a District other than that in which he was in Sansodhanagar, intimation shall be sent to the Magistrate of his District or to the Superintendent of Police of that area.

387. REPORT TO THE INSPECTOR GENERAL

If a prisoner escapes, the Superintendent, or in his absence the Deputy Superintendent, shall immediately convey the message over phone to the Inspector General and in his absence to the next officer available in the Headquarters, followed by a detailed report within 24 hours from the time of escape. A copy of this report shall also be sent to the government. It shall contain information on the time and circumstances in which the escape occurred, the party or parties by whose neglect it occurred, whether the prisoner has been recaptured and if not, the measures taken to recapture him. When the prisoner is recaptured, another report shall be sent to the Inspector General of Correctional Services.

388. PUBLICATION OF ESCAPES

Notice of escape of prisoners and of the rewards offered for their recapture shall be published in the District Gazette, if so ordered by the Inspector General.

389. POWER TO SANCTION REWARD

The Inspector General of Correctional Services may take decisions regarding the sanctioning of rewards in such cases.

390. REWARD TO PRISONERS PREVENTING AN ESCAPE

All cases in which prisoners prevent an escape, either by warning the officials about any plot or preparation, or by seizing a prisoner attempting to escape, or in any other manner, shall be brought to the notice of the Inspector General, with a view to giving them suitable rewards.

391. PUNISHMENT FOR FACILITATING AN ESCAPE

Every officer of the Sansodhanagar, because of whose assistance, connivance, or neglect, an escape takes place, shall be prosecuted under the relevant provisions of law, in force, unless very extenuating circumstances are present or the Superintendent considers the evidence insufficient to procure a conviction.

392. PROCEDURE ON RECAPTURE

- (1) The recapture of the prisoner shall be informed to all those who were informed of the escape originally.
- (2) A recaptured prisoner may be received back into Sansodhanagar on his original warrant.

393. DISPOSAL OF WARRANTS OF ESCAPED PRISONERS

The warrant of a prisoner who escapes from Sansodhanagar shall be retained in the Sansodhanagar for 10 years from the date of his escape. If he is not recaptured within that period, it shall be returned to the committing court with an endorsement giving the reasons.

OUTBREAKS

394. ALARM TO BE SOUNDED ON OUTBREAK

- (1) Whenever there is a Sansodhanagar outbreak, or and agitation inside a Sansodhanagar, the concerned Superintendent/ Deputy Superintendent of Sansodhanagar shall inform the District Police who will take necessary action to control the situation and bring order inside the Sansodhanagar. However, till the arrival of the District Police, the Sansodhanagar guards and security personnel guarding the Sansodhanagar shall initiate steps to control the situation and prevent further untoward incidents.
- (2) In the event of an outbreak or disturbance, the Sansodhanagar official present at the scene of occurrence shall raise an alarm by blowing his whistle hearing which the warder staff shall blow their own whistles. It will be followed by sounding of gong or siren at the main gate. Every Sansodhanagar official outside the Sansodhanagar shall proceed at once to the guard room and arm himself with a baton. A messenger shall be sent by the Senior Officer present to the Superintendent and Deputy Superintendent who shall summon every available man.

395. WHEN THE ALARM IS SOUNDED

At the sound of the alarm the reserve guard shall arm themselves with service weapons arms and stand outside the Sansodhanagar on alert. The main gate sentry along with other warders shall be posted between gates and unless the prisoners are actually threatening the main gate, the rest of the force available shall enter the Sansodhanagar armed with batons and proceed at the double to the scene of the disturbances. But if the prisoners are threatening the main gate, it must be defended until the guard is strong enough to enter and drive the prisoners back. The armed reserve guard shall not enter the Sansodhanagar or arrive at the scene of the disturbance until specially sent for by the officer in command.

396. DUTY OF CONVICTS ON HEARING AN ALARM

When the alarm is given it shall be the duty of every convict to run at once to previously detained places of security, usually the nearest sleeping barrack, where they shall be locked in by the warders inside the Sansodhanagar. Prisoners shall be warned in advance that neglect of this rule shall render them liable to be treated as participating in the outbreak.

397. METHODS OF QUELLING DISTURBANCES

- (1) On reaching the scene of disturbance, the guard shall proceed to quell it by using batons or tear gas, if available, as the officer in command may decide. Action shall first be directed to prevent any attempt at escape, to isolate the rioters from other convicts, and to rescue any Sansodhanagar officer who may be in danger. If the disturbance is accompanied by an attack on any Sansodhanagar official, or by a combined attempt to escape, the officer in command shall warn the prisoners that they will be fired upon if they do not submit. If circumstances permit, the warning shall be repeated three times. If the prisoners do not submit, or the outbreak or disturbance cannot be quelled, the officer in command may summon the reserve guard and open fire on these prisoners. He shall stop the firing as soon as the prisoners cease resistance or submit. Only minimum force necessary shall be used in all circumstances.
- (2) On arrival of the Superintendent, Deputy Superintendent, their orders shall be taken and all officers from the rank of Deputy Superintendent and below shall act as per their orders.
- (3) Sansodhanagar officials shall not attempt to disperse a mob outside the Sansodhanagar unless the Sansodhanagar staff is threatened.

- (4) Enquiries on incidents like assaults on Sansodhanagar officials shall be conducted by the Superintendent, or such other officer as the Inspector General may direct.

398. DEFENCE OF MAIN GATE

The main gate sentry and the additional warders posted between gates shall defend the main gate. If prisoners cannot be driven back by any other means, firing shall be resorted to after due warning. It shall be stopped as soon as the prisoners are driven back.

399. DISTURBANCE WITHIN WARDS

If the disturbance occurs within the wards, the available force shall enter the Sansodhanagar armed with batons and shall proceed at the double to the yard gate. A party shall be detached to enter the ward and quell the disturbance while the remaining force waits at the yard gate.

400. TREATMENT OF EXTRAMURAL GROUPS

Groups which are outside the Sansodhanagar when the alarm is sounded shall at once be collected and made to sit close together under the charge of their escort till the disturbance is over. If the situation permits these groups shall be taken in and locked up in a ward so that warders in charge of the group can be released for other duty.

401. REHEARSAL OF PROCEDURE ON ALARM

It is of importance that if an outbreak occurs, every man knows precisely what he has to do. In order to perfect this procedure, an alarm parade shall be held once in two months or more often in each Sansodhanagar. All steps laid down in the rules shall be rehearsed as accurately and promptly as possible. The convicts too shall be trained to run at once to the assigned place of security when the alarm is sounded. No arms shall be taken inside the Sansodhanagar during practice alarm parades. The Superintendent shall make a record of each practice session and its results in his register.

ACCIDENTS AND SUICIDES

402. PROCEDURE WHEN UNNATURAL DEATH

- (1) Whenever a sudden or violent death or suicide takes place in a person, immediate notice shall be sent to the Superintendent and the Medical Officer. The body shall be left untouched in the position in which it was found for inspection by these officers.
- (2) If there are chances that the person is still alive, measures shall be taken at once for the prisoner's first-aid and treatment and revival.
- (3) In the case of a prisoner found suspended by a rope in an attempt to commit suicide, and there is reason to believe that he may still be alive, the body shall be raised at once to relieve pressure and laid gently on the grounds. All measures shall be taken to restore consciousness, without waiting for assistance, which however shall be called for without delay. In all events of a death, procedures laid down in the chapter on death shall be followed.

403. CUSTODY OF ARTICLES USED FOR SUICIDE

Knives and tools used in work sheds and barber's or tailor's equipment shall be counted and locked by the warders every day. Ropes for wells shall be properly secured or locked up, and the wells themselves protected to prevent persons falling or throwing themselves in. Care shall be taken that nothing is left about in the Sansodhanagar that may be used for suicidal purposes.

404. PRECAUTIONS AGAINST THE PRISONERS WITH APPARENTLY SUICIDAL TENDENCIES

prisoners with apparently suicidal tendencies shall be carefully watched and not left alone in a cell. Such prisoners shall also be referred to counsellors and psychiatrists and shall be supervised closely.

405. EMPLOYMENT OF CONVICTS ON DANGEROUS WORK

When prisoners are employed in blasting, excavation or other work of a dangerous character, it shall be the duty of the officer conducting the work to take every reasonable precaution to guard against accident. In blasting, no convict shall be employed to fire the charge. In excavations, the walls shall be sloped or cut in steps.

406. CUSTODY OF POISONS

Poisonous drugs and drugs inducing drowsiness, surgical instruments and other similar things shall not be left within the reach of prisoners. Every receptacle containing any poisonous drug shall be labelled "Poison" in large printed characters. All these shall be kept under lock and key. Under no circumstances such key shall be entrusted to a prisoner.

407. PRECAUTION AGAINST DROWNING

A strong rope and grappling irons shall be kept in the guard room of every Sansodhanagar to be at hand in case of accident in wells.

FIRE

408. PREVENTION OF FIRE

- (1) Special care shall be taken while using kerosene and gas lights in any office or store room. Even in the maintenance of electric lights, any leakage shall be immediately brought to the notice of the Deputy superintendent and rectified without delay.
- (2) All staff in charge of offices and stores shall take a round of the offices and store rooms before they are closed for the night and satisfy themselves that everything is safe.
- (3) Fire shall be used in the workshops in properly constructed fireplace and the Senior Officer, who locks up the Sansodhanagar, shall satisfy himself before leaving that these fires are properly extinguished. The concerned Senior Technical staff of the section shall also be responsible in this regard.
- (4) No burning coal, wood or other fuel used in kitchen shall be allowed to be taken out. Those in charge of the kitchen shall be responsible for any violation. If liquefied petroleum gas is used in kitchen, it shall be ensured that gas cylinders are stored in a secured room in accordance with the safety rules for storage of LPG cylinders and that no prisoner has access to such place. If any fire occurs nobody shall be allowed near the gas room until the fire is completely quelled.
- (5) There shall be fire hydrants and fire fighting equipment (sand and water buckets) in all parts of the Sansodhanagar, and especially at all vulnerable points decided in consultation with the District Fire Officer.
- (6) Electric installation in the Sansodhanagar shall be inspected at regular intervals.
- (7) In extramural camps and open institutions, precautions such as provision of a large supply of water and fire fighting equipment's shall be kept ready at hand.
- (8) Each Superintendent shall draw up instructions on fire safety and the drill to be adopted in his Sansodhanagar, showing the respective duties of all members of the Sansodhanagar establishment on an alarm of fire being given. He shall

make the staff rehearse the fire drill at least once in six months. This would include fire fighting safety measure and evacuation techniques.

- (9) In the event of a fire immediate information to Fire Brigade shall also be sent. Till help from the Fire Brigade is received, every attempt to quell the fire shall be made. In the event of fire breaking out in the Sansodhanagar by day or night, the alarm shall be sounded.
- (10) Steps shall be taken to ensure that fire does not spread to other parts of the Sansodhanagar and the lives of prisoners and of members of the staff are not endangered.

In the event of an injury to a prisoner, or a member of the staff on duty, because of fire (a) medical attention to the injured shall be given and (b) an inquiry shall be immediately held and statements of the injured prisoner or member of the staff and other witnesses shall be recorded.

EPIDEMICS

409. EPIDEMICS AND PRECAUTIONS AGAINST THEM

- (1) Epidemics which are likely to occur in Sansodhanagars are cholera, enteric fevers, gastroenteritis, chicken pox, measles, mumps, influenza, cerebrospinal meningitis, pneumonia, plague, beriberi, scurvy and epidemic dropsy.
- (2) When an epidemic is present in the vicinity of a Sansodhanagar, communication between the staff and the infected locality shall be, as far as possible, prevented and special care shall be taken that all arrangements to meet an outbreak are completed.

410. REMOVAL TO A SEGREGATION SHED

Every Sansodhanagar shall be proved with a permanent segregation shed outside the Sansodhanagar walls. On the occurrence of a case, or a suspected case, of cholera or any other infectious disease, the patient shall not be taken to hospital but shall be immediately removed to one of these sheds while all orderlies and scavengers attending on the case shall be strictly isolated in another shed. On no pretext shall they be allowed to enter the Sansodhanagar or communicate with other prisoners until all risk of infection is over. If possible, the prisoners shall be removed to an infectious disease hospital outside the Sansodhanagar.

411. TREATMENT OF PRISONERS AFTER CONTACT WITH INFECTION

All prisoners employed in cleaning a Ward in which a case of suspected infectious disease has occurred, or who have been in contact with the patient, shall be detained under medical observation in a separate building to prevent their mingling with other prisoners. Special care shall be taken that they bathe and feed separately.

412. SANSODHANAGAR OFFICERS' CLOTHING, IF INFECTED

If there is any reason to think that the clothing of any warder or other Sansodhanagar officer is likely to have been polluted by any cholera discharge, it shall be at once withdrawn from use and disinfected.

413. TREATMENT OF THE INFECTED BARRACK

The barrack in which a case occurs shall be immediately vacated and the inmates kept together and not allowed to go near other prisoners. The vacated barrack shall be thoroughly disinfected.

414. VACCINATION OR INOCULATION

Whenever a case of an epidemic occurs, the Medical Officer shall at once arrange for vaccination or inoculation, as the case may be, of all prisoners, Sansodhanagar personnel and members of their families.

415. ACCOMMODATION OF PATIENT

Overcrowding must be strictly avoided both in the hospital as well as in every cell and ward. If the epidemic is severe then it may be desirable to use the entire hospital for treatment of epidemic cases, removing all other cases to a temporary hospital that can be set-up in a ward or work shed, (if no better place is available). Minor cases of colic or ordinary diarrhoea shall also be treated separately and not admitted to the hospital until the characteristic symptoms of cholera and diarrhoea have disappeared.

416. STERILISATION OF DRINKING WATER

On the recommendation of the Medical Officer drinking water shall be thoroughly boiled. Gas or Firewood shall be made available for this purpose to the minimum extent necessary as decided by the Inspector General of Correctional Services. Care shall also be taken to ensure that sufficient appliances for boiling of water are also provided. As far as possible, reverse osmosis plants shall be in place in Sansodhanagars to prevent water borne diseases.

417. OBSERVATION OF PRISONERS

The general condition of prisoners shall be carefully watched to detect incipient cases. Any person attacked by premonitory symptoms shall be removed for treatment at once. Convict officers shall be required to report any sign of sickness at once. A prisoner visiting the latrine more often than usual shall be placed under observation.

418. TREATMENT OF HOSPITAL FLOOR

The floor of the segregation hospital shall be washed or sprinkled liberally with 2% saponified cresol or izal lotion.

419. DISPOSAL OF DEJECTA

The dejecta shall be placed in a vessel with a close fitting cover containing an equal part of 4% cresol or izal lotion for two hours and then buried. The dejecta can also be incinerated with saw dust, paddy husk or kerosene.

420. CLEANLINESS OF PRISONERS

Special attention shall be given to the cleanliness of prisoners and their clothing. The water used for washing shall not be allowed to remain with the Sansodhanagar walls.

421. TREATMENT OF CLOTHING AND BEDDING

The clothing and bedding of the inmates of an infected ward shall be either immersed for 30 minutes in boiling water or kept in 20% carbolic or cresol lotion and then aired and returned to them after they have bathed. Hospital clothing and bedding used by infected patients shall be burnt.

422. DISPOSAL OF AN INFECTED CORPSE

The body of a person who has died of an infectious disease shall be wrapped completely in a sheet saturated with 2% carbolic or cresol lotion and buried/cremated or handed over to the relatives at the earliest following established procedures as per law to avoid spread of infection.

423. REPORT TO THE INSPECTOR GENERAL

- (1) The first occurrence of a case of cholera or any other infectious disease shall be at once reported to the Inspector General by telegram / electronic device which shall be followed by a written report on the same day, stating the circumstances of the case and the measures taken to arrest the progress of the diseases.
- (2) The next two cases too shall likewise be reported by telegram to the Inspector General. On the occurrence of the second case, the Superintendent shall submit a report stating whether he proposes a large scale segregation of prisoners

within the Sansodhanagar premises. If he does, then he shall elaborate the measures, he is taking for it. If he does not plan segregation, he shall reasons for that as well. If the Inspector General is absent from the Headquarters, the report shall be sent to him through any electronic device.

424. WHEN SHALL A DISEASE BE DEEMED EPIDEMIC

If three or more cases occur within one week of the occurrence of the first case of cholera, it shall be concluded that the disease has assumed an epidemic form.

425. RULES GENERALLY APPLICABLE TO EPIDEMICS

The above rules relate for segregation are also applicable to other disease, such as small pox and plague. In these cases, the necessity for segregation is equally important. In case of typhoid fever, changing the water supply is of primary importance.

426. DAILY REPORT DURING EPIDEMIC

Whenever an epidemic prevails in a Sansodhanagar, a daily report shall be furnished to the Inspector General. In this report the Medical Officer shall briefly note the progress of the epidemic, the measures he is taking to arrest it, and any information he may consider of importance. A copy of this report shall also be sent to the Director of Medical Services.

427. SPECIAL EPIDEMIOLOGICAL INQUIRY

The Inspector General, in consultation with the Director of Public Health and Preventive Medicine, may call for an epidemiological inquiry or report from the Chief Medical Officer/Medical Officer whenever he considers it advisable. A copy of such an inquiry shall be furnished to the Director General of Health Services, government of India, New Delhi.

HUNGER STRIKES

428. PROCEDURE TO BE FOLLOWED IN CASES OF HUNGER STRIKES

- (1) Prisoners who go on hunger strike shall be warned that no redress of any alleged grievances shall be allowed as long as the strike continues and that they shall be liable to any Sansodhanagar punishment or to prosecution under section 52 of the Prisons Act, 1894.
- (2) After sufficient warning, and before the refusal to take food has adversely affected them, and if any other punishment appears unlikely to deter them, they may be prosecuted under section 52 of the Prisons Act, 1894. The usual concession in the matter of interviews and letters of such prisoner shall be restricted to members of the legal profession only. If any such prisoner proposes to engage a member of the legal profession to represent him, a vakalatnama shall be executed by the prisoner in favour of the member of the legal profession and only that member shall be permitted to interview the prisoner in this regard.
- (3) In the event of mass hunger strike by the prisoners, the Superintendent shall permit reasonable number of members of the legal profession to interview the prisoner. For easy identification, the members of the legal profession shall be in their formal lawyers' dress and give requisition for interview on their letter-heads. If a mass hunger strike amounts to mutiny, the prisoners shall be isolated from each other, and from prisoners, as far as possible.
- (4) When prosecutions are instituted under Section 52 of the Prisons Act, 1894, the proceedings shall be held within the Sansodhanagar and shall be started and completed with as little delay as possible.

429. FORCIBLE FEEDING OF PRISONERS ON HUNGER STRIKE

It is the duty of the Sansodhanagar authorities to do what they reasonably can to keep prisoners in their charge in good health and to save them from death. Therefore, if a prisoner is likely to cause his own death by continuously refusing to take food, the Medical Officer may direct that the prisoner be forcibly fed to keep him alive. Forcibly feeding shall not be attempted with unnecessary violence. But till such a stage is reached, food approved by the Medical Officer shall be regularly placed beside the prisoner on hunger strike for his consumption.

430. DAILY REPORT TO THE GOVERNMENT

The Medical Officer shall furnish daily reports to the Superintendent on the health of the prisoner who is on a hunger strike. He in turn shall forward it to the government through the Inspector General. The Superintendent shall send a report to the Collector and the Superintendent of Police concerned.

OVERCROWDING

431. OVERCROWDING SHALL BE REPORTED TO THE INSPECTOR GENERAL

If a Sansodhanagar becomes overcrowded, the Superintendent shall take suitable action for accommodating all the prisoners properly, duly reporting the circumstances leading to overcrowding to the Inspector General. Any other matter pertaining to overcrowding shall always be referred to the Inspector General for orders.

432. MEASURES TO RELIEVE OVERCROWDING

As soon as prisoners in excess of the available accommodation are received in any Sansodhanagar or hospital, the Superintendent shall submit a report to the Inspector General with a statement of the measures which he proposes to adopt to relieve the overcrowding, and such temporary arrangements, as he thinks best, shall at once be adopted for this purpose.

433. KEEPING PRISONERS IN SHEDS OR TENTS

Prisoners in excess of the accommodation shall not, except as a temporary measure, be placed in work sheds or verandas, but shall be kept on sheds or tents inside the Sansodhanagar. The Superintendent shall always obtain prior sanction, whenever necessary, for incurring expenditure in this regard and shall ensure economy in every aspect.

434. EARTH QUAKE

In the event of an earthquake the following action shall be taken:

- (1) The prisoner shall be asked to take over (kneel down, and cover head with arms);
- (2) The prisoners shall be asked to remain in the same position for a few minutes, due to after-shocks;
- (3) The prisoners shall be kept at least 14 feet away from windows, mirrors, chimneys, tall book cases, furniture, old and high buildings, poles, trees and electric wires ;
- (4) The prisoners shall be asked to walk towards an open place, in a calm and composed manner ;
- (5) Evacuation and rescue measures shall be undertaken on instructions from an evacuation team and unnecessary crowding or affected area shall be avoided.

435. OTHER EMERGENCIES

Suitable action shall be taken according to the requirements in cases of other emergencies as well. The Superintendent shall report the circumstances to the Inspector General. A Contingency plan be in place at every Sansodhanagar to tackle any emergency situation such as attacks and similar. Senior officers shall review such contingency plans during their visits/inspections.

**CHAPTER –XIV
(EDUCATION OF PRISONERS)**

436. EDUCATION OF PRISONERS

- (1) Education is vital for the overall development of prisoners. Through education, their outlook, habits and total perspective of life can be changed. Education of prisoners benefits the society as well as it leads to their rehabilitation, and reintegration. Education reduces the tendency to commit crimes. This would mean less crime, fewer victims, fewer prisoners, more socially productive people, and less expenditure on criminal justice and law enforcement.
- (2) Education is harmonious and necessary for the all-round development of human faculties --- mental as well as physical. It is a tool by which the knowledge, character and behaviour of the inmate can be moulded. It helps a prisoner adjust to the social environment and facilitates his ultimate re-integration in society.
- (3) Life in Sansodhanagar tends to be monotonous and regimented. There is a need to provide prisoners with adequate educational opportunities in order to enable them to lead a law-abiding and self-supporting life following their release. It must be understood that placing offenders inside Sansodhanagar cells without any attempt to reform them is an unproductive exercise.

437. OBJECTIVE

The objective behind educational programmes in Sansodhanagars may be to channelize prisoners' energies into constructive and creative pursuits, instilling in them a sense of confidence, developing amongst them social responsibility and consciousness, fostering amongst them habits and attitudes necessary for adjusting in the community, creating amongst them an awareness of the futility of leading a criminal life and uplifting them morally, mentally and socially. A comprehensive educational programme in a Sansodhanagar may aim at :

- (1) Providing opportunities to illiterate inmates to achieve at least a certain minimum level of education ;
- (2) Extending facilities to literate inmates to advance their educational standards ;
- (3) Developing a better understanding of the duties and obligations of a citizen ;
- (4) Improving the attitude of inmates towards society and fostering a desire to live as good citizens ;
- (5) Assisting the development of good social and ethical habits and attitudes so that the inmates may properly adjust their lives when they are released ;
- (6) Helping them to improve their personalities and ability for social adjustment through individual and group guidance in social living, planning ;
- (7) Developing a point of view which will make the futility of a criminal way of life apparent to the inmates, making them aware of the advantage of a law abiding life ;
- (8) Stimulating sustained interest and effort towards self-improvement, and
- (9) Developing social consciousness and a sense of social responsibility and obligations.

438. PLANNING

Educational plan for prisoners will be such that :

- (1) The purpose of education is to facilitate transformation, reformation and reintegration of prisoners into society. In order to achieve these objectives,

- an adequately trained educational staff and minimum facilities like class rooms and libraries shall be provided in every Sansodhanagar.
- (2) Education of illiterate young offenders and adult prisoners shall be compulsory. Correctional Services will pay special attention to educational programmes ;
 - (3) Because of wide variations in intelligence level and individual interest of inmates, it is essential to organise diverse educational programmes to suit the needs of the larger groups;
 - (4) Educational programmes shall cover subjects which would help develop the inmate as affective members of social groups. The programmes shall also help develop insight on the part of the inmates ;
 - (5) The nature of the educational programmes in an institution shall be related to the size and type of the inmate population and the time earmarked for these programmes. Educational activities shall be developed in conjunction with the overall programme of an institution ;
 - (6) As far as practicable, the education of prisoners shall be integrated with the educational system of the State so that after their release they may continue their education without difficulty. These programmes shall be related to after-care programmes also ;
 - (7) The education policy shall be formulated in a manner which is adjustable to social environment, leading to ultimate resettlement of a prisoner in the society. Education shall be organised at three levels :
 - (i) For the illiterate inmates ;
 - (ii) For the intermediates ;
 - (iii) For advanced education.
 - (8) Educational personnel shall be oriented, through special training courses, to implement correctional policies, programmes and methods as far as practicable ;
 - (9) Non-Government Organisation shall be extensively involved in the educational programmes.

439. NATURE OF AN EDUCATIONAL PROGRAMME

The educational programme shall consist of :

- (1) Physical including yoga and health/hygiene education ;
- (2) Academic education ;
- (3) Social education ;
- (4) Vocational education ;
- (5) Moral and spiritual education ;
- (6) Cultural education ;
- (7) Computer education ;
- (8) Legal education/awareness .

440. EDUCATIONAL POLICY FOR INMATES

- (1) On admission to the Sansodhanagar, the criteria for initial classification of prisoners shall be done on the basis of their educational background, their aptitude to follow further studies, their social background and vocational education.
- (2) The policy behind academic education shall aim at :
 - (a) Making every illiterate prisoner literate ;
 - (b) Developing educational qualifications of prisoners.
- (3) If a prisoner, who was pursuing studies before his imprisonment, express his intention to continue his studies and appear for an examination of any Board/University or Institution, he shall be given due facilities for it. He

shall be allowed to receive books and writing material from his friends and relatives from outside and purchase books and such material out of his personal cash kept in the custody of the Sansodhanagar, or at government expense. Such facilities shall also be extended to a prisoner who has given up his studies before his imprisonment, but expresses his intention to proceed with it with a view to appearing at an examination conducted by any university or other statutory body or a recognized institution.

441. CLASSIFICATION OF PRISONERS

- (1) Prisoners shall be classified on the basis of their academic/educational qualifications and their aptitude for further learning at the time of admission in the Sansodhanagar. It shall be made compulsory for each prisoners to sit in educational classes, arranged as per their qualification, for at least two hours in the day, preferably in the morning hours.
- (2) The classification committee and educational personnel shall together decide the amount of time to be devoted for academic education, vocational education and work for each inmate. As there will be variations in the education level, intelligence and interests, diverse educational programmes shall be organised for different groups of inmates.

442. HELP OF EDUCATED PRISONERS

The help of educated prisoners shall be liberally obtained for carrying out educational programmes, in addition to the help taken from regularly employed teachers, and utilising similar facilities offered by N.G.O.

443. LANGUAGE CLASSES

- (1) Language classes shall be encouraged. These classes may be run by the educated prisoners, regular teachers and NGOs. This will help the Sansodhanagar administration harmonise relations between prisoners of different cultures and communities and would improve discipline in the Sansodhanagar.
- (2) Keeping in view the special needs of prisoners, a booklet shall be prepared which would enlist various educational programmes being carried out in the Sansodhanagar.

444. SCHOOLS FOR YOUNG OFFENDERS

- (1) Every Sansodhanagar shall have a regular school where young offenders can attend regular classes in shifts. This school could be a branch of any government school being run by the Education Department of the State, with the Education Department providing teachers, equipment and materials for teaching young offenders. The school shall provide education for primary, secondary and Senior secondary levels. It shall be mandatory for each young offender to attend classes. The staff posted in the Sansodhanagar shall be paid special incentive for maintaining prisoners' interest in attending school.
- (2) The prisoner who passed various examinations shall be given certificates as are given to students studying in regular schools. Care shall be taken to ensure that there is no mention of the young offender's imprisonment on such certificates.

445. EDUCATION FOR SHORT TERM PRISONERS

For under-trial prisoners, and prisoners sentenced to short term imprisonment, educational classes could be organised in the yards/enclosures where such prisoners are kept. This would facilitate better organisation of regular classes for prisoners who are required to undertake educational programmes on a short, medium or long term basis.

446. PERSONNEL AND EQUIPMENT

Following personnel and equipment for the educational programme for prisoners shall be provided :

- (1) Teachers shall be provided for running and guiding the adult educational programmes in Sansodhanagars. Teachers from the Education Department may be posted to the Sansodhanagar on transfer/deputation basis. Inmates, who are educated and whose conduct has been good, shall be given training in imparting education to others. These trained inmates shall assist the regular teachers in organising diversified educational programmes. The services of retired teachers or NGOs can also be obtained in running the educational programmes ;
- (2) Necessary equipment for education like books, stationery, writing material, furniture, etc., shall be provided at Government cost. In each Sansodhanagar, a building shall be earmarked/constructed as a school for carrying out educational activities. Building and areas for educational programmes shall be earmarked in accordance with the minimum standards as fixed by the education Department for similar purposes.
- (3) Study/examination centres of National Open School or Indira Gandhi National Open University shall be established in every Kendriya Sansodhanagar or Zila Sansodhanagar. The strength of educational personnel shall be fixed in accordance with the inmate population and the educational programmes to be organised.
- (4) The educated prisoners, who help the Sansodhanagar administration in conducting educational programmes, shall be given wages/honorarium by the Sansodhanagar Authorities.
- (5) Audio-visual equipment shall be used for educational purposes.
- (6) The lodging arrangement of prisoners can also be done as per their educational requirements so that suitable environment is created in the barrack/cell to enable them to carry out the assignments given to them by their teachers.

447. CURRICULUM

Curriculum shall be drawn up in accordance with the needs of each inmate group. It shall be in line with the educational programmes conducted in other educational institutions in the state. It shall be planned in such a way as to synchronise with the length of sentence of the inmates. Educational schedules and time tables shall be drawn to fit the total programme of the Sansodhanagar.

448. TESTS AND EXAMINATIONS

Following concessions shall be given to prisoners for pursuing their higher education :

- (1) At the end of each educational project, inmates shall be given tests and examinations. These tests/examinations shall be conducted inside the Sansodhanagar by the Education Department or National Open School or Indira Gandhi National Open University.
- (2) No fees, including examination fee, shall be charged from students appearing in various examinations. Cases of brilliant students shall be recommended to Education Department and other agencies for grant of scholarship.

449. LIAISON

The institution shall establish liaison with the Department of Education or NOS or IGNOU and other approved educational institutions for obtaining educational material and other help.

450. LIBRARY

Following facilities in the Sansodhanagar library shall be provided :

- (1) Books in the library shall cater to the needs of different educational standards, satisfaction of intellectual needs, and development of knowledge of the inmates ;
- (2) The Sansodhanagar library shall be properly equipped with books, magazines and newspapers. These shall be issued to the prisoners. Prisoners shall be encouraged to develop reading habits ;
- (3) A librarian shall be employed for the management of books and other reading material. Help of educated prisoners could also be obtained, under the supervision of the librarian, to run the library. The Librarian shall arrange for and make available books on various subjects for satisfying the needs of prisoners. The librarian shall keep details of books and periodicals available in the library subject/title wise for use by prisoners and for the information of the superintendent of Sansodhanagar.
- (4) Donation of books by NGOs. Shall be encouraged and welcomed. Public and Government schools shall be encouraged to adopt the educational programmes being run inside the Sansodhanagar for prisoners ;
- (5) A digitalised library with e-learning materials may also be provided, to the extent possible.

451. SOCIAL, MORAL, CULTURAL AND SPIRITUAL EDUCATION MORAL UPLIFTMENT OF THE PRISONERS

With a view to making moral upliftment, character building and spiritual development of the prisoners, adequate arrangements shall be made by the sansodhanagar authorities. A hall having adequate space shall be arranged for the purpose of prayer and meditation to be done by the prisoners on regular basis. Well known personalities from all religious institutions shall be invited to deliver lecture to the prisoners for their moral upliftment, character building and spiritual development Assistance from different NGOs and welfare agencies may be sought in this regard. It shall be ensured beforehand that the contents and tenor of lectures to be imported are not such as would cause resentment among prisoners belonging to other religions.

Every prisoners shall be allowed to perform his devotion in a quiet and orderly manner. Standing direction shall be given to all prisoners for participating such meditation programme.

Further, Meditational therapy shall be used for holistic healing.

452. SANSODHANAGAR PUBLICATION

There shall be a monthly or quarterly publication for the inmates in select institutions for information dissemination.

453. ACCOUNTABILITY

It shall be one of the primary responsibilities of the Sansodhanagar Superintendent and other Sansodhanagar personnel that the programme of education is implemented in its proper spirit. The success or failure of the programme, and the extent of the educational activities in each institution, shall be one of the principal factors on which the performance of these officers shall be evaluated.

CHAPTER - XV
(VOCATIONAL TRAINING & SKILL DEVELOPMENT PROGRAMME)

454. OBJECTIVES OF SKILL DEVELOPMENT PROGRAMMES AND VOCATIONAL TRAINING

Vocational training and skill development programmes shall be treated as essential features of Sansodhanagar correctional programmes. The objectives of such programmes shall be:

- (1) Imparting discipline and work culture among inmates ;
- (2) Developing right attitudes towards work and dignity of labour;
- (3) Promoting :
 - (a) Physical and mental well-being of inmates ;
 - (b) Proper development of mind through intelligent manual labour ;
 - (c) A sense of group adjustment.
- (4) Developing the capacity for sustained hard work ;
- (5) Building habits of concentration, steadiness, regularity and exactness in work ;
- (6) Imparting and improving work-skills ;
- (7) Awakening the self-confidence and self-reliance of inmates;
- (8) Training and preparing inmates for achieving lasting social re-adjustment and rehabilitation ;
- (9) Imparting an occupational status and thus creating a sense of economic security among inmates ;
- (10) Keeping inmates usefully employed in meaningful and productive work ;
- (11) Preventive idleness, indiscipline and disorder amongst them;
- (12) Maintaining a good level of morale amongst them and thus promoting a sense of self, as well as institutional discipline among them.

455. POLICY OF THE GOVERNMENT

- (1) The State Government shall have a clear policy for skill development programmes and vocational training of prisoners. This policy shall be incorporated in the Sansodhanagar Manual.
- (2) The employment and production policy in Sansodhanagar shall be designed to cater to the needs of prisoners coming from both rural and urban areas. The emphasis shall be on the kinds of skills and jobs that would ensure employment or self-employment once the inmate is released from Sansodhanagar.
- (3) A “Board of Skill Development Programme and Vocational Training”, under the chairmanship of Inspector General of Correctional Services, shall be set up at the Sansodhanagar Headquarters and vested with full fiscal and administrative powers. The function of the Board shall be to:
 - (a) Plan and implement programmes of skill development and vocational training;
 - (b) Arrange funds required to run such programmes;
 - (c) Fix a policy of production ;
 - (d) Examine the economic aspects of the skill development programmes;
 - (e) Put Sansodhanagar skill development programmes on a sound commercial footing ;
 - (f) Ensure coordination at all levels ;
 - (g) Evaluate the performance of the skill development programme of each institution ;

- (h) Introduce practice and procedures of modern management of production ;
 - (i) Guide, supervise, direct and control all matters relating to institutional skill development programmes and vocational training ;
 - (j) Organise workshops in after-care homes for discharged prisoners ;
 - (k) Promote marketing of Sansodhanagar products, and
 - (l) In consultation with the Ministry of Skill Development and Entrepreneurship, the Government may identify certain trades as suitable for the inmates to be trained in so that once they are released, they may be gainfully employed.
- (4) Government departments, semi-government departments, co-operatives and public undertakings shall purchase articles produced in Sansodhanagar industries as per requirements from the Department of Sansodhanagars and Correctional Services.
 - (5) Clear rules for the purchase of raw materials, consumable articles, tools and equipment shall be laid down to eliminate chances of misappropriation or waste.
 - (6) A policy shall be laid down for the employment of carefully selected prisoners in public undertakings, co-operative farms of the State, and agro-based industries organised in the co-operative sector when they are released from Sansodhanagar.

456. VOCATIONAL TRAINING

- (1) Vocational training programmes, in self-employing trades and occupations, shall be organised in every Kendriya and Zila Sansodhanagars for employable convicts.
 - (a) Such programmes shall be open to undertrial prisoners who volunteer to undergo such training after testing their vocational ability ;
 - (b) If possible in Kendriya Sansodhanagar, an Industrial Training Institute shall be established and if it is not possible to establish one, the help of local Industrial Training Institutes could be obtained in training the prisoners ;
 - (c) The Sansodhanagar shall have adequate staff for efficient organisation of various training projects. It shall be properly equipped with training aids and classrooms for conducting multifarious projects to suit the training needs of its inmates ;
 - (d) The Sansodhanagar shall have a properly defined organisation for training projects in terms of formation of homogeneous groups and setting down routine and time schedule of projects;
 - (e) The cost to be incurred in the training projects, expenditure on staff, equipment and material, shall be treated as essential investment for the purpose of training and resettlement of offenders ;
 - (f) Special emphasis shall be given to vocational training of young offenders, young adult offenders, and others who may derive benefit from the training projects
- (2) Qualified technical personnel shall be appointed in adequate numbers in every production unit and for every programme of vocational training. Such personnel could be posted in the Sansodhanagar on a transfer-cum-deputation basis from the Industrial Training Institutes of the State.
- (3) Vocational training programmes shall be designed to suit the needs of prisoners sentenced to short, medium and long term imprisonment.

- (4) Active linkages shall be established with the department of Technical Education, Directorate of Industries (including Cottage Industries), Industrial Training Institutes, Polytechnics and Vocational Training Institutions as well as approved NGOs to develop vocational training programmes on a practical and pragmatic basis.
- (5) On the completion of vocational training courses, inmates shall be examined by the Department of Technical Education of the State and on passing the examination they shall be awarded a regular Certificate/Diploma by that department.
- (6) As a measure of incentive, inmates demonstrating good progress in skill development programmes and vocational training, shall be allowed to visit important undertakings and other government owned industries.
- (7) The Sansodhanagar industry shall be given preferential treatment in the matter of granting permission to run various industrial/production units by the State Government.
- (8) The executive and supervisory personnel shall be given training in modern methods of management.
- (9) Diversification of programmes of vocational training shall be given due priority when the Master Plan for diversification of skill development of programmes is designed.

457. EMPLOYMENT OF PRISONERS

- (1) Apart from convicts, undertrial prisoners, who volunteer to work, shall also be employed on skill development programmes and be given vocational training in their enclosures. The undertrial prisoners employed in the Sansodhanagar industry, or agriculture, shall be given fair and equitable remuneration on the same scale as prescribed for convicts. They shall also be given labouring diet and other facilities. Under no circumstances shall undertrials and remand prisoners be allowed to interact with convicted prisoners.
- (2) No criminal prisoner sentenced to labour, or employed on labour at his own desire, or undertrial doing labour, shall except in an emergency, and with the sanction in writing of the superintendent, be made to labour for more than eight hours a day.
- (3) The Medical Officers shall, from time to time, examine the prisoners while they are employed, and shall, at least once in every fortnight, get their weights recorded in their history tickets.
- (4) When the Medical Officer is of the opinion that the health of a prisoner is suffering due to employment on any kind or class of labour, he shall not be employed on that labour but shall be placed on such other kind or class of work as the Medical Officer may consider suitable for him.
- (5) prisoners sentenced to medium and long terms of imprisonment shall be given training in multiple skills so that they are able to complete with the conditions in the labour market outside the Sansodhanagar.
- (6) For planned employment of inmates the following factors shall be taken into consideration while organising skill development programmes:
 - (a) Mental and physical health ;
 - (b) Requirements of security, custody and discipline ;
 - (c) Age ;
 - (d) Length of sentence ;
 - (e) Inmates' skills and abilities and also potential for acquiring skills;
 - (f) Urban and rural background of the inmate.

- (7) Prisoners sentenced to less than one year of imprisonment shall be employed in Sansodhanagar maintenance services, gardening, work-centres and work camps and paid suitable wages for their work.
- (8) Prisoners sentenced to imprisonment for one year or more shall be employed in production units in closed or open Sansodhanagar.

458. SANSODHANAGAR INDUSTRIES AND SKILL DEVELOPMENT PROGRAMMES

- (1) Sansodhanagar Industries shall be organised in business-cum-commercial basis. Preference to Sansodhanagar products, while purchasing articles for office use, shall be given by the various government departments.
- (2) The skill development programmes shall also include essential institutional maintenance services like culinary, sanitary and hygienic services, Sansodhanagar hospital, other Sansodhanagar services, repairs and maintenance services. prisoners may also be employed in the service of maintenance and construction of Sansodhanagar buildings, for which they will receive adequate remuneration or wages in accordance with the rules of the Public Works Department.
- (3) Sansodhanagar skill development programmes shall consist of services required by the community such as construction work, masonry, carpentry, plumbing, electric fitting, tailoring, fabrication of ready-made garments, leather work, driving, Sansodhanagar servicing, agriculture, horticulture, diary, poultry, floriculture, maintenance of diesel engines, maintenance of electric pumps, tractor repairing, automobile servicing and repairing, care work, basket making, pottery, book binding, typing, computer-operating, handicrafts, stenography, cloth printing, embroidery, hosiery, bakery, namkeen making, paper making, printing, tailoring weaving, soap making, candle making, toy making, swing machine repair, food processing etc.
- (4) Every prisoner, on being first put to do any kind of work with which he is not acquainted, shall be allowed a reasonable time to acquire the necessary skills, to enable him to perform the task. Mental and physical capabilities must be taken into consideration. The time will vary from a few days to three to four months. In every case, when allotting new work the Superintendent, or subject to his control, the Factory Manager or Deputy Superintendent shall note the task of the prisoners begins and subsequent progress, in his History Tickets.
- (5) Every inmate shall be given training and work experience in the use of hand tools in different services, jobs and production units.
- (6) Every prisoner sentenced to undergo simple imprisonment who opts to do labour shall ordinarily be employed on hard labour of a kind that is most suitable for him and for which he/she is, for the time being, fit. No convict shall be put on medium labour if he/she is fit to perform hard labour, or on light labour as long as he is fit to perform either hard or medium labour.
- (7) No consideration of profit or convenience shall be permitted to influence the class or form of labour which any convict sentenced to undergo rigorous imprisonment is at any time required to perform. It shall be fixed with reference solely to the health of the convict and the regulations of the Sansodhanagar regarding the employment of prisoners.

- (8) A standard list of equipments, tools, accessories and spare parts, which each production unit must always have, shall be prepared and maintained.
- (9) In every institution there shall be a separate and properly organised maintenance workshop to repair the machinery and equipment in time and to prevent breakdown.
- (10) Products manufactured by Sansodhanagar Industries shall be varied/changed depending on market trends and demands.
- (11) The organisation of accounts and inventory shall be modernised on business lines.

459. STANDARDISATION OF PRODUCTS

- (1) Various products of Sansodhanagar industries shall be standardised. A handbook containing details of standardisation, and the manufacturing process of various production units, shall be prepared for the guidance of personnel.
- (2) Catalogues of standardised products of Sansodhanagar industries shall be prepared for securing orders from the market for various production units.
- (3) Technical supervision shall be improved and a system of quality control introduced at every stage of production, so that market competitiveness can be maintained. The percentage of profit shall not be the motive behind production by Sansodhanagar industries.
- (4) Costing of Sansodhanagar products shall be done on a rational basis taking into account various limitation and handicaps of Sansodhanagar.
- (5) Showrooms shall be opened outside the Sansodhanagar gates, and at other places, for promoting sale of products of Sansodhanagar industry. A brochure shall also be kept in which information shall be provided to the public about the products being sold along with their rates.
- (6) Prisoners who have been discharged and are found suitable shall be employed in show rooms and Sansodhanagar product outlets, as far as possible.

460. TARGETS OF PRODUCTION FOR SANSODHANAGAR INDUSTRIES

- (1) The targets of production for each unit for the ensuing year shall be fixed in accordance with the employable inmate population and production potential of the unit. These targets shall be prepared communication to the respective institutions in advance. The unit's production, according to the target, shall be reviewed on a monthly basis.
- (2) It shall be the responsibility of the Superintendent of Sansodhanagar to meet the targets of production as set above.
- (3) The task sheet of each prisoner shall be correctly maintained by the technical personnel-in-charge of the production units.

461. WAGES

- (1) Wages shall be fair and equitable and not merely nominal and paltry. These rates shall be standardised keeping in view the minimum wages given as notified by the Government from time to time.
- (2) With a view to keeping the wage system in Sansodhanagar in harmony with that in the free community, the wages shall be reviewed every three years and revised whenever necessary.
- (3) A portion of wages payable to the convicts shall be deducted towards his general maintenance in Sansodhanagar (including diet, clothing and bedding) along with a portion towards victim compensation fund and

other amounts in accordance with rules to be framed for this purpose by the state Government.

- (4) The wages shall be deposited in the prisoner's savings bank account on a fixed date every month and the passbook shall be kept with prisoner concerned.

462. SAFEGUARDS FOR PRISONERS ENGAGED IN WORK

- (1) The following facilities shall be provided in work-sheds and other places where prisoners work :

- (a) Protection from heat, cold, rain, dust, smoke, fumes, gases and chemicals ;
- (b) Protection from seepage and dampness ;
- (c) Safe drinking water ;
- (d) Spittoons, urinals and latrines ;
- (e) Washing and bathing facilities ;
- (f) First-aid facilities ;
- (g) Fire extinguisher and other fire fighting equipments ;
- (h) Sufficient ventilation and lighting ;
- (i) Safety equipment and accident prevention measures.

Note : The standards adopted in outside factories in this respect shall be adopted in Sansodhanagar factories. These shall be fixed in consultation with the Chief Inspector of Factories.

- (2) Periodical medical examination of prisoners, working in production units having hazards of occupational diseases, shall be carried out.
- (3) Payment of compensation to prisoners who meet with accidents resulting in physical or mental disability, serious injury, death, or loss of health due to occupational diseases, as certified by the Chief Medical Officer.
- (4) Hours of work for each group of prisoners shall be prescribed in accordance with the programme content of each institution, but total hours of work shall not exceed eight hours in a day.
- (5) A daily time schedule shall be worked out for each institution.
- (6) prisoners may not be allowed to work in the production unit after the locking time unless absolutely necessary.

463. TASKS TO BE IMPOSED ON FEMALE PRISONERS AND YOUNG OFFENDERS

The tasks to be imposed on females or young offenders respectively shall not in any case exceed two thirds of the maximum task for hard and medium labour, prescribed in respect of adult male convicts.

464. FEMALE PRISONERS NOT TO WORK OUTSIDE FEMALE ENCLOSURES

Female prisoners may be deployed to work in open Sansodhanagars exclusively established for women prisoners subject to the condition that adequate security measures are taken and no male staff are deployed.

465. NO PRISONER TO BE EMPLOYED FOR PRIVATE WORK

No prisoner shall, at any time, be employed by any officer of the Sansodhanagar, or any other person, for any private work or service of any kind whatsoever.

466. EXECUTION OF WORK FOR OUTSIDE AGENCIES

Private parties/industrial units can be allowed to approach Sansodhanagars to get their manufacturing work done by Sansodhanagar labour inside the Sansodhanagars, if capacity and know-how for such manufacture is available. It shall be ensured that

appropriate wages and other expenses are paid by such private parties and industrial units.

467. YEARLY AUDIT OF THE ACCOUNTS

The accounts of the production/work unit will be systematically audited by the government auditors for each financial year.

468. AGRICULTURE

Following infrastructural facilities in terms of agriculture shall be made available to the prisoners :

- (1) Agriculture, agro-based industries and other allied activities shall be given high priority in the planned development of skill development programmes and vocational training in correctional institutions ;
- (2) The land available with an institution shall be thoroughly surveyed in terms of soil analysis, availability, fertility, salinity and requirement of drainage, so that it is put to optimum use. The help of Block Development Officers, officers of the State Agriculture Department and other allied agencies shall be taken in this regard ;
- (3) Each new Sansodhanagar building in rural areas shall have a properly fenced farm wherever land for this purpose is available ;
- (4) It shall be ensured that proper irrigation facilities are available at the farmland ;
- (5) The required building structure shall be constructed on each farm and internal roads shall be laid ;
- (6) All required farming equipment and spare parts shall be made available at each farm. A maintenance shop shall also be set up in large farms ;
- (7) prisoners detailed for labour at agricultural farms shall be distributed at various places in the farm by forming groups, with a leader nominated for each group ;
- (8) Guidelines shall be issued by the Sansodhanagar Headquarters stating the eligibility criteria of an inmate who may be deployed on open agricultural farms ;
- (9) The subsidy available to the farmers for purchasing fertiliser, equipment and electricity shall also be made available to Sansodhanagar farms ;
- (10) Adequate funds shall be provided for the development of agriculture and allied activities and its accounts shall be maintained separately ;
- (11) Requisite security personnel shall be provided at each agricultural unit and their duties and responsibilities shall be clearly laid down;
- (12) The farm products shall be first consumed in the Sansodhanagar and the remaining shall be sold to the government departments and in the open market ;
- (13) The efficiency of each unit shall be evaluated annually in terms of the targets fixed and achieved ;
- (14) The number of prisoners employed in farming activities in closed Sansodhanagars shall be decided by the Sansodhanagar authorities as per the requirement ;
- (15) Sansodhanagar personnel shall be imparted training in various aspects of agricultural and allied activities ;
- (16) Bio-gas plants, windmills, solar-cooking ranges, etc., shall be introduced in the Sansodhanagar farms ;
- (17) Costing of agricultural and other produce shall be done on strict commercial basis ;

- (18) Open agricultural institutions, and institutions having attached agricultural farms, shall diversify skill development programmes according to cropping schemes, such as mixed farming, irrigated crops, dry farming, etc. In some open Sansodhanagars work can be diversified into agricultural activity, industrial units and agro based production units ;
- (19) Measures shall be taken to develop horticulture, floriculture and cultivation of medicinal plants and similar activities wherever feasible.

469. DIARY AND POULTRY FARMS

- (1) Diaries shall be developed on open Sansodhanagar farms on commercial lines under proper technical guidance. These shall not be operated from closed Sansodhanagars.
- (2) Poultry farms shall also be organised at open farms. These shall be run on commercial lines under proper technical supervision.

470. LABOUR TIME TABLE

Prisoners shall commence work as soon as the morning parades and distribution of prisoners into gangs shall have been completed; ordinarily this shall be within one hour after opening the wards.

The periods of labour prescribed shall be:-

Season		Time			
From	To	AM		PM	
		Begin work	Stop work	Begin work	Stop work
16 th March	30 th April	About one hour after dawn	11.00	1.30	5.00
1 st May	31 st August		Do	Do	5.30
1 st September	15 th October		Do	Do	5.00
16 th October	15 th March		11.45	4.00	4.30
				1.15 on Fridays	

But, the prisoners who have maintained good conduct during confinement shall not resume work in the afternoon until 2 PM, between the 16th October and 15th March, nor during the remainder of the year until 2.0 PM. During rest time, prisoners shall be locked in their sleeping wards.

CHAPTER - XVI

(WELFARE OF PRISONERS)

471. BASIC ELEMENTS OF WELFARE PROGRAMMES

- (1) The objectives of welfare programmes in Sansodhanagars shall be to :-
 - (a) Develop a relaxed, positive and constructive atmosphere in the institution;
 - (b) Ensure good personnel-inmate relationship based on mutual trust and confidence ;
 - (c) Ensure care and welfare of inmates ;
 - (d) Ensure firm and positive discipline ;
 - (e) Attend to immediate and urgent needs and problems of inmates ;
 - (f) Attending to long term needs of prisoners;
 - (g) Help the inmates maintain regular contact with their families, and communities in the outside world ;
 - (h) Ensure a good system of incentives for self-discipline such as remission, leave transfer to semi-open and open institutions, and premature release ;
 - (i) Provide individual guidance and counselling ;
 - (j) Encourage group activities, group guidance, group work ;
 - (k) Implant proper habits, attitudes and approaches and prepare them for a normal social life ;
 - (l) Provide supportive therapy including Psychotherapy.
- (2) The starting point of all welfare programmes shall be the initial classification of the prisoner and the study of individual inmates. The welfare programme shall include periodical review of progress and re-classification of prisoners, review of sentence and pre-mature release, planning for release, pre-release preparation and after-care. Positive influence of institutional personnel will play an important role in this process. Community participation may be included as an important feature of welfare programmes.

472. COUNSELLING

Counselling facilities that shall extended to the prisoners are as follows :

- (1) The mental health status of a prisoner shall be studied before his classification at the time of admission in the Sansodhanagar. prisoners certified as mentally ill shall not be confined in Sansodhanagars and instead appropriate measures shall be taken for their transfer to special institutions ;
- (2) Professionally qualified counsellors shall be engaged by the Sansodhanagar Department to provide counselling to the needy prisoners, particularly those suffering from substance-related disorders and victims of abuse ;
- (3) Proper and regular evaluation of prisoner's mental health shall be made to enable the requisite psycho social support services by the Sansodhanagar department.
- (4) Severe mental disorders shall require appropriate psychiatric treatment and shall be dealt under the provisions of Mental Health Act, 1986.

473. PSYCHOTHERAPY

Psychotherapy and cognitive behaviour therapies may also be used in Sansodhanagars as they have been recognised effective for the treatment of prisoners suffering from mental disorders.

474. GUIDANCE

- (1) Pamphlets containing the rights, duties, entitlement , discipline and daily routine of a prisoner shall be printed and distributed so that a prisoner may follow the 'dos' and 'don'ts' and maintain discipline during his confinement.

- (2) The copy of Rules shall also be kept in the Sansodhanagar library and issued to prisoners who can read.
- (3) Illiterate prisoners shall be made to understand the contents of the Rules by the Sansodhanagar staff themselves or with the help of other literate prisoners engaged for educational programmes.

475. RECREATION, SPORTS, CULTURAL ACTIVITIES, FILMS, LIBRARY

- (1) Cultural and recreational activities shall be organised in all institutions for maintaining the mental and physical health of prisoners. These activities are the basic elements of rehabilitation programmes for prisoners. These shall form the integral part of an institutional regime.
- (2) Recreational and cultural activities shall be organised depending upon various conditions such as availability of space, the climate and weather, composition of inmates and arrangements for security. Such activities can include :
 - (a) Outdoor games like cricket, kabaddi, wrestling, volley ball, badminton, football and basket ball ;
 - (b) Gymnastics ;
 - (c) Indoor games like chess, ludo and carom ;
 - (d) **Film shows** : Historical, patriotic, biographical, scientific and educational films, travelogues, documentaries, newsreel, and films dealing with social themes shall be shown. Films depicting crime, sex, violence, suspense, and such other subjects that may have a damaging effect on the minds of inmates and shall not be shown to them. Each Kendriya and Zila Sansodhanagar, shall have facilities for showing films to the prisoners/inmates. A library of good films shall be developed at the headquarters of the Inspector General of Correctional Services and Director of Correctional Services and these films shall be circulated to various institutions. Close liaison shall be established between the Department of Sansodhanagars and Correctional Services and the Films Division, Department of Information and Broadcasting, Films and television. Institutions, Film Societies and other organisations which can supply good films for the inmates;
 - (e) **Music** : Music has a special significance in the confined atmosphere of a Sansodhanagar. It can provide relief to lonely, distressed and unhappy inmates. It can relieve boredom and promote interest in institutional programmes. Music programmes may consist of radio music, recorded music, group singing, folk music, instrumental music and orchestra ;
 - (f) **Community and folk dances** : Group and folk dances may be performed on festivals and social occasions ;
 - (g) **Drama** : Useful social values and models of behaviour can be presented before the inmates through dramatic performances. Dramas dealing with social problems, pageants, musical dramas, tableau, soliloquies, dialogues, radio plays and humorous skits may be performed for the benefit of inmates. Inmates themselves can be encouraged to take part, and organise these activities;
 - (h) **Arts and crafts** : Arts and Crafts can play an important role in imparting useful values to prisoners. The prisoners can maintain their individuality through these activities. Such activities can also serve as supportive therapeutic measures in the monotonous life of Sansodhanagar;
 - (i) **Handicrafts and Art Work** : prisoners can be provided with necessary facilities for pottery, basket making, wood carving,

carpentry, marquetry and veneers, wood turning, fret-work, leather-work, home decoration, lamp-shade making, metal-craft, plastics, toy-making, artificial flower making, horn-craft, clay-modelling, lacquer-work, drawing, painting, stencilling, paper-craft, papier-Mache, rug-making, felt-work, knitting, embroidery, needle-work, crochet, etc. ;

- (j) **Reading** : Inmates can be encouraged to read books, newspapers and magazines. Group reading and guided reading can also be useful for them ;
 - (k) **Television** : This is the biggest entertainer for prisoners. The channels to be shown, and their timings shall be carefully selected by the Superintendent of Sansodhanagar.
- (3) Every Sansodhanagar and allied institution shall have an annual sports/cultural meet. Inter-institution and inter-state sports meets of inmates shall be organised. The sports groups from outside may be invited into the Sansodhanagar for playing various games with the prisoners during such events.
 - (4) Yoga and meditation shall be practised daily for which timings shall be fixed. Meditation centres may be opened and Non-Government organizations support may be availed for this purpose. It shall be ensured that discourses during meditation sessions are secular in nature.
 - (5) Well known personalities in the fields of art, sports, literature, culture and music shall be invited to the Sansodhanagar as guests on various occasions to inspire the prisoners and be role-models for them.
 - (6) There shall be a play ground for outdoor games and a community hall for cultural programmes in every Sansodhanagar.

476. ROLE OF NON-GOVERNMENT ORGANIZATIONS

- (1) Approved N.G.O.s may be involved in organising sports and cultural meets and other welfare activities.
- (2) Care shall be exercised in the selection of welfare agencies or Non-Government organizations for carrying out welfare programmes, approved Non-Government organizations or welfare agencies which have a proven track record and which are known for their dedication and selfless service, shall be selected for associating in Sansodhanagar programmes.
- (3) No member of a Welfare agency or Non-Government organizations, shall be associated with a Sansodhanagar if he/she has a criminal record. For this purpose an undertaking may be obtained from the Agency or Non-Government organizations.
- (4) The good work done by welfare organizations or Non-Government organizations in Sansodhanagars shall be publicly appreciated.

477. PRISONERS' PANCHAYET

- (1) Every Sansodhanagar and allied institution shall have prisoners' panchayet. These panchayets shall consist of very carefully selected inmates, who are of good conduct and who have the potential and ability to organise events and activities. These panchayets shall plan and execute daily recreational programmes for inmates. This will give the prisoners a sense of participation in the Sansodhanagar management, which is an important component of any policy of welfare and reformation. These panchayets shall also be used for giving the prisoners an opportunity to express their problems and seek redressal.
- (2) The working of these panchayets shall be continuously monitored by the Sansodhanagar administration. The Superintendent or Dy. Superintendent of

Sansodhanagar shall as far as possible, personally participate in the panchayet meetings.

- (3) A 'Maha panchayet' of all the panchayets shall be held in the presence of the Superintendent at least once in three months for the redressal of prisoners' grievances and implementation of their suggestions. The Inspector General of Correctional Services shall also participate in such Maha-panchayet in different Sansodhanagars in the state from time to time.

478. CELEBRATION OF FESTIVALS

- (1) Independence Day, Republic Day and Mahatma Gandhi's birthday shall be celebrated in each Sansodhanagar to inculcate a feeling of patriotism among the prisoners. Cultural programmes may also be organised on such occasions and special food can be served to the prisoners.
- (2) The main festivals of all religions shall be celebrated, in which every prisoner shall be encouraged to participate. Any special treatment to a group of prisoners belonging to a particular caste or religion is strictly prohibited.

479. IMPLEMENTATION OF WELFARE ACTIVITIES

- (1) The Superintendent shall be responsible for the smooth and orderly implementation of welfare activities in the Sansodhanagar.
- (2) The Superintendent shall submit quarterly reports of welfare activities being conducted in his Sansodhanagar to the Inspector General of Correctional Services.
- (3) Sansodhanagar administration shall endeavour to access funds available under Corporate Social Responsibility for conducting various welfare activities for inmates and Sansodhanagar staff.

CHAPTER - XVII (REMISSION)

480. REMISSION

The Rules in this chapter apply only on remission to be granted by Sansodhanagar authorities under the provisions of the Prisons Act, 1894.

- (1) Remission system aims at the reformation of a prisoner. The scheme is intended to ensure Sansodhanagar discipline and good conduct on the part of the prisoners, and to encourage learning and better work culture, with the prospect of their early release from Sansodhanagar as an incentive.
- (2) Remission is a concession, which can be granted to prisoners by Head of the State, appropriate Government or by the Head of the Sansodhanagar Department or by the Superintendent of Sansodhanagar. Notwithstanding anything contained in these Rules, the State Government may by notification reserve the right to debar/withdraw any prisoner, or category of prisoners, from the concession of remission. The Remission other than that granted by the Head of the State may be withdrawn or forfeited if the prisoner commits specified Sansodhanagar offences or conditions as may be prescribed in the relevant order of remitting the sentence.

481. PURPOSE

Remission shall be granted on the basis of an inmate's overall good behaviour during the stay in the Jail, willingness to take-up work while in custody, cooperation and help to the Sansodhanagar administration in Sansodhanagar management and general response to various institutional activities.

In the context of this chapter :

- (1) 'Prisoner' includes a person committed to Sansodhanagar in default of furnishing security for maintaining peace or good behaviour and also includes persons convicted by a Military Court;
- (2) 'Sentence' means a sentence as finally fixed on appeal or revision or otherwise, and includes an aggregate of more sentences than one, and an order of imprisonment in default of furnishing security for maintaining peace or good behaviour.

482. KINDS OF REMISSION BY SANSODHANAGAR AUTHORITIES

Remission by Sansodhanagar authorities can be of the following types:

- (1) Ordinary remission ;
- (2) Special remission.

ORDINARY REMISSION

483. Authority to grant ordinary remission : The Superintendent of Sansodhanagar, or an Officer nominated by him on his behalf, is authorized to grant ordinary remission.

- (1) **Eligibility :** The following types of convicted prisoners shall be eligible for ordinary remission :

- (a) Prisoners having substantive sentences of two months and more ;
- (b) Prisoners employed on Sansodhanagar maintenance services requiring them to work on Sundays and Holidays, e.g. sweeping, cooking etc., irrespective of the length and nature of their sentence i.e., simple or rigorous imprisonment ;
- (c) Prisoners admitted for less than one month in hospital for treatment or convalescence after an ailment or injury not caused wilfully. (Those admitted for such purpose for more than one month shall be entitled to remission for good conduct only).

Note: It will be the responsibility of the Sansodhanagar administration to provide work to all eligible prisoners. If for any reason the Sansodhanagar administration fails to do so, the prisoner who are otherwise eligible for remission for work shall be granted remission as per their normal entitlement under the orders of the Inspector General of Correctional Services.

(2) Non-eligibility : The following types of prisoners shall not be eligible for ordinary remission :

- (a) Prisoners having substantive sentence of less than two months;
- (b) Prisoners sentenced in default of payment of fine only ;
- (c) Prisoners whose sentence is reduced to less than two months (in such cases remission already earned, if any, shall stand forfeited);
- (d) In the case of prisoners who are convicted of an offence committed after admission to the Sansodhanagar under Sections 147/148/152/224/302/304/304A/306/307/308/323/324/325/326/332/333/352/353 or 377 of IPC or of an assault committed after admission to the Sansodhanagar on a warder or other officer or under any other law for misusing the concession of parole granted under that law. The remissions of whatever kind earned by him under these rules up to the date of the said conviction may, with the sanction of Head of the Sansodhanagar Department, be cancelled ;
- (e) Prisoners debarred from remission as punishment for committing prescribed Sansodhanagar offences ;
- (f) Prisoners specifically debarred from remission under any law or rule, and
- (g) Prisoners out on special leave like medical leave, temporary release on parole, release on bail etc. for the duration of such leave.

484. SCALE OF REMISSION FOR CONVICTED PRISONERS :

Ordinary remission may be granted to prisoners who are eligible for it at the scale shown below :

- (1) Three days per calendar month for good behaviour, discipline and participation in institutional activities ;
- (2) Three days per calendar month for performance of work according to the prescribed standards ;
- (3) Two days per calendar month for prisoners employed on Sansodhanagar maintenance services requiring them to work even on Sundays and Holidays e.g. sweeping, cooking etc. ;
- (4) Eight days per calendar month for those working as night watchmen. Night Watchmen shall not be eligible for remission if they satisfy condition of non-eligibility listed at 19.06 (i), (ii) and (iii) above ;
- (5) 10 days per calendar month to convict overseers and convict warders (until these two categories are abolished). Convict overseers and convict warders shall not be eligible for remission if they satisfy conditions of non-eligibility listed at 515 (i), (ii) and (iii) above ;
- (6) One day for each month's stay in open institutions to prisoners sentenced to imprisonment of one year or more and transferred to such institutions ;
- (7) Any prisoner eligible for ordinary remission, who for a period of one year from the date of his sentence, or the date on which he was last punished (except by way of warning) for a Sansodhanagar offence, has not committed any Sansodhanagar offence, shall be awarded 30 days annual good conduct remission in addition to any other remission.

SPECIAL REMISSION

485. AUTHORITY TO GRANT SPECIAL REMISSION

Head of the Sansodhanagars Department, on the recommendation of the Superintendent of Sansodhanagar, shall be the competent authority to grant special remission.

486. CRITERIA TO GRANT SPECIAL REMISSION

Meritorious work by inmates shall be rewarded by grant of special remission in addition to the annual good conduct remission to create a spirit of healthy competition among prisoners. Such special remission may be granted to prisoner eligible for ordinary remission on the following considerations :

- (1) Saving the life of a government employee, a Sansodhanagar visitor or an inmate ;
- (2) Protecting a government employee or Sansodhanagar visitor or inmate from physical violence or danger ;
- (3) Preventing or assisting in prevention of escape of prisoners, apprehending prisoners attempting to escape, or giving material information about any plan or attempt by a prisoner, or a group of prisoners, to escape ;
- (4) Assisting Sansodhanagar official in handling emergencies like fire, outbreak of riots and strike ;
- (5) Reporting of, or assisting in, prevention of serious breach of Sansodhanagar regulations ;
- (6) Outstanding contribution in cultural activities or education or acquiring an additional education qualification (such as a degree or diploma) or teaching Art & Craft and special skills to fellow inmates ;
- (7) Specially good work in industry, agriculture or any other skill development programme, or in vocational training.

487. SCALE OF SPECIAL REMISSION :

Subject to the fulfilment of any one or more of the conditions aforementioned, special remission not exceeding 30 days in a calendar year completed by the prisoner in a Sansodhanagar may be granted by the Head of the Sansodhanagar Department on the recommendation of Superintendent of Sansodhanagar to those prisoners who are eligible for ordinary remission.

488. REMISSION BY HEAD OF THE STATE

Remission granted by the Head of the State under Article 161 of the Constitution of India, acting on the aid and advice of the Cabinet of Ministers, shall be called Remission by Head of State. Remission by Head of the State may be granted on occasion of National importance or public rejoicing.

Note : No Rules can be prescribed for the Head of the State for grant of this type of remission.

489. ELIGIBILITY

Eligibility for remission by Head of the State are given below:

- (1) The remission by Head of State can be awarded to such prisoners, or categories of prisoners, as the Head of the State may decide.
- (2) In case of prisoners who, at the time of general grant of remission by Head of the State, are released on temporary or emergency release like on parole etc. specific orders of the Head of the State about the award of this remission to such prisoners are necessary.

490. REMISSION COMMITTEE:

The Remission Committee for remissions to be granted by the Sansodhanagar authorities. The Remission Committee of each institution shall consist of:

- (1) Chief Judicial Magistrate – Chairman.

- (2) Superintendent-In Charge of the Institution – Member Secretary ;
- (3) Deputy Superintendent or Senior most Sansodhanagar Officer available in the institution ;
- (4) Jailor/Deputy Jailor/Assistant Jailor in charge of remission section ;
- (5) Officer-In-charge of Industries/Vocational training.

491. FUNCTIONS OF REMISSION COMMITTEE

The functions of this committee are :

- (1) To attend to all matter pertaining to remission ;
- (2) To recommend cases of prisoners to Head of Sansodhanagars Department for the grant of special remission as per provisions of this manual.

492. PROCEDURE

The members of the committee shall assist the Superintendent in all matters pertaining to the award of remission. The decision of the Superintendent shall be treated as final. The Remission Committee shall meet every Monday in the first week of every month or as and when required. Monday means Monday or next working day, if Monday is a holiday.

- Notes :
- (1) In view of the importance of remission work, it is essential that the committee meet as per fixed schedule so that remission may be granted in time. Special remission shall be granted leaving a margin of at least seven days prior to a prisoner's release ;
 - (2) Entries regarding remission shall be made, under proper attestation of the Superintendent, in the Remission Register and the History Ticket of the prisoner concerned as soon as it is granted ;
 - (3) Prisoners with substantive sentences from two months to five years shall be sanctioned remission each month while those sentenced to more than five years (including life convicts) shall be granted remission once in a quarter ;
 - (4) Ordinary remission shall be calculated for full calendar months. It shall not be granted for a fraction of a calendar month ;
 - (5) Special remission may be granted for any fraction of a year accordingly ;
 - (6) Maximum limit of ordinary and special remission which a prisoner can earn shall not be more than one forth of a substantive sentence (to be calculated from the date of his conviction). The remission granted by the Head of the State shall be in addition to the ordinary and special remissions which the prisoner has earned. However, in no circumstances, maximum limit of all types of remissions earned by a prisoner shall not exceed one third of the substantive sentence;
 - (7) Grant of remission to prisoners sentenced by court martial shall be on the same principles as those applicable to other prisoners.

493. LIFE CONVICTS

Life sentence shall be taken as imprisonment for twenty years for the purpose of calculation of remission (as per Section 57 of the Indian Penal Code, 1860). In the case of a prisoner serving more than one life sentence, twenty years shall be treated as the total of all his sentences for calculating remission. Grant of remission to a life

convict shall not mean actual remission in his sentence. When his case shall be examined by the review Board for pre-mature release, the remission to his credit will be one of the factors on the basis of which the review of his sentence shall be considered.

494. MISCELLANEOUS

- (1) Prisoners sentenced by court martial shall be granted ordinary remission of the period they pass in transit, or in military custody, before their admission in Sansodhanagar on the same scale as laid down in these rules.
- (2) In the case of a prisoner, transferred from one Sansodhanagar to another while undergoing imprisonment, the period spent by him in the first Sansodhanagar, excluding the period spent as an undertrial prisoner, shall be calculated along with the period spent by him in the second Sansodhanagar, for remission.
- (3) Ordinary remission shall be calculated from the first day of the calendar month after the date of the prisoner's sentence. Ordinary remission shall not be granted for the broken period of a calendar month. A prisoner, unless sentenced on the first day of a month, will not get remission for the month in which he has been sentenced.
- (4) Period spent outside the Sansodhanagar, such as release on furlough, period spent in hospital in custody etc. which are included as part of a sentence, shall not be treated as broken periods. During such periods the prisoner shall be eligible for earning ordinary remission. For periods spent outside the Sansodhanagar which are not included as part of a sentence (such as parole, bail, emergency release, escape and extradition etc.) prisoners shall not be eligible for earning remission. In such cases, the prisoners shall be considered as eligible to earn remission from the first day of the calendar month following the date of their re-admission.

Note : In all such cases the date for eligibility for annual good conduct remission shall be duly postponed. prisoners who have been released on bail, or whose sentence have been temporarily suspended, shall, on their readmission to Sansodhanagar, be credited with any remission they may have earned before their release on bail, or to the suspension of the sentence. They shall be brought under the remission system again on the first day of the calendar month after their readmission.

495. REMOVAL AND REVOCATION OF PRISONER FROM REMISSION

- (1) The Head of the Sansodhanagars Department, on the recommendation of Superintendent of Sansodhanagar, may remove any prisoner from remission for a period of six months for committing any specified Sansodhanagar offence. Similarly, the Superintendent of Sansodhanagar may remove a prisoner from remission for three months. However, the sanction of the Inspector General shall be necessary for such removal from remission for any period exceeding three months in total.
- (2) With prior sanction of the Head of the Sansodhanagars Department, the Superintendent of Sansodhanagar may re-admit any prisoner to remission who has been removed from there. The prisoner who is re-admitted to remission shall earn remission under these rules from the commencement of the month following his re-admission.

496. CONDITIONS FOR FORFEITURE OF REMISSION

Remission earned by a prisoner may be forfeited by the Head of the Sansodhanagars Department on the recommendation of Superintendent of Sansodhanagar.

- (1) If the prisoner is convicted of an offence committed after admission to Sansodhanagar, under sections 147, 148, 152, 224, 302, 304, 304A, 306, 307, 308, 323, 324, 325, 326, 332, 333, 352, 353 or 377 of IPC or convicted of an assault committed on a Sansodhanagar official, a Sansodhanagar visitor, a prisoner, or any other government employee or on conviction for any offence committed in violation of the law providing for temporary release of the prisoner on parole after admission to Sansodhanagar, all the ordinary and special remission, of whatever kind, earned by him under these rules up to the date of the said conviction may be forfeited in part, or in whole ;
- (2) For Sansodhanagar offences Superintendent is empowered to forfeit earned remission up to 30 days for one offence. Earned remission beyond 30 days may be forfeited with the sanction the Head of the Sansodhanagars Department.

Note : All entries about forfeiture of remission shall be promptly made in the history ticket or remission sheet and in the remission or in any other relevant document/record.

497. RECORD

Following records will be maintained by the Sansodhanagar authority :

- (1) Jailor or any other official in charge of yards or sections, shall maintain sheets for prisoner eligible to earn remission. On the appointed days, these sheets shall be forwarded to the officer dealing with remission work and to the Deputy Superintendent, or to any other officer in charge of admission and release of prisoner for inspection. These sheets shall be attached to the remission sheet of the prisoners.
- (2) A remission register shall be maintained in a prescribed Form (Appendix 10) in which all entries about grant and forfeiture, if any, of remission shall be promptly made and duly attested by the officers concerned.
- (3) Entries in the remission register shall be made at the end of each quarter. In case a prisoner is due for release before the completion of a quarter, these entries shall be made during relevant months, and action regarding his/her release may be taken accordingly.
- (4) At the end of each quarter, prisoners shall be informed about the remission they have earned during the quarter and also the total of their remission.
- (5) Grant or forfeiture, if any, of all types of remission shall be recorded in the remission sheet.
- (6) The Deputy Superintendent, or officer in charge of admission and release, shall inspect the Remission Register or Remission Sheets at fixed intervals.
- (7) Remission record shall be treated as confidential. It shall not be allowed to be handled by the prisoners.
- (8) Prisoners shall be released on such dates, as would be worked out, after allowing for the remission granted.

**CHAPTER –XVIII
(PAROLE)**

498. PAROLE

Parole to inmates is a progressive measures of correctional services. The release of a prisoner on parole not only save him from the evils of incarceration temporarily but also enable him to maintain social relations with his family and the community. It also helps him maintain and develop a sense of self-confidence. Continued contacts with family and the community sustain in him a hope for life. The release of prisoner on parole motivates him to maintain good contact and remain disciplined in the Sansodhanagar. The provisions relating to release of the prisoner on parole shall be liberalized to help a prisoner maintain a harmonious relationship with his family and the society and to be of good conduct during the period of incarceration. The privilege of release on parole shall, of course, be allowed to selective prisoners on the basis of well-defined norms of eligibility and propriety.

499. OBJECTIVES

The objectives of releasing a prisoner on parole is :

- (1) To enable the inmate to maintain continuity with his family life and deal with familial and social matters ;
- (2) To save him from the evil effects of continuous long Sansodhanagar life ;
- (3) To enable him to maintain and develop his self-confidence;
- (4) To enable him to develop constructive hope and active interest in life ;
- (5) To help him remain in touch with the developments in the outside world ;
- (6) To help him remain physiologically and psychologically healthy;
- (7) To enable him to overcome/recover from the stress and evil effects of incarceration, and
- (8) To motivate him to maintain good Sansodhanagar and discipline in the Sansodhanagar.

500. TYPE OF PAROLE

Parole means temporary release of a prisoner for short period so that he may maintain social relations with his family and the community in order to fulfil his familial and social obligations and responsibilities. It is an opportunity for a prisoner to maintain regular contact with outside world so that he may keep himself updated with the latest developments in the society. It is however, clarified that the period spent by a prisoner outside the Sansodhanagar while on parole in no way is a concession so far as his sentence is concerned. The prisoner has to spend extra time in Sansodhanagar for the period spent by him outside the Sansodhanagar on parole. Parole may be of the following two types, depending upon the purpose behind it :-

- (1) **Emergency parole under police protection:** To cater to the familial and social responsibilities of emergent nature like death/serious illness/marriage of a family member or other close relative ;
- (2) **Regular parole :** To take care of the familial and social obligations and responsibilities of regular nature as well as for the psychological and other needs of the prisoner to maintain contact with the outside world like house repair, admission of children to school/college, delivery of wife, sowing and harvesting of crops, etc.

501. EMERGENCY PAROLE

Emergency parole may be granted to the convict by the competent authorities for a period extending up to 48 hours, in the following eventualities :

- (a) Death or serious illness of father/ mother/ brother sister spouse/ children ;
- (b) Marriage of brother, sister, children/children of sister.

502. ELIGIBILITY:

Convicts are entitled to emergency parole or regular parole subject to the fulfilment of eligibility criteria and other conditions prescribed in this regard by the State Government by issuing notifications.

- (i) Undertrial prisoners shall not be eligible for regular parole and may be allowed emergency parole only on an emergency, that too by the order of the concerned trial court.
- (ii) The eligibility criteria, competent authority to sanction parole, liability for not surrendering at due time and date after availing parole, grounds and frequency for release on parole, procedures, form of application for parole, duration of release on parole, eligibility for release along with its duration and frequency and conditions relating to other connected matters etc. shall be properly laid down in the notification issued by the State Government.
- (iii) Release on parole is not an absolute right, though, it is a legal right of every eligible prisoner as per the conditions laid down. This concession is subject to cancellation. The Government or Head of the Sansodhanagars Department or the Competent Authority shall reserve the right to debar or withdraw any prisoner, or category of prisoners, from the concession of parole if the prisoner becomes ineligible or violates the prescribed conditions in this regard.

503. RESTRICTION ON RELEASE OF A PRISONER ON REGULAR PAROLE

The following categories of prisoners may not be eligible for release on parole:

- (a) Prisoners whose immediate presence in the society may be considered dangerous or otherwise prejudicial to public peace and order by the District Magistrate and Superintendent of Police;
- (b) Prisoners who are considered dangerous or have been involved in serious Sansodhanagar violence like assault, outbreak of riot, mutiny or escape, or who have been found to be instigating serious violation of Sansodhanagar discipline as per the reports in his annual good conduct report ;
- (c) Prisoners convicted for heinous offences such as dacoity, kidnapping for ransom, smuggling of commercial quantity of narcotic and psychotropic substances and those also in the opinion of the District Magistrate or District Superintendent of Police may not report back to the Sansodhanagar after the completion of the parole;
- (d) Convicted foreigners ;
- (e) Prisoners committed for failure to give security for maintaining peace or good behaviour ;
- (f) Prisoners suffering from mental illness, if not certified by the medical officer to have recovered ;
- (g) Prisoners whose work and conduct have not been good during the preceding 12 months.
- (h) Prisoners convicted under Terrorist and Disruptive Activities (Prevention) Act (TADA), Prevention of Terrorism Act, 2002 (POTA), Unlawful Activities (Prevention) Act, 1967 (UAPA), Explosive Substances Act, 1908, National Security Act, Anti Hijacking Act, 2016, Protection of Children from Sexual Offences Act, 2012 (POCSO), Immoral Traffic (Prevention) Act, 1956, Weapons of Mass Destruction and their Delivery System (Prohibition of Unlawful Activities) Act, 2005, Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015 and offences relating to Fake Indian Currency Notes (Section 489A to 489E of Indian Penal Code).

504. ELIGIBILITY

Subject to the above, eligibility for parole shall be regulated as follows:-

Sentence	When due for first release on parole	When due for second release	When due for subsequent release	Duration of parole per year
Not exceeding five years	On completion of one year of actual imprisonment to be counted from the date of admission to Sansodhanagar as convict.	After completion of one year of actual imprisonment to be counted from the date his last return from parole.	After completion of one year of actual imprisonment to be counted from the date of his last return from parole.	30 days
Exceeding five years but not more than 14 years	On completion of two years of actual imprisonment to be counted from the date of admission to Sansodhanagar.	After completion of one year of actual imprisonment to be counted from the date of his last return from parole.	After completion of one year of actual imprisonment to be counted from the date of his last return from parole.	30 days during the first five years of confinement

	Convict		From parole	Of term
Prisoners sentenced to life or imprisonment exceeding 14 years.	On completion of three years of actual imprisonment to be counted from the date of admission to Sansodhanagar as convict.	After completion of one year of actual imprisonment to be counted from the date of his last return from parole.	After completion of one year of actual imprisonment to be counted from the date of his last return from parole.	30 days during the first five years of confinement.

505. CALCULATION

For calculation of sentences for the purpose of eligibility for parole 'sentence' shall mean a sentence as finally fixed on appeal, or revision, or otherwise, and includes an aggregate of one or more sentences.

506. REGISTER MAINTENANCE

A register shall be maintained in the Sansodhanagar in the prescribed form in which all the details relating to release of prisoners on parole shall be maintained. This record shall also be maintained on computers by updating the record in the history ticket of the prisoner.

507. DURATION AND FREQUENCY OF REGULAR PAROLE

Prisoners eligible for the grant of regular parole shall not get it for a period of more than 30 days at a time and not more than once in a calendar year.

508. COMPETENT AUTHORITY TO SANCTION REGULAR PAROLE

The Head of the Sansodhanagars Department or any other competent authority (like Parole Committee), as notified by the State Government, shall be competent authority for grant of regular parole to convict prisoners. In addition, the head of the Department or the committee, as suggested, may consider the recommendation of the High Powered Committee formed as per direction of either Hon'ble Supreme Court of India or High Court of Tripura, time to time, for granting of parole to convict prisoners, in case of need. Under-trial prisoners are not eligible for regular parole.

509. COMPETENT AUTHORITY TO SANCTION EMERGENCY PAROLE

- (1) The Superintendent of Sansodhanagar shall be the competent authority to grant emergency parole to convict prisoners under police protection.
- (2) Only the trial court concerned shall be competent to grant emergency parole to undertrial prisoners.

510. PROCEDURE

- (1) A prisoner desiring to avail parole shall submit his application in the prescribed form to the Superintendent of the Sansodhanagar. The Superintendent shall examine each case carefully with regard to the eligibility for leave with particular reference to conduct, work, attitude towards family and community, and the manner in which the previous period of leave, if any, was utilized. He shall then forward the application to the concerned competent authority authorised to sanction parole within 3 (three) days of receipt of the application from the prisoner along with his recommendation.
- (2) The competent authority shall forward the application so received to the Superintendent of Police of the concerned District within 3 (three) days of receipt of the application along with recommendation of Superintendent of Sansodhanagar for his report through the District Magistrate concerned. The Superintendent of Police shall send his report to the competent authority through the District Magistrate within 14 (fourteen) days from the date of receipt of the reference of the competent authority. The District Magistrate is allowed a period of 3 (three) days to forward the report of the Superintendent of Police so received to the competent authority. In case the police disagree with the proposed release of a prisoner on leave, reasons for such disagreement shall be specified. The competent authority is allowed a period of 7 days to decide on the application from the date of receipt of the report of District Magistrate.
- (3) The prisoner shall be kept informed of all the decisions on his application. If his request for release on parole is rejected, he shall be informed of the grounds of such rejection.
- (4) The opinion of the concerned District Magistrate & Collector shall be obtained every time a prisoner is released on parole. The Probation Officer may be asked to submit a report about the conduct of a prisoner during the release on parole.
- (5) prisoners whose conduct is found unsatisfactory during his/her release on parole may be debarred from this concession for a specified period of time by the Head of the Sansodhanagars Department on a report or recommendation received from the Superintendent of Sansodhanagar concerned. However, the concession so barred may be reviewed by the Head of Sansodhanagars Department after 6 (six) months of imposition, on a representation made by the affected prisoner.
- (6) The prisoner shall be informed of the ground of bar imposed and the period for which he/she shall not be eligible for release on parole.

511. CONDITIONS OF PAROLE

The competent authority authorised to sanction parole may make an order for the release of a prisoner subject to the following conditions :

- (1) That the prisoner shall furnish cash security for the amount fixed by the competent authority and execute a personal recognisance bond, or execute a bond with one or more sureties according to the directions of the competent authority ;
- (2) That the prisoner shall reside at the place designated by the competent authority and will not go beyond the specified limits ;
- (3) That the prisoner will keep good behaviour and will not commit any offence during the period of release ;
- (4) That the prisoner will report to the Probation Officer, if any, of the area of his stay during the period of release ;
- (5) That the prisoner will neither associate with bad characters nor lead a dissolute life ;
- (6) That the prisoner will be liable to be recalled immediately to Sansodhanagar in case he violates any of the conditions.
- (7) That the prisoner will surrender himself to the Superintendent of the Sansodhanagar on expiry of the release period as granted, or on recall.

512. RELEASE ON PAROLE

On receipt of an order from the competent authority, the prisoner shall be released on parole after he has executed the necessary bond and has signed the conditions of release. At the time of release the prisoner shall be supplied with an identity card and certificate of release on parole.

513. AUTHORITIES TO BE INFORMED

Release of prisoner on parole shall be intimated to the following authorities :

- (1) District Magistrate and Superintendent of Police of the District in which the prisoner proposes to spend the period of parole;
- (2) District Magistrate and the District Superintendent of Police of the home District of the prisoner ;
- (3) Probation Officer in whose jurisdiction the prisoner proposes to spend the period of parole.

514. SURETIES

For release of prisoners surety shall be secured in one of the following ways :

- (1) On executing a personal bond ;
- (2) The wages earned by the prisoners may be taken as cash security;
- (3) The Probation Officer may be asked to arrange necessary surety ;
- (4) Panchayet of the home village of the prisoner may stand surety for him ;
- (5) Family members/relatives/friends of the prisoners, if of good antecedents, may stand surety for him ;

515. TRAVEL EXPENSES

The prisoner shall himself meet all expenses, including those on journey to and from the place of his stay, after his release on parole from Sansodhanagar.

CHAPTER – XIX
(PREMATURE RELEASE)

PREMATURE RELEASE

516. The primary objective underlying premature release is reformation of offenders and their rehabilitation and integration into the society. While at the same time ensuring the protection of society from criminal activities. These two aspects are closely interlinked. Incidental to the same is the conduct, behaviour and performance of prisoners while in Sansodhanagar. These have a bearing on their rehabilitative potential and the possibility of their being released by virtue of remission earned by them, or by an order granting them premature release. The most important consideration for pre-mature release of prisoners is that they have become harmless and useful member of a civilized society.

517. TYPES OF PREMATURE RELEASE

Premature release of prisoners can be of following four types :

- (1) By way of commutation of sentence of life convict and other convict under Section 433 of the Code of Criminal Procedure, 1973 by the Government ;
- (2) By way of remitting term of sentence of a prisoner under Section 432 of the Code of Criminal Procedure, 1973 by the State Government;
- (3) By order of the Head of the State passed exercising power under Article 72 or Article 161 of the Constitution of India, as the case may be;
- (4) Pre mature release under any special law enacted by the State providing for release on probation of good conduct of prisoners after they have served a part of the sentence.

518. GUIDELINES

No guidelines need to be prescribed here for premature release of convicts falling under sub rule 2 to 4 above because the relevant provisions of the Code of Criminal Procedure, 1973, the Constitution of India and the special legislation of the State are to be followed. For premature release of convicts falling under sub rule (1) above, guidelines or policy for premature release of life convicts as prescribed in this chapter may be followed :

519. COMPOSITION OF THE STATE LEVEL COMMITTEE (SLC)

The State Government shall constitute a State Level Committee (SLC) to recommend premature release of life convicts in appropriate cases. This shall be a permanent body having the following members :

- | | | |
|--|---|------------------|
| (1) Principal Secretary/Secretary
In-charge of Sansodhanagars | - | Chairman |
| (2) Law Secretary/Legal remembrancer | - | Member |
| (3) District Magistrate, West Tripura | - | Member |
| (4) Two non-official members(one shall
be female) to be selected by the
Government. | - | Member |
| (5) Head of the Department of
Sansodhanagars | - | Member Secretary |

520. QUORUM

The cases put forward to the SLC shall be considered even when one or more members of the Committee are not able to attend the meeting or when there is a vacancy on the Committee. The quorum shall comprise of 3 (three) members and the SLC shall not take any decisions when the quorum is not complete.

521. PERIODICITY OF THE SLC's MEETINGS

- (1) The SLC shall meet once or twice in a calendar year at a gap of 6 (six) months at the State Headquarter on a date to be notified to its members at least 10 (ten) days in advance by the Member Secretary. The notice of such a meeting shall be accompanied by complete agenda papers.
- (2) However, the Chairman of the SLC can convene a meeting of the Committee more frequently, even at short notice, if necessary.

522. ELIGIBILITY FOR PREMATURE RELEASE

The following categories of life convict prisoners shall be eligible to be considered for premature release by the SLC.

- (1) Women offenders sentenced to life imprisonment on completion of eight years of imprisonment, including remission, except those covered under Section 433-A of the Code of Criminal Procedure, 1973, whose cases will be considered after completing 14 years of actual imprisonment ;
- (2) Life convicts (men and young offenders) on completion of 10 years of imprisonment, including remission, except those covered under Section 433-A of the Code of Criminal Procedure, 1973, considered after completing 14 years of actual imprisonment .
- (3) Old and infirm offenders of 65 years of age on the day of the commission of the offence, sentenced to life imprisonment on completion of 10 years of sentence including remission or 75 years of age, whichever is earlier, subject to the condition that they shall not be actually released unless they have undergone at least five years of imprisonment including remission.

Non-eligibility:- Prisoners convicted of offences such as rape, dacoity, terrorist crimes, kidnapping, kidnapping for ransom, crime against women & children, smuggling (including those convicted under NDPS Act), Prevention of Corruption Act, Immoral Traffic Prevention Act, offences against State, and undergoing life imprisonment, Unlawful Activities (Prevention) Act, 1967, except those who have completed 14 years of sentence inclusive of remission, shall not be eligible.

523. PROCEDURE

For every life convict eligible for eventual consideration by the SLC under the rules:

- (1) Every Superintendent in charge of a Sansodhanagar shall initiate the case of a prisoner at least three months in advance of his/her becoming eligible for consideration for premature release as per the criteria laid down by the Government in the guidelines to be notified separately for eligibility of premature release of life convicts ;
- (2) The Superintendent of Sansodhanagar shall prepare a comprehensive note for each prisoner, giving his family and societal background as per the record of the case, the offence for which he was convicted and sentenced, and the circumstances under which the offence was committed. The Superintendent shall also reflect fully on the conduct and behaviour of the prisoner in the Sansodhanagar during the period of his incarceration, and during his release on probation or leave, change in his or her behavioural pattern, and Sansodhanagar offences, if any, committed by him or her and punishment awarded to him for such offences. A report shall also be made about his physical and mental health or any serious ailment with which the prisoner is suffering, entitling him for premature release as a special case. The note shall also contain recommendation of the Superintendent, i.e., whether he favours the premature release of the

prisoner or not. In either case such recommendation shall be supported by adequate reasons.

524. OTHER CASES OF PREMATURE RELEASE

- (1) When a convicted prisoner, in the opinion of a Medical Board, is in danger of death from sickness (not due to an infectious disease) with no hope of recovery within or outside the Sansodhanagar, the Superintendent shall report the fact to the Inspector General of Correctional Services, if it is considered desirable to allow such prisoners the comfort of dying at home.
- (2) If the unexpired period of the prisoner's sentence does not exceed six months, the Inspector General of Correctional Services may direct his immediate release, after making personal inquiries into the case and consulting the District Magistrate of that District.
- (3) If the unexpired period of the prisoner's sentence exceeds six months, the Inspector General of Correctional Services shall immediately report the facts of the case, along with his recommendations, to the Government.
- (4) No prisoner, without any friends or relatives willing to take charge of him/her, shall be released under this rule.
- (5) This rule shall not apply to a prisoner who goes on a hunger strike. A prisoner on hunger strike shall in no circumstances be released.
- (6) If a Medical Board considers that a convicted prisoner is in danger of dying from illness (not due to an infectious disease), and that there is a probability of his/her recovery when released, he shall furnish a certificate to that effect. On receipt of the certificate the Superintendent shall immediately report the fact to the Inspector General of Correctional Services. He shall also at the same time send for the prisoner's relatives or friends and ascertain whether they are willing to look after him. If so, he shall take from them a security bond to the effect that in the event of the prisoner being prematurely released on account of illness, they will give him/her up at any time they may be required to do.
- (7) If a prisoner detained solely under a sentence of imprisonment in default of furnishing security to maintain peace or for good behaviour, is so seriously ill that he/she is likely to die, whatever be the terms of his unexpired sentence, the Superintendent shall refer the case to the District Magistrate of the District, in case the order is passed by an Executive Magistrate, or to the Court of Sessions, in case the order has been passed by a Judicial Magistrate, for necessary orders of release under Section 123 of the Code of Criminal Procedure, 1973.
- (8) Every case of release under these rules shall immediately be reported to the Head of the Sansodhanagars Department by the Superintendent of Sansodhanagar. The District Magistrate and Superintendent of Police of the District of the convict so released shall also be informed accordingly by the Superintendent of Sansodhanagar.
- (9) If the friends or relatives of a sick or dying prisoner, whose release has been sanctioned under above rules, express their inability to meet the expenses of a journey to the Sansodhanagar, the prisoner may be transferred, if fit to travel in anticipation of sanction of the Head of Sansodhanagars Department or Inspector General, to the Sansodhanagar of the District where he/she shall stay provided that no prisoner shall be so transferred to any District beyond the jurisdiction of the State without the special sanction of the Government.
- (10) In the event of such a prisoner dying before he/she can be released, the death shall be recorded in the records of the Sansodhanagar from which he/she was transferred.

525. GUIDELINES FOR THE SLC

- (1) The Member Secretary shall convene a meeting of the SLC on a fixed date and time at the State Headquarters. Notice of such meeting shall be given to the Chairman and Members of the Board at least ten days in advance and such notice shall be accompanied by complete agenda papers, i.e. the notice of the Superintendent of Sansodhanagar along with copies of other necessary documents, if any.
- (2) The meeting shall ordinarily be chaired by the Chairman and if, for some reasons, he/she is unable to be present, it shall be chaired by the Law Secretary-cum-legal Remembrancer. The Member Secretary shall present the case of each prisoner under consideration before the SLC. The SLC shall make unanimous recommendations. However, in case of dissent, the majority view shall prevail and will be deemed to be the decision of the SLC. If equal number of members are of opposing views, the decision of the Chairman will be final.
- (3) While considering the case of premature release of a particular prisoner, the SLC shall keep in view the guidelines issued by the Government in this regard. The paramount consideration before the SLC being the welfare of the prisoner and the society at large. The SLC shall take into account the circumstances in which the offence was committed by the prisoner and whether he/she has the propensity to commit similar or other offences again.
- (4) Rejection of the case of a prisoner for premature release on one or more occasions by the SLC will not be a bar for its reconsideration. However, the reconsideration of the case of a convict, rejected once, shall be made only after a period of six months, or as specified by the SLC but not more than one year from the date of its last consideration. A fresh report from the Superintendent will be necessary for such reconsideration.
- (5) It is prescribed that rejection of the case of a prisoner of premature release shall be based on sound reasons conforming to the guidelines issued by the Government in this regard. The prisoner who affected shall be intimated about the rejection of the case by the SLC, in writing by the Superintendent of Sansodhanagar.
- (6) The recommendation of SLC shall be placed before the Government without any delay for consideration. The Chief Minister or Executive Head of the State may either accept the recommendation of the SLC or reject the same on the grounds to be stated or may ask the SLC to reconsider a particular case. The decision of the Government shall be communicated to the concerned prisoner and in case the Chief Minister or Executive Head of the State has ordered for his premature release, the prisoner shall be released forthwith, with or without conditions, as prescribed in the guidelines issued by the Government in this regard.

526. MONITORING OF CASES

A computerised record of all the prisoners serving sentence in the Sansodhanagars, for a follow up of their cases, is extremely desirable in every Sansodhanagar as well as at the Sansodhanagar Headquarters and at the Home or Sansodhanagar Department of the Government. The monitoring system shall be based on the following guidelines :

- (1) There shall be a single file system for the case of every prisoner. Such files shall be maintained at the Sansodhanagar institution ;

- (2) This file will have a complete record of information regarding the consideration of a prisoner's premature release on any grounds on previous occasions and the date of reconsideration of the case;
- (3) Only one ground for a prisoner's premature release shall be considered at a time ;
- (4) Full record of information regarding the stage of each prisoner's premature release shall be kept in a register prescribed for the purpose as well in computers ;
- (5) Monitoring of all cases shall be done every month at the Sansodhanagar level and every three months at Sansodhanagars Headquarter level ;

527. RECORD RELATING TO REVIEW OF SENTENCES AND PREMATURE RELEASE

Immediately on admission of a life convict, eligible for being considered for premature release, the Superintendent of the institution shall collect copy of the judgment in his/her case from the court and open a file. This file shall contain :

- (1) Copies of the judgments of the original court and the appellate court ;
- (2) A data sheet containing information, viz. name of the convict, his/her number, age at the time of the sentence, previous occupation, offences, sentences, date of sentence, sentencing court sentence undergone, unexpired sentence and remission earned ;
- (3) Report of the Superintendent giving particulars about the educational progress, performance at work and vocational training, interest in recreational and cultural activities, discipline, group adjustability, conduct, attitude towards society and family members, conduct during release on leave, need for an after-care programme, and the manner in which the convict proposes to resettle after his/her premature release ;
- (4) Medical report about the physical and mental condition of the prisoner, serious illness, if any, suffered by him/her and his/her fitness for premature release;
- (5) Rejection of his premature release case by the SLC on previous occasions, if any ;
- (6) Order of the Government ;
- (7) Bond furnished by the prisoner ;
- (8) Conditions of release duly signed by the prisoner.

528. PREMATURE RELEASE OF CONVICTS OTHER THAN LIFE CONVICTS

Premature release of convicts other than life convicts :-

- (1) Under Section 432 of the Cr.P.C., the Government may remit the sentence of any convict other than the life convict on case to case basis on the request of the convict. The procedure prescribed under Section 432 of Cr.P.C shall be adhered to while remitting such sentence ;
- (2) Under Section 433 of the Cr.P.C the Government may commute the sentence of any convict as prescribed subject to the provisions of section 433A of the Code of Criminal Procedure on case to case basis on the request of the convict or without the consent of the person.

529. PREMATURE RELEASE OF CONVICTS CONVICTED IN THE STATE OTHER THAN WHERE THEY ARE CONFINED

- (1) The case of premature release of convicts convicted in the State other than where they are confined shall be undertaken by the SLC of the State where the convict was convicted but the case shall be prepared and forwarded by the Superintendent of the Sansodhanagar where the convict is confined at the relevant time through the Head of the Sansodhanagar Department of the State.
- (2) The cases of convicts falling under the provisions of Section 435 Cr.P.C shall be processed by the State Government after consultation with the Central Government.

CHAPTER – XX

(SANSODHANAGAR DISCIPLINE)

530. SANSODHANAGAR DISCIPLINE

- (1) Sansodhanagar discipline is the prime mover of a dynamic and interactive human mechanism called the correctional process, which an offender undergoes to get reformed into a law-abiding and dignified citizen, who can become self-reliant after his/her release and deserve a rightful place in the mainstream of the society.
- (2) An offender, after release, always faces cold treatment and rejection from the society at large. On account of such rejection and dislike, the gap between an offender and the society becomes wider. This sends the offender back into the world of crime, and from there again to custody, making a vicious circle. This is how crime recurs. Correctional work aims to bridge the gulf between the offender and the mainstream society.
- (3) Sansodhanagar discipline shall not be retributive but reformatory, not repressive but curative; and shall be carried on with a view to fostering the basic values and virtues of life and humanity.
- (4) Sansodhanagar discipline is the collective responsibility of all the Sansodhanagar personnel who are actually supposed to usher in reformation to the offender.
- (5) Sansodhanagar discipline shall also ensure impeccable security in the Sansodhanagar so that the safe custody and well-being of the prisoners is not in jeopardy.
- (6) Sansodhanagar discipline shall also envisage a tidy ambience in the premises, which is conducive to creative work in the field of culture, literacy and vocational training.
- (7) Sansodhanagar discipline shall be supported and given a human face by:
 - (a) Sympathetic and patient understanding of the predicaments of the inmates, with follow-up guidance and counselling, which will act as an emotional support base to them. Counselling will also act as a preventive measure against despondency in their psyche.
 - (b) Introducing a system of incentives and rewards which will be accorded to the deserving inmates making rapid progress on the path of correction.
 - (c) Exemplary conduct on the part of the Superintendent, Deputy Superintendent and other Sansodhanagar personnel will go a long way to encourage prisoners to return to the society at large and make it a better place for posterity.

531. SCOPE

Sansodhanagar discipline shall cover all aspects of Institutional life such as :

- (1) Discipline of good health ;
- (2) Discipline of work ;
- (3) Discipline of proper behaviour ;
- (4) Discipline of education and learning, and
- (5) Discipline of interest in finer aspects of life.

532. SANSODHANAGAR OFFENCES AND PUNISHMENTS

Following acts of the prisoners shall constitute Sansodhanagar offences :

- (1) Endangering the security of the Sansodhanagar in any way, by a wilful or negligent act and shall include tampering in any way with Sansodhanagar walls, building, bars, locks and keys, lamps or lights or with any other security and custody measure ;

- (2) Doing any act calculated to create unnecessary alarm in the minds of other prisoners;
- (3) Doing or omitting to do any act with intent to cause to oneself any illness injury or disability ;
- (4) Omitting to report the commission of any Sansodhanagar offence ;
- (5) Breaking law and order and Sansodhanagar discipline ;
- (6) Planning, instigating and abetting, directly or indirectly, the commission of any Sansodhanagar offence ;
- (7) Refusing, omitting to abide by standards of behaviour, rules and regulations and lawful instructions and orders ;
- (8) Failing to give assistance in the maintenance of Sansodhanagar discipline ;
- (9) Failing to give assistance to a Sansodhanagar official when called to do so ;
- (10) Making false, malicious and groundless, written or verbal, complaints against Sansodhanagar officials ;
- (11) Committing nuisance or mischief of any sort ;
- (12) Quarrelling with other prisoners ;
- (13) Smoking at places, or at times, other than appointed places;
- (14) Any assault or use of criminal force or attacking, assaulting and causing injuries to others ;
- (15) Participating in a riot or mutiny, abetting another prisoner to do the same ;
- (16) Escaping or attempting to escape from Sansodhanagar or legal custody or failing to report to Sansodhanagar official about attempted escapes ;
- (17) Possessing, hiding, smuggling, attempting to smuggle, obtaining, giving or receiving and bartering contraband articles;
- (18) Failing to report to Sansodhanagar officials about contraband articles ;
- (19) Stealing/damaging/destroying/disfiguring/misappropriating any government property or another prisoners' articles and property ;
- (20) Failing to report at once any loss, breakage or injury, which the prisoner may accidentally have caused, to Sansodhanagar property or implements ;
- (21) Tampering with or defacing identity cards, records or documents ;
- (22) Breach of the conditions of leave and emergency release ;
- (23) Refusing to eat food or going on a hunger-strike ;
- (24) Eating or apportioning any food not assigned to him or taking from or adding to the portions assigned to another prisoner ;
- (25) Wilfully or negligently destroying or spoiling food, or throwing it away without orders ;
- (26) Introducing into food or drink anything likely to render it unpalatable, unwholesome or dangerous for human consumption ;
- (27) Cooking unauthorisedly ;
- (28) Violating rules and regulations framed for the systematic running of the canteen ;
- (29) Bartering canteen articles ;
- (30) Being idles, careless, or negligent at work, refusing to work, malingering, disturbing other prisoners at work, or in barracks ;
- (31) Manufacturing any article without the knowledge or permission of a Sansodhanagar Officer ;
- (32) Performing any portion of the task allotted to another prisoner or obtaining unauthorized assistance of another prisoner in the performance of one's own task ;
- (33) Apportioning to any prisoner any part of the task to be performed by him/her ;
- (34) Mixing or adding a foreign substance to the materials issued for work ;

- (35) Wilfully disabling himself from labour ;
- (36) Converting, or attempting to convert a prisoner to a different religious faith ;
- (37) Wilfully hurting other's religious feelings, beliefs and faiths;
- (38) Agitating or acting on the basis of caste or religious prejudices ;
- (39) Having any communication, in writing or by word or by signs, without permission, with any outsider, an undertrial prisoner, detenues, civil prisoners and approvers ;
- (40) Sending messages surreptitiously by writing or verbally ;
- (41) Participating in or organising unauthorised activities like gambling and betting;
- (42) Using indecent, abusive, insolent, threatening or improper language, being disrespectful, making indecent or vulgar acts or gestures ;
- (43) Soiling or befouling any place or article ;
- (44) Loitering or lingering, leaving the appointed area or work-group without permission ;
- (45) Failing to assist, or preventing another person from assisting, Sansodhanagar officials in suppressing violence, assault, riot, mutiny, attack, gross personal violence or any other emergencies.
- (46) Smuggling in or out any item without the express permission or making preparation for it.
- (47) Making preparation or plan for escape.
- (48) The use of insulting or threatening languages.
- (49) Immoral or indecent or disorderly behaviour.

533. PUNISHMENTS FOR PRISONERS OF ALL CATEGORIES

- (1) No punishment or denial of privileges and amenities, or no transfer to other Sansodhanagars with penal consequences, shall be imposed on prisoners without judicial appraisal.
- (2) The following punishment(s) may be awarded by the Superintendent to prisoners for committing any Sansodhanagar offence. These are classified into minor punishments and major punishments.

MINOR PUNISHMENTS :

- (a) Formal warning ;
- (b) Change of labour for a stated period of maximum 10 (ten) days to some more irksome or severe form.
- (c) Panel diet with or without cellular confinement not exceeding 48 hours.
- (d) Separate confinement for not more than 14 days
- (e) Temporary reduction from a higher to a lower class or grade
- (f) Loss of privileges given to the prisoners in detention for a maximum of one month
- (g) Forfeiture of earned remission up to ten days.

MAJOR PUNISHMENTS :

- (a) Loss of privileges given to the prisoners in detention from one month to three months ;
- (b) Transfer to greater security Sansodhanagars and consequent loss of privileges ;
- (c) Not counting period of leave towards sentence in case of breach of conditions of leave ;
- (d) Forfeiture of earned remission beyond 10 days ;
- (e) Postponement of privileges of leave for a period not exceeding one year starting from the date of the inmate's next eligibility for release on leave ;
- (f) Monitoring under watch and security ;

- (g) In case of any damage to government property, recovery of cost for such damage after proper enquiry effective with judicial appraisal.

In such of a minor offence which is committed more than twice, the same will be treated as a major offence and punishment shall be awarded accordingly.

- (i) Separate confinement for a period exceeding 14 days.
- (ii) Permanent reduction from a higher to a lower class or grade.
- (iii) Exclusion from the remission system for a period exceeding 3 months.
- (iv) Hard labour, in the case of prisoner not sentenced to rigorous imprisonment.

534. PROCEDURE FOR AWARDED PUNISHMENT

- (1) For award of major punishment the prisoner shall be given notice in writing calling him to show cause with reference to the alleged violation of the Sansodhanagar rule. The order of punishment shall also be communicated to the concerned prisoner.
- (2) In respect of offence committed by the prisoners which are punishable both under the existing criminal laws and Sansodhanagar offences, it shall be the discretion of the Superintendent either to use his own powers of punishments or to prosecute the offender before a court of law.
- (3) No prisoners shall be punished twice for the same offence.

535. DUTIES OF PRISONERS

At the time of admission, prisoners shall be provided with a manual/handbook outlining their duties inside the Sansodhanagar. The duties broadly include the following :

- (1) Obey the orders of all officers of Sansodhanagar (including clerks, medical and technical staff) and convict officers ;
- (2) Remain strictly with their groups and within the part of the Sansodhanagar in which they are confined, unless ordered by proper authority to leave it ;
- (3) Abstain from talking when in a latrine, bathing in a file or other parades, or at any time when ordered by an officer of the Sansodhanagar to desist ; also abstain from abusing, singing , quarrelling, laughing loudly, talking loudly and indecent behaviour at all time;
- (4) Not to hold any communication with outsiders, women, civil or undertrial prisoners or prisoners of a class different from their own, or with the guards, beyond what is absolutely necessary ;
- (5) Not to receive or possess ganja or other drugs, money or any articles of food or clothing prohibited by the rules, books, papers, writing materials of any description, rope, knife, or other implement (except during working hours and when the implement is required for work). When they find any of these articles in the Sansodhanagar or know of any other prisoner having possession of any such articles, they shall report the matter to the Deputy Superintendent or Warder ;
- (6) Report any plot or conspiracy, and any attempt to escape, or any planned attack upon any prisoner or officer of the Sansodhanagar ;
- (7) Help the officers of Sansodhanagar in the event of any attack upon them;
- (8) Keep their cloths, blankets, beddings and utensils clean and in proper order ;
- (9) Keep their persons clean ;
- (10) Perform their assigned tasks willingly and carefully and take proper care of any property of government entrusted to them for any purpose ;

- (11) Be orderly in their behaviour; march when moving about the Sansodhanagar; when addressing or being addressed by an officer of the Sansodhanagar or visitor stand at attention with their hands down; and salute when ordered ;
- (12) Not to remove provisions from the kitchen or food servicing platforms without authority, or conceal any article of food in the wards or cells ;
- (13) Not to remove any unconsumed food from the place where the meal is taken ;
- (14) Stick to the bed, ward, yard and the seat assigned to them while at meals or at work ;
- (15) Not to loiter in the yards or wards, after the doors have been opened, or bathe beyond the specified hours ;
- (16) Not to commit any nuisance or urinate in any part of the Sansodhanagar which has not been assigned for that purpose, or spoil any part of the Sansodhanagar or any articles in the Sansodhanagar in any way ;
- (17) Show respect to all officers. Not to strike, assault or threaten any officer or prisoner ;
- (18) Not to gamble or barter or play any game (unless specially permitted by the Superintendent) within the Sansodhanagar; nor keep animals, birds or other pets ;
- (19) Wear the clothing given to them and not to exchange clothing or any part of their Sansodhanagar kit, with any other prisoner ;
- (20) Not to undertake any agitation, organized protest or hunger strike.

536. GRIEVANCE REDRESSAL SYSTEM

Voicing resentment or grievance is an elementary human instinct. If it is suppressed, it can lead to an aberrant frame of mind which will be detrimental to natural and healthy growth of body and mind :

- (1) Therefore, there shall be an active Grievance Redressal System (G.R.S.) in every Sansodhanagar which will provide every inmate the legitimate opportunity to voice his grievances ;
- (2) The system will also act as a safety valve against any possibility of sudden outbursts of suppressed grievances ;
- (3) There shall be one or more complaint boxes in every Sansodhanagar installed in centrally located and convenient places, within easy reach of the inmates. Such complaint box shall also be installed in an easily accessible place in the female ward ;
- (4) The inmates may drop their complaints in the form of written petitions addressed to the Superintendent, or to the higher authorities, into such boxes;
- (5) The box shall remain under lock and key and the key shall remain in the custody of the Deputy Superintendent, who shall unlock the complaint box at least twice a week on the days fixed and approved by the Superintendent ;
- (6) The complaint box shall be opened at appointed time before the evening locking up of the Sansodhanagar ;
- (7) The Superintendent shall form a permanent Committee of G.R.S., comprising himself, the Deputy superintendent (the Senior most Deputy Superintendent in the event of more than one Deputy Superintendent being posted there), the Medical Officer, and the Welfare Officer. If the Sansodhanagar happens to have a female enclosure then a Senior Lady Officer of appropriate rank shall be included in the committee ;
- (8) The committee shall meet as and when necessary, but at least twice a week to look into all the complaints of the inmates ;
- (9) The Superintendent shall preside over the committee which shall enquire into all the complaints at the earliest ;

- (10) The decision of the committee shall be executed forthwith ;
- (11) Complaint addressed to the higher authorities shall be forwarded to the addressee with comments of the Superintendent without delay ;
- (12) Letters addressed by prisoners to the Government, Judiciary, Inspector General of Correctional Services or other high functionaries shall be forwarded to them immediately without being censored and a dated receipt of it shall be given to the prisoner. The receiving authority shall acknowledge letters immediately and look promptly into them;
- (13) The District Judge shall visit each Sansodhanagar in his jurisdiction once a month and give an opportunity to all the prisoners to present their grievances or requests, if they so desire, in the absence of Sansodhanagar officers.
- (14) If a prisoner is not satisfied by the action taken by the Superintendent on his complaint, he shall be allowed to approach higher authorities for redressal of his grievances ;
- (15) The Board of Visitors shall be activated. The visitors shall receive and enquire into prisoners' complaints and grievances and send their suggestions to appropriate authorities.
- (16) Necessary stationary items as may be required for writing complains shall be provided to the prisoners, on demand and only for a responsible time as may be fixed by the Superintendent.

CHAPTER – XXI
(AFTER CARE AND REHABILITATION)

537. AFTER CARE AND REHABILITATION

- (1) The process of after-care and rehabilitation of offenders is an integral part of institutional care and treatment. These two shall never be de-linked. The after-care of a prisoner is an extension of the institutional treatment programme; hence the administrative machinery for carrying out these programmes shall be effectively integrated with the department of Sansodhanagars.
- (2) It is clear that after-care, and follow-up service is not required by each and every inmate leaving the Sansodhanagar. A large number of prisoners coming from the rural areas, agrarian and business communities are generally accepted back into their families. They are re-assimilated in the social milieu without much difficulty. They require only some continued contact with their kin and some pre-release counselling to bridge the gap between their life in the Sansodhanagar and that in the free society.
- (3) There are other prisoners who resist follow-up action as they consider it a kind of surveillance on them. But majority of the inmates would welcome such programmes which help them settle in the society after their release, and get themselves rehabilitated beyond the possibility of reverting to crime.

538. OBJECTIVES

The objectives of the after-care services are :-

- (1) Extending help, guidance, counselling, support and protection to all released prisoners, whenever necessary;
- (2) Helping a released person to overcome his or her mental, social and economic difficulties ;
- (3) Helping in the removal of any social stigma that may have been attached to the inmate or his or her family because of his incarceration;
- (4) Impressing upon the individual the need to adjust his or her habits, attitudes, approaches and values to a rational appreciation of social responsibilities and obligations and the requirements of community living;
- (5) Helping the individual in making satisfactory readjustment with his or her family, neighbourhood, work group, and the community ;
- (6) Assisting in the process of the individual's physical, mental, vocational, economic, social and attitudinal post-release readjustment and ultimate rehabilitation.

539. PROCESS

- (1) After-care services shall be extended to all needy persons released from Sansodhanagars, conditionally or unconditionally or on license. While after-care services shall be provided to all needy prisoners, at the very least, prisoners having served a minimum of five years of imprisonment shall necessarily be entitled to after-care services.
- (2) After-care problems of an individual shall be treated in their totality and not in isolation. Not only the individual but his/her whole social situation must be tackled at the same time.
- (3) After-care work shall broadly be phased as follows :
 - (a) While the individual is under institutional care and treatment ;
 - (b) Immediately after release from the institution ;
 - (c) Post-release period.
- (4) There shall be full co-ordination between the correctional services and the after-care services.

- (5) It is the responsibility of the Government to devise and develop mechanisms for rehabilitation of released convicts. For this purpose, Discharged prisoners' After Care and Rehabilitation Committees shall be set up at the District and State level. Such committees shall inter-alia devise the mechanism for rehabilitation and after-care assistance for released prisoners. While devising the mechanism and extending help, special attention shall be paid to the protection and post-release care and help of children, adolescents, women, sick, old, infirm and handicapped persons. Special emphasis shall be laid on the after-care of habitual offenders, if they so request.

540. PLANNING

- (1) Planning of after-care shall be initiated immediately after an inmate's admission in the institution.
- (2) After-care shall be in the interest of the individual, and based on his needs. While planning post-release assistance, factors like the inmates' personality, his weaknesses and strengths, limitations and capabilities, and his rehabilitation needs shall be taken into consideration. The inmate's desires for post-release help shall be considered on a practical and realistic basis.
- (3) The inmate shall be informed about the type of assistance that may best suit his needs. He shall be encouraged to plan his post-release life, as this will be helpful in his willing acceptance of the after-care plan. He shall accordingly be prepared for his post-release life.
- (4) From the time of a prisoner's admission into the Sansodhanagar, consideration shall be given to his post-release needs and he shall be encouraged and assisted to maintain or establish such relations (with persons or agencies outside the institution) as may promote the best interests of his family and his or her own social rehabilitation. Special attention shall be paid to the maintenance and improvement of such relations between a prisoner and his family, as are desirable in the best interest of both.

541. FUNCTIONING OF A PROBATION/WELFARE/REHABILITATION OFFICER

- (1) An officer of appropriate rank is to be appointed as Probation/Welfare/Rehabilitation Officer in each Sansodhanagar. The Probation/Welfare/Rehabilitation Officer shall contact the inmate during his or her admission-quarantine period. Such an early contact will be helpful in planning over-all help for the inmate and his family. The Probation/Welfare/Rehabilitation Officer shall meet the inmate at least once a month throughout his stay in the institution.
- (2) The Probation/Welfare/Rehabilitation Officer shall extend all possible assistance in maintaining the inmate's continued relationship with his family, employer and community. The welfare of the family members and dependants of offenders, as well as of their victims shall be looked after.
- (3) The Probation/Welfare/Rehabilitation Officer shall be associated with the prisoner's welfare services at the Headquarter level.

542. THE ROLE OF N.G.Os (NON GOVERNMENT ORGANIZATIONS)/ INDUSTRY ASSOCIATIONS

- (1) The participation of approved Non Government Organizations in the rehabilitation programmes shall be extensively encouraged. Voluntary organisations, which wish to help the government in rehabilitation projects, shall be given necessary financial and other help. Their services shall be given due appreciation by the Inspector General of Correctional Services.

- (2) The public in general must be sensitized about the need of rehabilitation of ex-prisoners through print and audio or visual media.
- (3) Continuous liaison shall be maintained with the agencies and individuals which are willing to give employment to the released prisoners.
- (4) Companies that are required to spend 2% of their net profit on CSR activities under the Companies Act, 2013 may be encouraged to contribute funds towards rehabilitation of prisoners.

543. SCOPE OF AFTER-CARE ASSISTANCE

The scope of after-care assistance shall be determined by the District Committee and may include the following matters :

- (1) Subsistence money to cover initial expenditure after release, till such time as the released person reaches his or her family or obtains employment ;
- (2) Provision of food ;
- (3) Temporary accommodations till housing arrangements are made ;
- (4) Stay in a District Shelter, After-care Hostel or State Home, wherever available ;
- (5) Assistance in securing housing in urban areas ;
- (6) Assistance in securing apprenticeship in a workshop, technical institute, industry or trade ;
- (7) Supply of artisan's tools or trade equipment ;
- (8) Assistance in starting a cottage industry, any small business trade or a stall;
- (9) Assistance in getting employment ;
- (10) Assistance in getting land, agricultural equipment, draught or milk cattle, and seeds for those opting to take up agriculture;
- (11) Assistance in starting a small dairy, poultry, duck or sheep farm, piggery, vegetable gardening, sericulture or bee-keeping ;
- (12) Liaison with and assistance to prisoner's family during the period he or she is serving a Sansodhanagar sentence ;
- (13) Help in maintaining continuity in relationship with family, neighbours, employers and community ;
- (14) Preparing the family, employer and neighbours for receiving the individual after release ;
- (15) Guidance in getting married and setting up a home and resettling in life ;
- (16) Liaison with local police so that he or she is not harassed unnecessarily.

544. FAMILY OR MARITAL ADJUSTMENTS

The following adjustments shall also be provided by the Probation/Welfare/rehabilitation officer:

- (1) Explaining to the police the background and problems of the individual and getting help and co-operation from the police in the process of resettlement ;
- (2) Communicating to the Panchayet or Community Development authorities about the background, problems and needs of the released person. Getting the co-operation and help of the Panchayet, Community Development Officer, National Extension Service Worker and Gram Sevak, in the resettlement of a prisoner;
- (3) Reference to a Social Organisation in the neighbouring area where the prisoner is likely to settle after release ;
- (4) Assistance in continuation of education and vocational training ;
- (5) Creating interest in education and study. Motivating them to acquisition and improvement of skills, healthy recreation, and constructive use of leisure ;
- (6) Encouragement in building good habits ;
- (7) Help in planning and balancing his budget ;

- (8) Encouraging thrift and savings. Making them leave costly habits ;
- (9) Medical treatment on long-term basis of tuberculosis, venereal diseases, leprosy and cancer, in an outside hospital ;
- (10) Posting the released person under the care of a person or family interested in his welfare and resettlement ;
- (11) Protection from getting associated with anti-social groups, agencies of moral hazards (like gambling dens, drinking places and brothels) and with demoralised and deprived persons. Help in establishing contacts, acquaintance and friendship with reliable neighbours, co-residents or co-workers;

545. LEGAL AID AND PROTECTION

- (1) The following aid protection may be required :
 - (i) Help in all matters relating to the resettlement and rehabilitation of the released person ;
 - (ii) The After-care agency shall be closely associated with the planning of the after-care programme for the inmate ;
- (2) The plan of after-care of a prisoner shall be subject to such changes as may be found necessary by the after-care service agency.
- (3) The Probation/Welfare/Rehabilitation Officer shall intensify his work during the pre-release period. He shall maintain all the prescribed records under the direction of the Superintendent .
- (4) After release from the institution, the case of a released person shall be followed up for a period ranging from one to five years according to the requirements of each case.
- (5) The Probation/Welfare/Rehabilitation Officer shall establish follow-up study through interviews or correspondence. A six monthly report evaluating the released person's adjustments and resettlement shall be prepared by him and copies of it shall be sent to the correctional institution where the individual had undergone treatment and to the record branch in the headquarters organization.
- (6) The record branch in the headquarters shall maintain all the case files and follow up reports according to the central indexing system.

546. FORMULATION OF SCHEMES

- (1) The Industries Department of the government shall formulate schemes for the employment of released convicts in small scale industrial units.
- (2) Big industrial houses shall be motivated at the level of the Sansodhanagars Headquarters to give reference in jobs to released prisoners in the interest of their rehabilitation and social adjustment.

**CHAPTER –XXII
(UNDERTRIAL PRISONERS)**

547. CLASSIFICATION OF UNDERTRIAL PRISONERS

The classification of undertrial prisoners shall be made on the basis of security, discipline and institutional programme. No classification on the basis of social status shall be attempted. The entitlement of diet, clothing, bedding and interview will be the same as applicable to other categories of Sansodhanagar Undertrial prisoners shall be classified as under :-

- (1) **Category – 1 (S1-Red) :** Suspected of being under fundamentalists, naxalites, extremists and terrorists or any other alleged individual characteristics warranting confinement in Security Zone-1.
- (2) **Category – 2 (S2-Blue) :** Suspected of being gangsters, hired Assassins, dacoits, serial killers or rapists or violent robbers, drug offenders, habitual grave offenders or communal fanatics and those highly prone to escapes or previous escapes or attack on police and other alleged dangerous offenders, including those prone to self-harm or posing threat to public order, warranting confinement in Security Zone-2.
- (3) **Category – 3 (S3-Yellow) :** Those who may not pose any threat to the society, upon release, like those alleged to be involved in murders on personal motives, other bodily offences, theft, property offences, prohibition offences, crimes under the provision of other special and local laws, railway offences and other minor offences.

Note :-

- (a) Persons suffering from mental ailments and young offenders shall be lodged separately ;
- (b) Courts shall send intimation to Sansodhanagar authorities about undertrial prisoners who have turned approvers or have made confessions ;
- (c) An accused person detained under section 122(2) of the Criminal Procedure Code, must be treated as an undertrial prisoner until his case has been decided by the competent court.

548. ADMISSION

- (1) A Deputy Superintendent or some other authorised officer shall be in charge of all work pertaining to under trial prisoners.
- (2) No person shall be admitted into a Sansodhanagar as an under trial prisoner unless accompanied by the following documents :-
 - (a) A remand warrant in the prescribed form, signed, dated and sealed by the competent authority. There shall be separate Writ, warrant or order for every prisoner, even if two or more prisoners have been jointly accused;
 - (b) Identification roll containing at least two specific permanent identification marks like deep scars, birth marks, moles indicating their exact location on the body ;
- (3) Discrepancies in remand warrant - The Officer on duty is authorised to refuse admission of an undertrial prisoner in whose case the remand warrant is not sent in the appropriate form or the warrant is found to contain (i) discrepancies in name or identification, (ii) omission of the signature of the competent authority. In such a case, report shall be sent in the prescribed form to the authorities concerned ;
- (4) The property of an undertrial prisoner shall remain in the court.

- (5) Children - Children of women undertrial prisoners may be admitted if suitable arrangements for their care cannot be easily made outside.
- (6) Food - If an under trial prisoner has not been in the Sansodhanagar previously, it is the duty of the police, or the military escort officer, to see that the under trial prisoner is given food before he is taken to the Sansodhanagar, if he is likely to arrive there too late for the Sansodhanagar meal. If the police or military escort reports that the under trial prisoner has not been supplied with food, Sansodhanagar authorities shall make necessary arrangements for the issue of food to him. In case the undertrial prisoner is admitted after the Sansodhanagar meals have been served, or after lock-up, food stuff like parched rice, parched gram, groundnuts, etc., shall be issued to him as per prescribed scale.

549. ADMISSION HOURS

- (1) Undertrial prisoners shall be admitted during usual working hours of the Sansodhanagar. prisoners received after the lock-up hour shall be confined in a separate place specially earmarked for such purpose ;
- (2) While undertrial prisoners are being escorted, care shall be taken to see that they reach the destination before the lock-up hour. If undertrial prisoners are likely to reach the destination after lock-up hour, the transferring Sansodhanagar or sub-Sansodhanagar or the police or military officials shall send sufficient advance intimation to the Sansodhanagar where the undertrial prisoners are being escorted.
- (3) It is the duty of every Sansodhanagar officer to endeavour to ascertain whether an undertrial prisoner has been previously convicted. Such information, as and when it is available, shall be immediately forwarded to the Superintendent of police for necessary action.

550. APPROVERS

- (1) When an undertrial prisoner has been admitted by the court as an approver or a confessing accused, he shall be kept separate from others concerned in the same case. Where there are separate cells or compartment in the undertrial ward, these shall 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 solitary confinement.
- (2) Any special direction as to the separation of a under trial prisoner given by the Judge or Magistrate shall be carried out. Such separation shall be force from any irksome condition beyond those necessary to secure the object in view, namely, to prevent him from communicating directly or indirectly with other prisoners concerned in the same or other case.

551. IDENTIFICATION FOR COURT PURPOSES

- (1) Undertrial prisoners shall not be allowed to cut or shave their hair on their heads or faces or in any way to alter their personal appearance, so as to make it difficult to recognize them. They shall not, however, be prevented from changing their clothes, provided that their appearance is not materially altered when they are presented for identification in the Sansodhanagar or sub-Sansodhanagar, or when sent to court for trial.
- (2) The police shall give intimation to Sansodhanagar authorities of cases in which identification of undertrial prisoners is to be carried out and shall give full description of growth of hair, moustache, beard, etc., which the undertrial prisoners had at the time of arrest.
- (3) Test Identification shall be held as per rules framed for this purpose.

552. POLICE INTERROGATION

Only such Police Officers as have been authorized by the Judge or Magistrate, shall be allowed to interrogate an undertrial prisoner while in Sansodhanagar custody. Such interviews shall be held in the presence and within the hearing of Sansodhanagar officer.

553. FACILITIES

(1) The following facilities shall be extended to all under trial prisoners:-

(b) Legal defence ;

Note : The Superintendent of Sansodhanagars may carefully select well-behaved prisoners to avail family interview after giving due consideration to security and other aspects.

(c) Interviews with lawyers or family members (for legal purposes)

(d) Signing Vokatnama ;

(e) Delegation of power of attorney ;

(f) Execution of will ;

(g) Essential religious necessities as per rules ;

(h) Applications to courts for legal aid at Government cost as per provision of law ;

(i) Other applications to courts ;

(j) Application to Legal Aid Societies for free legal aid.

(2) Such facilities as are sanctioned by the State Government shall be extended to undertrial prisoners.

554. FOOD

Food from outside may be allowed only on special circumstances subject (for Division prisoners i.e Class-I prisoner & after court order) to the following conditions :-

- (1) A written undertaking shall be given by the undertrial prisoner and the supplier of food that they are entirely responsible for the wholesomeness of such food and that Sansodhanagar administration will not be responsible for any mishap that may happen. Food for one day's requirement of the undertrial prisoner shall be allowed at one time, if so approved by the Medical Officer and food articles will be tested by the person who delivers the food in presence of the Medical Officer of the Sansodhanagar. The food will be delivered at hours prescribed by the Sansodhanagar authorities. Food shall be eaten in the prescribed area and during prescribed hours only. During emergencies or epidemics or for reasons of health of the undertrial prisoner, outside food may be disallowed. The Superintendent has the authority to disallow or discontinue this concession at any time.
- (2) Prisoners allowed to receive outside food, shall not be given Sansodhanagar food ;
- (3) Undertrial prisoners shall not be allowed to cook their food separately in the institution.

555. CLOTHING

Usual private clothing to meet reasonable requirements shall be allowed to undertrial prisoners. Such articles of clothing as will affect the security requirements of the institution shall not be allowed. An undertrial prisoner who has no sufficient clothing of his own may be provided with the same at Government cost at the prescribed scale. Such clothing may be allowed to be retained by the undertrial prisoner even after his release. Private articles bearing marks or symbols of political affiliation shall not be allowed to be kept or used by undertrial prisoners.

556. LETTERS

- (1) On the initial admission of a prisoner, a printed card shall be sent at Government cost to his family. This card shall contain information on the following points: the inmate's institutional number and address, brief summary of rules regarding interviews, letters, etc.
- (2) Four letters per calendar month, two at his cost, and two at Government cost, shall be allowed to be written by an undertrial prisoner.
- (3) Additional letters for legal purposes such as arranging defence, bail, and security may be allowed normally at the prisoner's own cost.
- (4) Undertrial prisoners may be allowed to purchase from the Sansodhanagar canteen, a reasonable supply of stationery articles.

557. INTERVIEWS

When a legal adviser desires an interview with an undertrial prisoner, he shall apply in writing, giving his name, address and profession and satisfy the Superintendent as to his bona fides. Every interview between an undertrial prisoner and his legal adviser shall take place within the sight but out of hearing of a Sansodhanagar official. One interview per calendar week with family members or relatives or close friends may be allowed. In deserving cases additional interviews for legal purposes may be granted in the discretion of the Superintendent. Undertrial prisoners shall not be granted interviews with convicted prisoners unless they are very close relatives.

558. CANTEEN

An undertrial prisoner shall be allowed to make purchases from the canteen up to the amounts as may be fixed by the State Government.

559. PRODUCTION BEFORE COURT

An undertrial prisoner shall be produced before the court, on the due date of hearing in person. However, for extension of detention in custody, the prisoner may be produced before the court either in person or through electronic media like, video-linkage. For this purpose a court diary shall be maintained in which all relevant entries of production before various court shall be made. These entries shall be made daily by the officials concerned and shall be daily supervised by the officer in charge of under trial prisoner's work.

560. REQUISITION OF ESCORT

On the basis of the court diary, requisition for police escort shall be sent sufficiently in advance. Information about women, adolescent, juvenile under trial prisoners and as far as possible about violent, dangerous and notorious under trial prisoners shall be sent to the police authorities while requisitioning the escort.

561. SICK PRISONERS

If an undertrial prisoner is sick and the Medical Officer certifies the prisoner's inability to attend the court, he shall not be produced before the court. In such an event, the medical certificate shall be forwarded to the court.

562. FEEDING

Before under trial prisoners are sent to the court, the usual morning meals shall be served.

563. ARTICLES ALLOWED TO BE TAKEN WHILE GOING TO THE COURT

While going to the court, the under trial prisoner shall return all Sansodhanagar articles issued to him. Excepting clothes on his person and papers pertaining to his case, the undertrial prisoner shall not be allowed to carry any other articles with him. In case the under trial prisoner wants to take his cash for legal purposes, the same shall be forwarded to the court through the police escort. This amount may be utilized by the under trial prisoner under orders of the court for purpose like legal defence, cost of copies, etc., and the disposal of this amount shall be certified by the

police and the prisoner in the appropriate column of the register prescribed for such purpose. Under no circumstances, shall the under trial prisoner be allowed to carry cash or valuable, if any, on his person.

564. SEARCH

Before being sent to the court, and after having been received back from the court, all under trial prisoners shall be thoroughly searched.

565. TRANSPORT

For transporting undertrial prisoners to and from the court and other destinations, necessary arrangements for conveyance shall be made by the police authorities. If not a separate conveyance, the common conveyance shall at least have separate compartments for women under trial prisoners and young undertrial offenders.

566. HANDCUFFING

- (1) Handcuffing shall be resorted to when there is no other reasonable way of preventing escape of the prisoner, in the given circumstances.
- (2) The following categories of undertrial prisoners may be handcuffed for reasons recorded in writing and with approval of the court:
 - (a) Prisoners involved in serious and violent offences ;
 - (b) Prisoners having notorious or dangerous background ;
 - (c) Violent, aggressive and refractory prisoners
 - (d) prisoners who have previously escaped.
- (3) Handcuffing of undertrial prisoners may be done in the court premises with the permission of the court.

567. COURT PREMISES

- (1) The police escort shall not allow any eatables or prohibited articles to undertrial prisoners during their journey between the court and the Sansodhanagar or on the court premises.
- (2) Undertrial prisoners shall be thoroughly searched before being taken into the court-room.

568. RETURN TO THE SANSODHANAGAR

- (1) As soon as the court work is over, such undertrial prisoners as have been remanded to Sansodhanagar custody shall be brought back to the Sansodhanagar immediately.
- (2) On return of an under trial prisoner from the court to the Sansodhanagar gate, if any unauthorized article is found or a special circumstances or an irregularity is noted by the Sansodhanagar officer on duty, he shall forthwith report the matter to the senior officer on duty and if necessary, to the District Superintendent of Police for action. Such cash as brought by the police escort shall be recorded in the register and deposited in the Sansodhanagar office under intimation to the undertrial prisoner.

569. PRODUCTION OF UNDER TRIAL PRISONERS IN OTHER STATES

When an under trial prisoner is required to be sent to another State for trial, the State from where the undertrial prisoner is sent shall arrange for the escort. Travel and other incidental expenses of the escort and of the under trial prisoner shall be borne by the dispatching State.

570. PRODUCTION OF UNDER TRIAL PRISONERS BEFORE COURT IN CIVIL SUIT PROCEEDINGS

Unless ordered by the District Judge, no under trial prisoner shall be produced before court for civil suit proceedings.

571. PREVENTION OF UNDUE DETENTION

- (1) An undertrial prisoner whose case is being tried by a Magistrate shall be produced before the Magistrate at least once in fifteen days for the purpose of

further order. Upon the expiry of each period of remand, the prisoner shall be produced before the Magistrate.

- (2) A statement in the prescribed form showing details of undertrial prisoner whose cases have been pending for more than three months shall be sent on the fifth day of each month to the Sessions Judge or District Magistrate with relevant extracts to the court concerned.

572. ADDITIONAL CASES

- (1) When additional case/cases are pending against a prisoner, the following action shall be taken :
 - (a) Entries of additional cases in red ink on the remand warrant in appropriate columns of undertrial register and court diary shall be made;
 - (b) Intimation to the court or courts concerned about pending cases stating whether the prisoner is on bail or not in connection with that case or those cases shall be sent ;
 - (c) Intimation to police escort in the prescribed form shall be sent.
- (2) When an undertrial prisoner is wanted for trial in another case or cases for which he is not on bail, the court concerned will issue separate remand warrants. In the event of grant of bail in the second case or other cases, due intimation shall be sent by the courts to the Sansodhanagar authorities .
- (3) When an under trial prisoner confined in a Sansodhanagar or sub-Sansodhanagar is required for another case or cases for which he is on bail, the court concerned will duly intimate the Sansodhanagar authorities.
- (4) In the case of an undertrial prisoner having two cases pending against him, for which he is not on bail, an endorsement in red ink shall be made each time he is sent to the court.

573. DISCIPLINE

No convicted prisoner shall be kept in the same area in which undertrial prisoners are kept, or be allowed to have contact with undertrial prisoners. Except prisoners working in essential Sansodhanagar services like conservancy, etc. no convicted prisoner shall be allowed to enter the undertrial yard or block. As soon as the work is over, these prisoners shall be withdrawn from the yard or block. In all matters where undertrial prisoners are concerned, no convicted prisoner shall be used for supervision or similar purpose. All such matters shall be handled by staff members.

574. WORK

- (1) Under trial prisoners shall clean the yards, barracks and cells where they are kept. Undertrial prisoners shall be detailed for this work. Such work may be allotted on a group basis, so that through the cumulative work of all the under trial prisoners, the yards, barracks, cells may be cleaned up. It will also be incumbent on all under trial prisoners to keep their own clothing, bedding and equipment properly washed, cleaned and disinfected.
- (2) If under trial prisoner volunteer to work, suitable work, if possible, be given to them. Wages may be paid to them according to schedules of standard tasks and wages, as fixed by the State Government. Employment of under trial prisoners on extramural work is strictly prohibited. In no case, shall the under trial prisoners be employed outside their own enclosure or in work-sheds and areas where other convicted prisoners are working.

575. TRANSFER

During emergency or on administrative grounds, the Inspector-General is authorized to transfer undertrial prisoners from one Sansodhanagar to another within the State, provided that if a prisoner is transferred to a place outside the jurisdiction of the

Court concerned, prompt intimation shall be sent to the court. The prisoner shall be produced before the court on the due date.

576. SERIOUS ILLNESS

When an under trial prisoner is seriously ill, the Superintendent shall send a report, along with a medical report, to the court concerned in order that if the law permits and the court thinks fit, the prisoner may be released on bail.

577. TRANSFER TO AN OUTSIDE HOSPITAL

When the Sansodhanagar Medical Officer recommends that in the interest of the health of the under trial prisoner, he shall be transferred to a hospital outside the Sansodhanagar, immediate action shall be taken and the matter reported to the court concerned.

578. DEATH

The death of an under trial prisoner shall be promptly reported to the court and other concerned agencies as required.

579. CONVICTION

When an under trial prisoner is convicted, the officer in-charge of under trial prisoners shall hand over all concerned papers and records together with cash and private property, if any, to the officer in charge of admission of convicted prisoners who will attend to the usual routine in this respect. On conviction, an undertrial prisoner shall be transferred to the yard meant for newly admitted convicts.

RELEASE

580. RELEASE FROM THE COURT

- (1) When an under trial prisoner is discharged or released from the court, an endorsement to that effect will be made by the court in the prescribed form. On receipt of such intimation, entries in the appropriate columns of the under trial register shall be made.
- (2) If the under trial prisoner is released from the court he shall claim his personal property, if any, from the Sansodhanagar authorities within three months, failing which the same shall be forwarded to the police for disposal.

581. RELEASE FROM SANSODHANAGAR

- (1) Release orders and bail bonds will be sent through post or through the peon of the court. If any private person brings such documents, the same shall not be accepted at the Sansodhanagar office.
- (2) On receipt of a bail bond or release order prompt action shall be taken. In a Kendriya or a large Zila Sansodhanagar, an under trial prisoner shall normally be released within four hours of the receipt of the bail bond or release order.

582. RELEASE PROCEDURE

- (1) While releasing an under trial prisoner the officer in charge shall attend to the following points :
 - (a) Scrutiny of the bail bond or release order with relevant original papers and record ;
 - (b) Checking whether any other case is pending against the under trial prisoner ;
 - (c) Checking of the identity of the under trial prisoner ;
 - (d) Handing over of the cash and property of the under trial prisoner.
- (2) The under trial prisoner shall be informed of the contents of the bail bond prior to his release.
- (3) If the under trial prisoner has not got sufficient money, he/she may be given travel warrant and if his/her journey home is likely to take more than 12 hours he may be given subsistence money.

- (4) After release the bail bond shall be duly returned to the court concerned along with a certificate of release.

583. WOMEN UNDER TRIAL PRISONERS

- (1) Women under trial prisoner shall be escorted by women police. As far as is practicable, separate conveyance shall be provided for the transport of women under trial prisoners.
- (2) Women staff members shall be in charge of women under trial prisoners. The Lady Assistant Superintendent or Senior Matron shall be present at the time of admission and release of women under trial prisoner. She shall attend to all works pertaining to the women under trial prisoners.
- (3) As far as possible, women under trial prisoners shall be handed over to their relatives after release. If this is not possible, a woman police or woman Sansodhanagar guard shall escort the released women under trial prisoner to the nearest station or transport bus stand.

584. DAILY ROUTINE AND PROGRAMME FOR UNDER TRIAL PRISONERS

The following daily routine may be adjusted to suit local conditions:

- (1) **Early morning:-**
Toilet, meditation ;
Preparation for opening ;
Unlocking according to conditions of visibility ;
Counting ;
Search ;
Leaving the barrack or cell.
- (2) **Morning:-**
Toilet ;
Prayers ;
P.T. drill, individual and group exercise ;
Morning light meal ;
Cleaning of barracks cells, yards, open spaces ;
Cleaning of equipment ;
Work on voluntary basis ;
Educational classes ;
Washing of clothes and bath ;
Meal and rest .
- (3) **Afternoon:-**
Newspapers, library books ;
Educational classes ;
Social education ;
Games and reaction for one hour according to institutional facilities
- (4) **Early evening:-**
Wash, evening meal ;
Preparation for lock-up ;
Counting ;
Search ;
Lock-up at dusk.
- (5) **Evening:-**
Reading newspapers, library books ;
TV/radio music, meditation ;
to bed.

585. PROGRAMMES ON SUNDAYS AND SANSODHANAGAR HOLIDAYS

On Sundays and Sansodhanagar holidays the following routine shall be followed subject to adjustment to suit local conditions :-

- (1) **Early morning**
As in rule 584 (1)
- (2) **Morning Toilet ;**
Exercise, Light meal ;
General cleaning of barracks, cells, open spaces ;
Cleaning of equipment ;
Washing of clothes and bath ;
Inspection of equipment ;
Meal and rest.
- (3) **Afternoon**
Educational Films : As per schedule for each group and in accordance with institutional facilities ;
Group Music ;
Newspapers, Library books, Radio/TV ;
Toilet ;
Games (one hour).
- (4) **Early evening**
As in para 584 (4)
- (5) **Evening**
As in para 584 (5).

CHAPTER - XXIII
(HIGH RISK OFFENDERS AND DETENUES)

586. HIGH RISK OFFENDERS AND DETENUES

High risk offenders, including prisoners classified under categories 1 and 2 (indicated below), will be lodged in separate enclosures demarcated as high security enclosures within the existing Sansodhanagars. If possible, separate high security Sansodhanagars may be constructed in every district with the lodging capacity of 50-100 inmates. Under no circumstances shall high risk offenders be kept with other undertrial prisoners and convicts.

587. CLASSIFICATION OF HIGH RISK OFFENDERS

All prisoners, including undertrials and detenues, shall be classified into following categories to determine the level of security for effective surveillance, safe custody and prevention of escapes :

- (1) **Category – 1 (S1-Red) :** Fundamentalists, naxalites, extremists and terrorists or any other individual characteristics warranting confinement in Security Zone-1.
- (2) **Category – 2 (S2-Blue) :** Gangster, hired assassins, dacoits, serial killers or rapists or violent robbers, drug offenders, habitual grave offenders or communal fanatics and those highly prone to escapes or previous escapes or attack on police and other dangerous offenders, including those prone to self-harm or posing threat to public order, warranting confinement in Security Zone-2.
- (3) **Category – 3 (S3-Yellow) :** Those who do not pose any threat to the society, upon release, like those involved in murders on personal motives, other bodily offences, theft or property offences, prohibition offences, crime under the provision of other special and local laws, railway offences and other minor offences.

The above three categorization shall be done on the basis of the inputs provided by the police or intelligence agencies at the time of admission.

- (4) **Security Category – 4 (S4-White):** prisoners who are eligible for Open Sansodhanagars.
- (5) **Security Category – 5 (S5-Green) :** Elders, sickly, students, etc.

The above two categorization shall be done by the Sansodhanagar authorities.

588. BUILDING STRUCTURE

- (1) High security enclosures/Sansodhanagars must have a thick outer masonry wall at least 20 feet in height, with watch towers at all its corners and one central tower within the enclosures. The enclosures/Sansodhanagars shall be provided with anti-tunnelling slabs and all spaces open to the sky must be covered with iron grill. These enclosures can be divided into security zone grade I and security zone grade-II.
- (2) Security Zone grade I shall have a cellular type of accommodation with a minimum space of 10' x 9' which will have the facility of an inbuilt water closet (WC) and bath and a strong dividing wall. Front portion of cells shall be of iron grill, the flooring shall be of RCC slab, high ventilators shall be provided instead of windows. The building shall have a separate entry with visitors' room on one side, MI room, and food distribution room. The hardcore militants, terrorists, professional killers, habitual offenders of heinous crimes, violent and

dangerous prisoners and prisoners who pose great threat of escape will be lodged in security zone grade – I.

- (3) Security zone grade II will have a single room accommodation (cellular and the association barracks). This accommodation can be of 16' x 9' size where two or three prisoners can be lodged at a time. The barracks shall have a maximum capacity of lodging 10 to 15 Sansodhanagar inmates. They shall also have an inbuilt toilet and bath. The size of one barrack can be 27' x 10'. This security zone can have a common kitchen. Security zone grade II will also have a separate entry lobby; the space open to the sky must be covered with iron grills.
- (4) The building pattern shall be oval and covered with watch towers on all sides. In this zone, first offender militants and terrorists both convicts and undertrial prisoners who pose lesser threat of escape, can be lodged.

589. STAFF PATTERN

Well trained staff shall be detailed for watch and ward duty of High Security zones and enclosures. An Officer not below the rank of Deputy Superintendent must be in charge of these enclosures. Provisions shall be made that no staff on duty comes in direct contact with the prisoners except as a requirement of duty.

590. FACILITIES (INTERVIEWS, LETTERS, COMMUNICATION)

High risk offenders will enjoy all the facilities admissible to the undertrial prisoners or convicts, but the interviews will be held in the presence of an officer. It will be advisable if close circuit TV with sound recording facilities are fitted in the interview room. Moreover, the room shall be near the entrance lobby and within the High Security enclosure. In any case, high risk offenders will not be allowed in the main interview blocks. Interviews shall be allowed with only blood relation and authorised lawyers.

All letters must be properly censored.

591. FOOD, TOILET, CLOTHING AND BEDDING

No cooked food from outside shall be allowed for high risk offenders. No individuals shall be allowed to cook for himself. No under trial, detente or convict shall be allowed to enter the high security enclosure. Cooked food will be supplied to them from the kitchen of the Sansodhanagar. Admissibility, the toilet articles, clothing and bedding shall be the same as that given to other undertrial convicts.

592. MEDICAL CARE

Medical care shall be the same as for other inmates but within the enclosures of the inbuilt Medical Inspection room. In case of an emergency, under intimation to the Inspector General of Correctional Services, they can be shifted to the local hospital for treatment but under proper police escort and guard.

593. SPORTS, GAMES AND RECREATION

- (1) Subject to Sansodhanagar security and discipline, prisoners lodged in Grade-I security Zone can be provided with books, newspapers and journals. Writing materials can also be provided as and when required. If possible, TV/Radio sets can be provided outside the cells with such restriction as found necessary from the view point of security. Regular physical exercise and yoga can be allowed within the cell itself. prisoners can be allowed to stroll within the place inside the block in the evening before being locked up.
- (2) Similarly, prisoners lodged in security Zone Grade-II can be provided with Radio and TV in their barracks, indoor games like Carom and Chess can be given to them. Books, newspaper, journals and magazine along with stationery can be provided to them. At intervals, seeing their behaviour, cultural programmes can also be allowed.

594. CANTEEN FACILITY

High risk offenders may be allowed to avail of canteen facilities only if adequate security precautions are taken to prevent untoward behaviour.

595. REFORM AND TREATMENT PROGRAMMES

The reform and treatment programmes can be extended to the prisoners lodged in the security area Grade-II. Minimum technical education with primary focus of handicraft work may be given. Basic education shall form an essential part of the programme. These activities and programmes shall be conducted within the enclosures itself. These prisoners shall not be taken out to mix with other inmates.

596. SECURITY

- (1) A double ring of security shall be provided to all security enclosures. Inner security of the enclosures shall be manned by highly trained staff of the Sansodhanagar. Special arrangement shall be made for the outer security, including the watch towers and security wall, involving special armed guards.
- (2) The enclosures shall be equipped with walkie-talkies, alarms and jammers and state-of-the-art electronic surveillance system of interception and interruption.
 - (a) ID machines, hand-held and doorframe, metal detectors and all other electronic devices shall be made available ;
 - (b) The armoury of the Sansodhanagar shall be well equipped with sophisticated and automatic weapons ;
 - (c) Every barrack and cell, especially the interview room, shall be fitted with closed circuit T.V cameras ;
 - (d) The sentries guarding the watch tower must always be alert ;
 - (e) A no man's area shall be identified near the high security enclosures which shall not be accessed by any Sansodhanagar inmate and staff, except those who are detailed for duties ;
 - (f) Proper search of barracks, cells and prisoners shall be conducted every day. The high security prisoners of category 'I' and 'II' must be searched twice a day whereas category 'III' at least once a day ;
 - (g) The locking up and opening shall be conducted in the presence of the officer in charge and no barrack cell shall be opened during night hours except in the presence of the Superintendent of the Sansodhanagar ;
 - (h) Besides checking the locks, bars, grills, mess, ventilator, floor walls of barrack/cells, its ceiling shall also be checked;
 - (i) The guard posted in the yards of the enclosure must not hold conversation with each other more than what may be required to perform their duty. The entrance door of the yard must always be kept locked from inside ;
 - (j) The keys of the locks of the cells/barracks doors shall always be carried by the person entrusted with the duty. There shall under no circumstances be handled by any unauthorised person ;
 - (k) The cells and barracks shall be well lighted to avoid dark spots and corners inside ;
 - (l) The guard on duty shall be thoroughly searched while going in and coming out. He shall be briefed adequately from time to time about non-acceptance of articles like eatables, articles for smoke, even water from these prisoners ;
 - (m) The inmates of high security enclosures shall be counted at least twice a day besides the counting done during locking up and opening ;

- (n) Necessary gadgets such as breath analyser, canine unit, etc. may also be procured and utilised to check any breach of Sansodhanagar discipline.

597. COURT HEARING

Video linkage shall be provided to these high security enclosures. In any case no undertrial convict or convict officer or detenue shall be allowed to enter these enclosures. The regular Sansodhanagar staff or the paramedical staff will not have access to these enclosures unless they are accompanied by the officer in charge of the block.

598. CONVICTS FOR RIGOROUS IMPRISONMENT

High risk offenders who are undergoing rigorous imprisonment, will do all sort of work assigned to them inside the security enclosures.

599. PUNISHMENT

All high risk offenders can be punished by the Superintendent in case of breach of discipline and security of Sansodhanagar in the manner set forth in Chapter XX (Sansodhanagar Discipline) of this Rules. The Superintendent may take appropriate legal action against such prisoners and in case if a high risk offender commits an offence which is punishable under any law in addition to being a Sansodhanagar offence, appropriate criminal process may be initiated against him by moving the local police station, in addition to the major and minor punishment provided in Chapter XX.

- (1) If a high risk offender commits frequent breaches, the Superintendent can recommend for shifting him to any other Sansodhanagar;
- (2) Facilities like interviews, letters, canteen facilities etc. can be withdrawn for a limited time, or otherwise ;
- (3) Forfeiture of earned remission and any other punishments as laid down by the Inspector General may also be imposed.

**CHAPTER - XXIV
(WOMEN PRISONERS)**

600. OBJECTIVE

- (1) To ensure safety of women prisoners and guard them against any form of exploitation, it is desirable that at least one women's Sansodhanagar be established in the State. Separate exclusive/ Sansodhanagar within Zila or Kendriya Sansodhanagar are also required to be established for housing female inmates where there are no exclusive Sansodhanagar for women. Till separate Sansodhanagars for women are established, both male and female inmates can be confined in the same Sansodhanagar on the condition that female offenders are to be kept in a strictly secluded female enclosure within the Sansodhanagar complex. The existing enclosures for women in common Sansodhanagars may be renovated to ensure that the women inmates do not come in contact with male inmates during their passage to and from these enclosures. Such enclosure shall be, to the extent possible, independent in terms of infrastructural set up. These enclosures shall have a double lock system; one lock outside and the other inside. The keys of the inside shall always remain in the custody of women guard inside.
- (2) The enclosures for women prisoners shall have all the requisite facilities with reference to their special needs such as segregation, security, pregnancy, child birth and family care, health care and rehabilitation etc.
- (3) Care shall be taken to ensure that women inmates are protected against any form of exploitation. The work and treatment programme for female inmates shall be devised giving due consideration to their special needs. Female prisoners shall be granted equal access to work, vocational training and education as male prisoners.

601. CLASSIFICATION AND SEPARATION

Women prisoners shall be classified and kept separately as under :

- (1) Undertrial prisoners shall be kept completely separated from convicted prisoners, even when their number is small ;
- (2) Habitual offenders shall be separated from casual prisoners;
- (3) Habitual offenders, prostitutes and brothel keepers must also be confined separately ;
- (4) Under no circumstances shall female young offenders be confined with adult women prisoners. Given their young and impressionable nature, female young offenders shall be kept in separate enclosures and shall be given treatment and training suited to their special needs for rehabilitation.
- (5) Civil prisoners and detenues, including those under preventive provisions, shall be kept separate from convicts and under trial prisoners, and from other prisoners, as far as possible.
- (6) Political prisoners and those courting arrest due to their participation in non-violent socio-political or economic agitation for declared public causes shall not be confined in Sansodhanagars along with other prisoners. Separate Sansodhanagar camps with adequate facilities shall be provided for such non-violent agitators.

Notes :

- (a) No criminal or non-criminal lunatic will be kept in the Sansodhanagar. Those currently there shall be immediately transferred to appropriate mental health institutions ;
- (b) No classification of prisoners shall be allowed on grounds of socio-economic status, caste or class.

602. REGISTER

- (1) A register (which may be in electronic form) shall be maintained in every place of imprisonment with numbered pages where the following details of women prisoners shall be entered :
 - (a) Information concerning their identity ;
 - (b) The reasons for their imprisonment and the authority ordering such imprisonment with full details of such order ;
 - (c) The day and hour of their admission and release ;
 - (d) Details of children of the prisoner, if any, including names,, ages, location and custody status .
- (2) Details of the children of women prisoners, including names, ages, location and custody status, shall also be recorded in the register. Such information regarding the identity of the children shall be kept strictly confidential and may be shared only with the mother's express permission.
Note: No person shall be received in an institution without a valid commitment order.

603. RESTRICTION ON WOMEN PRISONERS

- (1) No female prisoner shall, on any pretext, leave or be removed from the female enclosure except for release, transfer, or attendance at court, or under the order of the Superintendent for other legitimate purpose.
- (2) Every female prisoner authorised to leave her enclosure will ordinarily be accompanied by a matron or assistant matron, chief warder or female warder from the time she leaves till she returns.

604. EXCLUSION OF MALES

- (1) No male shall be permitted to enter the female ward of any Sansodhanagar, at any time, unless he has a legitimate duty to attend therein. No adult male shall enter it at all by night except in an emergency, and even then only along with the female warder/ Female Officer. He shall thereafter record a clear report of his visit with the reasons for such visit, and the hour thereof, in his report book.
- (2) Male warders and other male staff, acting as escort to lady visitors and officials, shall remain outside the enclosure.
- (3) If at any time a male Sansodhanagar Officer or warder or prisoner enters, or attempts to enter any ward or portion of a Sansodhanagar reserved for female prisoners, without proper authority, it shall be reported to the Superintendent forthwith.

605. TRAINING TO STAFF FOR GENDER-SENSITIVITY

- (1) All staff assigned to work with women prisoners shall receive training relating to the gender-specific needs and human rights of women including on sexual misconduct and discrimination. Such staff shall also be sensitized regarding situations and instances where a woman inmate may feel particularly distressed, so as to be sensitive to their situation and ensure that the women are provided appropriate support.
- (2) Where children are allowed to stay with their mothers in Sansodhanagar, awareness-raising on child development and basic training on the health care of children shall also be provided to Sansodhanagar staff, in order for them to respond appropriately in times of need and emergencies.

606. LOCKS OF FEMALE ENCLOSURES

- (1) The locks of enclosure and barracks, where women are confined shall, be different from those in use in other parts of the Sansodhanagar, so that there is no possibility of keys for locks of other enclosures being misused for opening enclosures for women prisoners.

- (2) Suitable measures may be taken (including the provision of alarm bells) to ensure minimum delay in opening barracks in case of an emergency.

607. PHOTOGRAPHY AND FINGER PRINTS

Photographs, foot-prints, finger-prints and measurements of women prisoners shall be done in the presence, and with the assistance of women Sansodhanagar Officers or women warders.

608. INSPECTIONS

- (1) Daily visits shall be made by women Sansodhanagar Officers and staff in all women barracks and enclosures, and particular attention will be paid to health and hygiene-related problems of women prisoners.
- (2) Night inspections rounds shall be made by Women Officers and Warders. Reports of such night inspections shall be recorded in the book immediately on completion of such Inspection.

609. PRISONERS REQUIRING MENTAL HEALTH CARE

Female prisoners needing treatment for mental diseases shall not be admitted in Sansodhanagar. They shall be kept in separate enclosures for female patients at the mental health hospital, or in other mental health facilities, under the supervision of a lady Medical Officer.

610. CUSTODY OF THE FEMALE ENCLOSURES

There shall be round the clock duty of female Head Warders in the female enclosures.

611. ADMISSION OF UNDERTRIAL PRISONERS

The admission rules for under-trial and convicted prisoners in the Sansodhanagar Manual shall be applicable to undertrial and convicted women prisoners also.

612. SEARCH OF WOMEN PRISONERS ON ADMISSION

Women prisoner shall be searched by female warders in the presence of other senior women personnel/women officer with due regards to consideration of privacy and decency. Such search shall not be conducted in the presence of any male.

613. QUARANTINE ON ADMISSION TO SANSODHANAGAR AND MEDICAL AID

- (1) Women prisoners on admission to Sansodhanagar shall be medically examined and, if the examining lady Medical Officer deems it necessary, kept separately in the female enclosure on medical grounds for the period prescribed by the Medical Officer.
- (2) After admission to Sansodhanagar, all women prisoners shall be required to wash themselves and their clothing thoroughly as soon as possible. Their personal clothing shall be disinfected before being stored.
- (3) The Lady Medical Officers on deputation to Sansodhanagar or part-time Lady Medical Officer of the Government Hospital shall be engaged for medical examination of female prisoners on admission. Only Lady Doctors shall look after the medical care of women prisoner during their stay in Sansodhanagar. In case of emergency male Medical Officer may also help in presence of any Lady Medical Officer.
- (4) Every women prisoner shall be examined by a lady Medical Officer. Such examinations shall also be conducted on readmission after bail, parole and furlough. In case a women Officer or Female Warder suspect a women prisoner to be pregnant, the woman prisoner shall be sent to the Govt. Hospital for detailed examination and report.

614. PREGNANCY

- (1) When a woman prisoner is found, or suspected, to be pregnant at the time of admission or later, the Lady Medical Officer shall report the fact to the Superintendent. Arrangements shall be made at the earliest to get her medically examined at the female wing of the Government Hospital for ascertaining the state of her health, pregnancy, duration of pregnancy and the probable date of delivery. After ascertaining all necessary particulars, detailed report shall be sent to the Inspector General of Correctional Services.
- (2) Gynaecological examination of the female prisoner shall be performed in the Government Hospital. Proper pre-natal and ante-natal care shall be provided to the prisoner as per the advice of qualified Medical Officer.
- (3) Adequate and timely food including supplemental nutrients, a healthy environment and opportunities for regular exercise shall be provided to pregnant women, babies, children and breast-feeding mothers.

615. CHILD BIRTH IN SANSODHANAGAR

- (1) As far as possible (provided the prisoner has a suitable option) arrangements for temporary release (or suspension of sentence in the case of a casual offender) will be made to enable a prisoner to deliver child in a hospital outside the Sansodhanagar. Only when there is high security risk in the case of any particular woman prisoner, the facility to deliver child outside the Sansodhanagar shall be denied.
- (2) Births in Sansodhanagar shall be registered at the local birth registration office. The fact that the child has been born in Sansodhanagar shall not be recorded as the place of birth. Only the address of the locality shall be mentioned. As far as the circumstances permit, all facilities for performing the naming rites of the child born in a Sansodhanagar shall be extended to the mother.

616. PROPERTY OF WOMEN PRISONERS

All money, jewellery, and articles of clothing, received with or found on the person of a woman prisoner on her admission to the Sansodhanagar, or sent subsequently by the police, or tendered by her relatives or friends on her behalf prior to her release, shall be received and taken over by the Deputy Superintendent or other officer on duty. A list of all such articles shall be entered in the Admission Register and in the convict's warrant and read over to the convict in the presence of the Superintendent who shall countersign the entries in the register and in the warrant. Method of storing the prisoner's money, etc., shall be according to the general rules laid down in the Sansodhanagar Manual.

617. CERTAIN ORNAMENTS TO BE ALLOWED TO WOMEN PRISONER

Female prisoners shall be allowed to retain, in moderation, certain ornaments of small value such as mangal sutras, bangles and toe rings. The Superintendent may, however, at his discretion, refuse to allow the retention of these ornaments in any particular case for disciplinary or security reasons.

618. CHILDREN OF WOMEN PRISONERS

- (1) A child up to six years of age shall be admitted to Sansodhanagar with his mother, if no other arrangements, for keeping him with relatives or otherwise, can be made. Children born in Sansodhanagar may remain with their mothers up to six years of age, if they cannot otherwise be suitably placed. The Medical Officer shall determine the age of children not born in Sansodhanagar for the purpose of this provision.
- (2) No child shall be admitted into or retained in Sansodhanagar, if he has attained the age of six years. The Superintendent shall inform the Directorate of Social Welfare about all children of that age for placing them in a home run by the

Social Welfare Department. Such children shall be kept in protective custody until their mother is released or the child attains such an age as to be able to earn his own livelihood.

619. WELFARE OF THE CHILDREN OF THE WOMEN PRISONERS

Sansodhanagar administration shall ensure holistic development of children of inmates confined in the Sansodhanagars. To the extent possible, Sansodhanagar administration shall strive to create a suitable environment for children's upbringing which is as close as possible to that of a child outside Sansodhanagar. The Board of visitors shall inspect these facilities at regular intervals.

620. EDUCATION

- (1) The children of women prisoners living in the Sansodhanagar shall be given proper education and recreational opportunities. There shall be a well-equipped crèche and a nursery school attached to a Sansodhanagar for women where the children of women prisoners shall be looked after while the mothers work in Sansodhanagar. Children below three years of age shall be allowed in the crèche and those between three and six shall be looked after in the nursery school. These facilities may also be extended to the children of warders and other female Sansodhanagar staff.
- (2) The crèche and nursery school shall be run by the Sansodhanagar administration preferably outside the Sansodhanagar with the assistance of NGOs or state welfare services. In the event the Sansodhanagar administration considers it difficult to run a crèche, arrangements shall be made to send the children to a privately run crèche under proper security. The transportation charges involved in the process and crèche fee shall be borne by the Sansodhanagar administration.
- (3) Children in Sansodhanagar shall be provided with adequate clothing suiting the local climatic requirements. For this the State Government shall lay down appropriate scales. Articles, like diapers and others as required, shall be provided to women prisoners who are caring for their infant children.
- (4) In addition to regular requirement, two cakes of 150 grams each of soaps & detergent shall be provided to women prisoners with children.

621. DIET / FOOD FOR CHILDREN OF WOMEN PRISONER

- (1) Scales of diet for children shall be decided keeping in view calorific requirements of growing children as per medical norms and climatic conditions. Separate utensils of suitable size and material shall also be provided to each mother prisoner for feeding her child.
- (2) In the event of a woman prisoner with children falls ill, alternative arrangements shall be made by the Sansodhanagar staff for looking after any children falling under her care.

622. HEALTH CARE

Adequate health facilities shall be provided to children of women prisoners (in collaboration with community health services). Children shall be regularly examined by a Lady Medical Officer to monitor their physical growth who shall also be vaccinated for various diseases including polio and small-pox at the appropriate time. Extra clothing and diet may also be provided to such children on the written recommendation of the Medical Officer.

623. DIET AND FOOD

- (1) Management of kitchens or cooking food on caste or religious basis shall be strictly banned in Sansodhanagars for women.
- (2) Adequate and nutritious diet must be given to nursing women and children accompanying women prisoners.

- (3) Food articles shall be of a good quality.
- (4) Pregnant and nursing women prisoners shall be prescribed a special diet.
- (5) Women prisoners may get special diet on festivals and national days, as may be specified in the rules.
- (6) Medical Officer shall ensure that food is cooked under hygienic conditions and is nutritious.
- (7) There may be a separate kitchen for every 100 prisoners.
- (8) Special arrangements for warming food or milk shall be made for women with children.
- (9) Some women staff shall be given special training in management of diet and kitchens and such trained staff shall supervise the kitchens and cooking in Sansodhanagars for women.
- (10) Sansodhanagar Officers, including the Superintendent, must supervise every aspect of the Sansodhanagar diet system, i.e. issue of rations, management of kitchens and distribution of food.
- (11) There shall be a separate kitchen for women prisoners.
- (12) Women prisoners shall not be allowed to have their own mini kitchens inside the Sansodhanagar barracks.
- (13) Clean drinking water shall be supplied to prisoners and it shall be tested periodically.

624. SCALE OF DIET

State Government shall lay down dietary scales for women prisoners keeping in view their calorie requirements as per medical norms. The diet shall be in accordance with the prevailing dietary preference and tastes of the local area in which the Sansodhanagar is located.

625. PRISONER TO RECEIVE DIET ACCORDING TO SCALE

- (1) Every prisoner shall be entitled to receive everyday food at prescribed times and according to the scale laid down.
- (2) The State Government may, at any time, vary either temporarily or permanently, the scale laid down in the Sansodhanagar Manual of the State, provided reasons for doing that are recorded in writing by the authorities concerned.

626. SPECIAL EXTRA DIET ON MEDICAL GROUNDS

- (1) Where the lady Medical Officer, for reasons of health, considers the prescribed diet to be unsuitable or insufficient for a women prisoner, or her child, she may order in writing a special diet or extra diet, for a specific period of time. Special consideration shall be given in this regard to pregnant/nursing prisoners.
- (2) Rules relating to diet of prisoners, those on specific medical advice for expectant and nursing mothers, and infants and children, shall be scrupulously observed.

627. CLOTHING

- (1) Women prisoners sentenced to six months imprisonment or below shall be issued two saris, two blouses, two petticoats, a towel and two sets of customary undergarments.
- (2) Women prisoners sentenced to more than six months imprisonment shall be issued three saris, three blouses, two towels and three sets of customary undergarments.
- (3) The clothing requirements provided above may be prescribed by the State Government in accordance with the prevailing climate and cultural norms. Adequate warm clothing's, according to local conditions and change of seasons, shall also be provided.

- (4) Children allowed staying with women prisoners shall be given suitable clothing similar to what is normally used by children in the local community.
- (5) Every woman Sansodhanagar shall maintain a repair unit where prisoner's clothing can be repaired.
- (6) Sterilised sanitary pads shall be issued to women prisoners as per their requirements.
- (7) Clothing of prisoners shall be sterilised at government cost once in two months. Prisoners shall be allowed to get their clothes washed through Sansodhanagar laundries at their own cost.
- (8) All clothing shall be cleaned and kept in a proper condition. Underclothing shall be changed and washed so often as necessary for maintenance of hygiene.

628. BEDDING

- (1) Every woman prisoner shall be provided with a sleeping berth and sufficient bedding in accordance with local standards and climate conditions. These shall be clean when issued, kept in good order, and changed often enough to ensure their cleanliness.
- (2) Women prisoners shall be given one pillow with pillow cover and woollen blankets according to climatic conditions.
- (3) Women prisoners shall be provided two cotton sheets for every six months.
- (4) All articles of prisoner's bedding, clothing and other equipment shall be inspected by a woman officer at least once a week to ensure that proper standards are maintained.

629. ACCOMMODATION

- (1) There shall be four types of living accommodation:
 - (a) Barracks with accommodation for 20 women prisoners;
 - (b) Dormitory accommodation for four to six women prisoners each;
 - (c) Single room accommodation for women prisoners needing privacy for pursuing studies;
 - (d) Cells for segregation of women prisoners for the purpose of security and punishment.
- (2) All accommodation provided for women prisoners, and in particular all sleeping accommodation, shall meet basic requirements of health. Due regard being paid to climatic conditions, the cubic content of air, minimum floor-space, lighting and ventilation.
- (3) Prisoners kept in dormitories shall be carefully selected, so that they are able to adjust with one another in those conditions. There shall be regular supervision by night, in keeping with the nature of the institution.
- (4) Sleeping berths in the women's barracks shall not be at a height beyond the comfortable reach of women prisoners.
- (5) There shall be sufficient number of toilets and that must be maintained in a clean and decent state.
- (6) Where women prisoners are required to live or work, the windows shall be large enough to enable the prisoners to read or work by natural light. The place shall be sufficiently ventilated to allow the entrance of fresh air.
- (7) Sufficient artificial light too shall be provided for the prisoners to read or work.
- (8) Adequate number of baths and showers shall be provided so that every prisoner may have a bath or shower at a temperature suitable for the climate, as frequently as may be necessary, for maintaining general hygiene according to season and climate.
- (9) All parts of the institution, regularly used by prisoners, shall be properly maintained and kept scrupulously clean at all times.

630. CLEANLINESS OF WOMEN ENCLOSURE

- (1) All parts of the women's enclosure in a Sansodhanagar shall be properly maintained and kept scrupulously clean at all times.
- (2) No mental duties, or conservancy work, concerned with the women's enclosure shall be carried out by the women prisoners. Specific staff for this purpose shall be employed.

631. PERSONAL HYGIENE

- (1) Women prisoners shall be required to keep their persons clean, and to this end they shall be provided with toilet articles, including sanitary towels, necessary for maintaining health and cleanliness. Sufficient water shall also be made available for the use of women prisoners and their children, and those prisoners, in particular, who are involved in cooking and those who are pregnant, breastfeeding or menstruating.
- (2) A woman prisoner's hair shall not be cut without her consent. However, if, on account of vermin or dirt, the lady Medical Officer deems cutting of hair necessary on the ground of health and cleanliness there may be hair cut. Even then it shall not be cut any shorter than required.

632. AMENITIES

- (1) All valuable ornaments shall be removed from women in custody and shall be safely deposited. They shall be permitted to retain their mangal sutra, plastic bangles and toe-rings.
- (2) Clothing and linen provided to women shall include undergarments, upper and other clothes, towels and socks in cold climates. Adequate quantity of toilet and washing soap shall be provided to them. A sachet of shampoo may be provided to women prisoners on a weekly basis.
- (3) Each adult women prisoner shall be supplied number of sanitary napkins for use during menstruation.
- (4) Women prisoners shall be provided kumkum according to their custom, sufficient quantity of hair oil and a comb.
- (5) Sufficient number of looking glasses shall be fitted in their barracks. At least one looking mirror (i.6 feet x 3.0 feet) shall be installed in the barrack.

633. INTERVIEW

- (1) The number of interviews for convicts and undertrial prisoners shall be liberalized in the case of women. Women prisoner's contact with their families, including their children, their children's guardians and legal representatives shall be encouraged and facilitated by all reasonable means. Where possible, measures shall be taken to counterbalance disadvantages faced by women detained in institutions located far from their homes.
- (2) Every woman shall be allowed, assisted and encouraged to write a letter and have interviews with her relatives/neighbours once a week during her term of imprisonment. A senior female officer in charge of interviews shall be responsible for grant of interviews as per rules. In view of women prisoners disproportionate experience of domestic violence, they shall be properly consulted as to who, including which family members, is to be allowed to visit them.
- (3) Visits involving children shall take place in an environment that is conducive to a positive visiting experience for the visiting children, including with regard to staff attitudes, and shall allow open contact between mother and child. Where possible, visits involving extended contact with children shall be encouraged.

- (4) The Sansodhanagar inmates shall be afforded opportunity as prescribed in the rules, to have reasonable contact including visits, telephone contact, electronic communication contact, interviews through video-conferencing and correspondence with the family inside the Sansodhanagar.
 - (5) There shall be no limit on incoming letters for women prisoners.
 - (6) Illiterate or semi-illiterate prisoners shall be provided help in writing letters.
 - (7) A waiting room for visitors shall be provided at each Sansodhanagar for women.
 - (8) Every newly admitted prisoner shall be allowed facilities for seeing or communicating with her relatives/friends/legal advisors, with views to preparation of an appeal or revision petition or for procuring bail. She shall be allowed to have interviews with, or write letters to, her relatives more often, if the Superintendent considers it necessary, to enable her to arrange for the management of her property and other family affairs.
 - (9) In case, close relatives of women are detained in the same Sansodhanagar, interview of both shall be facilitated by the Deputy Superintendent between the two gates in presence of Deputy Superintendent or Assist. Superintendent, once a week.
- 634. BOOKS**
Every institution shall have a separate library and a reading room for women with both recreational and instructional books. prisoners shall be encouraged to make full use of these facilities.
- 635. RELIGIOUS BOOKS**
A women prisoner shall be allowed to keep, at a time, up to five books with her. The restriction on the number of the books is on account of administrative convenience only (i.e. consideration of space per prisoner) and not for any other reason.
- 636. EDUCATION**
Every woman prisoner shall be offered a suitable educational programme during her stay in Sansodhanagar to improve her employment prospects. Education shall be a compulsory activity in Sansodhanagars for at least one-hour every day. It shall aim to enhance their functional capability. Every Sansodhanagar shall organise adult education, social, moral and health education, family welfare programmes, and training in various skills for making women self-reliant. For interested prisoners, appropriate facilities for formal and advanced education shall also be provided.
- 637. RECREATIONAL AND CULTURAL PROGRAMMES**
Recreational programmes shall be organised for women prisoners which may include simple outdoor games, shamans, music, folk dances, drama, TV, Radio and film shows. Women prisoners shall be provided facilities for meditation and yoga for stress management and for improving their mental and physical health.
- 638. VOCATIONAL TRAINING**
Vocational training programme shall be designed to suit the needs of prisoners sentenced to short, medium and long term imprisonment. As far as possible women prisoners shall be imparted training suited to their aptitude and background, making them economically self-reliant. The selection of vocational programmes shall be made in accordance with the marketability and profitability of the product, enhancing the prisoner's ability to earn their livelihood after release. The wages earned by the women prisoners shall be deposited in the bank account of the women inmates. Sufficient work or vocational trades shall be provided to keep prisoners actively employed for a normal working day. These may include:
 - (1) Tailoring;
 - (2) Embroidery;

- (3) Needle-craft;
- (4) Spinning;
- (5) Handloom;
- (6) Weaving;
- (7) Soap making ;
- (8) Hosiery work ;
- (9) Cane and bamboo work ;
- (10) Candle making ;
- (11) Toy making ;
- (12) Pottery ;
- (13) Stationery articles ;
- (14) Local handicrafts ;
- (15) Cottage industries ;
- (16) Gardening ;
- (17) Sewing machine repair ;
- (18) Computer training ;
- (19) Beautician's work ;
- (20) Agricultural, horticultural, diary projects ;
- (21) Fishery ;
- (22) Mushroom cultivation ;
- (23) Local projects.

639. LABOUR

- (1) Prisoners shall be paid equitable remuneration for their work and no disparity in wages shall accrue on account of gender differences.
- (2) The system must also provide that a part of the earnings is set aside by the administration to constitute a savings fund to be handed over to the prisoners on their release.
- (3) Under the system the prisoners shall be allowed to spend at least a part of their earnings on approved articles for their own use and to send a part of it to their family.
- (4) Unless medically advised not to work, all prisoners shall be engaged in work and activity in the Sansodhanagar, for which they will be paid proper wages.

640. HEALTH / MEDICAL FACILITIES

- (1) Every woman Prison shall have a 10 bed hospital for women. Treatment programmes shall be properly planned and developed in every woman's Sansodhanagar. At least one and more woman gynaecologist and psychiatrist shall be provided. Modern equipments for X-ray, ECG, Ultrasound and Sonography shall be available.
- (2) In addition to the details required to be recorded after health screening in accordance with Appendix – I, the health screening of women prisoners shall also include a comprehensive screening to determine primary care needs, and to determine :
 - (a) The presence of sexually transmitted diseases or blood-borne diseases; and, depending on risk factors, women prisoners may also be offered testing for HIV, with pre-and post-test counselling ;
 - (b) Mental health care needs, including post-traumatic stress disorder and risk of suicide and self-harm ;
 - (c) The reproductive health history of the women prisoner, including current or recent pregnancies, child birth and any related reproductive health issues ;
 - (d) The existence of drug dependency ;

- (e) Sexual abuse and other forms of violence that may have been suffered prior to admission.
- (3) Female prisoners suffering from psychosomatic and psychological disorders, victims of sexual abuse and those having mental health issues, must get proper counselling and medical treatment.
- (4) The right of women prisoners to medical confidentiality, including specifically the right not to share information and not to undergo screening in relation to their reproductive health history, shall be respected at all times.
- (5) Women prisoners shall receive education and information about preventive health care measures, including on HIV, sexually transmitted diseases and other blood borne diseases, as well as gender-specific health conditions.

641. LEGAL AID

- (1) To ensure access to justice to all, timely legal aid services shall be provided to needy prisoners at State expenses as prescribed by the State Government. Sansodhanagar Administration shall be assisted by the State/District Legal Service Authority for this purpose through a panel of advocates earmarked for the Sansodhanagar/courts.
- (2) For this purpose, socio-legal counselling cell shall be set up in each institution to be managed by volunteers from a designated law school, school of social work, or a non-governmental voluntary agency. Work done by students while working in such a cell shall be given academic credit and shall form a part of the student's graded curriculum.
- (3) Assistance of lady members of the district legal aid committee shall be made available to women prisoners to help them with their procedural and legal problems.
- (4) The practice of fortnightly or weekly women prisoner's councils shall be utilised as a modality for orientation of, and interaction with prisoners and for training in participative custodial living.
- (5) In the event of existence of sexual abuse or other forms of violence before or during detention is discovered, the women prisoner shall be informed of her right to seek recourse from judicial authorities. The woman prisoner shall be fully informed of the procedures and steps involved. If the woman prisoner agrees to take legal action, appropriate staff shall be informed and the case immediately referred to the competent authority for investigation. Sansodhanagar authorities shall help such women to access legal assistance.
- (6) In such case, regardless of whether the woman choose to take legal action, Sansodhanagar authorities shall endeavour to ensure that she has immediate access to specialized psychological support or counselling.

642. FACILITIES FOR FOREIGN NATIONALS

Women prisoners, who are foreign nationals, shall be allowed reasonable facilities to communicate with their diplomatic and consular representatives. Those who are nationals of other countries or refugees, shall be allowed similar facilities to communicate with any agency whose task is to protect such prisoners.

643. PREMATURE RELEASE

In line with gender- sensitive management policy, a liberal approach shall be allowed while determining cases of premature release of women prisoners particularly in cases where she has been the sole breadwinner, or where no surrogate care is possible for the dependents of women prisoners. As far as possible, expectant mother may be released on suspended sentences, or otherwise, to avoid delivery of their child inside the Sansodhanagar.

644. APPLICATION OF PROBATION OF OFFENDERS ACT, 1958

- (1) Probation of Offenders Act, 1958, shall be extensively used in case of women offenders to provide suitable non-institutional corrective treatment to them.
- (2) The probation system shall be strengthened in close coordination with the judiciary. Probation Services shall be brought under the administrative control of the Inspector General of Correctional Services and Correctional Services only.

645. TRANSFER OF WOMEN CONVICTS FOR RELEASE

Every woman confined in a Sansodhanagar other than that of the district of her residence, shall be transferred to such Sansodhanagar in the district of her residence 10 days before her release. The sanction of Inspector General of Correctional Services for such transfers within the State shall not be required.

646. RELEASE OF WOMEN PRISONERS

Before a woman prisoner is released, sufficient advance notice shall be given to her relatives or friends to be present at the Sansodhanagar and receive her. If no relative appears on the day of her release, she shall be sent to her home under the charge of female escort. The Deputy superintendent shall record in her report book about arrangements made for the safe release and escort of woman prisoner to her home.

647. AFTER CARE, REHABILITATION AND FOLLOW-UP

- (1) Sansodhanagar authorities shall utilize options such as home leave, open Sansodhanagars, halfway houses and community-based programmes and services to the maximum possible extent for women prisoners, to ease their transition from Sansodhanagar to liberty, to reduce stigma and to re-establish their contact with their families at the earliest possible stage.
- (2) Sansodhanagar authorities, in cooperation with probation and/or social welfare services, local community groups and non-government organizations, shall design and implement comprehensive pre-and post-release reintegration programmes which take into account the gender-specific needs of women. After care services/programmes shall include all kinds of help which may result in proper readjustment of the released women prisoners in the society.
- (3) There shall be at least one designated voluntary organization in each district to which the work of extending help to a released prisoner may be entrusted.
- (4) The approved representatives of such agencies shall have necessary access to the institutions and to women prisoners, and shall be taken into confidence from the start of their sentences.
- (5) It is desirable that the activities of such agencies are centrally monitored and coordinated in order to secure the best use of their services.
- (6) After care of women prisoners, discharged from Sansodhanagars and allied institutions, shall be taken up by the Department of Sansodhanagars and Correctional Services.
- (7) There shall be women staff in the after care and follow-up units in the headquarters of the Department of Sansodhanagars and Correctional Services in the State.
- (8) Woman Probation Officers shall be in charge of after-care and follow-up work.
- (9) The after-care and follow-up unit shall evolve an objective method of assessing the post-release needs of women prisoners.

648. LINKAGE WITH OUTSIDE WELFARE AGENCIES

- (1) Sansodhanagars reform can be achieved through participation of the Government, private enterprise and non-profit organisations who could collectively facilitate implementation of various processes and systems to encourage Sansodhanagar industries. The representatives from other districts and other Sansodhanagars in the State, representative from the industry, representative from NGOs for training and skill development can be considered as members of the Sansodhanagar Industry Board.
- (2) The Superintendent of Sansodhanagar shall establish a functional linkage and co-operational relation with a select group of social activists and N.G.Os serving and taking up the cause of women in general and women offenders in particular, so that the Sansodhanagar administration and the N.G.Os can together wage a war against social stigma attached to women in custody. As this is a battle to be fought more in minds than in fields, frequent seminars and symposia shall be conducted to elaborate on the need of after-release rehabilitation of women offenders and to create a favourite public opinion.
- (3) Comprehensive, intensive and incessant counselling of women offenders and members of their families shall be carried out by these groups of social activists and N.G.Os to pre-empt and overcome the aversion of the society to women prisoners, which otherwise might deter and derail proper rehabilitation of women in custody.
- (4) Counselling programmes shall focus on the emotional and psychological issues of women prisoners, particularly for those who have been victims of domestic violence, sexual abuse and substance abuse. The counselling programmes shall:
 - (a) Help address any mental health issues that she may be suffering from and suggest effective coping strategies ;
 - (b) Facilitate her re-integration into society after release ;
 - (c) Focus on removing any further damaging impact that imprisonment may have on women inmates, and seek to enhance self-worth, autonomy and self-efficacy.
- (5) Special programmes may be initiated to address underlying factors that lead to criminal behavior, for instance, separate programmes addressing substance addiction-related issues.
- (6) The literacy and vocational training for women offenders shall be conducted in such a manner that it :
 - (a) Endows woman inmates with professional capabilities and expertise in one, or more than one, vocation, so as to enable them to earn a living and lead a self-supporting life after release ;
 - (b) Eradicate the poverty-crime nexus ;
 - (c) Empower women to make positive life style changes within the context of education, support and recovery.Special programmes shall be initiated for women with physical or mental disabilities. The programmes shall also involve imparting life skill-based education, and disseminating information about preventive health care measures, including prevention from HIV, sexually transmitted diseases and other blood-borne diseases, as well as gender-specific health conditions.
- (7) Arrangements for public display of the products made by the women prisoners will boost their morale, instil confidence into them, and rekindle

the flames of hope for a normal life at large. Moreover, it will pave the way for the much needed social awareness, supportive and sympathetic to the women living behind the bars.

649. PRISONERS SUFFERING FROM MENTAL ILLNESS

- (1) Women who are found mentally ill shall not be detained in Sansodhanagar. Arrangements shall be made for their removal to mental homes or institutions for mentally ill prisoners who happen to be admitted in Sansodhanagars.
- (2) When transferring a mentally ill woman prisoner to a mental home and back to the Sansodhanagar, a female warder shall accompany the police escort, provided to such prisoner, wherever possible. The families of such prisoners shall be traced and informed of the prisoners' whereabouts and health status.
- (3) Steps shall be taken, by arrangement with the appropriate agencies, to ensure the continuation of psychiatric treatment after release and provisions of social psychiatric after-care, wherever it is deemed necessary.

650. SANSODHANAGAR DISCIPLINE

- (1) Discipline and order shall be maintained with firmness but with no more restriction than is necessary for safe custody and well ordered institutional life.
- (2) No woman prisoner shall be punished in the Sansodhanagar until she has been informed of the offence alleged against her and given proper opportunity of presenting her defence. The competent authority shall conduct a thorough investigation of the case before awarding punishment.
- (3) Sansodhanagar offences and indiscipline may be dealt with in the manner provided in Chapter XX (Sansodhanagar Discipline) subject to the following conditions :
 - (a) Punishment by close confinement or disciplinary segregation shall not be applied to pregnant women, women with infants and breastfeeding mothers in Sansodhanagar ;
 - (b) Disciplinary sanctions for women prisoners shall not include a prohibition of family contact, especially with children ;
 - (c) Instruments of restraint shall never be used on women during labour, during birth and immediately after birth.

651. REQUESTS AND COMPLAINTS

- (1) During the weekly parades, every woman prisoner shall have an opportunity of making requests or complaints to the Superintendent who in turn, shall promptly deal with such complaints or requests.
- (2) A complaint box shall be fixed at a prominent place in the women's enclosure which shall be opened in the presence of the Superintendent at least twice a week. Every complaint or request found in it shall be registered and properly dealt with and replied to without undue delay. The Sansodhanagar social welfare and legal aid counselling staff, or literate prisoners, shall be utilized to assist illiterate prisoners in recording their complaints. All such complaints shall be received and tackled in an understanding manner without the risk of retribution to the complainant. Women prisoners who report abuse shall be provided immediate protection, support and counselling and their claims shall be investigated by competent and independent authorities, with full respect for the principle of confidentiality. Protection measures shall take into account specially the risks of retaliation.
- (3) Appropriate guidance and assistance shall be given to women prisoners for filing complaints against sexual harassment with the internal complaints committee constituted under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

- (4) The Board of Visitors shall monitor the conditions of detention and treatment of women prisoners in particular.

652. WOMEN PERSONNEL

- (1) In a Sansodhanagar for convicted women prisoners there shall be one post of a lady Jailor/ Superintendent.
- (2) The women's enclosures attached to the Sub-Divisional Sansodhanagars and Zila Sansodhanagars shall be in the charge of a Lady Sub-Jailor. They will be assisted by a female Chief Head Warder, Head Warder and Female Warders.
- (3) The following officials may be posted in every Sansodhanagar for women as per recruitment in accordance with the direction of the State Government.
 - (a) Lady Superintendent ;
 - (b) Lady Jailor ;
 - (c) Lady Deputy Jailor ;
 - (d) Lady Sub-Jailor ;
 - (e) Lady Medical Officer ;
 - (f) Probation Officer ;
 - (g) Chief Head Warder ;
 - (h) Head Warder ;
 - (i) Warder ;
 - (j) Teachers ;
 - (k) Instructors ;
 - (l) Psychiatrist ;
 - (m) Doctor, specially Gynaecologist ; and
 - (n) Clerks

653. TERMS OF SERVICE AND TRAINING

- (1) Women Warders and all other Women Sansodhanagar Officers shall be provided basic initial in-service training and refresher course to keep them in touch with contemporary developments in the field of their work.
- (2) Every women member of Sansodhanagar staff shall be provided training in Human Rights and various aspects of correctional work.
- (3) All promotions up to the level of Deputy Superintendent shall be made subject to a pre-promotional qualifying examination. All those who qualify in this examination shall be eligible for promotion to the next higher post.
- (4) Physical fitness and Psychological test shall be essential prerequisites for direct recruitment.
- (5) All new recruits shall be given basic initial in-service training. Officers and staff on deputation shall be put through short duration orientation courses.
- (6) Adequate training reserve shall be provided in each cadre of the Sansodhanagar service.
- (7) Basic initial training, in-service training, refresher courses shall be organised by the training institutions for various categories of personnel.

654. OTHER FACILITIES FOR WOMEN STAFF

- (1) Study teams of senior women officers shall be deputed to visit Sansodhanagar institutions in various states in the country as also those in other countries.
- (2) Staff meetings and conference shall be regularly held.
- (3) A welfare fund shall be established in the State.
- (4) Proper forum must be provided at the institutional and state levels for women Sansodhanagar staff to ventilate their grievances.
- (5) In case of death of a women Sansodhanagar staff in lawful discharge of her duties, a lump-sum of Rs.2 lakh shall be paid to her survivors or family.

- (6) All good work done by women Sansodhanagar personnel shall be given proper publicity and shall be highlighted through the media.
- (7) Residential quarters shall be provided to all members of the women Sansodhanagar.
- (8) Adequate leave reserve shall be provided while fixing staffing norms.
- (9) Every member of the women staff shall be allowed a day off once a week.
- (10) Women Sansodhanagar personnel shall be paid salaries and allowances as per with those of equivalent ranks in the police department.
- (11) Every direct recruit in service shall have opportunities of at least three promotions during the span of her carrier.
- (12) Proper forum shall be provided at the Sansodhanagars, and the state level, for women Sansodhanagar personnel to ventilate their problems and grievances common to them.

655. CRECHE AND CANTEEN FACILITIES TO STAFF

- (1) Some Sansodhanagar female staff shall be given special training in the management of canteen and such officials shall be put in charge of supervising the canteen.
- (2) Female staff shall be provided services of crèche for proper care of their young children while they are on duty.
- (3) Canteen facilities must be made available.

656. ESCORTING OF WOMEN PRISONERS

- (1) The female Head Warder shall escort every female prisoner leaving the women's enclosure, and shall remain with the prisoner until the prisoner returns to the enclosure. She shall accompany the female prisoner under transfer. Wherever necessary, services of women police will be utilized for escort duty with due regard to security considerations.
- (2) Separate escort vans for escorting women prisoners shall be made available.

657. WOMEN WARDERS NOT TO ALLOW A MALE TO ENTER WOMAN ENCLOSURE

The Women warder shall not allow any male Sansodhanagar officer, or male prisoner, to enter the women's enclosure without proper authority. If any male Sansodhanagar officer or warder or prisoner, without proper authority, at any time enters, or attempts to enter, any ward or portion of the Sansodhanagar reserved for occupation by female prisoners, the Woman Warder shall make a report forthwith to the Deputy Superintendent or Superintendent of Sansodhanagar.

658. FEMALE HEAD WARDER NOT TO COMMUNICATE WITH MALE PRISONERS

No female Head Warder shall at any time, and on any pretext, hold any interview or communicate/interact in any way, with any male prisoner or visit any part of the Sansodhanagar allotted, reserved for, or occupied by male prisoners, except in the discharge of the duties.

659. KEYS OF WOMAN'S ENCLOSURE

The woman 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 Lady Jailor or Deputy Superintendent who shall lock them up in the key chest. The Lady Jailor or Deputy Superintendent shall handover the keys again to the female Head warder in the morning at the time of unlocking.

**CHAPTER –XXV
(INSPECTION OF SANSODHANAGARS)**

660. INSPECTION OF SANSODHANAGARS

Inspections play an important role in improving the working conditions of Sansodhanagar inmates and Sansodhanagar staff. Inspections are an important tool to ensure that the Sansodhanagar staff is operating strictly in accordance with applicable rules and regulations and that all records pertaining to matters related to Sansodhanagar inmates are maintained and updated as per the relevant rules. Inspections are of two types:-

- (1) **Informal Inspection** :- Informal inspections are to be conducted by every officer of the Sansodhanagar Department of the rank of Deputy Inspector General of Correctional Services and above, as and when they visit a Sansodhanagar while discharging their official duties. The visiting officer shall prepare an informal inspection report containing the following :
 - (a) Security and lighting arrangements ;
 - (b) Mess and canteen facilities ;
 - (c) Vacancy position of staff ;
 - (d) Medical facilities ;
 - (e) Prisoners strength ;
 - (f) All Sansodhanagar buildings ;
 - (g) Interview with prisoners ;
 - (h) Grievances of Sansodhanagar staff
 - (i) Pending references with the Sansodhanagar headquarters ;
 - (j) Female prisoners and infants ;
 - (k) Prisoner Management Software/Video Conferencing facility;
 - (l) Any other administrative issues .
- (2) **Formal Inspection** :- Formal Inspection shall be carried out in detail by an Inspecting Officer (as may be designated by the State Government). The Inspecting Officer shall spend minimum of two nights and two days at the Sansodhanagar, while carrying out the inspection. The Inspecting Officer shall draw a detailed inspection report covering the following :-
 - (a) Comments on the complaints of the observations made/directions issued by the Inspector General of Correctional Services on the previous inspection note ;
 - (b) Authorized person population and actual Sansodhanagar population;
 - (c) Vacancy position of staff ;
 - (d) Security and lighting arrangements during day time and night/Generator Sets ;
 - (e) Sansodhanagar alarm system ;
 - (f) Mess and Canteen Facilities ;
 - (g) Interview facilities for prisoners ;
 - (h) Stores ;
 - (i) Sansodhanagar record to be maintained for the Sansodhanagar inmates ;
 - (j) Record relating to parole, furlough, remission and pre-mature release, etc. ;
 - (k) Women prisoners and infants ;
 - (l) Medical facilities ;
 - (m) Work opportunities in Sansodhanagar ;

- (n) Remission system ;
- (o) Wages to prisoners;
- (p) Library ;
- (q) Hygienic condition in barrack including water and sewerage facilities ;
- (r) Recreation facilities/Sports/Religious activities/Spiritual activities ;
- (s) Sansodhanagar farms ;
- (t) Sansodhanagar Factory/Workshop ;
- (u) Sansodhanagar panchayet ;
- (v) High security ward ;
- (w) High risk prisoners ;
- (x) Computerization/Video Conference facility/CCTVs etc. ;
- (y) Sansodhanagar staff colony/Wardens Hostel, etc. ;
- (z) Interviews with Sansodhanagar staff ;
- (aa) Other administrative matters related to Sansodhanagars, prisoners and staff.

661. ACTION TAKEN REPORT (ATR) on

- (1) Grievances redressal meeting, if any ;
- (2) Canteen management.

662. SUBMISSION OF INSPECTION REPORT

- (1) Every Kendriya Sansodhanagar, Zila Sansodhanagar and sub-Sansodhanagar/other Sansodhanagar (Women) shall be inspected by a Gazetted Officer twice in a calendar year. At least once such inspection shall be carried out by the officer of the rank of Sansodhanagar Superintendent. The first inspection shall be carried out in the month of January/ February on the working of the Sansodhanagar for the period from 1st of July to 31st of December of the previous year. The inspection to be carried out in the month of July shall cover the working period from 1st January to 30th June of the same year. The report of the first inspection shall be submitted by 28th February and the report of the second inspection shall be submitted by the 31st of July every year, to the Inspector General of Correctional Services for issuing appropriate directions. The Director General/Inspector General of Correctional Services shall appoint Inspecting Officers for different Sansodhanagars in advance by 15th January every year.
- (2) The Inspector General of Correctional Services shall issue directions to the Superintendent of the Sansodhanagar concerned for complying with the observations made by him on the inspection report. The compliance report on the directions issued on the inspection note shall be submitted by the Superintendent of the Sansodhanagar concerned before the next inspection is due. The Inspecting Officer shall write a paragraph in his report about the compliance by/ response of the Sansodhanagar Superintendent on the points raised /observations made in the previous inspection report.

663. MINIMUM PERCENTAGE OF INSPECTION OF SANSODHANAGARS

The Inspector General of Correctional Services or any other officer of the rank of Deputy Inspector General of Correctional Services and above from the Sansodhanagars Headquarters shall inspect minimum of 25% of the Sansodhanagars in the State every year. This allotment shall also be done by the Inspector General of Correctional Services in advance by 15th of January every year.

**CHAPTER - XXVI
(BOARD OF VISITORS)**

664. BOARD OF VISITORS

The State Government shall, by notification, constitute a Board of Visitors comprising official and non-official members at District and Sub-Divisional level.

665. TASK OF BOARD OF VISITORS

The task of the Board of Visitors shall include :

- (1) Monitoring the correctional work in Sansodhanagars, with special attention to the degree and quality of training and the effectiveness of infrastructure/facilities in the Sansodhanagars;
- (2) Suggesting new avenues leading to improvement in correctional work;
- (3) Going into individual or collective grievances of prisoners and providing redressal in consultation with the Sansodhanagar authorities.

666. OFFICIALS MEMBERS OF BOARD OF VISITORS

The Board of Visitors shall comprise the following official members :

- (1) The District Judge at the District level, or the Sub-Divisional Judicial Magistrate exercising Jurisdiction at Sub-Divisional level ;
- (2) The District Magistrate & Collector, at the District level or Sub-Divisional Magistrate at Sub-Divisional level ;
- (3) District Superintendent of Police at District level and Sub-Divisional Police Officer at Sub-Divisional level;
- (4) The Chief Medical Officer of the Health Department at the District level or the Sub-Divisional Medical Officer at Sub-Division level ;
- (5) The Executive Engineer, PWD at the District level, or Assistant Engineer, PWD at Sub-Divisional level ;
- (6) The District Education Officer dealing with literacy programmes ;
- (7) District Social Welfare Officer of concerned district ;
- (8) District Employment Officer of concerned district;
- (9) District Agricultural Officer of concerned district;
- (10) District Industrial Officer of concerned district.

The Board shall make at least one visit per quarter and for this purpose, presence of three members and the Chairman shall constitute quorum.

667. NON-OFFICIALS MEMBERS OF BOARD OF VISITORS

The Board of Visitors shall also comprise the following Non-Official Members :

- (1) Three Members of the Legislative Assembly of the State of which one shall be a women at District level and three members at the local municipal body or panchayat, as the case may be, of which one shall be women;
- (2) A nominee of the State Human Rights Commission ;
- (3) Two social worker of the District/Sub-Division; one of them shall be a woman having an interest in the administration of Sansodhanagars and welfare of prisoners.

668. CHAIRMAN OF BOARD OF VISITORS

The District Judge shall be the Chairman of the Board of visitors at District level and the Sub-Divisional Judicial Magistrate shall be the Chairman at Sub-Division level.

The non-official visitors after their appointment must be sensitised and trained about their duties, roles and responsibilities.

- 669.** The Board of Visitors shall meet in the office of the Superintendent of Sansodhanagars at least once in every quarter.

670. MINUTE OF THE MEETING & VISIT OBSERVATION

- (1) The minute of every meeting of the Board of Visitors shall be recorded in the Visitors' Minute Book, and the same shall be forwarded to the Inspector General of Correctional Services with comments of the Superintendent. A copy of the minutes shall also be dispatched to every member of the Board of Visitors. The Inspector General of Correctional Services shall place a copy of the minute of the last meeting/meetings of the Board of Visitors of all the Sansodhanagars before the State Advisory Board.
- (2) When a non-official member of the Board of Visitors visits a Sansodhanagar, he shall be accompanied by at least one more member (official or non-official). The Chairman of the Board of Visitors shall make a monthly roster of visits to be paid by the members of the Board to the Sansodhanagar, in consultation with the Superintendent.
- (3) The roster shall be made in such a manner as will envisage at least one visit by a member in every month.
- (4) Every non-official visitor is expected to interest himself in the upkeep of prisoners and visit the Sansodhanagar of which he is a visitor, once a month, and oftener, if possible.
- (5) During visits, a Visitor (Member of the Board of Visitors) shall enjoy the right to converse secretly and separately with any prisoner who is willing to talk to the visitor. However, such separate interaction between a Visitor and a prisoner shall be held in a place within the Sansodhanagar well within sight of a Sansodhanagar officer. The Visitor, immediately after such conversation with a prisoner, shall inform the Chairman of the Board in writing about what transpired in the conversation with the prisoner. The Chairman, if he thinks it necessary, shall take up the matter with the Superintendent of Sansodhanagar.
- (6) Any observation/comments made in the Visitors' Minute Book, by any member of the Board, shall be forthwith brought to the notice of the Inspector General of Correctional Services by the Superintendent, along with his own comments. The copy of the same shall also be sent to the Visitor concerned and the Chairman of the Board of Visitors.
- (7) The Members of the Visitors Board shall specially attend to the quality and quantity of Sansodhanagar diet, condition of the kitchen and hospital, availability of medicines, hospital management, medical treatment of the prisoners, sanitary arrangements, aspects of vocational trainings, literacy program, and library facility for the prisoners.

671. DUTY OF SUPERINTENDENT AT THE TIME OF VISIT

- (1) The Superintendent shall present before the visiting members/members of the Board of Visitors any paper/document pertaining to correctional work, recreation and trainings of prisoners, Sansodhanagar diets/medicines, grievances of prisoners and follow redressal of such grievance, if it is sought by a visiting member of the Board.
- (2) The Superintendent shall not be bound to present any register/document/paper pertaining to financial accounts before a member of the Board of Visitors without written approval of the Inspector General of Correctional Services.

- (3) The Superintendent shall ensure that the prisoners lodging complaints with the visiting member/members of the Board of visitor do not subsequently fall prey to vendetta of the accused or Sansodhanagar staff complained against.
- (4) Following any such visits by member/members of the Board of Visitors, the Superintendent shall inform the Inspector General of Correctional Services regarding the details of the visit.

672. APPOINTMENT & CANCELATION OF NON-OFFICIAL MEMBERS OF BOARD OF VISITORS

- (1) For the purpose of a meeting of the Board of Visitors one official visitor and two non-official visitors shall form a quorum. A non-official member of the Board of Visitors shall hold office for a period of two years from the date his appointment to the Board, and may be considered for reappointment.
- (2) The appointing authority may cancel the appointment of any non-official visitor for reasons to be recorded in writing. Removal of non-official visitors must not be arbitrary and shall be based on a sound reasoning. In particular, any removal must be made after following principles of natural justice.

673. ALLOWANCES OF NON-OFFICIAL MEMBERS OF BOARD OF VISITORS

A non-official member of the Board of Visitors shall receive allowances as may be sanctioned by the Government from time to time, for attending meetings of the Board of Visitors.

674. DUTIES OF VISITORS

All visitors, official and non-official, at every visit shall :

- (1) Examine the cooked food ;
- (2) Inspect the barracks, wards, work-sheds and other buildings of the Sansodhanagar generally ;
- (3) Ascertain whether considerations of health, cleanliness and security are attended to, whether proper management and discipline is maintained in every respect and whether any prisoner is illegally detained, or is detained for undue length of time while awaiting trial ;
- (4) Examine Sansodhanagar registers and records, except secret records and records pertaining to accounts ;
- (5) Hear and attend to all representation and petitions made by or on behalf of the prisoners ;
- (6) Direct, if deemed advisable, that any such representation or petition be forwarded to the Government ;
- (7) Suggest new avenues for improvement in correctional work;

Note : A spare copy of the list of duties of the visitors will be kept at the main gate and handed over to a visitor on the occasion of his visit to the Sansodhanagar. Each non-official visitor will be supplied with a copy on his appointment.

675. BOARD OF VISITORS TO RECORD REMARKS

The Board of visitors shall record their remarks in the Visitors' Book after every visit. A copy of these remarks shall be forwarded to the Inspector General who shall pass such orders as he think necessary. A copy of the Inspector General's order shall be sent to the visitor concerned.

676. VISITORS TO BE FACILITATED

- (1) The Board of Visitors shall be afforded every facility for observing the state of the Sansodhanagar and the management thereof, and shall be allowed access, under proper regulations, to all parts of the Sansodhanagar and every prisoner confined therein. They shall ordinarily not visit high security areas unless the

instructions in this behalf are given by the Inspector General of Correctional Services.

- (2) The Board of Visitors shall have the power to call for and inspect any book, or other record except secret records & records of accounts in the Sansodhanagar unless the Superintendent, for reasons to be recorded in writing, declines on the grounds that its production is undesirable. Similarly every visitor shall have the right to see any prisoner and to put any question to him out of hearing of any Sansodhanagar officer.
- (3) Non-official visitors shall not visit prisoners who are not allowed to be interviewed on medical grounds.
- (4) Visits shall not ordinarily be made after prisoners have been locked for the night and on Sansodhanagar holidays.

677. VISIT TO HIGH SECURITY SANSODHANAGAR

(1) DISTRICT & SESSIONS JUDGE TO VISIT AND INSPECT SANSODHANAGARS

It shall be the duty of the District & Sessions Judge to visit and inspect high security and other Sansodhanagars and to satisfy himself that all rules, regulations, directions and orders made or issued to such Sansodhanagars, are duly observed and enforced.

(2) RECORD OF INSPECTION

A record of the result of each visit and inspection made shall be made in a register to be maintained by the Superintendent for this purpose.

(3) DISTRICT & SESSIONS JUDGE TO COMMUNICATE ONLY WITH THE SUPERINTENDENT OF SANSODHANAGARS

- (a) The District & Sessions Judge shall not ordinarily address any communication or order to any officer of any Sansodhanagar below the Superintendent. All orders issued by the District & Sessions Judge shall be in writing.
- (b) The District & Sessions Judge's orders shall ordinarily be issued in the form of an entry in the Visitor's Book. The judge is not required to interfere in matters of detail effecting management of a Sansodhanagar. He shall refrain from any action which may tend to weaken the authority of the Superintendent over subordinate Sansodhanagar officers and prisoners.
- (c) If the District & Sessions Judge gives an order to which the Superintendent of Sansodhanagar or his senior takes exception, the concerned office may represent the matter through the Inspector General(Sansodhanagars) to the State Government, but he shall forthwith obey any order which is not inconsistent with the Sansodhanagar Act of the State, or any rule made thereunder, and does not involve any immediate risk or danger.

(4) DATE OF VISIT TO BE RECORDED AND COPY OF REMARKS TO BE SENT TO CERTAIN OFFICERS

- (a) Every visitor shall, after he has completed his visit to the Sansodhanagar, record in the visitors' book, the date and hour of his visit, and may enter therein any remarks or suggestions he may wish to make.
- (b) A copy of the remarks made by every visitor, together with Superintendent's reply thereto, or the action taken by the Superintendent thereon, shall be forwarded to the Inspector General. In case the remarks

relate to the long detention of an undertrial prisoner, a copy of such remark shall also be forwarded to the Sessions Judge.

(5) DISPOSAL OF THE REMARKS MADE BY A VISITOR

- (a) Any remarks made by a visitor under the preceding section shall be limited to a statement and fair criticism of actual facts, which may come to his knowledge, and to such suggestions, as he may desire the Superintendent or Inspector General to consider. Criticism shall be confined to such aspects of the ordinary administration and management of the Sansodhanagar which, in the opinion of the visitor, can be improved. On no account the visitor shall directly or indirectly reflect, either favourably or adversely, on the character or conduct of any of the Sansodhanagar staff. If the visitor wants to bring to notice the good or bad work of any Sansodhanagar official he shall do so by a letter addressed to the Inspector General of Correctional Services.
- (b) The Inspector General of Correctional Services may pass orders on any remarks made by a visitor, and shall, if any issue of importance requires the orders of the Government, forward such record to the State Government.
- (c) A copy of any order passed by the Inspector General, or by the State government on any record made by a visitor shall be communicated to the visitor concerned through the Superintendent of Sansodhanagar.

CHAPTER –XXVII
(STAFF DEVELOPMENT)

678. STAFF DEVELOPMENT

Correctional work being a specialized field, and a social service of great importance, all posts in the department of Sansodhanagars and Correctional Services, except where supporting staff is required, shall be manned by persons belonging to the Sansodhanagar department.

679. SANSODHANAGAR CADRE

- (1) The Sansodhanagar personnel shall comprise of following staff cadres :
 - (a) Executive /Administrative Officer ;
 - (b) Custodial/Guarding ;
 - (c) Technical : Technical Supervisors and Instructors borne on Sansodhanagar establishment ;
 - (d) Ministerial : From Office Superintendent down to the Lower Division Clerk ;
 - (e) Class IV Government Servant : As per the nomenclature in the State.
- (2) Cadre strength of various categories of personnel shall be fixed in accordance with the needs of the department. While fixing the strength of each cadre, care shall be taken to see that enough openings for promotions become available to the personnel.

680. RECRUITMENT AND SELECTIONS

- (1) There shall be an inbuilt mechanism in the Sansodhanagar department for continuous and systematic study of manpower needs, so that there shall be a regular intake of new recruits in order to maintain a continuous flow of qualified and trained personnel in the department.
- (2) In order to maintain the necessary level of morale, discipline and efficiency of the Sansodhanagar staff, only those persons possessing requisite aptitude and attributes shall be appointed on various posts in the Sansodhanagar department;
- (3) The fundamental requirements for recruitment of the correctional personnel shall be as under :
 - (a) Physical fitness ;
 - (b) Capacity for endurance and hard work ;
 - (c) Courage, leadership and trust-worthiness ;
 - (d) Balanced personality ;
 - (e) Capacity for man management ;
 - (f) Capacity for maintaining and developing constructive and firm discipline ;
 - (g) Interest in human welfare, desire to help and guide inmates; belief in the philosophy of correctional treatment.
 - (h) Educational and other qualifications as may be prescribed.
- (4) A directly recruited warder/officer shall not be placed on job until he successfully completes the prescribed basic initial training.
- (5) Psychologist, social workers/case-workers and correctional staff shall also be recruited directly.

Note :

- (a) The recommendations with regard to direct recruitment and promotion quota shall be made to ensure that deserving persons, with requisite qualification, training, experience, and professional

competence, are available in the service at all levels and that they get at least three promotions during the entire span of their service.

- (b) Educational qualifications for various categories of posts shall be prescribed keeping in view job requirements for each post.
- (c) Basic initial training, in-service training and refresher courses, prescribed with a view to keeping personnel in touch with contemporary development in the field of their work, shall be given weightage.
- (d) The general policy as laid down by the State Government regarding the relaxation of the upper age limit in case of deserving departmental candidates shall be followed.

681. SERVICE CONDITIONS

- (1) Personnel assume paramount importance in an effective system of correctional administration. The conditions of service in the Sansodhanagar department shall be such that they attract and retain the best suited persons.
- (2) Secondly, the effectiveness and utility of correctional institutions will largely depend upon the level of satisfaction that prevails in the service. A contented staff will be able to implement correctional policies in the proper spirit. Better service conditions will produce better personnel which, in turn, will develop better institutions.

682. SALARY AND ALLOWANCES

Salaries and other employment benefits shall not be arbitrarily fixed but must be related to the work to be performed in a modern correctional system, which is complex and arduous and is in the nature of an important social service. The correctional staff shall be paid salaries and allowances at par with those of equivalent ranks in the Police Department.

683. UNIFORM

Uniform shall be prescribed for all custodial and executive staff, including the Inspector General of Correctional Services. Badges of rank for all uniform cadres in the Sansodhanagar service shall be similar to that in the police service.

684. SERVICE BOARD

State Government shall set up a Service Board under the Chairmanship of the Principal Secretary, Sansodhanagar Department, for a periodic review of all matters pertaining to the service conditions of Sansodhanagar staff.

685. PROBATION PERIOD

- (1) Persons directly appointed to any post in the Sansodhanagar service shall be on probation for two years. Wherever necessary the Appointing Authority may extend the probation period.
- (2) On selection, each incumbent shall sign the oath of allegiance in the prescribed form.
- (3) Probation period will include the period of institutional and practical training and the period during which the probationer will be given an opportunity to display his capacity for wielding responsibility and exercise judgment.
- (4) During, and at the end of the probation period, the probationer shall be evaluated on the following points :
 - (a) Physical fitness and capacity for physical endurance and hard-work ;
 - (b) Courage and leadership ;
 - (c) Interest evinced in work ;
 - (d) Efficiency ;
 - (e) Attitude towards the public, senior personnel, colleagues, subordinates and inmates ;

- (f) Capacity for correctional work ;
- (g) Character and integrity.

686. APPOINTMENT

- (1) On the successful completion of training and after the probationer has been tried and tested through phased programmes of assigning responsibilities, his initial appointment and posting orders shall be issued.
- (2) As and when appointments are made on purely temporary basis, they shall be made under specific orders.

687. CONFIRMATION

- (1) There shall be a system of departmental examinations for various categories of staff for the purpose of confirmation. These examinations shall be organized to suit each cadre. The State Government shall fix details of such examinations.
- (2) For being confirmed in service, the probationer shall fulfil the following conditions :
 - (a) Passing various tests and examinations during the training period ;
 - (b) Successful completion of the probationary period ;
 - (c) Passing the departmental examinations.

688. SENIORITY

Seniority shall be fixed on the basis of the date of appointment in the cadre, and date of promotion to a higher cadre in accordance with guidelines issued by the Government. Cadre-wise seniority and gradation lists of the Sansodhanagar personnel shall be published annually.

689. PROMOTIONS

Special care shall be taken in giving timely promotion to eligible personnel. Efficiency, merit, integrity and trustworthiness of every incumbent shall be evaluated and reflected in his annual confidential report. The mechanism indicated under the caption 'Recruitment and Selections' in this chapter shall be followed while giving promotions to the personnel in the respective cadre. Incumbents who qualify for higher jobs shall be listed in accordance with merit in the eligibility lists for promotions. Promotions to higher cadres shall be based on seniority-cum-merit.

690. TRANSFER

- (1) The minimum tenure of non-gazetted and gazetted staff, at one station, shall be five years and three years, respectively.
- (2) While deciding on transfers, factors like :
 - (a) needs of the department and the institution,
 - (b) suitability of the incumbent to the post to which he is being transferred, and
 - (c) reasonable needs of the government servant such as availability of educational facilities for his children, domestic difficulties of a special nature, etc shall be considered.

691. HOURS OF WORK

- (1) There shall be a well-planned and properly regulated timetable of work hours for every category of personnel. Normally no staff member, including guarding personnel, shall be required to work for more than eight hours a day. There shall be a schedule of institutional duty, day duty, night duty, sectional duty, premises duty, off duty, etc.. Responsibilities pertaining to premises duty, duty-on holidays, etc. shall be clearly defined. Every incumbent must get 24 hours off-duty once a week.
- (2) Guarding personnel shall be allowed at least four night's rest each week. As far as possible, duty on consecutive nights shall be avoided. Night patrol duty shall not exceed two hours at one time. After every such duty, the guard shall be

given at least two hours of rest. In one night a guard shall not be given more than three patrol duties.

Note:

- (a) The Superintendent of Sansodhanagar is authorized to make all reasonable adjustments in hours of work.
- (b) In times of emergencies like escapes, riots, assaults, fire, etc. all personnel on the premises, whether off-duty or otherwise, will instantaneously report for duty.

692. ADDITIONAL STAFF DURING EMERGENCIES

In the event of sudden influx of inmates or epidemics, additional staff, according to recruitment rules shall be appointed on purely temporary basis.

693. FACILITIES WHILE ON DUTY

The following facilities shall be extended to the personnel on duty :

- (1) Rest rooms with beds for the use of staff members who are required to wait in the institution before and after their duty periods and rest room shall be arranged attached with main gate.
- (2) Staff canteen ;
- (3) Bathrooms, lavatories and W.Cs ;
- (4) Lockers ;
- (5) First-aid boxes including necessary equipment for snakebites, at remote duty points, Sansodhanagar farms, outposts, etc. ;
- (6) Torchies and boots for night duty personnel ;
- (7) Raincoats, umbrellas, overcoats, gumboots, etc.

694. HOLIDAYS

- (1) Holidays will be observed in accordance with the local custom in the State as specified by the State Government.
- (2) Those who work on holidays shall be allowed additional off-days.

695. HOUSING

- (1) Rent free residential accommodation for all Sansodhanagar personnel shall be provided in the Sansodhanagar campus, in so far as practicable;
- (2) Housing for Sansodhanagar staff shall be developed on modern lines with adequate community services and facilities.
- (3) Each institution shall have provisions for lodging officials, guests, and other visitors, visiting the institutions.
- (4) Sansodhanagar Personnel who are entitled to rent free accommodation, but are not provided with such accommodation, shall be paid house-rent allowance at par with government employees in other departments.
- (5) The following facilities shall also be extended to staff quarters and premises :
 - (a) Periodical disinfection ;
 - (b) Conservancy and sanitation services in staff quarters ;
 - (c) Maintenance of parks and other utilities on the premises.

696. MEDICAL FACILITIES

The following medical facilities shall be extended to the staff and their families :

- (1) A properly equipped hospital and maternity ward, with ambulance facilities;
- (2) Free medical attendance and treatment at the institutional hospital, at the Civil Hospital and at special institutions like T.B. sanatoria, infirmaries, etc.;
- (3) Special medical facilities to Sansodhanagar personnel suffering from tuberculosis, leprosy, cancer, heart disease, etc. at par with other government servants ;
- (4) Facilities during convalescence period such as leave, medical aid and concession in hours of work ;

- (5) Anti-rabies treatment.

697. EDUCATIONAL FACILITIES

The following educational facilities for the benefit of children of Sansodhanagar personnel shall be extended :

- (1) Schools near the Institutional premises ;
- (2) A school bus for children of the staff in institutions situated at a distance from the city ;
- (3) Transport at government cost for educational needs of children of the staff or on alternative suitable transport allowances for school or college going children of the staff and
- (4) Hostel accommodation for children of transferred and other staff members in Institutional premises.

698. MISCELLANEOUS

- (1) In case an institution is located at a distance from the city or town, the administration shall make necessary arrangements for the housing of staff members within the Sansodhanagar premises.
- (2) Medical facilities shall be provided in cases of medical emergencies and sickness.
- (3) Mess for unmarried staff members on payment at the time of transfer.
- (4) Use of institutional transport on payment.
- (5) Leave Travel Concession to all categories of Sansodhanagar personnel to their home town or village once in two years, along with their family members. Such concession shall also be given to all staff members to travel anywhere in India once in four years.
- (6) Sports facilities, annual sports meets, and travelling incidental to the above.

699. REWARDS

- (1) The Government shall institute medals for rewarding Sansodhanagar personnel in recognition of acts of gallantry and meritorious and distinguished services. All good works done by Sansodhanagar personnel must be given proper publicity and highlighted through the media.
- (2) The Inspector General/Assistant Inspector General of Correctional Services (Range) and the Heads of institutions shall have powers to sanction suitable cash rewards to deserving staff members in appreciation of outstanding work and special services such as capture of escaped prisoners, exhibition of high degree of courage, loyalty and trustworthiness, devotion to duty and initiative and resourcefulness during times of emergency, and other meritorious services. For this purpose adequate funds provision shall be made in the annual budget of the Department.

700. FINANCIAL ASSISTANCE AND COMPENSATION

- (1) In the event of Sansodhanagar personnel suffering serious injury and accident in the discharge of their duties, the Inspector General of Correctional Services shall have powers to sanction immediate financial assistance up to Rs.10,000/- . In deserving cases, where assistance beyond this limit is necessary, the Inspector of Sansodhanagars shall refer the matter to the State Government.
- (2) In case of death of Sansodhanagar personnel in lawful discharge of his duties, a sum of Rupees two lakh shall be paid to the survivors in his family.

701. PROTECTION FROM DAMAGES

Necessary facilities at government cost shall be extended to staff members to defend themselves in the event of criminal prosecution or civil proceedings arising out of bona-fide discharge of official duties. Legitimate protection shall be extended to

personnel in matters related with recovery of damages for bona fide delays, errors of judgment and false allegations.

702. STAFF MEETINGS

- (1) The Superintendent will convene a monthly meeting of the institutional staff members. The objectives of this meeting shall be :
 - (a) Co-ordination in institutional activities ;
 - (b) To improve methods of work ;
 - (c) To interpret governmental policies to staff members ;
 - (d) To explain new procedures, rules and regulation and policies regarding inmate discipline, treatment of prisoners and institutional management;
 - (e) To explain policies relating to personnel management, staff discipline and morale in the staff lines ;
 - (f) To explain welfare programmes chalked out by the Staff Welfare Committee ;
 - (g) To give opportunities to staff members to discuss their common problems;
 - (h) To communicate appreciation of good work as and when necessary ;
 - (i) To reward staff members as and when necessary.
- (2) Minutes of the proceedings of the meeting shall be recorded and a copy of it shall be forwarded to the Inspector General or Deputy Inspector General of Correctional Services (Range) with the remarks of the Superintendent.

703. CONFERENCE

- (1) Conference of Departmental personnel shall be held annually. The objective of such conferences shall be :
 - (a) To take stock of achievements ;
 - (b) To evaluate current procedures, practices and methods of the organization;
 - (c) To plan for future development of the department ;
 - (d) To understand staff problems and staff aspirations ;
 - (e) To promote best practices in custodial management.
- (2) Minutes of the conference shall be recorded and the Inspector General shall forward the same to the government, along with his suggestions and appropriate proposals. Action taken on these minutes and a proposal will be communicated to the institutional personnel by the Sansodhanagar Headquarter.

704. STAFF TRAINING

- (1) Correctional Administration shall constantly seek to awaken and maintain in the minds of the personnel the conviction that correctional work is a social service of great importance, and to this end all appropriate means shall be used.
- (2) Correctional work is a specialised field. The principal job of the correctional personnel is social re-education of offenders. The effectiveness of correctional administration, institutional discipline and the impact of treatment mainly depend on the quality of the correctional staff. Untrained and uninstructed personnel are not only ineffective, but quite often become detrimental to the proper implementation of correctional policies. The training of correctional personnel is, therefore, of paramount importance in any system of Correctional Administration. Training programme will aim at:
 - (a) Acquainting correctional personnel with scientific and progressive methods of Correctional Administration ;
 - (b) Making them conscious of their responsibilities, and the role they have to play in a Welfare State ;
 - (c) Broadening their cultural and professional interests, expanding their experience, refining their abilities and skills, improving their performance of administrative duties and providing them with

experience to meet future needs of the department in positions of higher responsibility ;

- (3) Inculcating an esprit-de-corps amongst the correctional personnel.
- (4) Correctional personnel shall be properly trained in the theory and practice of correctional work. After entering the service and during their career, the personnel shall maintain and improve their knowledge and professional capacity by attending various training programmes, and through their own individual efforts.
- (5) Correctional personnel shall be given special training (in P.T., drill, unarmed combat, cane drill and mob-dispersal drill) to enable them to restrain aggressive prisoners by the means prescribed by the authorities in accordance with the relevant rules and regulations. Personnel who are provided with arms shall be trained in their use and instructed in the regulations governing their use.
- (6) Training is a continuous process. The initial basic training imparted at the training school shall be continued at the correctional institutions. Suitable training programmes shall be organized so that the institutional personnel are in constant touch with current development in the field of corrections.
- (7) The training process will reveal individual capabilities. Through such knowledge, the right person can be given the right job. This will ultimately lead to proper utilisation of human resources.
- (8) Training of correctional personnel will not only be helpful in creating a proper cultural atmosphere in the department but will go a long way in establishing good traditions and practices of institutional management and correctional processes. A properly trained staff will be an asset for the proper implementation of Sansodhanagar reforms. With the impact of training the attitudes and abilities of the personnel will improve. The expenditure incurred for staff training will ultimately result not only in departmental gains but also in social gains in terms of better institutional impact and ultimate rehabilitation of offenders;
- (9) All new recruits to the Sansodhanagar department, whether inducted as security, custodial, executive, treatment or supervisory staff shall be imparted basic training of sufficient duration appropriate to their job requirements. All officers and staff taken on deputation from other departments shall be given a short orientation course for one week with regard to the functioning of the Sansodhanagar department.
- (10) No Sansodhanagar personnel shall discharge any official duty without completion of basic training Adequate training reserve shall be provided in each cadre of the Sansodhanagar and Correctional Service so that in-service training can be organized for them. The number of such staff can be assessed in each Districts/Sub-Division as per local requirement.
- (11) Training of jail staff to be arranged in co-ordination with Tripura Law Training Institute under Law Department, Government of Tripura and Police Training Academy under the Home Department. Correctional administrative trainer shall be appointed from retired jail personnel and utilized for imparting training, through these institutes and Executive officers shall be sent for training in the Regional Institutes of Training outside the state, approved by the BPR&D, Ministry of Home Affairs.

705. TRAINING COURSES

Training courses for Correctional Services shall be organized on the basis of Training Needs Analysis to be conducted by the experts in this field. The following training courses shall be organized at the training institutes :

- (1) On recruitment all correctional officers shall undergo an initial basic training course which will be phased as shown below :
 - (a) Initial basic training at the training school or academy or institute for one year ;
 - (b) After the successful completion of basic training the trainee officers shall be posted for duration of six months for practical training in various branches of institutional management at the Central Sansodhanagar ;
 - (c) On completion of practical training, the trainee officers shall be given independent charge of the post for which they have been recruited, for a period of six months .

Serving Officers, who have had no opportunity to get the initial training as stated in sub-rule shall undergo a training course for three months. For such officers, placement for practical training and holding of independent charge as stated in Sub-Rules (b) and (c) will not be necessary.

- (2) Serving Superintendents, Deputy Superintendents and other correctional officers of all grades will undergo refresher courses of one month duration once in every five years.
- (3) Vertical interaction Courses (thematic) for Sansodhanagar officers ;
- (4) Short-term courses on various aspects of Correctional Administration and treatment of Offenders ;
- (5) All newly recruited and untrained serving warders shall undergo an initial basic training course for six months. During this period they will be given practical training in every aspect of institutional management ;
- (6) Refresher courses of two months duration for custodial/security personnel. It shall be obligatory for them to undergo such training once in every five years ;
- (7) The Inspector General of Correctional Services shall prepare a panel of officers having special merit and capabilities for attending conference and special training courses, within the country and abroad;
- (8) Study teams of senior officers shall be deputed to visit other States in the country. Such teams may also visit countries where innovative correctional programmes and practices have been successfully introduced. Officer with outstanding performance in the department shall be given preference for such visits.

706. FACILITIES DURING TRAINING

The following facilities shall be extended to personnel undergoing training :

- (1) Full pay for newly recruited personnel ;
- (2) Usual emoluments for in-service personnel ;
- (3) Training allowance for in-service personnel ;
- (4) Rent-free quarters ;
- (5) Mess arrangements ;
- (6) Free medical aid ;
- (7) Travelling and Dearness allowances facilities for travel incidental to training;
- (8) Grant for purchase of books ;
- (9) Study leave for going abroad, or to another State, for training ;
- (10) Periods of training shall be counted as on duty for all purposes.

707. DISCIPLINE

- (1) The Director or Principal of the Training Institution will frame necessary rules regarding discipline and will be authorised to take disciplinary action in the event of breach of discipline.
- (2) The trainees will wear the prescribed uniform during the training period.

708. TESTS AND EXAMINATION

- (1) The Director/Principal will fix details about examinations and tests. Trainees of all cadres shall be required to pass the prescribed examination and tests. In case a trainee fails to reach the required standards during a training course, the Principal will forward a report to the Inspector General for suitable action. Failure to pass the examination and to complete the training courses satisfactorily will make the trainee liable for such disciplinary action as the Inspector General may think fit. In case of newly recruited personnel, such failure may result in discharge from service.
- (2) The evaluation of a trainee shall be made on the basis of his total performance in all the tests and examinations. The trainees will be evaluated in respect of the following amongst other points :
 - (a) Turn-out and discipline ;
 - (b) Capacity for hard work and physical endurance ;
 - (c) Performance in each test and examination ;
 - (d) Special capacities shown during the training course ;
 - (e) Leadership, and
 - (f) Conduct, Integrity and Trustworthiness.

709. LIBRARY, JOURNAL AND RECREATIONAL FACILITIES

- (1) Training school shall have good library and reading room facilities. Provision for purchase of books and periodicals, shall be made in the annual budget of the institution.
- (2) A Correctional Services Journal shall be published by the training schools.
- (3) Recreational facilities shall be organized.
- (4) A museum showing the historical development of Sansodhanagar Administration and other aspects of institutional management shall be set up at the training school.

710. CONTINUATION OF TRAINING AT THE PLACE OF WORK

- (1) The following training facilities shall be organized at the institutions:
 - (a) Interpretation of policy by senior officers from the Headquarters during visits ;
 - (b) Library and reading room facilities for staff members ;
 - (c) Lectures by Professors from the Universities and Schools of social work on subjects related to correctional work ;
 - (d) Fortnightly talk on correctional methods by the Superintendent or any other officer ;
 - (e) Reading of papers, case histories, etc. by institutional staff members ;
 - (f) Monthly discussions on improvement in administrative procedures, methods and organisation etc.
- (2) In order to keep the officers and men in good shape, the training given at the training school in drill, parades, musketry, unarmed combat, cane-drill and mob-dispersal drill shall be continued at the institution also. Particular attention must be paid to games. Efforts shall be made to in still interest and enthusiasm in the personnel by the introduction of new items and methods of training. Opportunities shall be provided to stimulate initiative, intelligence, independent judgment and resourcefulness among the personnel.

- (3) Subject to general or specific orders, which may be issued in this behalf by the Inspector General of Correctional Services, the training programme will consist of physical exercises, squad drill, weapon training, bayonet fighting, ceremonial parade, unarmed combat, baton and cane drill, mob-dispersal, obstacle course, inspection of guard and sentry duties, saluting, kit inspections and emergency drill.
- (4) Musketry practice for officers and guarding personnel shall be held once in every six months. All security measures shall be adopted on such occasions. An officer well-versed in all these matters shall be made in charge of such training. Wherever required, necessary assistance may be obtained from the local police authorities.
- (5) Deputy Superintendents will do physical training and drill at least twice a week. They shall participate in the weekly parades.
- (6) The following training programmes will be conducted for the guarding personnel :
 - (a) Physical training and drill for 45 minutes a day, four days a week ;
 - (b) Instruction in rules, procedures, etc., once a week to be given by a Deputy Superintendent or a Senior Member of the guarding personnel.
 - (c) Practice in preventing and controlling emergency situations once a month;
 - (d) Games like cricket, hockey, volleyball, basketball, may be organized in accordance with available facilities at each institution.
- (7) The Superintendent will send the following reports to the Inspector General of Correctional Services:
 - (a) Monthly report about training in P.T. drill, lectures, discussions, emergency practice, etc. ;
 - (b) Six monthly report on musketry practice.

711. STAFF WELFARE COMMITTEE

- (1) There will be a Welfare Committee at each Institution consisting of representatives of executive, technical, ministerial and guarding/custodial personnel. The Superintendent will be the ex-officio Chairman of the committee. The Welfare Committee will meet at least once a month. Minutes of its meetings will be recorded.
- (2) There will also be a Central Welfare Committee in the Inspector General's office with the Inspector General of Correctional Services as its President and the following as its members :
 - (a) Deputy Inspector General (Headquarters) – Vice President ;
 - (b) All Range Deputy Inspector Generals ;
 - (c) Principal, Sansodhanagar Officers Training School ;
 - (d) Superintendent of the Sansodhanagar located at the Department's Headquarters.

712. FUNCTIONS

The functions of the Welfare Committee shall be :

- (1) To chalk out a programme for staff welfare ;
- (2) To build a welfare fund ;
- (3) To prepare an annual budget for the utilization of the welfare fund;
- (4) To run a staff canteen;
- (5) To organize a Co-operative Credit Society and a multipurpose co-operative shop for the institution staff ;
- (6) To impress upon the staff members, the necessity of programmes of postal savings, small saving schemes, postal, Janata Insurance of policy, etc.

- (7) To supervise the maintenance of the welfare fund, its accounts, and to get them audited annually ;
- (8) To prepare an annual report about welfare work ;
- (9) To advise the Central Committee regarding the utilization of the fund.

713. WELFARE FUND

A welfare fund will be created at each institution for providing amenities to staff members and their families. The fund will be developed from the following sources :

- (1) Monthly subscriptions from staff members ;
- (2) Voluntary donations subject to rules framed by the government ;
- (3) Interest accruing from investments ;
- (4) Benefit performance by artists, theatrical parties, cinema, etc.;
- (5) Donations from a Co-operative Credit Society ;
- (6) Profits from the Co-Operative shop ;
- (7) Subsidies from the Government.

714. WELFARE UNIT

In large institutions there will be a separate staff unit which will attend to all aspects of welfare work such as staff canteen, co-operative society, etc.

715. WELFARE BENEFITS

- (1) The following benefits will be provided to the personnel out of the welfare fund:
 - (a) Relief in case of sudden illness ;
 - (b) Medical aid where more than ordinary medical help is required and which is beyond the economic capacity of the staff member ;
 - (c) Aid for the education of children of the staff ;
 - (d) Facilities to family members of the staff for running cottage industries and handicrafts like sewing, spinning, manufactures of matches, etc.;
 - (e) Reservation of seats in hostels and educational institutions for children of staff members ;
 - (f) Staff canteen ;
 - (g) Recreational and cultural activities ;
 - (h) Staff club ;
 - (i) Staff Libraries ;
 - (j) Staff reports, institutional and inter-institutional fixtures, etc.
 - (2) A proper forum shall be provided at the institutional and the State level for Sansodhanagar personnel to ventilate their grievances common to the entire service/cadre and to hold meaningful discussions for their redressal.
- Note: Detailed rules for the collection and operation of this fund may be specified by the State Government by issuing a notification.

716. RANK OF UNIFORM STAFF:

Sl. No.	Name of Post	Rank Symbol
1.	Warder	Steel made T.J emblem on the shoulder straps of the shirt.
2.	Head Warder/Female Head Warder	Three 'V' type blue colour Billah on the Right sleeve of the shirt and steel made T.J emblem on the shoulder straps of the shirt.
3.	Chief Head Warder/Female Chief Head Warder	One steel made star with red and blue ribbon above the steel made T.J emblem on the shoulder straps of the shirt, blue beret cap with monogram for normal use and sambrown cross belt with peak cap with black band and black

		ribbon around for the ceremonial dress.
4.	Sub-Jailor/Female Sub-jailor	Two steel made stars with red and blue ribbon above the steel made T.J emblem on the shoulder straps of the shirt blue beret cap with monogram for normal use and sambrown cross belt with peak cap black ribbon around for.
5.	Deputy Jailor (male & female) /Discipline Officer	Three steel made stars with red & blue ribbon above steel made T.J emblem on the shoulder straps of the shirt. Blue beret cap with monogram for normal use and sambrown cross belt with peck cap black ribbon around for ceremonial dress.
6.	Jailor	Three steel made stars with red & blue ribbon above steel made T.J emblem on the shoulder straps of the shirt. Blue beret cap with emblem for normal use and peak cap khaki gabardine with brown ribbon around and sambrown cross belt for ceremonial dress.
7.	Superintendent District Jail/Dy. Superintendent, Kendriya Sansodhanagar	One steel made Ashoka Taj above stell made T.J emblem on the shoulder straps of the shirt. Cross belt same as Jailor. Peak Cap :- Embroidered monogram with silver colour Ashoka lion inform of cap. Collar :- Khaki fastened with plain gold tie pin.
8.	Superintendent of Kendriya Sansodhanagar	One steel make Ashoka Taj and one star below the Ashoka Taj above steel make T.J emblem on the shoulder straps of the shirt. Peak cap and cross belt same as Dy. Superintendent. Collar :- "Khaki" fastened with plain gold tie pin".
Following Officers and staff shall be provided with the peak cap of descriptions as specified against each of them from ceremonial dress.		
i.	Chief Head Warder/Female Chief Head Warder	Khaki peak cap with black band and black ribbon around and with monogram.
ii.	Sub Jailor/Female Sub Jailor	Khaki gabardine with black ribbon around with monogram.
iii.	Deputy Jailor (male & female) /Discipline Officer	Khaki gabardine with black ribbon around with monogram.
iv.	Jailor	Khaki gabardine with brown ribbon around
v.	Superintendent,. District Jail/Deputy Superintendent, Kendriya Sansodhanagar	Khaki gabardine with brown ribbon around, embroidered monogram with silver colour Ashoka lion in front of cap.
vi.	Superintendent of Kendriya Sansodhanagar	Khaki gabardine with brown ribbon around, embroidered monogram with silver colour Ashoka lion in front of cap.

CHAPTER– XXVIII

(COMPUTERISATION)

717. SANSODHANAGAR COMPUTERISATION

The entire Sansodhanagar administration shall be computerized so that databases can be accessed easily and managed more efficiently. This will enable integrated data sharing with the police and the courts enabling efficient and comprehensive tracking of criminals and faster law enforcement responses. There are several stakeholders involved in processes of Sansodhanagars, including the police, courts and external agencies like hospitals, medical authorities etc. and therefore, it is extremely important to develop suitable interfaces that can help in seamless sharing of information amongst different agencies.

718. Computerisation may seek to enable Sansodhanagars to have the following core facilities and have a unified data sharing platform :

- (1) A comprehensive web based Sansodhanagar software with interlinkages with courts and police stations ;
- (2) Integrated data sharing with courts and police as per a tentative matrix ;
- (3) Comprehensive Video conference facilities ;
- (4) Biometric access for in and out movement of inmates ;
- (5) State level training labs for induction and refresher training courses ;
- (6) Touch screen kiosks at the Sansodhanagars for inmates to access their case details .

719. The following objects shall be achieved on successful implementation of Sansodhanagar computerization :

- (1) **Seamless and integrated flow of information** across all the Sansodhanagars and Home Department thereby enabling real time availability of information that is easy to search and quick retrieval of prisoner information from a centralized database of prisoners ;
- (2) **Availability of Dashboards/Statistical reports/MIS reports** for senior level officers with information such as Probable Date of Release (PDR), Sansodhanagar occupancy, prisoner availing parole etc. ;
- (3) **Complete record of prisoners' activities** such as bail, escape, fine payment, incident punishment, prisoner income, court appeals, court production, remission, remand, wages, work allocation, release and transfer etc. ;
- (4) **Workflow based solution for approval processes** like parole and real time reflection of the same in the system ;
- (5) **Automatic PDR (Probable Date of Release) calculation** thus ensuring no delays in release of prisoners without the need for manual validation ;
- (6) **Better visitor management procedure** thus helps officials in managing visitors, keeping a track of the number of visitors for a particular prisoner, frequency of visit, etc. ;
- (7) Creation of a **Centralized Prisoner Registry** that can be accessed by Police Department and other key law enforcement agencies for verification and validation purpose of individuals through Data Digitization of records.

CHAPTER - XXIX

(MISCELLANEOUS)

720. STATE ADVISORY BOARD

- (1) There shall be a State Advisory Board to advise the State Government and the Sansodhanagar Administration on matters relating to correctional work in Sansodhanagars, rehabilitation of inmates and redressal of grievances of prisoners.
- (2) The State Advisory Board shall also act as a meeting ground of departmental heads of Sansodhanagar, Law and Justice, Police, Education, Technical Education, Health and Public Works Department of the State Government, in order to bring about effective inter-department co-operation and co-ordination.
- (3) The State Advisory Board shall also play the role of opinion leaders creating Social awareness in all walks of life and stressing the need for rehabilitation of offenders .
- (4) The State Advisory Board shall comprise of the following officials of the State :
 - (a) Minister in-charge of Sansodhanagars – Chairman ;
 - (b) Secretary in-charge of Sansodhanagars –Vice Chairman
 - (c) Inspector General of Correctional Services - Member Secretary;
 - (d) Law Secretary or any of his nominee not below the rank of Joint Secretary ;
 - (e) Inspector General of Police (IIQ);
 - (f) Director, Education (School Education/Higher Education) ;
 - (g) Director, Technical Education ;
 - (h) Director, Health services ;
 - (i) Chief Engineer, Public Works Department ;
 - (j) The Director of Industries or any other member appointed by the Government ;
 - (k) Special Secretary Finance, as nominated by Secretary Finance Department
 - (l) Director, Social Welfare.
- (5) The following Non-Officials shall also be appointed by the Government as Members of the State Advisory Board :-
 - (a) Three members of the Legislative Assembly of the State, of whom one shall be a woman and one belonging to the principal opposition parts in the State Legislative Assembly ;
 - (b) Two elected members of Parliament from the State ;
 - (c) Three eminent members of the public working in the field of Sansodhanagar administration and welfare. Among them one shall be a woman ;
 - (d) A retired Officer of Sansodhanagar service of the State, not below the rank of Deputy Inspector General.
- (6) The Minister in-charge of Sansodhanagars shall be the Chairman of the State Advisory Boards, the Secretary in-charge of Sansodhanagars shall be the Vice Chairman and the Inspector General of Correctional Services shall be the Member Secretary.
- (7) The State Advisory Board shall hold at least one meeting in a calendar year. In the wake of any extraordinary situation, the Member Secretary is

authorized to convene a special meeting of the Members of the State Advisory Board by apprising the Members of details of the situation warranting such meetings.

- (8) The proceedings of every meeting of the State Advisory Board shall be recorded in the Minute Book, and a copy of the same shall be forwarded to the Minister in-charge of Sansodhanagars and the Principal Secretary/Secretary of the Sansodhanagar Department.
- (9) The members of the State Advisory Board may visit any Sansodhanagar of the State.
- (10) The members of the State Advisory Board, however, shall refrain themselves from visiting any Sansodhanagar during the period between evening locking-up and morning un-locking.
- (11) The Superintendent shall present before the visiting Member/Members of the State Advisory Board any paper/document in connection with the correctional work, recreation, training of prisoners, Sansodhanagar diet, health-care of prisoners, grievances of prisoners and redressal of prisoners, if the same is sought for by the visiting Member/Members of the State Advisory Board.
- (12) For the purpose of the meeting of the State Advisory Board, six members, including at least two official and two non-official members, shall comprise a quorum.
- (13) If a non-official member of the State Advisory Board fails to attend the meetings of the Board, despite prior intimation and notice, on three successive occasions, his/her membership of the Advisory Board shall stand cancelled automatically and the Member Secretary of the Board shall move the State Government for appointing a new non-official member in his/her place.
- (14) A Non-Official member of the State Advisory Board shall hold office for a period of three years from the date of his/her appointment to the Board, and may be considered for re-appointment.
- (15) The State Government reserves the right to cancel the appointment of any non-official member of the State Advisory Board at any time.
- (16) A non-official member of the Board shall receive allowances, as prescribed by the State Government from time to time, for attending the meetings of the Board.

721. PLANNING, RESEARCH AND DEVELOPMENT MECHANISM

State Government shall evolve a mechanism for providing the necessary feedback on the efficacy of Sansodhanagars and correctional services in achieving their objectives and goals through monitoring, study, analysis and research, and to keep the system abreast of the new trends and developments in the field. Such a mechanism shall clearly spell out the specific objectives and goals not only for the organisation, but also for individual institutions, in terms of functional renovation and reconstruction of Sansodhanagar buildings, diversification of correctional institutions, classification of prisoners, rehabilitative re-orientation of Sansodhanagar industries, correctional content of Sansodhanagar programmes, recruitment and training of Sansodhanagar personnel and modalities of co-ordination with other branches of the Criminal Justice system. It shall set quantitative targets for the correctional system such as: number of criminals rehabilitated ; number of ex-offenders ; number of prisoners educated ; increase in productivity of Sansodhanagars ; sale proceeds of Sansodhanagar manufacture ; amount of loan extended to inmates/ex-inmates under innovative banking schemes and other sources, etc. There shall be an established procedure for reviewing the organisational and institutional goals by the department at least once a year.

722. SANSODHANAGAR'S DEVELOPMENT BOARD

- (1) In order to improve and modernise the infrastructural facilities in Sansodhanagars, a high powered Sansodhanagar Development Board may be set up in the State to have an institutional arrangement conducive to speedy decision making and to take full advantage of modern technology and managerial practices.
- (2) The Board may consist of the following members :

(a) Chief Minister	Chairman
(b) Minister of Sansodhanagars	Vice-Chairman
(c) Registrar General of the High Court	Ex-officio Director
(d) Prl. Secretary to the Govt.,	Ex-officio Director
(e) Home(Sansodhanagars)Department (Prl. Secretary to Govt., Finance Department	Ex-officio Director
(f) Prl. Secretary to Govt., Revenue Department	Ex-officio Director
(g) Secretary to Government, Law Department	Ex-officio Director
(h) Inspector General of Police	Ex-officio Director
(i) Director of Prosecution	Ex-officio Director
(j) Two persons to be nominated by the Govt., out of whom one shall be a woman, from among non-officials who have distinguished themselves in the field of Sansodhanagar administration or Sansodhanagar reforms or service to prisoners or human rights.	Members
(k) Inspector General of Sansodhanagars	Ex-officio Managing Director.

- (3) The functions of the Board shall be :
 - (a) To examine the living conditions of prisoners in all the Sansodhanagars, with specific reference to their basic needs and provision of facilities compatible with the dignity of human life ;
 - (b) To build new Sansodhanagars where the existing Sansodhanagars are not in a satisfactory condition, or are beyond repairs
 - (c) To review and suggest measures for the development of programmes for the treatment of prisoners, including research, education, vocational training and skill development, with a view to developing Sansodhanagars as correctional centres ;
 - (d) To efficiently manage Sansodhanagars by including modern technology, methods and apparatus ;
 - (e) To collaborate with corporate houses for Corporate Social responsibility (CSR) funding for above purposes ;
- (4) The Board shall have, and maintain, its own fund as the Sansodhanagars Development Fund to which shall be credited:
 - (a) All money received by the board from the State and Central Governments by way of grants, loans, advances, etc.;

- (b) All money boarded by the Board by way of loans or debentures ;
- (c) All money generated by the agricultural, horticultural, industrial or manufacturing activities undertaken by prisoners ;
- (d) All fees charges and profits received by the Board ;
- (e) All money received by the Board from the disposal of lands, buildings and other properties (movable or immovable), and
- (f) All money received by the Board by way of rents or profits or in any other manner or from any other source.

(5) The concerned State Government shall frame detailed guidelines for the functioning of the Board.

723. PUBLICATION OF ANNUAL REPORT

The State Government shall publish an annual report on the functioning and progress achieved by the Department of Sansodhanagars and Correctional Services and place the same before the legislature.

724. RIGHT OF INFORMATION

Copies of the Prisons Act, 1894 and other relevant Acts, applicable rules, regulations and these rules shall be kept in the Sansodhanagar library for the benefit of all prisoners.

725. TEST IDENTIFICATION PARADE (T.I.PARADE)

- (1) It is the duty of the Superintendent of the concerned Sansodhanagar to arrange for holding T.I parade and to extend all logistic supports to the Investigation Officer towards conduction of the T.I. parade.
- (2) The result of the T.I. Parade along with signature of the Magistrate, conducting the T.I. Parade and also the signatures of the witness(s) in whose presence the T.I. Parade is held, will be recorded in the prescribed form appended as Appendix 11(1) and names and signatures of convicts or undertrial prisoners, who are mingled with the suspect, will also be recorded in the prescribed form appended as Appendix 11(2).

**Chapter – XXX
(LEGAL AID)**

726. CONSTITUTION OF LEGAL SERVICES AUTHORITIES

- (1) Article 39A of the Constitution of India provides for free legal aid to the poor and weaker sections of the society and ensures justice for all. Articles 14 and 22(1) of the Constitution also make it obligatory for the State to ensure equality before law and a legal system which promotes justice on the basis of equal opportunity to all. In furtherance of these, the Legal Services Authorities Act was enacted by the Parliament in 1987 to establish a nationwide uniform network for providing free and competent legal services to the weaker sections of the society on the basis of equal opportunity.
- (2) Under the Act, the National Legal Services Authority (NALSA) has been constituted under the Legal Services Authorities Act, 1987 (LSA Act) to monitor and evaluate implementation.
- (3) In every State, a State Legal Services Authority (SLSA) and in every High Court, a High Court Legal Services Committee has been constituted. District Legal Services Authorities and Taluk Legal Services Committees have been constituted in the Districts and most of the Taluks to give effect to the policies and directions of the NALSA and to provide free legal services to the people and conduct Lok Adalats in the State.
- (4) Supreme Court Legal Services Committee has been constituted to administer and implement the legal services programme insofar as it relates to the Supreme Court of India.
- (5) The Chief Justice of India is the Patron-in Chief of NALSA and the senior-most Judge of the Supreme Court is the Executive Chairman. The Central Government in consultation with Chief Justice of India has also appointed an officer of the Higher Judicial Services as the Member Secretary of the NALSA.
- (6) Similarly, at the State level the Chief Justice of the High Court is the Patron-in-Chief of State Legal Services Authority and Senior Most Judge of the High Court is the Executive Chairman. There is a Member Secretary for each SLSA.
- (7) At the District level, District Judge is the chairman of District Legal Services Authority and Chief Judicial Magistrate or equivalent judicial officer is the Secretary of District Legal Services Authority.

727. FUNCTIONING OF LEGAL SERVICES INSTITUTIONS

- (1) NALSA lays down policies, principles, guidelines and frames effective and economical schemes for the State Legal Services Authorities to implement throughout the country.
- (2) The State Legal Services Authorities, District Legal Services Authorities, Taluk Legal Services Committees, etc. have been entrusted the following primary functions:
 - I. To provide free and competent legal services to the eligible persons;
 - II. To organize Lok Adalats for amicable settlement of disputes;
 - III. To organize legal awareness camps; and

- IV. To implement the Schemes and policy directions of the NALSA through strategic and preventive Legal Services Programmes.
- (3) Free legal services would include:
- I. Payment of court fee in appropriate cases, process fees and all other charges payable or incurred in connection with any legal proceedings;
 - II. Providing service of lawyers in legal proceedings;
 - III. Obtaining and supply of certified copies of orders and other documents in legal proceedings.
 - IV. Preparation of appeal, paper book including printing and translation of documents in legal proceedings.
- (4) Under the LSA Act, the persons eligible for getting free legal services include:
- I. Women and children;
 - II. Members of SC/ST;
 - III. Industrial workmen;
 - IV. Victims of mass disaster, violence, flood, drought, earthquake, industrial disaster;
 - V. Disabled persons;
 - VI. Persons in custody;
 - VII. Persons whose annual income does not exceed Rs. 1 lakh (in the Supreme Court Legal Services Committee the limit is Rs. 1,25,000/-);
 - VIII. Victims of trafficking in human beings or begar;
 - IX. Transgenders.

The following practices should be adopted so as to ensure provision of free and competent legal services to persons in custody.

728. APPOINTMENT OF JAIL VISITING ADVOCATES

States should adopt the practice of nominating Jail Visiting Advocates to visit different prisons regularly on fixed days of the week to help the poor and unrepresented inmates. Any inmate should be able to seek aid and advice, file any bail/parole application, appeal(s) etc. through these advocates.

729. LEGAL AID CLINIC IN EVERY PRISON

Legal clinic should be set up in every prison across the State, with sufficient number of para legal volunteers to be selected from the convicts/UTPs in consultation with respective District Legal Services Authorities time to time and the service of panel lawyers also be ensured in the clinics by DLSAs. Training of PLVs be organized by DLSAs as per the direction of NALSA/SLSA to sensitize the PLVs about different legal aspects.

730. LEGAL LITERACY CLASSES IN PRISONS

Legal literacy classes may be conducted in prisons in order to educate prisoners about their rights and duties as well as about the availability of free legal aid services. Services of law students, Para Legal Volunteers and Legal Aid Lawyers could be taken to ascertain legal aid needs of inmates in association with DLSAs.

731. MAXIMUM PERIOD FOR WHICH UNDER-TRIALS CAN BE DETAINED

According to Section 436A Cr.PC, under-trial prisoners who have undergone detention in prison for a period extending upto half of the maximum sentence

specified for that offence under law (except offences attracting death sentence and life imprisonment), shall be released on their personal bond, with or without sureties. In order words, it means pending investigation, inquiry or trial, no person shall be detained in the prison for a period more than half of the prescribed maximum sentence under that offence. However, courts, for special reasons to be recorded in writing, may extend the detention in prison or release on bail instead of personal bond with or without sureties.

732. CONSTITUTION OF UNDER-TRIAL REVIEW COMMITTEE

- (1) A committee consisting of the District Judge, as Chairperson, the District Magistrate, the District Superintendent of Police and Secretary, District Legal Service Authority as members, should be constituted to identify under-trial prisoners who have completed half of the maximum period or maximum period of imprisonment provided for the said offence under the law.
- (2) The State Legal Services Authorities should instruct the panel lawyers to urgently meet such under trial prisoners, discuss their cases with them and move appropriate applications before the appropriate court for their release unless they are required in custody for some other purpose.

733. CASES WHICH ARE COMPOUNDABLE IN NATURE

The State Legal Services Authorities should secure that for offences which are compoundable, appropriate steps are taken for compounding, and where the offences cannot be compounded, efforts should be made to expedite the disposal of those cases or at least efforts made to have the persons in custody released therefrom at the earliest.

734. RIGHT TO FREE LEGAL REPRESENTATION OR LEGAL AID

- (1) Article 22 (1) of the Constitution entitles arrested persons to be represented by a legal practitioner. It is the fundamental right of all prisoners/arrested person to be provided with free legal aid in the prosecution of their case at different levels of their trial. The Magistrate is duty bound to offer the facility to the accused the moment she/he is produced before him or her for the first time even if the accused has not asked for it out of ignorance.
- (2) Even if the accused does not ask for a lawyer or he remains silent, it is the Constitutional duty of the court to provide him with a lawyer before commencing the trial. The obligation to provide him with a lawyer at the commencement of trial is absolute and failure to do so would vitiate the trial and resultant conviction and sentence, if any given to the accused.
- (3) To ensure that arrested persons have free legal representation, panel lawyers have been deputed as remand /duty advocate in every court dealing with criminal cases. Such advocates are available in the court even on holidays. When an accused is produced before the court and does not a legal counsel, the court shall provide the counsel free of cost.
- (4) The Superintendent should inform convicts of their right of appeal against conviction.

**Chapter – XXXI
(OPEN INSTITUTIONS)**

735. All Open and Semi-open institutions are intended to put into practice the contemporary ideology of reformation, correction and rehabilitation of convicted prisoners so that they may lead a self-disciplined and cultured life after their release. These institutions provide the prisoners opportunities of employment and living a life in the open. This restores dignity of the individual and develops in him/her self-reliance, self-confidence and social responsibility, which are necessary for his/her rehabilitation in the society.

736. State Governments should frame detailed rules regarding the administration of Open Work Camps, Semi-open Training Institutions, Open Training Institutions and Open Colonies. The contents of this chapter are of a general nature and are only illustrative. The details regarding the administration of Open Institutions should be fixed by each State in accordance with the local conditions.

737. GENERAL PROVISIONS

The below mentioned categories of prisoners shall not be eligible for transfer to any of the open institutions:

- (a) Offenders classified as habitual, provided they have not earned a higher grade in the proposed progressive system.
- (b) Prisoners who are considered dangerous or are involved in serious prison violence like assault, outbreak, riot, mutiny or escape, or who have been found instigating serious violation of prison discipline.
- (c) Prisoners convicted for offences such as dacoity, terrorist crimes, kidnapping, and smuggling including those convicted under NDPS Act, foreigners, escape risks and members of organised criminal gangs.
- (d) Prisoners committed for failure to give security for maintaining peace or good behaviour.
- (e) Prisoners suffering from mental illness.
- (f) Prisoners convicted of offences against any law relating to matters to which the executive power of the Union Government extends, unless approved by the Union Government.
- (g) Convicts in POCSO case.
- (h) Prisoners whose transfer is likely to have repercussions elsewhere in the country
- (i) Facing trial in other cases
- (j) Prisoners who have been transferred from an Open Prison to a Closed Prison.
- (k) Fundamentalists, naxalites, extremists and terrorists or any other individual characteristics warranting confinement in Security Zone-1

738. SELECTION/ CLASSIFICATION COMMITTEE

- (1) For the purpose of selecting prisoners for confinement in any Open Prison, there shall be a Selection/ Classification Committee consisting of the following members-

- (a) The Deputy Inspector General of Correctional Services or any other officer nominated by the head of the Prisons department shall be the Chairman.
- (b) The Superintendent of the Prisoners from which the Prisons are to be selected for confinement in an Open Prison.
- (c) Medical Officer of the concerned Prison
- (d) Probation/ Welfare/ Rehabilitation officer of the concerned Prison or other officer in-charge of welfare work.

The Selection/ Classification Committee shall, subject to the provisions of these rules, prepare a list of prisoners and shall submit the same to the Head of the Prisons for his Orders.

- (2) The Selection Committee should thoroughly screen the case of each casual prisoner on the following points before recommending them for transfer to an open institution:
 - (a) Physical fitness and mental health required for living in a semi-open or open institution.
 - (b) Behaviour and conduct in the prison.
 - (c) Number of paroles availed and his conduct during that period
 - (d) Progress in work vocational training and education.
 - (e) Group adjustability.
 - (f) Character and self-discipline.
 - (g) Verification of his address / relatives
 - (h) Extent of institutional impact (Whether the inmate has reached peak points of training and treatment).
 - (i) Whether the inmate can be further helped in the institution. Whether he will benefit by training and treatment in Semi-open or Open Institutions.
 - (j) Whether the inmate is getting institutionalised.
 - (k) Sense of responsibility.

Note:

- (i) If there is no Semi-open Training Institution or Semi- open Institution in the State, prisoners may be transferred directly to Open Institutions as per directions laid down by the State Government. The State Government may also lay down directions for direct admission to other institutions.
- (ii) Only such prisoners, whose behaviour and progress in the institution has been good, and who are fit for a regime based on trust, responsibility and self-discipline, should be considered for transfer to a semi-open or Open Institution. Prisoners who are dangerous to society, who are members of professional and organised criminal gangs, who are habitual offenders, or who are suffering from mental unsoundness or physical diseases, and those who are an escape or

discipline risks, should not be transferred to Semi-open or Open Institutions.

739. TRANSFER

Transfer to Semi-open/Open Institutions, Work Camps, Colonies will be governed by the following guidelines:

(i) Transfer to Semi-open Institutions

- (a) On completion of two years of actual imprisonment in case of a life convict, and six months or one-fourth of sentence as convict, whichever is more but subject to not more than two years in case of a terminal convict the Selection/ Classification Committee shall examine in detail, the case of every convict on the points mentioned in note (ii) to Para 753 (2) above.
- (b) If the Selection/ Classification Committee is of the opinion that the inmate is fit for being transferred to a semi-open institution, a report in the prescribed form should be submitted to the Inspector General. On receipt of sanction from the Inspector General, the inmate should be oriented to his new responsibilities in a semi-open institution.
- (c) On admission at a Semi-open Institution, the inmate should be kept in the reception yard for at least six months. During this period, he should be further acquainted with the requirements of living standards, standards of behaviour under Semi-open conditions, basic education and work skills.
- (d) A programme suitable for the inmate's training should be organised at the Semi- open Institution. He should be given necessary facilities to further improve his educational and cultural level and vocational skills. Suitable work should be given to him so that he may further improve his work habits and skills.

(ii) TRANSFER TO AN OPEN TRAINING INSTITUTION/OPEN WORK CAMP

- (a) Eligibility conditions shall include convicts who have completed $\frac{3}{4}$ of their sentences with remission and one year or one-fourth of the sentence as a convict excluding remission, whichever is more but not more than two years in case of a terminal convict, the Selection/ Classification Committee should study the inmate's case for his eligibility for an open institution. If the Selection/ Classification Committee is convinced that the inmate is fit for treatment in an open institution, a report in the prescribed form should be sent to the Inspector General for his transfer. On receipt of sanction of the Inspector General, the inmate should be oriented for his life in the open institution. He should be made to understand that any failure in maintaining satisfactory behaviour at the open institution would entail his re-transfer to the Semi-open or Closed Institution.
- (b) On admission to the Open Institution, the inmate should be kept in the reception yard of the Institution for at least three months. During this period he should be further educated to the requirements of living under open conditions and a regime based on self-discipline.
- (c) A Programme suitable for the inmate's needs should be organised at the open institution. He should be given necessary facilities to further improve his educational and cultural levels and vocational skills. Suitable work should be given to him so that he further may improve his work habits and skills.

(iii) TRANSFER TO OPEN COLONY

- (a) On completion of seven years' of imprisonment in case of a life convict, or in the case of a convict sentenced to seven years of imprisonment or more after the convict having undergone half of the sentence, excluding remission as a convict, the Selection/ Classification Committee shall examine the inmate's case for being transferred to an Open Colony. If there is no Semi-open or Open Institution in the State, a prisoner may be transferred directly to an Open Colony after completion of 10 years stay in a closed Institution with remission in case of a life convict, or on completion of three-fourth of the sentence in the case of other convicts. If the Selection/ Classification Committee is satisfied that the inmate is fit for a transfer to an Open Colony, a report in the prescribed form, along with the inmate's case file, should be forwarded to the Inspector General. On receipt of sanction from the Inspector General of Correctional Services the inmate should be transferred to an Open Colony.
- (b) Inmates should initially be treated in Semi-open Institutions and then in Open Institutions. Transfer to an Open Colony should be made only after ensuring that the inmate has satisfactorily responded to the treatment in Semi-open and Open Institutions. These transfers should be done on a highly selective basis. Care should be taken to see that selection for treatment in an Open Colony does not become reutilised and mechanical.
- (c) Before being transferred to an Open Work Camp/Semi-open or Open Institutions/Open Colony, the inmate should be informed about the requirements and responsibilities of living in the new institution. On admission at these institutions, the inmate should be kept in the reception yard under observation. During this period he should be further oriented to institutional standards of behaviour and other requirements of institutional life.
- (d) The conditions which an inmate shall have to observe at these places should be laid down. Before being transferred to these institutions the inmate will be required to sign a bond prescribed by the Inspector General.
- (e) Minimum standards, as prescribed for the Closed Institutions, regarding accommodation, equipment, sanitation, hygiene, medical services, diet and welfare services, shall be maintained at each Semi-open Training Institution, Open Training Institution, Open Work Camp and Open Colony. These institutions should have good communication and transport facilities. Emergency equipment shall be provided in accordance with the requirements of each institution. Security arrangements in these institutions should be established in a way that the possibility of escape gets minimised and a sense of security prevails in the neighbouring community.
- (f) The programmes at these institutions should be very carefully planned so that the inmates remain occupied in useful activities. Special attention should be devoted to:
 - (1) Care and welfare of inmates
 - (2) Individual attention to inmates' problems
 - (3) Education, work, vocational training and cultural activities
 - (4) Self-discipline and character training
 - (5) Release planning, pre-release preparation, and after-care.

- (g) Wages should be paid as prescribed by the State Government. The wages at Semi-open institutions, Open Training Institutions, Open Work Camps and Open Colonies may be higher than those at the Closed Institutions.
- (h) Inmates should be encouraged to maintain their family contacts. The Superintendent may use his discretion in granting the facility of additional letters and interviews according to the merits of each case.
- (i) While an inmate is living in open conditions in a Semi-Open or Open Training Institution or Open Work Camp, he may be allowed to stay with his family members for one week every six months. Arrangements for such stay may be made in a family hutment in a suitable place outside the Semi-open or Open Training Institution. These huts may be so located that the inmate and his family members get the required privacy while at the same time the requirements of discipline and security are also fulfilled. The period of stay in the family hutments should be treated as leave period and should count towards the sentence.

Note: Such a periodical stay with his family will be helpful in keeping the inmate close to his family group. This concession should, however, be granted on a selective basis and after a thorough study of each inmate's case. Initially this concession should be tried on an experimental basis. In due course, and after having gained enough experience, it may be further developed to suit local conditions in each State. The State Government should issue detailed instructions in the respect.

- (j) Inmates working in open conditions in Semi open Prisons will get concessions/remissions as permissible in Open Work Camps.
- (k) The Superintendent should examine the case of every inmate at least once in three months.

740. PERSONNEL

- (a) Only personnel who have the capacity for handling inmates under semi-open or open conditions and have the requisite calibre and leadership for imparting training and treatment in these conditions should be posted at these institutions.
- (b) Unless they volunteer to do so, personnel should not be required to remain at these institutions for more than two years at a time.

741. OPEN WORK CAMPS/OPEN TRAINING INSTITUTIONS

- (a) Open Work Camps should be started in places where nation building activities, like digging canals, water channels, construction of dams, roads, government buildings and prison buildings, projects of land reclamation, land development and bringing uncultivated land under cultivation, soil conservation and forestation, can be organised. Open Training Institutions should be situated in place where land and vocational training facilities are available for inmates' training and after that for work either in collaboration of some Industry/Organisation/Department or by Prison Department.
- (b) Prisoners who do not respond properly to the standard of discipline in these camps should be transferred back to Closed Institutions,

742. SEMI-OPEN TRAINING INSTITUTIONS

- (a) Prisoners should mainly be employed in suitable industries, agriculture and allied work. Emphasis shall be laid on programmes like literacy project, social education, cultural and recreational activities;
- (b) Inmates will be gradually relaxed from the condition of closed prison in the beginning to that of an Open Institution in the final stage.

743. OPEN COLONIES

In open colonies, emphasis should be on work, literacy projects, social education, training in agriculture and allied fields and cultural activities.

Chapter – XXXII
(Repatriation of Prisoners)

- 744.** A number of Indian prisoners are lodged in various countries undergoing their sentences while, a number of foreign prisoners are similarly lodged in Indian prisons (Current number of foreign prisoners is 2,495 as per NCRB Prison Statistics 2014). These prisoners are unable to meet with their families due to long distances and this loss of contact with family members hinders their rehabilitation and reformation. Such prisoners may be brought back for undergoing the remaining period of their sentences under the various bilateral and multilateral agreements entered into by India, through the process of repatriation under the aegis of Repatriation of Prisoners Act 2003 and Repatriation of Prisoners Rules 2004.
- 745.** Presently, India has entered into bilateral agreements with 27 countries (listed below) and has also acceded to one multilateral treaty i.e the Inter-American Convention on Serving Criminal Sentences Abroad (IAC), which is signed by the Member States of the Organisation of American States (OAS) but is also open to accession by non-OAS countries. Currently, India has functional arrangements with 36 countries (20 countries under bilateral agreement and 16 countries under Inter- American Convention on Serving Criminal Sentences Abroad) for transfer of sentenced persons. These countries are United Kingdom, Mauritius, France, Bulgaria, Egypt, South Korea, Saudi Arabia, Bangladesh, Sri Lanka, Cambodia, Israel, UAE, Iran, Italy, Maldives, Turkey, Thailand, Russian Federation, Kuwait, Hong Kong Special Administrative Region and Argentina, Belize, Canada, Czech Republic, Chile, Costa Rica, Ecuador, El Salvador, Guatemala, Mexico, Nicaragua, Panama, Paraguay, United States, Uruguay, Venezuela.

Out of these, India has operational agreements with the following 20 countries: United Kingdom, Mauritius, Bulgaria, France, Egypt, Sri Lanka, Cambodia, South Korea, Saudi Arabia, Iran, Bangladesh, Israel, UAE, Italy, Turkey, Maldives, Thailand, Russian Federation, Kuwait and HKSAR. Indian prisoners undergoing a sentence in the prisons of these countries may be brought back in terms of these agreements, and nationals of such countries can be repatriated to their native countries in accordance with the agreements.

- 746.** India has also acceded to multilateral convention of the Organisation of American States a regional organization having 35 member States). The Inter American Convention on Serving Criminal Sentences Abroad was adopted on 9th June 1993 and came into force on 12th April, 1996. It is a multilateral treaty, which lies under the framework of Organisation of American States. India is also in the process of acceding to the Council of Europe Convention on Transfer of Sentenced Persons. The Council of Europe Convention on Transfer of Sentenced Persons came into being on 12th April, 1983 and is effective since **1 July 1985**. So far, the total 64 countries have ratified the convention. Out of these, 45 countries are the member States of the Council of Europe – Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russia, San Marino, Serbia, Slovakia,

Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, Ukraine and United Kingdom. The rest **19 countries** namely, Australia, Bahamas, Bolivia, Canada, Chile, Costa Rica, Ecuador, Honduras, Israel, Japan, Korea, Mauritius, Mexico, Panama, Philippines, Tonga, Trinidad and Tobago and United States of America, Venezuela are non- member states of the Council of Europe (CoE).

747. The procedure for processing such repatriation requests is briefly described below and is detailed in guidelines issued by way of Advisory by MHA on 10th August, 2015:

- (a) The request for transfer should be made by the prisoner or anyone acting on his/her behalf voluntarily.
- (b) This request should be forwarded by the prison authorities of the country where he is lodged to the prison authorities of the country where he is to be repatriated.
- (c) The prisoner should be undergoing a sentence after being convicted by the court of law for an act which is an offence in both the countries i.e. the Transferring country as well as the Receiving country.
- (d) There should not be any other cases pending in a court of law at the time of making such a request and the prisoner should not be wanted in any other proceedings by any investigating agency.
- (e) At least 6 months period of his sentence should remain for such request to be considered.
- (f) On transfer the prisoner would undergo either the remaining period of his sentence or his sentence would be adapted in terms of existing provisions of law in the Receiving country without aggravating the period of his sentence. The period of sentence so adapted should closely be in line with the sentence awarded to him in the court of law in the country where convicted and can be modified to bring it in line with similar provisions in the Receiving country.

All the Missions of the country abroad and the prison administrations in the States/UTs have been apprised about the guidelines for repatriation of eligible inmates who can be considered for such repatriations.

Repealing and Savings:

- (1) With the framing of and coming into force of the Tripura Sansodhanagar Rules, 2021, the Bengal Jail Code as adopted and applicable in Tripura, the Prisoner (Release on Parole) Rules, 1998 and Notification No.F.IV-942/IGP/2018/271-81 dated 24.01.2020 and No.F.I-118/IGP/64 dated 23.06.1964 are hereby repealed.
- (2) No withstanding such repealed, anything done and any action taken under the aforesaid rules shall be deemed to have done or taken under the corresponding provisions of such rules.

By order of the Governor


20.11.2021
(A. Roy, IAS)
Secretary,
Department of Home (Jail)
Govt. of Tripura